
Increasing the Effectiveness of UNHCR's 4Rs Activities in Afghanistan: Compliance, National Capacity and Domestic Actors*

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Abstract

The United Nations High Commissioner for Refugees has conducted activities in refugee producing countries to provide the sustainability of voluntary repatriation as the most preferred durable solution. The literature on UNHCR's increasing activities of this sort has a rather normative focus, questioning whether UNHCR should be involved in such activities. However, it mainly lacks discussions on how the effectiveness of 4Rs activities may be increased. This article is an attempt to fill this gap in the literature by examining the effectiveness of 4Rs activities in Afghanistan. It argues that increasing Afghanistan's national capacity for compliance through increasing support among domestic actors such as Afghan government officials and the public by persuasion and shared norms is likely to increase the effectiveness of the international refugee regime. The article seeks to identify the factors that are likely to shape the opinions of the domestic actors and to make tentative suggestions for increasing support among them for 4Rs activities.

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Key Words

UNHCR, Afghanistan, 4Rs activities, effectiveness, domestic factors.

Introduction

People are forced to flee from their countries due to various reasons such as war, persecution, poverty or environmental disasters. Though these migrants may establish a new life in their host countries, one of the main options is to return to their countries of origin when the conditions are conducive to return. For refugees, the United Nations High Commissioner for Refugees (UNHCR), as the lead international organization of the international refugee regime,¹ has increased its activities in refugee producing countries² since the beginning of the 1990s to promote voluntary repatriation as a durable solution, and in 2003 developed its Repatriation, Reintegration, Rehabilitation and Reconstruction (4Rs) approach.

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ensure refugee protection and to find durable solutions for refugees through resettlement or local integration. Especially after the end of the Cold War, when ideological motivation came to an end, the developed states became reluctant to provide resettlement as a durable solution for refugees and a similar reluctance was also valid for the asylum states on providing local integration. For this reason the UNHCR began to focus on voluntary repatriation as a durable solution and increased its activities in the refugee producing countries. The shift of UNHCR's activities from host countries to refugee producing countries has mainly been discussed in the literature with a normative focus, questioning whether UNHCR should be involved in activities like the 4Rs. One strand of the literature supports UNHCR's increased activities in countries of origin, though with

caution. The cautionary side of this strand of the literature argues that UNHCR's direct engagement in country of origin activities during conflict and post-conflict situations would stretch the refugee regime to its limit and could prevent it from concentrating on its original humanitarian protection role.³ Thus, it argues, UNHCR should not have the sole responsibility for such activities, and inter-agency collaboration is needed for responsibility sharing.⁴ The other strand of the literature argues that UNHCR should refrain entirely from country of origin activities like the 4Rs for two main reasons: First, the threat of erosion in the right of asylum and principle of non-refoulement; and second, the lack of institutional and legal basis. Regarding the first point, it is argued that repatriation as the main choice of solution by UNHCR resulted in the erosion of asylum as an institution of international protection and in erosion of the principle of non-refoulement, causing returnees to become internally displaced persons.⁵ For the second point, this strand of the literature argues that UNHCR lacks a firm institutional and legal basis for in-country activities due to its non-political and humanitarian nature.⁶ Goodwin-Gil admits this position, arguing that UNHCR's non-political and neutral nature does not allow for the protection of persons within their own country,

and such politicized and conflict-ridden situations have the risk of jeopardizing UNHCR's independence, neutrality and impartiality.⁷ Since the literature has mainly a normative focus on 4Rs activities, it fails to address the question of how their effectiveness may be increased. This article is an attempt to contribute to the literature on UNHCR and its 4Rs activities by questioning how the effectiveness of 4Rs activities may be increased in Afghanistan, as the country witnessing the largest repatriation operations in UNHCR history.

Throughout its history Afghanistan has produced mass refugee flows, mainly to Pakistan and Iran, and after 1979 became the largest refugee producing country. With the withdrawal of the Soviet Union from Afghanistan in 1989, over 3.5 million Afghan refugees returned to their homes.⁸ After the signing of the Bonn Agreement in 2001, UNHCR and its implementing partners⁹ have conducted 4Rs program in the country and more than 5.8 million additional Afghan refugees returned home by the end of 2015.¹⁰ By the beginning of 2016, there were still 2.7 million Afghan refugees abroad, ranking them the second largest refugee population in the world after Syrian refugees.¹¹ According to key social-economic and political-military indicators, Afghanistan is identified as the top of the list of the high

alert group, and is ranked 9th of 178 countries on the fragile state index.¹² The country has a GDP of US\$ 64.08 billion in 2016, ranked in 104th in the world, and its GDP real growth rate is 2% in 2016, ranked 134th in the world.¹³

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As the site of the largest ever repatriation operation and 4Rs activities by the international community; exploring the effectiveness of those 4Rs activities in Afghanistan is crucial to ensuring the sustainability of refugee returns to Afghanistan. This article argues that Afghanistan's compliance with the legal accords of the 4Rs activities affects the effectiveness of such activities. In order to strengthen compliance in Afghanistan as a fragile state with concerns on its political, legal and administrative capacity, national capacity building is required. To increase national capacity, the article benefits from constructivism

together with neoliberalism and argues that an increase in support among government officials and public opinion in Afghanistan is likely to contribute to the effectiveness of the 4Rs activities.

