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Performance Evaluation

Support to Sub-National Governance Structures (SNG)



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Performance Evaluation of Support to Sub-national Governance Structures (SNG)

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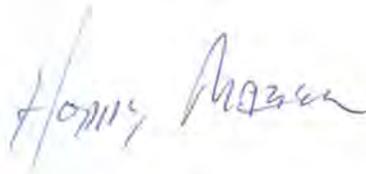
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ACRONYMS & TERMS

AF	Asia Foundation (also TAF)
AG	Attorney-General's Office
AGE	Anti-Government Elements (Insurgents)
ANA	Afghan National Army
ANP	Afghan National Police
AREU	Afghanistan Research and Evaluation Unit
ASGP	Afghanistan Subnational Governance Program (UNDP)
ASI	Adam Smith International
CEPPS	Consortium for Elections and Political Process Strengthening
CERP	Commander's Emergency Response Fund
CoAg	Cooperative Agreement
COIN	Counter-Insurgency
CSO	Civil Society Organization
DDA	District Development Association
DDP	District Delivery Program
DFID	Department for International Development (UK)
DG	District Governor
DGO	District Governor's Office
DI	Democracy International
DOWA	District Office of Women's Affairs
GDLCA	General Directorate of Local and Community Administration (IDLG)
GIRoA	Government of the Islamic Republic of Afghanistan
GIZ	German Development Cooperation Agency (formerly GTZ)
IARCSC	Independent Administrative Reform and Civil Service Commission
IDLG	Independent Directorate of Local Governance
IRI	International Republican Institute
ISAF	International Stabilization Assistance Force (NATO)
<i>Jirga</i>	Gathering of elders
LM	Line Ministry
M&E	Monitoring and Evaluation
<i>Malik</i>	Traditional leader of town or community
<i>Mirab</i>	Traditional "water master" – irrigation network manager
MJ	<i>Meshrano Jirga</i> – Upper House of Afghanistan's Parliament (Senate)
Mod	Modification of Assistance (of CoAg)
MOF	Ministry of Finance
MOWA	Ministry of Women's Affairs
MRRD	Ministry of Rehabilitation and Rural Development
NDI	National Democratic Institute
NDS	National Security Agency
NGO	Non-government Organization
NPP	National Priority Program
NSP	National Solidarity Program

OAA	Office of Administrative Affairs
PBGF	Performance-Based Governors' Fund
PC	Provincial Council
PDC	Provincial Development Committee
PDP	Provincial Development Plan
PG	Provincial Governor
PGO	Provincial Governor's Office
PMP	Performance Monitoring Plan
PRT	Provincial Reconstruction Team
RAMP-UP	Regional Afghan Municipalities Program for Urban Populations
<i>Shura</i>	Meeting of elders and others to deliberate on major issues
SNG	Sub-national Governance (or Government)
SPAD	Strengthening Provincial Administration and Service Delivery (DFID)
TAF	The Asia Foundation
UNDP	United Nations Development Program
USAID	United States Agency for International Development
USG	US Government
Wadan	Welfare Association for the Development of Afghanistan
WB	World Bank
<i>Wolesi Jirga</i>	Lower House of Afghanistan's Parliament

EXECUTIVE SUMMARY

Introduction

This is a report of a performance evaluation of the Support to Sub-national Governance Structures (SNG) project implemented by the National Democratic Institute (NDI or the Institute), which has been working in Afghanistan since 2002. The SNG project began in June, 2008; USAID funding was on the basis of a Cooperative Agreement that was signed with NDI, with two major modifications in March 2011 and July 2012. The 14-month extension described in the latter modification ends in September 2013.

This was the first evaluation of this project, and its Statement of Work had two main objectives: to assess NDI's performance in supporting the operations of Provincial Councils (PCs) across Afghanistan, and to provide information that USAID can use to decide how best to support subnational governance after this project ends in 2013. This was essentially a dual performance evaluation, in that it assessed the effectiveness of NDI's support for the PCs, which in turn required assessment of how the PCs were working in their provinces.

PROJECT BACKGROUND

NDI's work on the SNG project to strengthen Provincial Councils followed the Institute's previous activities in Afghanistan that focused on supporting Parliament and preparations for national and provincial elections. The first PC elections were in September 2005, followed by a second round in 2009. Elected Provincial Councils were a new feature of the Afghan political landscape – when they were first formed in 2005 there was no precedent, legislation, facilities, or workplan. By the time this evaluation took place at the end of 2012, PCs had been elected twice and were functioning in all 34 provinces, there was an applicable law that was supported by two Presidential Decrees, and dozens of men and women were carrying out Council related work in facilities across the country. A new subnational governance institution had been born and was operating as an integral part of the country's political and administrative framework. This report provides a summary analysis of the project in December, 2012.

EVALUATION QUESTIONS, DESIGN AND METHODS

The main themes of the evaluation questions (detailed in the main body of the report) can be summarized as follows:

1. Accomplishment of project objectives, results and cost-effectiveness
2. Training effectiveness and outcomes
3. Examples of program interventions and impacts on PC members' activities
4. SNG program gaps and activities to discontinue
5. Regulations and formal and informal limitations
6. Relations among PCs, Governors, Parliamentarians and Line Ministries
7. Coordination with other donors
8. Measurement of improved capacity
9. Additional outcomes – positive and negative
10. Women and PC operations
11. Citizen perception of PC effectiveness
12. Accountability, transparency and control of corruption
13. Other relevant findings

The method used was relatively straightforward: the four members of the evaluation team used an interview guide (Annex VII) to collect data from PCs and other organizations – Governors, NDI offices, USAID staff, and others – in 8 provinces, and from members of an additional 7 PCs while they were in Kabul. They also interviewed other donors, Parliamentarians and GIROA staff, especially within the Independent Directorate of Local Governance (IDLG), the government department that supports subnational governance. Well over 150 pages of interview notes were collected and analyzed, dozens of documents were studied, and major findings were noted for inclusion in the main body of this report.

FINDINGS AND CONCLUSIONS

A summary of the main findings and conclusions of the evaluation includes the following:

- The NDI project had a positive effect on PCs' performance – their inputs in training and operations supports were being used by the PCs to plan and carry out site visits and M&E activities, report concerns to the government, lobby parliament, and conduct outreach activities with constituents and consultations with a variety of stakeholders at the provincial and district level.
- The SNG project appeared to be relatively cost-effective, in terms of the number of events and public dialogues it facilitated with the project's budget, compared with other sub-national governance projects implemented by UNDP and GIZ (note: a lack of data on expenditures directly linked to measurable results prevented an evidence-based calculation of the project's cost-effectiveness).
- Provincial Councils appeared to be firmly established across Afghanistan
- NDI's support has been silent on a major PC activity – providing traditional mediation and conflict resolution services to their communities
- Women PC members interviewed were articulate, forthright, and knowledgeable: they seemed to have strong characters and to be fully engaged in PC activities.
- There were challenges within NDI – staffing and M&E problems – that limited its effectiveness
- NDI has a strong base for moving forward, but its many newly-hired employees required considerable support
- There are centralizing tendencies in the country's leadership that were not supportive of strengthening subnational governance
- IDLG has major capacity limitations that impede PCs' institutional development
- The PCs have good relationships with constituents: they are a link between the people and the government
- The quality of relationships between PCs, Governors and line ministries vary
- The PCs' limited legal and operational authority undercuts their effectiveness: having an elected institution dependent on the Executive branch is a structural problem

RECOMMENDATIONS

The evaluation's recommendations are as follows:

1. Identify suitable Afghan NGOs and consulting firms and increase their capacity so they can strengthen subnational governance
2. USAID should recognize that Afghanistan is a diverse and hybrid political order that blends modern and traditional practices, and should design its support accordingly

3. IDLG should receive capacity development and organizational reform assistance to increase its ability to support subnational governance
4. USAID should encourage IDLG to make PCs independent budgetary units within the organization – similar to Governors’ offices
5. Parliament’s administrative support system should be analyzed with a view to extending it to serve elected subnational governance entities
6. There should be stronger links among elected bodies in Parliament, PCs and (eventually) in the districts
7. PCs’ institutional base should be strengthened to support sustainability
8. PCs should be helped to effectively manage their priorities regarding their support of traditional problem solving and mediation activities and their other governance work
9. PCs should receive support to learn from each others’ experiences in serving their communities
10. Improve coordination among donors’ SNG support initiatives
11. Provide gender related training to both male and female PC personnel, strengthen links with MOWA programming.
12. Tailor training and capacity development supports to PCs’ needs and schedules
13. Provide public education in democratization and civics
14. Strengthen NDI’s (and IDLG’s) M&E system – focus on results, not inputs
15. USAID should intervene in projects’ internal management processes where necessary
16. Project security restrictions should be set at reasonable levels
17. Set appropriate salary scales for local personnel

INTRODUCTION

1. PROJECT BACKGROUND

The following information from the evaluation's Scope of Work describes the background and context of this evaluation:

On August 20, 2009, elections were held in Afghanistan for President and Provincial Councils (PCs). As the only formally elected bodies at the sub-national level, PCs are the most direct point of contact between citizens and the government; therefore, the legitimacy and performance of PCs are critical to the credibility of the country's governing institutions. The PCs have a mandate to enhance community representation in government decision-making as well as to oversee local development initiatives. They have the potential to channel the requests and demands of the population and serve as advocates to executive government at the sub-national and national levels. By representing the interests of citizens to senior government officials, PCs can improve the transparency and accountability of provincial development and increase citizen confidence in democratic governance.

The Independent Directorate of Local Governance (IDLG) has requested that USAID continues its support to the PCs until they have achieved a stronger capacity to better discharge their responsibilities under the PC law. USAID has assisted PCs through the SNG program since 2008 in the areas of promoting citizen outreach, participating in provincial development planning and conducting oversight, as well as promoting government accountability.

By providing technical guidance and mentoring tailored to the Afghan context, USAID will help enhance the ability of councils to respond to the needs of citizens in all 34 provinces of the country by focusing on the institution's main roles: communication with constituents to increase citizen representation in government decision-making; and development oversight to enhance transparency of government services; and to ensure that development processes serve the needs of citizens.

This second excerpt from the SOW summarizes the main functions of Provincial Councils, and the support provided by the National Democratic Institute through the Sub-national Governance Project:

The SNG program activities have helped PCs in all 34 provinces of the country by focusing on the institution's main roles: communication with constituents and development stakeholders to increase citizen representation in government decision-making; and oversight to enhance transparency of government services and to ensure that development processes serve the needs of citizens. In addition, program activities contribute to IDLG's strategy for supporting PCs.