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This article has four parts. First, it explains the theoretical background and methodology. Second, it provides background information on UNHCR's 4Rs approach. In the last two sections, the article identifies the possible factors that shape the opinions of the Afghan government officials and public on the 4Rs activities and attempts to provide tentative suggestions for the international community to increase its support for 4Rs activities.

Theoretical Background and Methodology

The literature on international regimes defines effectiveness mainly

in two ways: Problem solving and goal attainment. While the first refers to the contributions regime institutions make to solve the problems that motivate actors to create them,¹⁴ the latter has to do with the fulfilment of the goals that the regime sets for itself.¹⁵ Regardless of which definition is adopted, states' compliance with the regime rules is important for the effectiveness of international regimes. In both of the definitions, compliance with the regime rules is important for the effectiveness, though not identical. Because states' adherence to the provisions of international accords and their implementing measures does not guarantee the effectiveness,¹⁶ it is still argued that compliance may be a fair first approximation surrogate for effectiveness.¹⁷

As Young and Levy state, "when specifying the problem addressed by a regime, the one 'that prompts its creation', is explicit institutional goals".¹⁸ This article therefore integrates these two definitions and defines the effectiveness of 4Rs activities as preventing the protracted refugee situations (problem solving), through providing sustainability of repatriations (goal attainment). Thus, 4Rs activities in Afghanistan aim to solve the problem of the protracted Afghan refugee situation mainly in two major host states, Iran and Pakistan, by facilitating sustainable voluntary repatriations to Afghanistan.

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Recalling that the article admits compliance as a necessary component of an effective regime and/or increasing effectiveness, this article attempts to identify factors for increasing the effectiveness of 4Rs activities of the international refugee regime in Afghanistan through increasing Afghanistan's compliance with the regime rules.

As the legal ground of 4Rs activities, UNHCR signed tripartite agreements with the Interim Government of Afghanistan and Iran in 2002 and Pakistan in 2003, having the aim of facilitating voluntary repatriation of Afghan refugees in Iran and Pakistan in safety and with dignity, and reintegrating them successfully in Afghanistan. These legal accords constitute the basis of the regime rules for compliance in 4Rs activities, and the compliance of all related parties with these agreements is required for the effectiveness of 4Rs activities in

Afghanistan.¹⁹ On the one hand, the compliance of Iran and Pakistan with the rules, such as respecting the voluntary character of the repatriations and safety of the repatriating refugees while on their territory, is important particularly for the effectiveness of the first R (Repatriation). On the other hand, for the effectiveness of the remaining three Rs, it is Afghanistan who should comply with the rules of these legal accords, such as creating conditions conducive to the reintegration of refugees in safety and with dignity, and extending full cooperation with UNHCR and its implementing partners for making repatriations sustainable through rehabilitation and reconstruction phases.

Compliance has two dimensions, one is willingness and the other is capacity to comply. As Chayes and Chayes point out, “[s]hortcomings of compliance do not necessarily mean a lack of will, but are rather attributed to the lack of capacity to comply with the requirements of international agreements”.²⁰ Since the effectiveness of 4Rs activities may increase with the compliance, here the question is how to strengthen Afghanistan's compliance with the rules of 4Rs activities in order to have better effectiveness. There are different theoretical arguments for increasing compliance both in terms of willingness and capacity.

Realist theories emphasize the nature of anarchy in the international system and based on their assumptions on this anarchical nature, Classical Realists focus on the importance of relative gains. According to them, there is a greater probability of states' compliance when the costs are smaller and benefits associated with the international accord are greater.²¹ Hegemonic stability theory contributes to the Realist theories by arguing that states tend to comply with the regime rules when a hegemon also complies.²² According to Neorealists, states make their decisions about compliance with the regime rules based on their power capabilities within the anarchical system.²³ Considering these Realist theories, it may be argued that Realists concentrate on how to increase states' willingness for compliance rather than focusing on how to increase their capacity. They define capacity as a systemic factor in terms of relative power capabilities, rather than national capacity in terms of bureaucratic and institutional capabilities. For example, hegemonic stability theory focuses on coercive capacity to impose sanctions for "inducing others to share costs".²⁴ Thus, for hegemonic stability theory and Neorealism, capacity determines which state may coerce the others to comply.

According to neoliberals, states are concerned with absolute gains rather than relative ones within the anarchic nature of the international

system, and states' compliance may be increased when they have a common interest in cooperation.²⁵ Neoliberal scholars emphasize the importance of domestic variables such as societal ideas, institutions, and the role of elites on states' compliance by shaping state preferences.²⁶ Thus, contrary to Realists, neoliberals also focus on domestic factors for determining states' willingness for compliance. Beside willingness, neoliberal scholars also consider states' national capacity to comply with the regime rules, and argue that capacity building is a necessary condition for effectiveness.²⁷ To increase states' bureaucratic and institutional capacity, they suggest creating interorganizational networks with operational organizations, transferring financial assistance, policy-relevant information and expertise.²⁸

For constructivists, states comply with the regime rules when international regimes' norms and values match with the states' norms and values.