To implement program activities, the implementing partner (NDI) draws

upon its relationships with PCs, IDLG, governors, line Ministries, local and international nongovernmental organizations (NGOs) and Provincial Reconstruction Teams (PRTs); mobilizes its national staff and pool of national capacity development specialists experienced in the implementation of all of its activities; and utilizes its network of seven regional offices to provide consistent support and mentoring to councilors in each of the 34 provinces.

2. EVALUATION PURPOSE

This evaluation had three inter-related purposes (as defined in the approved Evaluation Workplan prepared after the evaluation team's in-brief with USAID project managers):

1. Assess NDI's effectiveness in increasing the capacity and performance of Provincial Councils across Afghanistan, and identify the project's strengths and weaknesses;
2. Identify lessons learned that may contribute to the design of the next stages of USG support for strengthening subnational governance in Afghanistan;
3. Provide objective information that USAID can use in its negotiation of the terms of the cooperative agreement with NDI.

The first of these "purposes" required essentially a two-layer performance evaluation: In the first, the study was to assess NDI's performance in relation to supports provided to the Provincial Councils. In the second, the study was to assess the performance of the Provincial Councils in their services to their constituencies and the country.

The evaluation set out to address these objectives.

3. EVALUATION QUESTIONS

The evaluation questions in the Statement of Work are as follows:

1. To what extent has the SNG project achieved its stated goal/purpose, objectives and expected results? What are the perceived impacts/outcomes of the project? What is the cost-effectiveness of the project and what can be done to improve its impact in general?
2. How effective has the program been in its approach to delivery of trainings, what are the outcomes that can be attributed to the trainings, and what are the recommendations for the future trainings?
3. What are some of the good examples of current program interventions (site visits, PC delegation visits, M&E events) that have changed/improved the working style of PC members in discharging their responsibilities?
4. What other important areas have been left out of the SNG project that needs to be included in future programming? What are the gaps in programming, missing interventions? What current interventions need to be discontinued?
5. What are some of the regulatory limitations that may have created bottlenecks for the project's activities and what are the suggested means to best address them?
6. How is the relationship between PCs, Governors, provincial line ministries offices and Parliamentarians functioning? What are suggested means, if appropriate for improving these linkages?

7. How is the program coordinated with other donors and in what manner can this coordination be improved if appropriate?
8. How has the improved capacity been defined and measured?
9. What additional outcomes were obtained as a result of the assistance provided? Were there any positive or negative results of the assistance? If so, what were they?
10. How were women integrated into the various activities of the program? How has the program fostered the development of female PC members' capacity? Were they successful in doing so and at what rate?
11. How have citizens' perception changed regarding the capacity and effectiveness of their representatives and PC members in conducting their jobs in better representing of their constituents?
12. What processes/mechanisms have been established in the PCs to increase accountability and transparency within the PC's and between government actors? What type of corruption is taking place within the PC's and what are the, if any, mechanisms to mitigate this? What are some interventions that the project can engage in to reduce/minimize opportunities for corruption?

These were summarized in the main categories in the Findings section below.

4. METHODS AND LIMITATIONS

This project used a rather straightforward methodology – a combination of document review and key informant interviews using an interview guide derived from the main categories of project activity. See the Annexes for detailed lists of persons contacted and documents analyzed, and for a sample of the Interview Guide used in the project.

In addition to interviews with USAID and NDI personnel in Kabul, field visits to PCs, NDI and PGOs in Herat, Mazar, Kapisa, Nangarhar, Kandahar, Parwan and Bamyan were supplemented by interviews in Kabul with PC members from Wardak, Ghor, Khost, Paktika, Panjshir, Paktiya, and Baghdis. Additional data was collected from MPs in both the upper and lower houses of Parliament, other donors (such as DFID, GIZ and UNDP), other service providers such as Adam Smith International and the Asia Foundation, and from within the Afghan government, primarily from IDLG managers.

Relevant documents and the more than 150 pages of interview notes were analyzed to identify main points of interest to USAID and reported as per the categories in the Findings section below. For samples of data recording and analysis processes see the Methodology description in Annex VI. Transcribed interview notes, coding keys and compiled data are on file and available for review.

This methodology had several limitations. One was that it was not possible to directly obtain citizens' perceptions of PC effectiveness, so the performance of PCs was not able to be adequately measured in terms of their impact on direct service recipients. PC members freely provided considerable information, but other than interviews with selected Governors' offices and USAID field staff, there was no reliable and comprehensive external mechanism to determine the accuracy of information received from PC members.

A limitation on assessing the impact of NDI's activities was linked to the relatively short time most field level NDI staff had been on the job. With few exceptions, NDI regional staff had been employed less than six months. Although most offices participated enthusiastically in the focus-group type data collection process, their limited experience did not reflect the full range of impact that NDI had on PCs since the project's beginning in 2008.

Another limitation was linked to the scarcity of comprehensive base line data required to measure the degree of improvement in PC performance during the project's life to date. While it may be relatively simplistic to assume the PCs were not at all functional before their first round of elections in 2005, NDI had been working with them prior to the beginning of this project in 2008. It was difficult to obtain accurate performance analysis baseline data for the period since 2008, so there is little verifiable evidence on which to base an analysis of the increase in PC performance since that time. This limitation is a challenge in most capacity development projects in Afghanistan – it was not unique to this project.

The most significant limitation was the inadequate state of NDI's Monitoring and Evaluation (M&E) system. It seems to have focused primarily on recording the project's inputs or activities, but appeared unable to provide the sort of aggregated reports normally found in such projects, even after repeated written and verbal requests. One response was to provide a long (137 page) list of a number of project activities that took place over periods varying from 2009 to 2012. These activities were not compiled in tabular form by province or project activity, and some workshops that took place over two consecutive dates appeared to have been noted as separate events. An example of NDI's inadequate data management and reporting capacity is evident in their response to the evaluation's Interview Guide, shown in Annex VIII. This and other similar challenges made it difficult to obtain a comprehensive overview of evidence to determine what NDI had done or accomplished, and even more difficult to determine what PCs had accomplished as a result.

The M&E system operated by Afghanistan's Independent Directorate of Local Governance (IDLG) appeared to have the conceptual capacity to evaluate PC performance, but it did not have the resources or technical ability to carry out systematic assessments of this sector of the government's operations. It had assessed the performance of a number of Governors' offices, but had not turned its attention to PCs.

These limitations made it difficult to obtain evidence of measurable results on which to base an assessment of the SNG project's performance. This issue is noted where appropriate in the body of this report.

FINDINGS

INTRODUCTION

The following findings are summarized from interviews and discussions in 53 meetings with individuals from some 20 different locations in Afghanistan, and from review of project documentation (see Annexes for details). They are grouped in sections that correspond to the Statement of Work's Interview Questions above. Summaries are provided at the end of the longer sections.

1. PROJECT OBJECTIVES, RESULTS AND COST-EFFECTIVENESS

1.1 Project Objectives

The NDI project had three objectives:

- **Objective #1** to “strengthen the capacity of provincial councils to represent constituent interests in development planning at the sub-national and national levels”
- **Objective #2** to “strengthen PCs' capacity to oversee implementation of provincial development processes”
- **Objective #3** to “support the Independent Directorate of Local Governance's strategy to build the capacity of provincial councils”

1.2 Overview

NDI's subnational governance program efforts provided numerous events throughout Afghanistan covering all project areas. These included site visits, public hearings, NGO briefings, stakeholder interactions, monitoring & evaluation training, skills development workshops, PC visits to Kabul, inter-province visits and intern projects. As described in their work plan, the project involved a broad cross-section of stakeholders and interlocutors in engaging with their provincial councilors, including local civil society organizations, government line ministries, both houses of parliament, citizen groups, women and youth. The project has also provided the venues, materials and trainers to impart the skills required by the Provincial Councilors in their work.

NDI's efforts included all 34 of Afghanistan's provinces; program staff were not able to go to Nuristan Province due to security concerns, but they provided training and development opportunities for Nuristan's Provincial Councilors in neighboring provinces.

Since 2008 NDI had focused primarily on objectives one and two, and started working only more recently on objective three, which was added to the project in July 2012. The PCs reported generally strong efforts related to the first two objectives, which are described in detail below, although much of the time the results seemed dependent on the PC members themselves understanding their job and taking initiative with NDI's assistance. Due to a possible comparison with the larger UNDP subnational government effort, some PCs seemed unaware of the NDI engagement or believed that they had stopped working in their province.

1.3 Objectives and results

Objective One: 'PC capacity to represent constituent interests in development planning...'

This objective has three components:

- Component A: “strengthening provincial council outreach and advocacy”
- Component B: provide “supporting dialogue between PCs and National Institutions”
- Component C: provide “increasing women councilors’ capacity to engage in development planning.”

Under component A, PC members reported that NDI’s efforts have been consistent and effective, with a first round in 2011 and a second round of training events in 2012. These included:

- Orientation to the PCs’ governance legal framework
- Workshops to better comprehend their constituents’ interests and needs (including mapping and CSO identification exercises)
- Outreach methodology training
- Communications and planning workshops

These efforts culminated in site visits, public hearings, citizen meetings and reporting, which were generally inclusive and productive, albeit limited in their range: security, reliable transportation and weather conditions prevented access to some districts.

Councilors had examples (such as meeting records, M&E templates, site visit reports, etc.) showing they gained considerable skills from NDI for their outreach, monitoring and reporting activities. Their reports were going to governors, line ministry representatives and NDI in Kabul. Although reporting was deemed effective, the lack of post-reporting awareness or ability to follow up with progress inquiries or pressure to ensure action was the source of some frustration. PCs seemed to have varying levels of ability to conduct these activities on their own without NDI’s technical and financial support. NDI did not have M&E data showing the extent to which PCs were self-sufficient in these operations.

While the latter aspect of component A (advocacy) could have been made more effective through efforts in component B, it was not clearly evident, as the dialogues and interactions among the Provincial Councils and national institutions seemed to be still at an early stage of development. NDI worked with PCs, mentoring them for their interactions with the Meshrano Jirga at Parliament, IDLG and Ministries in Kabul. These interactions were to discuss development efforts in their provinces, SNG policy and specifically the pending SNG legislation. NDI’s technical and financial assistance helped the PCs clarify their positions, draft a proposed new SNG law, and engage the offices in the legislation process as it advanced from the Ministry of Justice through Cabinet – it was still pending to go to Parliament as this report was being written.

In component C, the NDI program worked with women Provincial Councilors from all PCs, in situ and in events in Kabul, with specific programs through their gender program office to increase their skills in outreach methods and strategic planning. Male and female informants spoke about the active roles that the women councilors had in PC operations. These included bringing women’s perspectives into PC deliberations, conducting women-only meetings with constituents during outreach activities, and in some cases (Kabul and Parwan) using their

skills to design capacity development resources to strengthen their PCs. Women PC members were found to be articulate, self-assured and appeared to be fully engaged in their functions as Provincial Councilors and more generally as people's representatives.