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According to constructivists, state policies are shaped by shared norms and values since the anarchical system is not an objective outside reality.²⁹ Constructivists consider both willingness and capacity as essential for compliance. For willingness, they argue that states tend to adopt institutional rules as long as such rules are regarded as appropriate in light of their internalized identities, values and norms.³⁰ For capacity, constructivists criticize rationalist theories for not problematizing “the capacity of rational actors to engage in optimizing behavior”.³¹ As Chayes and Chayes state, “[q]uite apart from political will, (...), the construction of an effective domestic regulatory apparatus is not a simple or mechanical task”.³²

Afghanistan has already expressed its willingness as a state to comply with the foundations of the Bonn and Tripartite Agreements for lasting peace, stability and social and economic progress in Afghanistan, for safeguarding the right and freedom of all returnees, and to participate in the project of reconstruction, consolidation of peace, democracy and social development.³³ Thus, this article argues that it is the capacity part that may be strengthened to increase compliance, which may in turn lead to a better implementation of 4Rs activities.

While Neorealist theory considers state capacity as a systemic one determined

mainly by relative military power, neoliberal and constructivist theories pay attention to national capacity as well. However, the latter two theories differ in terms of what they consider as the means for increasing national capacity. Neoliberals, in addition to domestic factors, focus on international factors such as interorganizational networks and financial assistance, while constructivists focus on domestic factors such as ideas, norms and values within government and society. Thus, this article counters Neorealist theory by arguing that states’ national capacities do affect states’ compliance with the regime rules, especially in fragile states like Afghanistan, having concerns on their political, legal and administrative capacity. Furthermore, this article benefits from both neoliberal and constructivist theories’ insights to improve national capacity for better compliance, though they

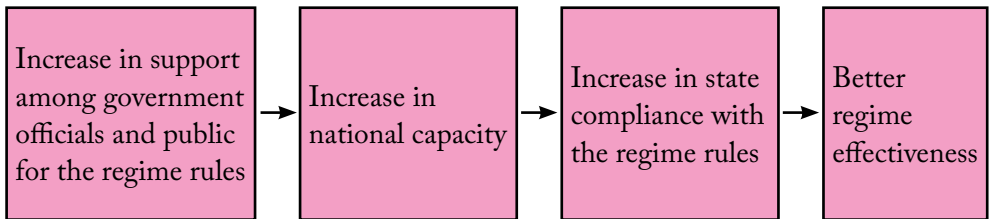
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focus on different factors: the first one on international and the latter on domestic factors.

Regarding international factors, UNHCR has already initiated capacity building efforts in Afghanistan through 4Rs activities like developing networks with agencies like the World Bank (WB) and United Nations Development Programme (UNDP), and transferring financial assistance and policy expertise, as neoliberals suggest. Thus, it may be argued that international factors for increasing

national capacity for compliance are already at stake in Afghanistan. For this reason, this article benefits from constructivism to improve national capacity for compliance and argues that an increase in support among domestic actors for the activities of the international community is likely to contribute to national capacity building. The article defines the Afghan government officials and public as domestic actors. Their support for 4Rs activities is likely to increase Afghanistan's national capacity for compliance, as illustrated in Figure 1.

Figure 1: Relationship between domestic factors and effectiveness of international regimes



Derived from this argument, this article seeks to examine the factors that affect the ideas, values and norms of the domestic actors to develop tentative suggestions for better effectiveness of 4Rs activities in Afghanistan.³⁴ For this qualitative analysis, the data

collection requires an extraction from various sources. In this regard, the article uses analyses and field reports published by various UN agencies such as UNHCR, UNDP, United Nations Children's Fund (UNICEF) and the United Nations Office on

Drugs and Crime (UNODC). It also benefits from reliable surveys conducted by NGOs and research centers such as the Asia Foundation, Integrity Watch Afghanistan, the Afghanistan Research and Evaluation Unit, and the Feinstein International Center. The Asia Foundation, as a non-profit international development organization, has been publishing annual surveys of the Afghan people since 2004 and its surveys are the longest-running and broadest nationwide survey of Afghan attitudes and opinions, gathering the opinions of more than 87,000 Afghan men and women across all 34 provinces through face-to-face interviews by a team of Afghan enumerators.³⁵ Integrity Watch Afghanistan, as an independent civil society organization, dedicates itself to understanding, analysing and acting for transparency, accountability and anti-corruption issues. It has published biannual surveys on national corruption since 2010 by conducting interviews across all 34 provinces of Afghanistan. The Afghanistan Research and Evaluation Unit is an independent research organization

UNHCR has already initiated capacity building efforts in Afghanistan through 4Rs activities.

based in Kabul. Its survey of assessing democracy assistance in Afghanistan collected data from 40 interviews with civil society actors, political parties, NGOs and academics in 2009. Though it provides a limited perspective of the overall picture of assistance, the survey has still valuable indicators for Afghan public opinion on the activities of the international community. Last but not least, the Feinstein International Center, a research and teaching center at Tufts University, conducted a research on the relation between aid and security in Afghanistan in five provinces and Kabul between June 2008 and February 2010, through interviewing 574 respondents including former government officials, tribal and religious leaders and community members. The article also benefits from Integrated Regional Information Networks (IRIN) news as the humanitarian news and analysis service from the UN Office for the Coordination of Humanitarian Affairs, since it provides detailed insights as a reliable field source.

Voluntary Repatriation and 4Rs Activities

The international refugee regime has evolved from temporary agencies with limited mandates to a world-wide refugee organization with a competence of mandate for all actual or potential refugees without any geographical

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or time limitation. In 1947, the International Refugee Organization was established as a temporary agency of the United Nations (UN) for just three years, since the UN members considered the refugee problem of that time as a temporary problem caused by the Second World War. When it was dissolved in 1951, as scheduled, UNHCR was then reestablished as a temporary agency with a 3 year mandate by the United Nations General Assembly (UNGA), with a similar belief that refugee problems have a temporary character. Finally, in 2003, the UNGA removed the time limitation and decided to “continue the Office until the refugee problem is solved”.³⁶ As the lead agency for refugees, UNHCR has two main functions derived from its Statute:³⁷ Providing international protection to refugees under the auspices of the UN; and seeking durable solutions for the refugee problem.

Durable solutions are defined as facilitating voluntary repatriation, local integration within new national communities in the country of first asylum, and through resettlement in a third country. UNHCR has promoted voluntary repatriation as a durable solution to refugees since the beginning of the 1990s. However, interestingly enough, voluntary repatriation was not regarded as a viable option when UNHCR was established in 1951. France and the U.S. even objected to its inclusion among the durable solutions as a part of UNHCR’s functions. The reason was mainly Cold War considerations, since repatriation would mean sending refugees back to their communist states.³⁸ However, since the beginning of the 1990s, states have become reluctant to provide resettlement and local integration as durable solutions to refugees. In addition to the dramatic and constant increase in the number of refugees in the 1990s due to the breakup of Yugoslavia and the Balkan Wars, the Iraqi invasion of Kuwait and the genocide in Rwanda caused protracted refugee situations.³⁹ As a response to the protracted refugee situation in the absence of asylum countries’ cooperation with UNHCR for providing resettlement and local integration options as durable solutions, UNHCR began to focus on voluntary repatriation as the most preferred solution and stated that its actions for durable solutions to refugee problems

have been oriented in a manner to enable refugee to return home in safety and dignity.⁴⁰

In addition to the dramatic and constant increase in the number of refugees in the 1990s due to the breakup of Yugoslavia and the Balkan Wars, the Iraqi invasion of Kuwait and the genocide in Rwanda caused protracted refugee situations.

Though UNHCR began to focus on voluntary repatriation as the most preferred durable solution, it also provided initiatives for the other two durable solutions. The Development through Local Integration approach (DLI) became a renewed focus on finding durable solutions for refugees in 2001. The DLI framework aims to provide for self-reliance and local integration of refugees who are unable to repatriate and who are willing to integrate locally, and to improve burden sharing for host states.⁴¹ UNHCR also initiated and coordinated the Convention Plus initiative in 2003 to find durable solutions for refugees through multilateral special agreements with cash donors, host countries and any country relevant for refugee

protection and solution.⁴² However, the dramatic shift to voluntary repatriation has caused a shift in the understanding of effectiveness of the international refugee regime, requiring increased activities by UNHCR in the countries of origin.

Since the regime mandate was mostly limited to the activities in countries of asylum, its understanding of effectiveness was also reactive. However, the promotion of voluntary repatriation in its nature contains the need for post-repatriation activities. UNHCR admits that securing the sustainability of repatriations as a durable solution “is a long-term undertaking that exceeds the mandate and resources of UNHCR”.⁴³ Thus, focusing on voluntary repatriation as the preferred solution, then High Commissioner Ruud Lubbers (2001-2005) from the Netherlands initiated a new partnership in March 2002 between UNHCR, UNDP and the WB given their clear repatriation, rehabilitation and reconstruction mandates.⁴⁴

Accordingly, in 2003, Lubbers introduced the concept of repatriation, reintegration, rehabilitation and reconstruction, known as the 4Rs approach, with the aim of enhancing the sustainability of repatriation as a durable solution.⁴⁵ Its main reasoning is stated by UNHCR as the lack of a systematic planning of the process from reintegration to longer-term

reconstruction. Being overlooked in development planning, the needs of displaced populations are crucial for the sustainability of repatriations. Thus, UNHCR suggests an integrated and comprehensive approach for durable solutions operations to meet the medium and longer-term needs of the displaced population through system-wide consideration.⁴⁶ Within the framework of 4Rs activities, UNHCR, together with its implementing partners, organizes voluntary repatriation operations, provides reintegration and rehabilitation activities to ensure the sustainability of repatriations, and implements capacity building activities through the reconstruction of governance capacity. Thus, it may be argued that it basically aims to mainstream reintegration activities into national development plans and programs.⁴⁷ Here, the article benefits from neoliberalism to explain the reasoning of maintenance of reintegration activities together with capacity-building ones. As neoliberals argue, national capacity is important for states' compliance, and increasing compliance is likely to increase the effectiveness of international regimes. Neoliberals suggest that the activities of the international community for national capacity building are similar to what UNHCR and its implementing partners attempt to do through 4Rs activities.

Within the framework of 4Rs activities, UNHCR, together with its implementing partners, organizes voluntary repatriation operations, provides reintegration and rehabilitation activities to ensure the sustainability of repatriations, and implements capacity building activities through the reconstruction of governance capacity.