Objective Two: 'PCs' capacity to oversee development...'

This objective has four components:

- Component A: "development oversight - monitoring and evaluation"
- Component B: "coordination of provincial development processes"
- Component C: "increasing women councilors' capacity to conduct oversight"
- Component D: "PC internship and fellowship program."

Under component A: when the current project began in 2008 Provincial Councils were relatively new institutions with minimal capabilities, many of which were brought forward from NDI's earlier political party and elections programs. Developing the PCs' abilities for oversight of government operations presented a major challenge and opportunity for institutional independence and government accountability.

By conducting workshops and educational seminars on development processes, documentation, understanding proposal processes and development oversight, NDI advanced the PCs' capabilities in this area. Combining their own local understanding with the expertise imparted through the project, Provincial Councilors reported they were better able to oversee provincial development projects.

In component B, it was found that the number of stakeholders in the provincial development process made coordination difficult. NDI provided PCs with technical guidance, encouraged broader, more consistent site visits and sharing of information with stakeholders to better coordinate the development process within the Province. Facilitated by NDI, PCs' meetings with Provincial Development Councils and government offices –many of which took place without NDI's direct involvement – benefitted their oversight efforts. Most PCs said they were able to coordinate with the provincial Governor on development efforts.

In component C, NDI carried out efforts specifically designed to include women PC members. These included helping PCs conduct women-only outreach meetings, development monitoring, devising gender appropriate oversight activities and comparing lessons learned and networking opportunities to advance and sustain their efforts.

Component D was the internship program, which virtually every Provincial Council said was a benefit. Students or recent graduates who worked with the PCs provided a variety of administrative and technical functions for the PCs. One PC said they appreciated their interns, but would gladly trade the temporary help from six students for one full-time capable permanent staff member.

While the intern program was reported to be a success, data was difficult to obtain. NDI was able to provide only basic data from their internal monitoring and evaluation system. (See section on interns below.)

Objective Three: 'support the IDLG's strategy'

This objective has one component: "strategic support to IDLG."

NDI's efforts to address this objective began only after it was added to the project in July 2012, and the extent to which IDLG was a dedicated partner in these efforts was unclear. A number of external factors also impacted the project efforts in this area, including national politics and the level of capacity within IDLG. NDI embedded staff within IDLG were providing support and guidance, and were reported to be improving the functions and communications between IDLG and the Provincial Councils. (See section on support to IDLG below.)

1.5 Cost Effectiveness

The evaluation's Statement of Work requested an assessment of the project's cost effectiveness without providing a definition of the term. It usually refers to a calculation of value-for-money in comparison to other similar efforts elsewhere. Without having access to information on other similar programs in comparable contexts, and the lack of data on expenditures that were directly linked to measurable results, it was not possible to carry out an evidence-based calculation of the project's cost effectiveness. Also, while there were comments from two PC chairmen who expressed concerns about the project's cost effectiveness, these can be considered ill-founded as they seemed overly focused on NDI's housing and transportation costs and the need for material contributions such as computers and office facilities: they were not aware of the costs for workshops and training development events.

A broad and general comparison with other subnational government support programs found that NDI seems to have accomplished more with relatively less spending. Even while the Provincial Councilors said they preferred the UNDP's ASGP program, this was likely a direct reflection on the amount of money the UN was spending. NDI's budget for SNG's extension period is \$8.9M for the 16 month extension; with this they conduct on average 300 events (seven different types) each fiscal quarter; these programs involve dozens of Provincial Councilors with thousands of interlocutors in 33 of Afghanistan's 34 provinces (representatives from all 34 included in the SNG.) By comparison, the UNDP's ASGP calendar-year 2011 expenses were \$12.7M for the national program, and ASGP's 2012 budget report states they have a total of \$11.8M total expenses for the first six months, with \$3.9M for project expenses. ASGP delivered far more materials, computers, vehicles and office support than the SNG, and was more visible to PCs than the relatively "soft" capacity building and institution-strengthening services provided by NDI.

The Germans (GIZ) fund a subnational development program that works with multiple provincial stakeholders – they provide \$2.6 million per year in each of the five provinces where they have pilot programs. These funds are for specific development projects that require combined approval and oversight within the province. GIZ reported having funded 60 projects in five provinces and had 12 in the planning stages.

Although this evaluation did not conduct an audit of NDI expenditures, the project's costs appeared to be generally in line with expectations for programs in Afghanistan, considering transportation, offices, international and national staff and security costs with related

expenses, and there was no evidence of extraneous expenses or out-of-the-ordinary line items. It is therefore possible to state that in general terms, and without specific comparative information linking costs with measurable outcomes, that the project appeared to be cost-effective.

Summary

NDI seemed to be working well towards the SNG project's objectives, albeit with limited ability to report on the project's results. Their efforts to support Provincial Councils' "capacity to represent constituent interests in development planning" were generally effective. NDI's inputs reportedly improved PCs' efforts with their constituency interactions in the provinces and with government, ministry and parliament engagement. NDI's efforts to support PCs' ability to oversee development helped the PCs analyze and improve development activities in their provinces. The project's efforts to support IDLG have been slow to start but appear to be effective. All of NDI's efforts with PCs have been to overcome low-capacity baseline competencies: they worked consistently with Councilors, who generally accepted and applied NDI's efforts. However, the program was hampered by high PC member turnover and limited ability to reach into the more remote and insecure districts. Based on comparison with other donor funded SNG projects, NDI's program appeared to be relatively cost-effective: its expenditures seemed to be consistent with the needs of the context.

2. TRAINING EFFECTIVENESS AND OUTCOMES

NDI training was generally reported as effective in providing PCs with the knowledge, skills and tools required to fulfill their responsibilities.

It was difficult to accurately measure the degree of training effectiveness due in part to a lack of clearly-defined baseline data and limitations in NDI's M&E process which seemed to focus more on measuring inputs than outcomes. In spite of this difficulty it can be assumed that much of the increase in PC performance from the beginning of their operations following their first round of elections in 2005 – at which time they had no offices, legislation or operating frameworks – to the present can be attributed to NDI's inputs.

Although NDI's M&E system did not provide verifiable evidence of improved Council performance, PC members reported increased capacity in the following areas supported by NDI:

- Conducting election campaigns
- Knowledge of the Provincial Council law and councilors' roles and responsibilities
- Increasing the public's awareness of PC functions and subnational governance in general
- Monitoring and reporting on government development projects
- Conducting productive hearings with line ministries, other donor-supported projects and NGOs
- Lobbying parliamentarians to strengthen rather than weaken subnational governance
- Supporting the participation of women in politics and society
- Sharing lessons learned with each other through exchange visits of PC members

There were mixed views on whether training should continue: some PC members were reported as being fed up with training, while other PC members indicated it was useful and they wanted more. There is an on-going need for training for new councilors after elections – which needs to avoid unproductive repetition for those who had been re-elected. There also was a call to have the training more closely relate to the varying contexts in which PCs operated, and to provide it at times that were convenient for participants.

A major PC activity which is discussed more fully later in this report is mediation and conflict resolution – some PCs reported it as taking up over 80% of their time. This significant security-related activity was not included in NDI's support for PCs. Given that this function was reported by PCs as showing the population that the government was present, and thus to be directly associated with the community's perception of the legitimacy of some of the institutions of state, the PCs would benefit from capacity development that helped them shift from being the mediator or problem-solver of first resort to a provider of referrals to other entities that are better able to address the issues the public brings to the PCs.

There were also indications that PCs' internal structure and operations varied across the country. While some seemed to have an effective committee structure that distributed tasks among members, with the Chair being more of an organizer or coordinator than a chief, others did not appear to have that delegation-related mode of operation.

Women PC members were strong individuals who seemed to exercise considerable influence in their roles. Gender-related training was only beginning to be offered to men as well as women – this desirable advance was seen as a necessary step in accelerating the full participation of women in PC operations and the community.

3. EXAMPLES OF PROGRAM INTERVENTIONS AND IMPACTS ON PC MEMBERS' ACTIVITIES

3.1 Site visits, monitoring GIRoA and NGO projects, feedback to ministries, Governors, Parliament

Most PCs appeared to be engaged in the main activities that have been the focus of NDI's support: they received input from citizens about issues of concern, conducted site visits to observe the work of line ministries, NGOs and other donor-funded projects, made assessments of these activities, and reported their findings to line ministries, governors, and in some cases to Parliament.

The frequency and rigor with which these have been carried out varied across the country. In some cases they made their site visit plan based on analysis of issues that were identified in their public consultations.

It was difficult to obtain information on the country-wide frequency and results of these activities due to inadequacies in NDI's M&E system, discussed elsewhere in this report. An example from data received from NDI showed the PCs as having 82 site visit reports on file for the period from 2009 to November 2012. That is less than one site visit per year for each of the 34 provinces – a questionable figure. During interviews with PC members they spoke of conducting site visits on a more frequent basis, but no statistics were provided. PC members reported that NDI funded these site visits, but in response to requests for

information for this evaluation NDI did not provide aggregated data on how many visits they funded or the locations in which they took place. (See Annex VIII for NDI's response to the Interview Guide, an example of these difficulties in obtaining measurable results data.)

As noted in the Limitations section above, NDI provided a long list (137 pages) of SNG activities variously dated between 2009 and 2012 – the information was not aggregated in tabular form showing how many activities took place in each province in each year, and some meetings that took place over two consecutive days appeared to be reported as separate events. The totals provided at the end of the list were as follows:

- Total number of (Stakeholder meeting): 122
- Total number of (Public Hearing): 95
- Total number of (NGO Briefing): 134
- Total number of (Site Visits): 82
- Total number of (M&E Trainings): 68
- Total number of (outreach Training): 40
- Total number of (Orientation Training): 34
- Total number of (Basic Training): 14

These were activities or inputs, which are relatively easy to measure. No results-related information was provided – NDI managers said that USAID had not requested this data.

Although the M&E system was deficient, there were frequent comments from PCs and other observers to the effect that the NDI project was achieving results in terms of helping increase the performance of Provincial Councils.

In provinces where there was reported to be a good relationship between the PC and the Governor's office, PCs reported being able to exert influence on line ministry operations as a result of these monitoring processes because of their position on the Provincial Development Committee (PDC). In some provinces (such as Nangarhar) their poor relationship with the Governor made this input difficult if not impossible. A recent decree by President Karzai to the effect that PC agreement is required for approval of provincial development plan budgets was reported as having a beneficial effect on PC ability to influence line ministry activities in some provinces.

However, PCs reported having less influence on activities of NGOs and other donor-funded projects, as their budgets and programs were not subject to the same controls as government programs. Some provinces reported being unhappy with NGO project design and implementation due to their not consulting with local authorities beforehand to align their efforts with provincial priorities, and not localizing their employment or procurement operations. Provinces that conducted regular consultations with NGOs and other donor-funded programs reported fewer problems in these areas.