The first R of the 4Rs approach, Repatriation, is defined by UNHCR as “the free and voluntary return of refugees to their country of origin in safety and dignity”.⁴⁸ The second R symbolizes Reintegration, defined as the ability of refugees “to secure the necessary political, economic, legal and social conditions to maintain their life, livelihood and dignity” upon their return.⁴⁹ The third R is reserved for Rehabilitation, which is defined as “the restoration of social and economic infrastructure destroyed during conflict in areas of return to enable communities to pursue sustainable livelihoods”.⁵⁰ The activities in the context of rehabilitation include “investments in shelter, potable water, schools, primary health care, agricultural activities, income generation opportunities, micro-credit

schemes, and skills training”.⁵¹ The last R indicates Reconstruction, which is defined as “the (re)establishment of political order, institutions and productive capacity to create a base for sustainable development”.⁵² It addresses medium and long term needs of a refugee producing country to prevent the recurrence of forced displacement.

In Afghanistan, UNHCR and its implementing partners began 4Rs activities in March 2002. After the beginning of mass voluntary repatriations from Iran and Pakistan in 2002 and 2003, UNHCR increased its activities in Afghanistan in terms of ensuring sustainable returnee reintegration.⁵³ Decades of conflict had destroyed Afghanistan’s infrastructure such as roads, bridges and crucial buildings including schools and hospitals. Thus, through rehabilitation, UNHCR has attempted to push economic development and reduce poverty by generating employment opportunities and by increasing access to basic services.⁵⁴ In terms of reconstruction activities in Afghanistan, UNHCR mainly aims to rebuild key governance institutions. The ultimate goal is to establish a multi-ethnic, sustainable police service committed to the rule of law, protecting the rights of citizens and maintaining civil order.⁵⁵ All these efforts, as neoliberals argue, aim to contribute to

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the national capacity of Afghanistan to comply with the rules of 4Rs activities, which would in return increase the effectiveness of 4Rs activities in Afghanistan. One of the crucial implementing partners of UNHCR in Afghanistan’s reconstruction is UNDP, particularly on disarmament, institution building, security sector reform and rural development.⁵⁶ In Afghan reconstruction efforts, the WB and UNICEF are also essential implementing partners of UNHCR. While the WB aims to expand rural programs in the areas with high returns to create economic outputs and poverty reduction⁵⁷, UNICEF provides teaching and learning materials to instructors and students, works to increase school enrolment, and establishes community based schools, accelerated learning centres and literacy centres.⁵⁸

In Afghan reconstruction efforts, the WB and UNICEF are also essential implementing partners of UNHCR.

Afghanistan has already declared its willingness to comply with the tripartite agreements, which establish the legal rules of 4Rs activities. For explaining the reasons for their willingness for these agreements, this article benefits from neoliberalism and counter the Realist arguments. Contrary to what classical Realists argue, Afghanistan, Iran and Pakistan have not considered their relative gains while signing these agreements. Their willingness to cooperate has not been based on power capabilities, as Neorealists propose. For example, despite concerns on its capacity, Afghanistan has the willingness to comply with these legal accords, as expressed by Hamid Karzai, as the President of the Afghan Interim Administration and the first elected President of Afghanistan between 2004-2014.⁵⁹ According to this article, neoliberals' explanation for compliance is more relevant for the Afghan case, because Afghanistan, Iran and Pakistan decided to sign these tripartite agreements and agreed to comply with them due to their common interests in cooperation. Since all of the three countries had interests in

mass repatriations of Afghan refugees to Afghanistan though with different reasons, they cooperated with voluntary repatriation operations conducted by UNHCR.

In addition to willingness, capacity is also an important asset for states' compliance with the legal rules of international regimes. Countering the Neorealist assumptions, this article argues that states primarily need to have national capacity to comply, because even when a coercive power induces a weak state to comply with the regime rules, without national capacity, this forced compliance will not be effective. Thus, as neoliberals and constructivists argue, states' national capacity need to be improved, especially in fragile states like Afghanistan, for increasing compliance, which would in return increase the effectiveness of international regimes. Since 4Rs activities already include international efforts for national capacity building in Afghanistan, the article examines in the next two parts how national capacity to comply with 4Rs activities may be increased in Afghanistan through increasing support of domestic actors for 4Rs activities.

Opinion of the Afghan Government Officials

This article argues, as do constructivists, that efforts for national capacity

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building, which is required for state compliance with the regime rules, need more than material power or political will. Thus, it examines Afghan government officials on 4Rs activities as one of the domestic actors whose support is likely to strengthen the state compliance by increasing national capacity. It identifies two main factors that shape their support on 4Rs activities: the level of support and the authority to use international aid.

Though Afghan officials have been pleased with the support of the international community in reconstruction efforts and improving the security situation in Afghanistan, they are not satisfied with the level of support given to the government. Afghan leaders told the UN Security Council mission to Afghanistan that the international community has failed to provide basic services, governance and security to rural communities. In relation with the Taliban insurgency within Afghanistan, they also criticized the international community for not supporting the government enough to develop its own security forces.⁶⁰

IRIN reports that Qadam Ali Nikpai, Public Information Officer at the Afghan Upper House of Parliament, said that “our government is not even able to pay the salaries of its own employees or train enough police to maintain security, so how is it possible to tackle the problems of corruption and opium without firm support from the international community?”⁶¹ In an interview with IRIN, Barnet Rubin also stated that international actors underinvested in the security sector by funding adequately in the rebuilding of the administration and by delaying the reconstruction and development programs. According to him, such delays prevented the Afghan government from having enough capacity to implement 4Rs programs.⁶² Thus, as neoliberals argue, international factors for capacity building are important in the sense that delays in such efforts of the international community may cause national capacity defects in complying with the rules of 4Rs activities. Furthermore, it may be argued that international factors, emphasized by neoliberals, and domestic factors, stressed by constructivists, for national capacity building, have an interactive character. This is so because an inconvenience with the international efforts of capacity building may cause dissatisfaction among the government officials, which may in return have a diminishing impact on the capacity

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building efforts through domestic factors.