Due to logistical and time constraints, and the inadequacy of NDI's M&E system, one of the limitations of this study was the inability to gather data from all 34 provinces to measure the degree to which all PCs were able to effectively carry out their monitoring responsibilities, and to determine how often their reports brought about beneficial changes in the activities they monitored. While it is clear these activities are taking place, the extent and impact of these efforts were not measured.

3.2 Contacts with districts

Contacts within IDLG were interested in the extent to which PCs interacted with district-level entities, as there were processes underway to strengthen DGOs and ultimately to carry out the elections that are noted in the Constitution. Some PCs reported making regular visits to the districts and having consultations with bodies at that level, usually in conjunction with their site visits and monitoring work (noted above). They saw their function as including bringing district level issues to the attention of provincial authorities. As with the previous section, a limitation of this study was that it was not possible to measure the extent, quality and effect of these consultations.

3.3 Intern program – a success

The intern program which began in September 2011 was widely seen as a success. PCs established linkages with universities in their provinces and recruited interns with skills such as engineering, agriculture, administration and Sharia law. These talents were put to use in helping PCs address citizens' problems, carrying out technical analyses of public sector activities, and strengthening PCs' administrative capabilities.

PCs appreciated having access to well-trained university graduates, who in turn reported that their experiences with the PCs were beneficial in increasing their understanding of the workings of government and providing avenues for application of their skills, and also as helping them enter the labor market. The program steadily increased its efforts to recruit a balance of male and female interns. Women PC members reported appreciating the technical assistance and administrative support received from female interns in their consultation with women in the communities they served.

When NDI was asked for statistics on the intern program they provided the following.

Number of interns hired:

- First round: 92 (57M, 35F)
- Second round: 92 (60M, 32F)
- 2012: 171 (125M, 46F).

They had been asked to provide more details, such as:

- Number of interns hired per year and per province
- Gender distribution
- Educational background or faculty
- Interns' term of work with PC
- Number of interns subsequently employed

The team was advised that this information was known, and that NDI had tracked interns following the end of their placements. However, at time of writing this report these relatively straightforward statistics were not readily available from NDI in an aggregated form, indicating a problem with their M&E system – this is discussed further elsewhere in this report.

3.4 Outreach to constituents

PCs reported conducting a variety of outreach activities – convening gatherings that the project documentation described as town hall meetings, visits to districts and, in at least one case, regular use of the media: there was no lack of interaction with constituents. PCs reported receiving an almost overwhelming amount of contact from the public, largely in relation to their perceived ability to address problems and to act as mediators in large-scale and potentially lethal conflicts (addressed more fully later in this report). One PC, Kapisa, had gone so far as to rent residence faculties for constituents from outlying parts of the province so they would have overnight accommodations when coming to the PC for assistance. PC members reported that their mobile phone numbers were well known by the public, and people phoned at all hours and came to their residences when their offices were closed to seek assistance.

The Parwan PC has produced regular newsletters describing their activities, and reported providing two or three items daily to the press and media outlets in their province and Kabul. These were designed to keep the PC and its activities constantly in the public eye – which they said can be both a benefit and a problem. It served to raise public expectations, which fuelled demand that the PC sometimes could not address.

This evaluation did not gather sufficient data on outreach activities to measure the extent to which these efforts were distributed among the 34 PCs in the country. One element, the almost overwhelming demand for assistance from constituents, was a factor in most of the PCs contacted in this study. There seemed to be little doubt that the PCs were well known to the public in most parts of the country, and the demand for their services exceeded their ability to provide what was requested of them.

PC members and NDI staff reported a variety of results from these outreach activities. Constituents' problems with government operations were brought to the PCs' attention, which in turn prompted site visits to do M&E, and, if appropriate, submit reports to the PDCs and if necessary, Parliament. One example of many was citizens' complaints to their PC about the Ministry of Education's plans in their province, and a request to change priorities from constructing more schools to hiring teachers to fill vacancies in their existing facilities. The PC brought this matter to the PDC and the ministry reportedly changed its plans accordingly.

Although the Interview Guide was shared with NDI early in the project and it requested evidence of results in this area, NDI did not provide data on the type, frequency and distribution of this sort of outcome (see Annex VIII for their response). IDLG's M&E system seemed to lack the capacity to do this level of analysis of PC performance.

3.5 Bridge between people & government

The outreach section above described the extent to which the public engaged with the PCs. In interviews with PC members, Governors, NDI staff, IDLG officials and other observers, the PCs were often described as a bridge between the people and the government, an institution the public could contact in their efforts to solve an array of problems. This supported one of the key elements in achieving security in the county: the perception of the

legitimacy of the state is a core element in COIN strategy and countering the insurgents' anti-government messages. The PCs were reportedly playing an important role in this process.

3.6 PC involvement with national government on SNG policy

Although the Subnational Governance Policy was a topic of conversation in discussions with members of IDLG, it was not a major element in interviews with PCs. Contacts in IDLG noted there were significant problems with the SNG policy and that efforts were underway to remedy its many deficiencies.

While PC members often referred to the PC Law, and discussed their considerable efforts to lobby Parliament to strengthen this legislation (discussed further below), the SNG policy was not mentioned in interviews outside IDLG.

Summary

PCs were first elected in 2005 and the provinces had no prior similar institutional history. NDI's efforts with site visits, outreach, district contacts and constituency relations improved the PCs' abilities to understand and analyze development efforts, and to represent and relate to their constituents. Limited accessibility to more remote and insecure districts limited their reach, while the lack of regular follow-up on monitoring reports of site visits limited the impact of their oversight work. NDI's intern program provided needed support for PC offices: their internal functions and outreach effectiveness were strengthened by their technical and administrative inputs. The intern program demonstrated the PCs' need for long-term professional staff to provide a sustainable institutional framework as PC membership changes with each electoral cycle. NDI's support for PC interventions with the national government around SNG policies and a new PC Law produced limited results – affecting change in the Afghan Executive is a significant challenge.

4. SNG PROGRAM GAPS AND ACTIVITIES TO DISCONTINUE

4.1 Mediation and problem-solving taking much of PC time

Major activities that were reported as taking up much of PCs' time (in some cases over 80%) were in responding to the public's requests for assistance in resolving problems, and in carrying out major mediation and conflict-resolution initiatives. These were not part of NDI's programming for PC development.

In responding to these requests the PCs appeared to be providing a service that was previously part of the traditional governance system (*shuras*, etc.). They had in effect become hybrid institutions in which a blend of democratic, bureaucratic and traditional functions were combined in a manner that responded to the needs of the population. This was described as part of Afghan culture – the people seek the assistance of an influential agency or individual to solve their problems. Also, there is a long tradition of the use of mediation to resolve potentially lethal conflicts between powerful groups in the society. The PC electoral process seemed to have created a new and credible institution that the public could access to address these needs.

Many of the problems brought before the PCs were linked to operations of line ministries or other government agencies. Rather than approaching these agencies directly to resolve their problems, the public seemed to prefer to come to the PC for that service. Some PCs attempted to refer these problems to appropriate agencies, with mixed results. One PC reported receiving numerous requests for assistance with family violence – when they attempted to refer these problems to the DOWAs, district-level agents of the Ministry of Women’s Affairs, they discovered the DOWAs were unable to respond appropriately to these issues. While other ministries might have the same limited capacity to respond to the public’s needs, when the PCs took these issues to their PDC they reported some success in obtaining appropriate responses from ministry representatives.

This indicated that line ministry representatives have some ability to respond to pressures from certain quarters, and an appropriately-designed referral system may help the public take their concerns to parts of the government that are more directly involved in the issues they bring to the PCs.

4.2 Internal management of PC workflow: portfolio system, priority-setting

The evaluation did not see evidence of PCs having strategic plans that would enable them to prioritize the use of their time, or a work flow management process that would assign priorities to the various tasks that the PCs handle.

As noted above, data from interviews with NDI staff, governors’ offices, other observers and PC members themselves indicated that PCs seem to obtain much of their legitimacy from their efforts to solve constituents’ problems, an activity that reportedly took as much as 80 per cent of their time. The fact the public came to the PCs for this service speaks for itself in terms of demonstrating their perceived legitimacy and utility. Although their performance might be enhanced by instituting an effective referral service, there may be factors within PC members’ perception of the nature of their work that could run counter to introducing a more efficient work flow management system in their operations. Some seemed to have difficulty saying “no” when asked to help solve a problem.

This significant issue in the evolution of institutional capacity and operations was an understandable gap in NDI’s supports for PCs – they may have progressed from dealing with more basic issues such as citizen engagement, site visits, project monitoring, linkages with Parliament and other activities, and could be approaching the stage in their development where such a planning and referral service would be appropriate to incorporate in their operations.

4.3 Institutional development of PCs

NDI regional staff and PC members reported that until recently NDI placed much of its focus on training of individual PC members, an investment which was largely lost to the institution when 70% of its members were not re-elected in the second round in 2009. This posed a problem for NDI, which needed to provide training to both newly-elected and former PC members after 2009. In one province the Governor and PC chairman both reported problems linked to newly-elected members not being aware of their roles and responsibilities, and

acting outside their terms of reference – the PC chairman said he was taking steps to remedy this situation.

At the same time, relatively little attention had been given to supporting the permanent civil servants who were members of the PC administration, and who had the potential to provide on-going support to the Councilors from one electoral term to the next. These permanent employees could be in the position to advise the PCs' elected members on a broad range of issues related to Council operations, including helping members function within the limits of their mandate. However, their capacity was rather limited, which could pose a problem for sustainability. There were also structural problems within IDLG that limited the ability of permanent GIRoA civil servant staff to support PC operations – these are discussed later in this report in the section on supports to IDLG.

NDI recently began providing capacity development supports to permanent PC personnel, thus strengthening the institution as well as increasing the effectiveness of their support to elected members.

4.4 Strategic public communications

Only one of the PCs visited seemed to have an active strategic public communications strategy. The chairman of the Parwan PC had a background in media, and produced a regular newsletter and prepared several news items daily for the local and Kabul-area media. These kept the PC constantly in the public eye – as noted earlier, this had mixed results. While it strengthened the PC's identity and the legitimacy of the state, it also increased public expectations, some of which were unrealistic and brought some problems that the PC then was required to handle.

NDI did not appear to be actively engaged in supporting this activity, which the Parwan PC saw as an essential element in their services to the population.

4.5 Site visit follow-up and tracking system

While NDI had been effective in training PCs in planning, conducting and reporting on site visits, there did not appear to be any mechanism for following up on the results of reports of findings of these visits. This gap left PCs and the people they served with a sense of incomplete follow-through, and contributed to some disillusionment in the public. It would be relatively easy to introduce a follow-up and tracking system for reports prepared by PCs following site visits.

4.6 Discontinue redundant training

Some PC members complained about NDI offering training they considered redundant – they had participated in similar workshops earlier in the SNG program. Others, however, said they liked NDI's training and wanted more – ranging from clarification of PCs' mandate to improved methods of monitoring and conducting M&E work. This was a difficult situation given the changing membership on Councils, with some complaining about repeats and others appreciating new opportunities to learn more about PC operations. It provided training planners with the challenge of taking these factors into consideration when designing and

scheduling training sessions, and providing learning opportunities that were well suited to participants' needs.

Summary

The evaluation identified a number of gaps in NDI's services to PCs, as well as activities that could be discontinued. Elements to add to the project include workload management, strategic planning, priority-setting, and a referral system, especially in relation to community demand for assistance solving problems and disputes. Internal management could be improved with a portfolio system and strengthening the capabilities of permanent government staff who could form a sustainable institutional framework for PC operations. The Councils (and the government as a whole) could benefit from stronger provincial level strategic public communications and a systematic site-visit follow-up system. The main item PC members suggested NDI stop providing was redundant training.

5. REGULATIONS, FORMAL AND INFORMAL LIMITATIONS

Introduction

The assessment team read and analyzed a number of documents, laws, regulations and presidential decrees related to subnational government and Provincial Councils. While there was much talk of a proposed new PC bill, a draft was not made available – the assessment team did, however, discuss the legislation with Provincial Councilors, governors, NDI staff and other engaged parties. The team also discussed the political situation and power sharing relationships with PCs and others. This section summarizes key features of the evaluation's findings in this complex area.

5.1 Current PC law inadequate – no implementing mechanisms

The existing Provincial Council law of 2007 is a basic document that defines the PCs in general terms while not empowering them with any authorities, jurisdictions or powers other than of oversight and communication with other organs of government. The law is also silent on any financial matters. The law and two decrees (see Annex IV) are the main legislative instruments that underpin PCs' operations.

5.2 Inadequate Local Government Regulations

The Subnational Governance Policy (Spring 2010) is the most relevant written government instruction for the operations and functions of the Provincial Councils. However, it is a poorly-written, meandering and confused document of more than 400 pages that instructs on a number of irrelevant areas and does not provide the specific authorities, areas of concern or resources that Provincial Councils need to properly function.

Also, while there have been several Decrees addressing PC operations, these have not been systematically extended into specific implementing strategies, work-plans, standard operating procedures, or performance monitoring and evaluation mechanisms for the full range of

relevant administrative units or employees. This significant institutional deficit exists across most of the Afghan governments' systems.

5.3 Struggle for control: center & periphery, Executive vs. Legislative

The Constitution's sections pertaining to PCs can be interpreted to indicate that the country's subnational government structure falls within the purview of the Executive because the relevant articles are part of the section referring to the authorities of the Executive.

As the Afghan executive has long been centralized and resisted power-sharing, with the exception of some authorities at the municipal level, the central Executive seems to have no interest in distributing power to subordinate levels of government beyond Kabul. The Executive seems to be either unaware of (or rejects) the concept that distributing appropriate levels of power to subnational entities would reinforce the legitimacy, credibility and authority of the center.

Apart from the inadequate law and two more recent Presidential decrees referred to above (see Annex IV), the only authority the PCs have gained since their creation in 2005 has come largely from their own actions and has been instilled by their constituents.

The PCs' own initiatives, augmented by NDI's capacity development assistance, advanced their efforts to the extent that they have succeeded. The proposed new PC Law, discussed below, is an effort to strengthen their role.

The PCs frequently expressed the notion that since they were elected bodies, it was structurally inconsistent to have them be dependent on the Executive for their funding and other support. They said they should be linked to Parliament, and their funding and support should be independent of the Executive branch¹. However, when pressed for their views on how such an arrangement would work, they did not seem to be aware of the complexity of the administrative systems that would need to be put in place to enable any agency such as the Ministry of Parliamentary Affairs to extend its operations to provide this linkage, and the capacity development efforts such a system would require before it could reach the level of functionality that development agencies such as USAID and NDI are demonstrating in their externally-resourced supports to the PCs.

5.4 Centralizing tendencies – low awareness of democracy

As noted above, virtually all governing authority in Afghanistan is centralized: nationally it resides primarily in Kabul and with the Executive; a similar (if not as extreme) dynamic exists in the Provinces where Governors possess the majority of political power and capabilities. In this environment Provincial Councils are relatively marginalized and have to struggle to earn any significant degree of authority. This was reported as a shortcoming in

¹ Interestingly, discussions with officials in IDLG indicated they were in agreement with this assertion, but that it would take considerable effort to achieve, and further that there was no political will at the upper levels of the government to move in this direction.

the country's policy, legislative and regulatory framework, and that for sustainable and participatory democracy to take hold at the subnational level – and for it to have greater positive impact at the national level – improving government entities' and constituents' understanding of and interaction with Provincial Councils was seen as a requirement for improving the functioning of the state.

The PCs were well aware of these limitations, and expressed interest in having NDI broaden its focus to include activities such as training on civics, democratization, and voting processes that were implemented for previous Afghan elections, and to have NDI repeat and expand earlier efforts to include public education and awareness campaigns well in advance of the next Provincial Council vote.

5.5 New PC law – lobbying Parliament

NDI was working with PCs on designing and seeking passage of a new and more effective PC law – these efforts included educating the PCs on the legislation, its importance and its potential impact. A description of part of this initiative shines a light on the relationships among the various branches of the Afghan government.

NDI's efforts with PCs on the new law – building their communications and organizational skills, education on development and understanding of Provincial Councils' duties and their place in Afghanistan's governance – was preparation for an intense lobbying effort, discussing the proposed new law in advance of its arrival at the legislature, and how to amend and strengthen the bill. The effectiveness of the support for passage of the legislation was seen to depend more on the level of political will and capacity of the MPs in the Wolesi Jirga (Parliament's lower house) than the abilities of the PCs themselves.

The quality of Executive relations with the Provincial Councils was illustrated through the story told by PC members about how this initiative unfolded. When presented with the proposed new legislation, the Minister of Justice reportedly approved it for consideration by Cabinet rather than deal with the large group of PC Chairmen who were in his office at the time. However, when the law was tabled for review in Cabinet, the same Minister was reportedly the first to speak out against the legislation he had previously endorsed.

When the draft law was considered by Cabinet, they apparently removed a number of items that would have increased PCs' authorities. This was made known to the PC chairmen who had brought the draft law to the Minister of Justice. In their lobbying efforts with Parliament on this matter (supported by NDI) the PCs were told – interestingly, mainly by members of the lower house – that when the Executive brought the proposed law before them, they intended to re-insert the items that Cabinet had removed, and restore the authorities the PCs were seeking in the new legislation.

All this was taking place while this evaluation was underway: there was little information available on the likely results of this struggle. Regardless of its outcome, the lobbying effort on its own was seen as likely to improve Afghan governance for subnational and central government through engagement, expressing concerns and listening to the needs of the various parties involved.

5.6 Informal Limitations

NDI's efforts to strengthen PCs – and the PCs' ability to carry out their functions – faced a number of informal limitations in addition to a general lack of awareness, especially among the country's leadership, of the operations of a decentralized and democratic administrative structure. A few are noted here to indicate the scope of challenges facing institutional development in the country:

- Provinces and districts often become inaccessible due to insecurity, weather, impassable terrain and/or lack of transport;
- The PCs lack budgetary independence, and are tasked with monitoring – and where necessary criticizing – projects implemented by the same authority that funds their offices, and
- Provincial Councils have often been targeted by insurgents, their offices have been attacked, and PC members have been targeted for assassination.

One example of the last item was given by the Chair of the Kandahar PC, who described a situation in which he helped fight off an attack on their offices, expressing gratitude in having found an AK47 in the midst of the melee that he was able to use to kill four insurgents during the event. He said he had survived three direct assassination attempts, but that this would not deter him from continuing with this work – he said that his faith in God is what helped maintain his commitment to this service. Politics can be a rough business in Afghanistan.

Summary

The country's political, legal and regulatory environment impacts on NDI's efforts to foster development of PCs. The current PC law and local government policies and regulations do not provide PCs with authorities to act as effective agents of subnational governance – their powers are limited to oversight, consultation and reporting. The branches of government in Kabul and the provinces are currently jockeying for control in the evolving democracy, and seem more concerned with accumulating power than sharing authority as appropriate to address the population's needs. Afghanistan has centralizing tendencies at national and provincial levels. When combined with the PCs' lack fiscal autonomy and the population's low awareness of democratic political principles and responsibilities, this centralizing tendency hampers PCs' broader efforts to engage citizens and participate in governing. Other informal restrictions on PC operations include harsh weather, insecurity, lack of transportation and poor infrastructure.

6. RELATIONS AMONG PCs, GOVERNORS, PARLIAMENTARIANS AND LINE MINISTRIES

The information in this section is based on data collected from PCs, Governors, Parliamentarians and line ministries, and observation of meetings in which Provincial Councils worked with the ministries, governors and parliamentarians as they carried out their normal business.

6.1 PC relations with Governors

The quality and substance of PCs' relations with governors was reported to vary from collaborative to conflictual, depending on the particular circumstances and power relations among the various influential actors in each province.

Although PCs received their members' salaries from IDLG, and according to Article 17 of the PC Law they are to receive their operating funds and other supports from the PGOs, most governors were not providing financial support to PCs. In some cases relatively insignificant levels of support from the Performance Based Governors' Fund did get to the PCs (a maximum of about 5% of the average \$25K monthly payment), but not enough for office operations, site visits or project monitoring, etc.

Some PCs and governors reportedly shared power and decision making, working as a team, consulting and coordinating with one another on development projects, shared public events and donor interactions.

In other provinces – such as Nangarhar – the PC and the Governor were reportedly in conflict and tried to undermine one another. In some cases PCs reportedly used their formal and informal influence to weaken their Governor in the eyes of the public and the central government. In Nangarhar the governor was reported to be systematically fomenting discord within the Provincial Council to prevent them from working effectively and thus potentially forcing him to share authority.

The evaluation did not receive data from NDI or IDLG to measure the extent to which these positive or negative relationships were distributed across all 34 PCs.

The conflicts seemed to be outlier examples: for the most part the two facets of government, both operating as parts of IDLG, worked together adequately. The PCs shared information from site visits, and sometimes the Governor (or Deputy) visited sites with the PCs. Most relationships were reportedly based on sharing information. The PCs identified problems from site visits, public hearings and CSO meetings and then passed this information to Governors, line ministries or Parliament.