In terms of the lack of authority to use international aid, Saadia Fayeq Ayubi, the Director of Reproductive Health at the Ministry of Public Health (MoPH), has criticized the foreign agencies, arguing that the MoPH has only a symbolic role, with extremely low capacity. She stated that donors give money to NGOs and other implementing agencies, but the MoPH could not even monitor the projects implemented by these agencies due to its extremely low capacity.⁶³ The WB report also confirms that most of the aid for Afghanistan has been outside the government budget and directly delivered by donors. According to the WB, in 2010/11, the core budget of Afghanistan was only \$1.9 billion (12 percent) of the aid budget whereas \$13.8 billion (88 percent of the aid budget) was the

external budget, executed by donors and their implementing partners.⁶⁴ As neoliberals argue, the transfer of policy-relevant information and expertise is important for the international efforts of national capacity building. Thus, it may be argued that bypassing the Afghan government through the absence of authority to use and/or monitor international aid may limit its capacity to build public services and strengthen its governance system.

The article suggests that if the dissatisfaction of the Afghan government officials for 4Rs activities can be overcome and if the international community shared the same/similar ideas, norms and values of the Afghan government officials on the level of support and authority provided to the Afghan government agencies, Afghanistan's capacity for compliance with the rules of 4Rs activities would be likely to increase. Thus, the article tentatively suggests that UNHCR and its implementing partners should increase the level of basic services, governance and security to rural communities or, if that's not possible, should persuade the government officials on the conditions that prevent the international community from doing so. Second, the article proposes increasing government authority on aid spending and monitoring 4Rs projects under the supervision of the international community, instead of

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simply bypassing the government, which is then likely to increase their support for 4Rs activities.

Afghan Public Opinion

Since this article benefits from constructivism to question how the effectiveness of 4Rs activities may be increased through strengthening national capacity for compliance, the Afghan public is regarded as a domestic actor, and persuasion of the public may be an important factor for the effectiveness of 4Rs activities. Thus, the article seeks to examine the factors that shape Afghan public opinion towards the activities of the international community. The article identifies two main domestic factors that may constitute an obstacle for successful implementation of 4Rs activities in Afghanistan: distrust in

the international community; and mismatch in ideas, values and norms of the international community with some segments of Afghan society.

Regarding the first factor, the article finds that confidence in the international community has decreased throughout the years in Afghanistan. According to surveys conducted annually by the Asian Foundation Afghanistan Office, the percentage of people who have a great deal or fair amount of confidence in international and national NGOs was stable at around 65 percent and 60 percent between 2007 and 2009.⁶⁵ However after 2010, a significant fall in confidence in NGOs was identified and in 2013, the confidence of the Afghan people towards international and national NGOs decreased to 51 percent.⁶⁶ In 2016, the confidence towards international and national NGOs was at the lowest level recorded in the 10-year history of the Asian Foundation Afghanistan Office surveys, becoming 44 and 48 percent respectively.⁶⁷

To be able to persuade the Afghan public to support 4Rs activities, the possible reasons of this distrust need to be identified. Derived from the qualitative analyses of data taken from surveys conducted in the field, such as the Police Perception Survey conducted across all 34 provinces of Afghanistan in 2010 by the Afghan Center for Socio-Economic and Opinion

Research for UNDP Afghanistan; the National Corruption Survey conducted across all provinces of Afghanistan in 2013 by Integrity Watch Afghanistan; the research of Antonio Donini⁶⁸ on the local perceptions of assistance to Afghanistan, which collected data through 18 focus group meetings and one-to-one interviews with close to 200 participants in 5 provinces of Afghanistan including Kabul; the Assessing Democracy Assistance Survey: Afghanistan conducted for the Afghanistan Research and Evaluation Unit, an independent research organization based in Kabul in 2009; and the survey on the relationship between aid and security in Afghanistan conducted via personal interviews by the Feinstein International Center in six provinces including Kabul between June 2008 and February 2010, the article finds out two reasons: First, the belief that the international community serves its own interests when making decisions and policies rather than the interests of the Afghan people and second, Afghan people's concern on the unfair distribution of international aid between the regions.