Presidential decrees that define these relationships are #862 and #4116 (See Annex IV). The former from 2007 directs the Governors to cooperate with PCs on development plans and with the PCs' monitoring and evaluation efforts. The Governor is required to have PC approval for their development plans before sending them to the central government for action. The latter decree, #4116, is not dated, but since decrees are sequential it likely was issued well after its antecedent. It does not issue any further direction to Governors, and seems to be more of a reminder to them to work with PCs.

In at least one province these decrees were reported to have had a beneficial influence on relations between PCs and Governors – NDI regional staff in Nangarhar reported that a previously intransigent Governor in the region accepted the decree's direction and began engaging with the PC in discussing development plans. The extent to which these decrees (and others) exert meaningful influence on senior officials' behavior reportedly varied widely across the country.

6.2 PC relations with Parliament

As discussed above, as democratically elected bodies, Provincial Councils self-identify as part of the Legislative Branch. They have some reason for this since PC members are elected to the parliament Upper House or Senate (Meshrano Jirga “MJ”) and the MJ has an official relationship with the PCs through their PC Committee. The relationship was reported as positive, although it seemed more paternal (from the MJ) than fraternal. The link between MJ and the PCs was not as strong as one would assume considering that each PC appoints two members to the upper body. It was reported that once appointed to the MJ, most Senators soon forget their PC roots and their responsibility to act as the PCs’ representatives on the upper house and become focused on national-level issues.

When observed working together, Provincial Councilors, Senators and Ministry officials seemed professional and respectful with each other. They were able to express differences of opinion and dissatisfaction and still continued discussions to reach a productive conclusion.

6.3 Relations with line ministries

Provincial Councils’ relationships with line ministries appeared to be at more of a working level. The PCs brought reports of site visits and constituent concerns to the PDC, which includes the governor and provincial heads of line ministries. There were varying responses to these concerns, which differed depending on the line ministry’s operations. In some cases the line ministries had limited flexibility to respond to concerns due to centralization in their own systems.

PC members said they often acted as quality control agents on LM activities, responding to constituents’ concerns about projects by conducting site visits with technical support, preparing M&E reports, and bringing problems to the PDC and where necessary to parliament, in efforts to remedy troublesome situations. It was reported that some of these assessments went so far as to comparing the thicknesses of floor slabs on construction projects to the buildings’ specifications, and raising the alarm when shoddy or substandard work was being performed by contractors. NDI provided the training that built up the PCs’ analytical and reporting capacities in this area.

In another situation, a group of constituents reportedly brought concerns to the PC about the Ministry of Education’s plan to build new schools – the people said there were enough school buildings in their area, and what was required was more teachers to work in them. The PC’s intervention in the PDC had the desired effect: the Ministry of Education did not go forward with its construction plans and instead focused its efforts on teacher recruitment.

6.4 PCs relationships with each other

There appeared to be productive collaborative relationships among PCs across the country, and keen interest among PC members for more opportunities to gather to share lessons learned and methods of addressing issues they had in common. The women PC members in particular expressed satisfaction with NDI’s support for mutually beneficial exchange visits with colleagues from other parts of the country.

Most of these exchange visits were reported to have taken place in Kabul: PCs expressed interest in visiting other provinces rather than conducting all sessions in Kabul. This would give them opportunities to become better informed of the realities in which fellow PC members were operating.

Summary

NDI's program has worked to improve PCs' relationships with a variety of actors in the Afghan government system. At the local level their efforts were through a variety of meetings and hearings, their shared concerns for development and constituents' well-being, and capacity development efforts for the PCs' external outreach and professional capacities. At the central level these include lobbying efforts with both houses of parliament. The effectiveness of NDI's work in this regard was dependent on the varied personalities, vested interests and other factors in the political environment in each province and in the central government. The PCs had varying levels of ability to carry out these activities on their own without NDI's support.

7. COORDINATION WITH OTHER DONORS

As part of their inquiries the assessment team met with staff of projects funded by other donors in the Provinces and in Kabul. They also spoke with PCs about their interactions with these other donor-funded activities.

7.1 UNDP a major player – larger than NDI: no coordination, some overlaps

The UNDP's Afghanistan Subnational Governance Program (ASGP) is the largest, by dollar value, provincial-level subnational assistance program in Afghanistan. The UNDP and NDI programs overlapped in the provinces in that they served the same organizations, but not as much with programs, where the NDI's priority was on capacity development while UNDP focused more on material assistance. There was no evidence of systematic collaboration between NDI and UNDP on their supports to PCs: the evaluation received no data from NDI to this effect. However, during interviews with PCs there were advisors funded by ASGP present who were described as providing technical support to the PCs. Some PCs said they preferred ASGP to NDI, largely because of the material supports provided by UNDP.

7.2 PBGF funds Governor's offices, not PCs

An additional source of provincial level funding is the Performance Based Governance Fund (PBGF) which allocates approximately \$25K per month to governors' offices. These amounts can vary based on the performance of the PGOs – the top six performers receive a 25% bonus, while the bottom six lose an equivalent amount. This fund is administered by the Asia Foundation, and reportedly has had a beneficial influence on governors' performance. The Foundation has 19 criteria by which it assesses PGO performance – these are in three major areas: programming quality, accountability and transparency, and budgeting.

Although one of the PBGF's performance criteria is consultation with Provincial Councils, the administrators of the Fund have not seen that encouraging Governors to materially

support PC operations with a portion of their PBGF allotment was part of its mandate. When the Fund's project manager was queried on reasons for this omission, since Article 17 of the PC Law (see Annex IV) states that support for PCs is part of Governors' responsibilities, no reason or explanation was provided.

While the PBGF is understandably popular with Governors, it has been the source of some controversy in that it has been considered by critics as a slush fund that Governors can distribute without appropriate controls or accountability mechanisms. As with many other international support for GIRoA activities, these funds were not channeled through the government's financial system: checks were written by Asia Foundation staff, indicating a lack of ability to foster institutional development and potential problems with program sustainability. When donor support for the PBGF ceases, these funds will no longer be available to the Governors' offices – with negative impacts on subnational governance. There was no evidence that NDI and the Asia Foundation collaborated or coordinated their efforts in their supports for subnational governance.

7.3 Equivalent fund for PCs cancelled just before launch

In 2011 there was discussion of augmenting the multi-donor funded PBGF with a sister program for Provincial Councils, supported through DFID and administered by The Asia Foundation - the current PBGF implementer. Program planning advanced to the point where it was publicly announced to the PCs; however, it was abruptly cancelled when the British withdrew their funding. This undermined the PCs' confidence in the international community's stated commitments to support Afghan administrative systems.

7.4 Other players: GIZ, DFID, etc.

There were other donors working or planning to work on supporting provincial-level subnational governance in Afghanistan. The Germans were funding a project-driven program that coordinated the decision process with line ministries and provincial councils. It was in a pilot phase, and operated only in five provinces. The British government was developing a program for Provincial Councils that had not commenced at the time this report was written.

8. MEASUREMENT OF IMPROVED CAPACITY

Information in this section has been derived from reviews of NDI's Performance Monitoring Plan and Quarterly reports, and interviews with the NDI M&E team in Kabul and NDI staff in the field.

SNG Project Performance Indicators

The objectives noted in this section have been repeated from the *Project Objectives* section above. The *indicators* are copied from the cost-extension PMP as updated in October 2012. All indicators are defined in the PMP as outputs unless otherwise noted.

Objective #1: strengthen the capacity of provincial councils to represent constituent interests in development planning at the sub-national and national levels

Indicators:

- 1.1.1: Number of sub-national entities receiving USG assistance that improve performance.
- 1.1.2: Number of local mechanisms supported with USG assistance for citizens to engage their sub-national governments.
- 1.1.3: Number of stakeholder consultations that provincial councilors hold on provincial development issues. *(outcome)*
- 1.1.4: Number of consultations provincial councils hold to review oversight reports and advocate for provincial development priorities. *(outcome)*
- 1.1.5: The number of development project visits by PC members.
- 1.1.6: Number of Provincial Council site visits conducted.
- 1.1.7: Number of capacity development sessions that enable provincial councils to build their public outreach and development planning skills.
- 1.1.8: The number of town hall meetings or public hearings conducted by provincial councils.
- 1.1.9: The number of PCs with two-year strategic plans developed.
- 1.1.10: The number of development plans completed by PCs in coordination with DDAs or DCCs.
- 1.1.11: The number of PCs implementing (gender sensitive) strategies to effectively reach out to their constituencies.
- 1.1.12: The number of gender sensitive issues raised by PCs.
- 1.1.13: The number of interns placed with PCs.
- 1.1.14: Number of provincial councils receiving intern(s).

Objective #2: strengthen PCs' capacity to oversee implementation of provincial development processes

Indicators:

- 2.1.1: Number of meetings conducted between community councils and government entities disaggregated by level and type of administrative unit. (NDI works with and tracks data for "provincial" councils rather than "community" councils.)
- 2.1.2: The number of NGO briefings organized by PCs to disseminate technical information on development processes with local government entities and other stakeholders.
- 2.1.3: The number of meetings that PC delegations conduct with Kabul-based authorities and governing bodies.
- 2.1.4: The number of regional exchanges among PCs to share best practices in engaging with local and national officials.
- 2.1.5: The number of PCs implementing (gender sensitive) strategies to advocate for citizen needs and influence the development planning process.
- 2.1.6: The number of mechanisms established to strengthen coordination among PCs, Parliament, districts at the national and sub-national level.

Objective #3: support the Independent Directorate of Local Governance's strategy to build the capacity of provincial councils

Indicators:

- 3.1.1: Number of provincial councilors who participate in IDLG's sponsored networking events.
- 3.1.2: Number of documents submitted by NDI to the IDLG.

- 3.1.3: Number of IDLG staff members trained.
- 3.1.4: The number of technical sessions conducted that enable IDLG-GDLCA to develop strategic and organizational development plans.
- 3.1.5: The number of plans and proposals developed by IDLG-GDLCA on promoting PCs in effective subnational governance. (*outcome*)
- 3.1.6: IDLG-GDLCA develops a strategic plan that enables the body to support PCs effectively.
- 3.1.7: The number of initiatives to promote gender equality that are implemented by IDLG-GDLCA.
- 3.1.8: The number of mechanisms developed by IDLG-GDLCA to implement the PC Law.
- 3.1.9: The number of IDLG-GDLCA staff who participate in provincial activities.

NDI's quarterly reports show significant numbers in all of these categories.

Note:

Of these 29 indicators in the updated PMP, only three are described as “outcome” indicators: numbers 1.1.3, 1.1.4, and 3.1.5. The rest are “outputs”, which are essentially inputs that NDI plans to make to the PCs or to IDLG: they do not measure results of these activities. The first two outcome indicators refer to activities that PCs undertake with other entities – consultations or meetings PCs hold with stakeholders or others. The third refers to plans and proposals prepared by IDLG, but not whether these are implemented.