Regarding the first reason, the UNDP-Afghanistan 2010 survey states that 44 percent of the respondents do not have a favorable view of international aid organizations and 58 percent of them report that international aid organizations do not have a strong

presence in their area.⁶⁹ A 2014 survey on Afghan perceptions and experiences of corruption, conducted by Integrity Watch Afghanistan, also states that “[o]nly 36% of respondents believed that the international community wants to fight corruption in Afghanistan. An even smaller proportion of respondents (roughly 34%) believed that the international community supported honest government officials in their province”.⁷⁰ In his research, Donini finds that the popular view on the international community is that the foreigners come to Afghanistan in order to become rich or find work because they cannot find work at home. According to his research, a minority also feels that they come with some kind of hidden religious or political agenda.⁷¹ Supporting all these findings, the research, conducted by FRIDE finds out that there is suspicion among Afghan people concerning the real agenda of

Regarding the reason for the distrust in UNHCR and its implementing partners, which is the belief about the unfair distribution of international aid, the Feinstein International Center's 2012 report finds that this critique is a widely accepted one.

international donors. According to the findings of this research, there is a widespread belief among Afghans that democracy, peace and stability are only peripheral demands and international community has rather a desire to occupy Afghanistan or exploit its natural resources.⁷²

Regarding the second reason for the distrust in UNHCR and its implementing partners, which is the belief about the unfair distribution of international aid, the Feinstein International Center's 2012 report finds that this critique is a widely accepted one. According to the report, many Afghans viewed aid projects negatively because of injustice in benefiting from the international assistance. A few officials and powerbrokers were perceived as the main beneficiaries of the international assistance at the expense of the majority of Afghans.⁷³ Supporting this finding, the research conducted by Donini also finds out that most people say that the distribution of aid is discriminative, going to those who are rich and well connected with people in power. So, aid is seen as going to those people able to occupy key links in the chain of intermediaries, not to the most needy. According to his research, many Afghans suspect that there are gatekeepers benefiting from the international aid, such as government officials who mediate transactions with the aid community and Afghan aid agency staff who

maintain the contacts with government and local authorities.⁷⁴ Thus, it may be argued that when neoliberals and constructivists' assumptions are implemented together, national capacity for compliance is likely to increase in a more effective way. As seen in the identified reasons of distrust in the international community, any weakness of international efforts for capacity building may reduce the support of public opinion for 4Rs activities. For example, any weak presence shown by the international aid organizations and/or lack of legitimizing the reasons of the activities pursued by the international community may cause distrust among the public. Thus, a problem within the international efforts may cause further problems in the domestic factors of capacity building.

Besides the lack of trust in the international community, this article identifies a second factor that shapes Afghan public opinion towards 4Rs activities: a mismatch in values and norms of some segments of Afghan society with the international community.

Besides the lack of trust in the international community, this article

identifies a second factor that shapes Afghan public opinion towards 4Rs activities: a mismatch in values and norms of some segments of Afghan society with the international community. Suhrke states that the vast majority of the Afghan population remains predominantly rural and after 25 years of war possibly even poorer and less educated than before. The Afghan rural population has historically been conservative, and has challenged the central government during previous modernization schemes.⁷⁵ Furthermore, as in many other societies, Afghan people also have the tendency to turn back to more traditional and conservative values in times of insecurity and transition, such as the environment in which the 4Rs activities have been conducted.⁷⁶ For example, some segments of Afghan society do not support education, especially for women. In an IRIN interview, Nadya, a female teacher in the south eastern province of Paktika, said that Afghanistan is a conservative society and there would be more girls at schools only when there are more female teachers.⁷⁷ Similarly, in an interview conducted by Human Rights Watch, an NGO education staff member explained that the lack of female teachers keeps especially older girls from attending school.⁷⁸ There is also a low level of awareness on the benefit of education in the public. In

Education, including investment in schools and skills training, constitutes an essential part of the rehabilitation efforts.

an IRIN interview, a female teacher in Afghanistan explained that “some families still say if their daughters study higher classes they will forget their cultural values. Many parents still prefer their daughters to learn traditional embroidery and handicrafts rather than literacy and other subjects”.⁷⁹ Confirming this observation, Mahmud Omar of Kandahar explained to a journalist the reason why he does not send his daughters to school: “School is not for girls. I don’t let them go. Girls should be at home. If they go to school, girls think that they can go anywhere, that they do not have to wear the hijab (head covering), and that they don’t have to hide their faces.”⁸⁰ Education, including investment in schools and skills training, constitutes an essential part of the rehabilitation efforts and such a negative attitude towards education may be an obstacle to successful implementation of 4Rs activities.

Another area of mismatch may be in the demobilization efforts. Not surprisingly, security is a prerequisite for the successful implementation of

every step of 4Rs activities. Thus, the development efforts of 4R activities cannot be functional in volatile regions like Afghanistan.⁸¹ That's why demobilization of small arms is crucial not only for increasing the security level of returnee and local people but also for the successful implementation of 4Rs activities. However, the lack of security over long years can create a culture of bearing arms to provide security in the absence of trust in the central government and national security forces.⁸² Similarly, the progress of a disarmament, demobilization and rehabilitation programme, initiated in early 2003 by the government and aimed at disbanding militia groups and helping their members reintegrate into society, was very slow.⁸³ The main reason for this was again the feeling of insecurity, as a commander of the officially disbanded CIP Qaliazal militia told IRIN, "if we hand over weapons now, the Taliban will come and kill us all".⁸⁴

Thus, the international efforts of capacity building through education and demobilization may not be successfully implemented, especially in rural and insecure parts of Afghanistan. This situation seems to support the constructivists' priority of the need for the internalization of identities, values and norms of institutional rules by the public to increase the people's support for the activities of the international community. Without

taking into consideration the domestic actors' identities, values and norms, international efforts are likely to remain ineffective as in these examples of education and demobilization.