While these may well be results of NDI's inputs to PCs or IDLG, they do not measure the effect of these activities on constituents or on GIROA activities in the provinces. They may measure results of NDI's activities with PCs or IDLG, but they do not measure any improvements in the performance of the country's subnational governance system that might be attributable to these activities.

By approving the PMP, USAID has agreed to these as the project's performance indicators. The management truism: “you get what you measure” applies in this case as in any other – according to these indicators, it seems the NDI project is not expected to produce a significant effect on the performance of the subnational government system it is supporting.

8.1 NDI's M&E system inadequate – focus on activities, not results

A review of the project's performance indicators (above) shows that with the three exceptions noted, they are input-oriented rather than outcome-oriented. They are measuring activities rather than changes in institutional performance brought about by these inputs. Even indicator 3.1.6, development of an operational plan, does little to measure impact on the public of NDI's inputs: the indicator does not assess whether IDLG implements the plan or if this produces some tangible public benefit.

This weakness is common in projects of this sort, where it is much easier to count participants in a training program than to measure the effect of the training on the services the trainees' institutions provide the public.

Although NDI collects a great deal of data to inform the many active indicators in their Performance Monitoring Plan, their use and management of this data is questionable. Before his departure (in frustration) NDI's subnational government program leader was critical of

their performance data collection and said the data collected by his predecessor over the two years before his arrival a few months earlier was ‘worthless.’

The assessment team found that NDI was unable to deliver performance indicator information. The data that was provided was too general to ascertain results and project staff could talk only about how many events they held or the number of participants who attended them: they were unable to comment on NDI’s impact on subnational government, the councilors’ capacity or the communities’ development. In interviews with NDI field staff and PC members they said they liked the evaluation’s Interview Guide (Annex VII) because it helped them begin to think in terms of measurable results of their activities. The fact this seemed new to them spoke volumes.

Putting the quantitative into a qualitative context to actually measure effects requires understanding of more than the numbers – it also requires the ability to observe the capacity of a system to change over time. NDI’s staff turn-over amongst international and Afghan personnel had negatively impacted the project’s performance monitoring processes, and indicated the need to educate the staff to understand its impact, progress and areas for improvement. With the recent extension and new regional field offices NDI must assure that staff can collect the quantitative data and also analyze and report on changes in capacity in the program’s recipients. The project’s current performance measurement system did not seem to have that capability.

8.2 USAID has not been demanding on this – why?

The focus on inputs rather than outcomes was discussed with senior NDI staff, who acknowledged it was a weakness in the project’s design. They raised the question of why USAID had not included this matter in earlier consultations on project performance – the assumption being that if USAID wanted the project to measure outcomes more so than activities, NDI would have been obliged to find ways of doing so. As noted above, the revised PMP (October 2012) included three outcome indicators, but these did not measure the results of PC activities on their constituents or on the entities with which IDLG works to improve subnational governance.

While NDI has fulfilled the numeric requirements for the project, little of this information reported on the stakeholders’ development, the program’s sustainability or its impact on local society. The puzzling lack of demand on USAID’s part for more measurable outcomes contributes to this weakness in the project’s performance measurement system.

8.3 Baseline data difficult to find and relate to current operations

A number of project objectives were stated in terms such as “strengthen the capacity...” of PCs, women PC members, or IDLG. Any credible evaluation of such objectives requires some method of comparing capacity at several points in time, and measuring the change in performance in relation to some form of baseline assessment. The project’s Cooperative Agreement states that NDI would conduct such a baseline assessment of PC capacity as part of its programming activity.

Several requests were made for a copy of the baseline assessment that NDI reportedly conducted in 2008, but it was not made available to the evaluation team. The report was described as an internal NDI document, only parts of which were shared with USAID: no one in NDI's Kabul office could say what parts of the report were shared with USAID, and USAID staff appeared to be unaware of this document.

As a result, the assessment team found it difficult to put the entire project into perspective for this evaluation. As part of its work-plan, the Quarterly Reports provided interesting bits of information about participants, but they lacked insight and comprehensive analysis of Councils' capacity, development trajectory or inter-related professional capacity needs. This made it difficult to make evidence-based comments on the degree of improvement in performance of the entities with which NDI worked.

8.4 Evident there has been improvement: hard to measure

Although for reasons cited in this section it was difficult to accurately measure NDI's impact on PC performance, it was clear that their capacity had increased over the past several years. The PCs often complimented NDI for their assistance, an indication that their ability to engage constituents, consult with Parliament, conduct site visits, and to understand and report on what they were seeing had improved. NDI's ability to measure and report the extent and nature of this improvement has been inadequate.

Regardless of this M&E deficiency in the NDI project, it should be acknowledged that, as noted elsewhere in this report, there were no PCs before the first round of elections in 2005, and at the end of 2012 there were functioning Councils in virtually all provinces. They reportedly varied widely in their performance, and the extent to which their capabilities were a result of NDI's inputs or other initiatives from within their own membership or other external influences was difficult to ascertain. What was most important to note is that these Councils existed and they were carrying out a range of functions that served the people in their provinces, and it appeared they were likely to continue doing this with steadily increasing capacity as one electoral cycle succeeds the next.

Summary

NDI's quarterly reports and data indicators show significant activity in all project areas with the PCs. The majority of the 29 indicators are "outputs" (activities), while only three are "outcomes" (results). The assessment found that NDI's M&E system was inadequate, focusing on activities, not results. NDI's baseline data was difficult to find and relate to current program efforts. The team did not receive accessible tabulated or aggregated data from NDI, instead they provided lengthy tables of project activities and participant numbers. Senior NDI staff derided the program's M&E system and their staff did not demonstrate an adequate knowledge or understanding of results based monitoring and evaluation. In interviews with NDI field staff and PC members they said they liked the evaluation's Interview Guide (Annex VII) because it helped them begin to think in terms of measurable results of their activities. The fact this seemed new to them spoke volumes. While the evaluation's interviews with program personnel and other observers clearly did show positive results, neither NDI nor USAID had designed adequate mechanisms to assess project performance in terms of its measurable impact on subnational governance in Afghanistan.

9. ADDITIONAL OUTCOMES – POSITIVE AND NEGATIVE

NDI's program, like others, had unforeseen impacts – this section describes additional positive and negative outcomes associated with NDI's work with Provincial Councils.

9.1 PCs are new institutions – some elite capture

Provincial Councils are new institutions, and as such they had not yet firmly established their authorities and responsibilities. Also, Councilors brought their strengths of personality and expectations to the institutions – and as such some might not have been properly applying the methods and principles of the NDI program. In some situations a form of elite capture was evident: a relatively well-known example was the way Wali Karzai, the president's late brother, was reported to have used his position as head of the Kandahar PC to accomplish a number of objectives that were described by a Kandahar resident as: "... some were legal, some maybe not..." He was known for issuing orders to government officials – and even governors – to carry out activities he saw as desirable. And, for whatever reason, these officials apparently did his bidding. This was a mode of leadership that the NDI program was striving to replace with more transparent, collaborative and democratic governance methods – the institution's credibility was likely undermined by his behavior, but it seemed to be recovering under the new leadership in the PC. This can be seen as part of the on-going evolution of appropriate forms of governance in the country.

9.2 Public has new institution to ask for help

The Afghan people have long had a traditional justice system (*shuras, jirgas, etc.*) they could access to find solutions for their problems or disputes. The traditional justice system is well known: it is considered a part of normal life in Afghanistan, and is seen by some as more honest and often more effective than the state-run systems. As noted elsewhere in this report, the establishment of Provincial Councils created new institutions that the citizenry could approach for help to address a range of problems. This process was accentuated by NDI's efforts with community outreach, hearings and meetings. This problem solving process varied across the country, and depended on local circumstances and each PC's responsiveness and effectiveness.

9.3 Some mediation activity crucial in maintaining stability

Some PCs were being asked to take on mediation cases which, if left un-resolved, could contribute to violence and disorder in their area. This service was increasing the value of the PCs to the communities, and creating a hybrid administrative system that blended modern democratic approaches with long-standing traditional ways of conflict resolution. This mediation function has not been part of the NDI project, but was a responsibility that communities seem to have asked their PCs to assume.

9.4 Appropriate referral system not in place: PCs can't say "no" – credibility suffers

With the increase in credibility, some PCs are finding themselves receiving multiple requests to resolve a wide range of problems. This work can be overwhelming, especially since the

PCs seem to have difficulty saying “no” in the face of a request for assistance. Some PCs reported this sort of activity was taking as much as 80 percent of their time. As noted elsewhere in this report, this unanticipated rise in community outreach and problem solving work calls for establishment of a referral system which would permit PCs to focus on their main tasks such as public outreach and monitoring government programs, without turning away constituents who seek their assistance.

There are limits on what a Council can accomplish: one chairman reported being approached by a father who requested the PC’s help getting his son out of jail – something they could not do, much to the father’s disappointment. Their credibility could suffer if they cannot fulfill the people’s requests – the PCs’ popularity can have a negative side.

10. WOMEN AND PC OPERATIONS

As part of their assessment the team made special efforts to study and inquire about the development efforts for women in NDI’s program. This included a focused review of NDI’s written reports, specific meetings with women Provincial Councilors, raising gender awareness and development issues with male Provincial Councilors and discussions with NDI gender advisors in Kabul and in the field.

10.1 Women PC members: strong, articulate, forceful, creative, skilled

The women PC members encountered during this evaluation were remarkable for their apparent strength, ability to express themselves, their creativity and skills. One example was a PC member from Parwan – a former senior high school teacher, she said she was drawing on this background to write her own PC-related training resources. On other PCs women said they were able to adapt templates and curriculum provided by NDI to continue building PC capacity without NDI’s on-going support. Male PC members stated – often seemingly only partly in jest – that their women colleagues were actually running the Councils.

In NDI’s Nangarhar regional office several male members took an initiative to encourage area women to form a “Women’s Platform” – a gathering of women from across the social, political and organizational spectrum, to build a network between the PCs, Parliament and other women activists, in the media and elsewhere in the province, so they could raise their voices in unison on issues of common concern. Women PC members from Nangarhar also initiated an inter-council visit in which they went to Herat to consult with women on that PC to share lessons learned from two quite different parts of the country and to find ways to work together to contribute to the peace and reconciliation process. NDI supported this initiative.

NDI’s energetic political parties and elections program reportedly created a spring-board for women to access authority and meaningful positions within their communities as Provincial Councilors. Many of the women started their conversations with comments and recollections about NDI’s assistance for them as candidates. They generally linked these experiences to their current positions and commented on how the training they received at that time improved their current skills – for example, how campaigning and working with groups facilitated their abilities with public hearings, CSO meetings and site visits. Some also

mentioned how campaign fund raising skills help them to find resources for the Provincial Council.