For the confidence problem, this article provides two tentative suggestions to shape the ideas, values and norms of the Afghan public. First, information campaigns may be helpful to persuade them on the neutrality of aid agencies for the Afghan people by informing them about the difference between the UN and coalition forces, on the civilian nature of their officials, and on the humanitarian aims of international NGOs. It may be also equally important to inform people about the difficult nature of humanitarian aid and development work in Afghanistan, which would in turn likely help increase trust in the international community. Second, as Giorgio Trombatore, International Medical Corps' Former Country Director in Afghanistan, also recommends, the involvement of the local community in the process of humanitarian work may help to avoid any potential misunderstandings or misbeliefs about what is being done.⁸⁵

For the problem of mismatch in values and norms, the article has three tentative suggestions. First, to persuade the Afghan public about the priority of education for national capacity building, information campaigns and the involvement of religious leaders

Information campaigns may be helpful to persuade on the neutrality of aid agencies for the Afghan people by informing them about the difference between the UN and coalition forces, on the civilian nature of their officials, and on the humanitarian aims of international NGOs.

and tribal elders in such campaigns as key advocates may increase the level of awareness on the importance of education among the Afghan public. Second, conducting trust-building activities in Afghanistan such as locating schools closer to home and increasing the numbers of female teachers in schools may increase girls' enrolment in schools by building trust among parents. Such trust-building activities may persuade conservative parents to allow their daughters to attend the schools, which would then contribute to the international efforts of national capacity development through 4Rs activities. Third, to persuade the owners of small guns for demobilization in Afghanistan, the participants of the Bonn Agreement may request the assistance of the international community in helping the new Afghan authorities in the establishing and training of new Afghan security and

armed forces,⁸⁶ which may decrease the feeling of insecurity among the Afghan public.

Conclusion

Afghanistan has experienced the largest voluntary repatriation operation in UNHCR's history and over 5.8 million refugees have repatriated to Afghanistan since 2002. Accordingly, UNHCR, together with its implementing partners, has conducted 4Rs activities in this refugee producing country to make the repatriations sustainable through national capacity building efforts. The literature on UNHCR's activities in refugee producing countries mainly focuses on whether UNHCR should be involved in such activities. Thus, this article aims to contribute to the literature by instead questioning how the effectiveness of 4Rs activities under the international refugee regime may be increased in Afghanistan. It admits that states' compliance is important for the effectiveness of international regimes and that compliance has two dimensions: willingness and capacity. Since Afghanistan as a state declared and bound by compliance through the Bonn and Tripartite Agreements, this article focuses on the capacity dimension of compliance. Supporting the neoliberal and constructivist theories, the article also admits that

national capacity building is required for fragile states like Afghanistan to increase compliance. The article benefits from constructivism together with neoliberalism on the need to increase national capacity and argues that alongside international factors, domestic factors such as support among government officials and public opinion for the activities of the international community are likely to contribute to national capacity building, which can then increase the compliance for 4Rs activities.

Applying this argument to the case of Afghanistan, the article attempts to identify the factors that shape the opinions of Afghan government officials and public and provides

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tentative suggestions for strengthening Afghanistan's compliance with the rules of 4Rs activities by increasing national capacity. In this research, the article reaches three theoretical findings. First, what UNHCR aims to accomplish through 4Rs activities may be explained by neoliberal assumptions. Neoliberals, in addition to domestic factors, also focus on international factors such as interorganizational networks and financial assistance to increase national capacity for better compliance and better effectiveness. Similarly, UNHCR has developed networks with agencies like the WB and UNDP, and transferred financial assistance and policy expertise, as neoliberals suggest.

Second, the willingness to sign and to be bound by the tripartite agreements signed between UNHCR, Afghanistan and Iran or Pakistan may also be explained by neoliberal arguments about willingness. As neoliberals argue, common interests in cooperation lead the willingness to comply with the tripartite agreements.

Last, the article finds that the international and domestic factors for national capacity building have an interactive character and go hand-in-hand. As seen in the dissatisfaction of the Afghan government officials for the level of support and authority provided by the international community to the

government agencies, an inconvenience experienced with the international efforts of capacity building may cause dissatisfaction among the domestic actors, which may in turn have a diminishing impact on the capacity building efforts through domestic factors. Thus, when neoliberals and constructivists' assumptions are implemented together, national capacity for compliance is likely to increase in a more effective way. Without taking into consideration the domestic actors' identities, values and norms, international efforts are likely to remain ineffective, as shown here in the examples of education and demobilization.

The article provides tentative suggestions for increasing the effectiveness of 4Rs activities in Afghanistan through increasing the support of domestic actors. For increasing the support of Afghan government officials for the 4Rs activities, the article suggests that the international community increase the

level of basic services, governance and security to rural communities, and the level of governmental authority on aid spending and monitoring aid projects. If this is not applicable, UNHCR and its implementing partners may persuade the government officials through legitimization on the reasons of failure to increase the level of basic services and governmental authority. To increase support among the Afghan public, the article tentatively suggests information campaigns on the neutrality of aid agencies, involvement of the local community in the process of humanitarian work, and trust-building activities.

The article provides tentative suggestions for increasing the effectiveness of 4Rs activities in Afghanistan through increasing the support of domestic actors.

Endnotes

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