There were specific efforts by NDI's gender trainers to explain gender issues and the impact that active women have on developing communities; the NDI gender events were well attended with active engagement of participants. Afghan women who are willing to step forward into non-traditional roles are by their very actions strong, creative and fearless. While NDI's Women in Politics and Government program has helped them learn extra skills, what it had not done well is to help them put the skills and energy into a broader context and bring men (of all generations) along with them.

10.2 Women-only gatherings – PCs and communities: venues for sharing, analysis and exercising voice

In addition to the NDI gender-specific workshops, training and skills capacity education, the NDI program was hosting site visits on gender issues and working with the women in their roles as Provincial Councilors. This has had some productive effect: one male Provincial Councilor, while rather dismissive of the women's programs, seemed relatively enlightened, saying that the women PC members are equal to the men, capable of handling any of the work and challenges the PC was addressing.

It was difficult to determine how genuine his comments were, or the extent to which the other men PCs really shared them. While there has been discussion of combining men and women in some of NDI's gender-related training for PC members, the program segregates participants. Both male and female informants agreed that mixed-gender sessions would be more effective than the traditional women-only approach.

There were numerous reports that women PC members did what they could to connect with women constituents: they often held women-only gatherings when they conducted site visits in the districts, and expressed appreciation at having female interns available to support these consultations. These events were held in locations that were accessible to women, such as in schools, and at times when they could participate. Male PC members said they were able to secure permission from the women to sit in on some of these sessions, and learned a great deal from the experience.

10.3 Family violence problems brought to PCs – try to help

In some PCs women members reported that constituents brought problems to them which were very difficult to address – such as family violence. Although the PC members tried to provide assistance, including establishing linkages with District Offices of the Ministry of Women's Affairs, these DOWAs could rarely provide useful assistance.

Male members of one PC reported an incident in which the murder of a young woman was brought to their attention by villagers. After looking into the matter they determined that the accused was well known and had not been questioned by the authorities. The PC took up the case and applied pressure on the police to take action – the result was that the accused, who had been living freely in the area, was arrested and brought to trial.

These cases illustrate the real or potential influence of PCs, which can extend well beyond the limits of the mandates defined in legislation and Presidential decrees. The extent to which NDI provides support in these areas was not clear.

11. CITIZEN PERCEPTION OF PC EFFECTIVENESS

11.1 Evaluation did not do a citizen perception survey

Although the evaluation's Statement of Work included an assessment of citizens' perceptions of PCs, at the beginning of this study it was agreed that conducting a comprehensive survey to collect evidence-based data to address this component was not realistic given the limitations of time and funds. The evaluation relied on other survey information for this part of its report. These other surveys, conducted by Democracy International (DI) and The Asia Foundation, are discussed in some detail later in this section. The information that follows is based largely on results of interviews with PC members, NDI staff and others contacted during the evaluation.

There was differing information on how citizens perceived the effectiveness of their Provincial Councils. Provincial Councilors seemed to see themselves as the first and often the only official avenue of recourse for constituents. The PCs frequently commented on how the people approach them seeking redress for problems or disputes, often comparing their interaction and responsiveness favorably to Members of Parliament, who according to many PC members, were distant, occupied with national level political matters, and largely unconcerned about constituents' needs.

Most Afghans seem to have few choices when seeking assistance to solve problems: they tend to 'venue shop' when seeking outside assistance. In some areas, going to the international community or military (ISAF or ANA) invites further trouble, alienation from their community or even physical danger. Seeking redress for problems from some Afghan officials (such as the ANP) reportedly introduces corruption, loss of regard, or again, physical danger.

Afghans' problem-solving options are often confined to unelected officials: *jirgas*, governors, line ministries, traditional or formal courts, or police. Options which focus on elected officials are their provincial councils, members of parliament or the President. The elected three are theoretically accessible to all Afghans; however, as in most countries, influential Afghans tend to have more access to higher level elected or appointed officials than do Afghans who have limited means or are of lower social standing. For most Afghans it is easier (but by no means actually easy) to visit their provincial capital than Kabul. And if they were in Kabul, getting into Parliament to see a Wolesi Jirga representative would be considerably easier than accessing the Palace to see the President. So, it became clear that by going to the PCs, the Afghan people were hoping to fulfill their own needs, and expressing confidence in the PCs to accomplish meaningful and binding solutions to their problems.

11.2 Different views in DI and Asia Foundation Reports

The assessment team also examined two recent surveys on Afghan citizens' sentiment, which asked about Provincial Councils as part of a much larger study. Each collected different but related information concerning the Afghan people's interaction with and confidence in Provincial Councils.

The DI survey, published in November 2012, reported on what it called a nationwide survey from December 2011 in which it questioned 8620 people in Afghanistan about Political Institutions, Elections, and Democracy in Afghanistan. DI gathered data in focus groups and interviews in two communities in four districts – a narrow sample for a 'nationwide' survey. They asked about citizen's confidence in and accessibility to the various levels of government and social services in Afghanistan: district, provincial and national. Their findings about Provincial Councils were not positive. They found that, "Afghans perceive elected PCs as neither accessible nor representative of their needs." That "provincial councils are broadly perceived as arms of development agencies, provincial reconstruction teams, and nongovernmental organizations." And that "they turn to customary leaders or their district governor – rarely do they turn to their elected provincial council or national assembly members" to address their problems².

Only 15% of respondents said they had a lot of confidence in their provincial councils, 40% some confidence, 30% no confidence. The regional spread demonstrated "a lot of confidence" as low as 6% in the Southern region, a high of 24% in the north-east. The regional spread demonstrated "some confidence" as low as 19% in the Southern region, a high of 64% in the north-east. And the regional spread demonstrated "no confidence" as high as 70% in the Southern region, as low as 12% in the north-east.

The DI survey reported that Afghans perceived provincial councils' accessibility as very low. More than 50% of respondents said provincial councils were "not at all accessible" and another 27.9% as "not very accessible." Less than 6% and barely more than 1% found PCs either "somewhat accessible" or "very accessible." Nearly 13% of the DI survey respondents said they didn't have a PC in their community, refused to comment, or didn't know.

Although the DI report clearly defines their methodology, the relatively few districts from which they drew their sample raises questions about the generalizability of its findings to the entire country.

The Asia Foundation's annual Survey of the Afghan People surveyed 6290 people in June 2012 and released their findings in November 2012. They asked Afghans about contact with and efforts of Provincial Councils. Asking men and women if they have contacted their Provincial Council to assist with solving a problem, 22% of all the respondents said they had gone to their PCs for assistance. This result was a bit lower than a year earlier, but significantly higher than the previous four years - a low of 11% did so in 2007. The male to female spread of data is ten percent, and nine percent rural to urban. Of the respondents who

² Democracy International (2012) *Survey on Political Institutions, Elections and Democracy in Afghanistan*. pp. 5 & 6.

did seek help from their PC, 63% found the PC tried to help, nearly twice the number who found the PC did not try to help. Geographically, the responses were relatively consistent; a high of 73% said the PC tried to help in the east, a low of 52% in Kabul. Inversely, as expected for a yes / no question, the same spread was identified for PCs not trying to be of assistance³.

The marked difference in results of these two surveys, both conducted in somewhat similar societies, indicates the challenge in attempting to obtain reliable data on citizens' perceptions of the performance of institutions such as Provincial Councils.

11.3 Demand for mediation and problem solving – perception of utility and trust

The Afghan people were reported to be turning to the Provincial Councils for mediation of disputes and disagreements. The system of alternative dispute resolution, outside the formal judicial system, is complex and well established in Afghan society. Because the parties have options on where to seek solutions they will 'shop' for venues; and since all parties need to invest and agree in the process, it requires cooperation. The fact the people were asking Provincial Councils to mediate their problems indicates they come to the PCs with a sense of trust and agreement in the utility of their services.

11.4 Re-election of some PC members indicates public confidence

PCs indicated they saw the electorate as their primary source of authority and confidence, and being an elected body seemed very important to the Provincial Councils. The Councilors frequently equated their standing in Afghan governance with Parliament, often saying they worked harder and were closer to the people than the MPs.

And yet, several Councilors said that they had decided not to run for re-election in the next elections. The reason most often cited was that the work cost them too much and that to properly conduct business they had to use their own resources or in some cases go into debt. These personal expenses covered transportation when going on site visits or hospitality costs when constituents called on them in their offices or visited them in their homes.

11.5 Raised expectations creating problems

As PCs sought and gained more authority and capability to act on behalf of the constituents they raised expectations in the community. If they did not perform productively or even made a serious effort to do so, they could quickly and irrevocably lose the people's confidence.

Although most PCs indicated they saw that accessibility to their constituents was a major part of their responsibilities, it was clear that providing this service had mixed consequences.

³ The Asia Foundation (2012). *Survey of the Afghan People 2012*. pp 101 – 103.

Most PCs did not seem to have a strategy for limiting the negative impacts of this major component of their services to their constituents.

Summary

Although the Cooperative Agreement at the beginning of the SNG in 2008 said the project was to start with a comprehensive baseline analysis of PC competencies, neither USAID nor NDI could produce a copy of this evaluation. NDI staff said they did write a report on the matter at the start of the project, but said it was for internal use only and no one at NDI could say which parts of it were shared with the mission. The annual Asia Foundation survey and the 2012 Democracy International survey provided markedly differing perspectives on the Afghan public's opinion of Provincial Councils. The behavior of provincial residents indicated they had some degree of trust in PCs, as they turned to these bodies in search of solutions for their problems. However, the PCs had difficulty meeting public's raised expectations, causing some disillusionment in the population. The low rate of re-election of PC members in the second election in 2009 indicated some lack of voter confidence in the previous incumbents. The results of the next election in 2014 will provide further insights into the population's perception of PC effectiveness.

12. ACCOUNTABILITY, TRANSPARENCY AND CONTROL OF CORRUPTION

12.1 Most Provincial Councils seemed to have no financial corruption

All PCs interviewed reported that they operated free of financial corruption, nor could they report any corruption by other PCs. They were consistently critical of the central government for corrupt practices. None of the teams' interviewees, NGOs, donors, partners or governors' offices raised or complained about financial corruption by the PCs. A possible exception was the Council in Kandahar under its late Chairman Wali Karzai, who was suspected of using his position as PC chair to support a variety of corrupt practices. While this relative lack of financial corruption may be due in large part to the fact that PCs are not directly involved in large scale economic transactions, the PC members reported that they took great pride in their transparency, accountability and the role they played in combatting corruption in Afghanistan. The PCs said that they want to be transparent and accountable, as these are linked to their credibility and likelihood of being re-elected.

12.2 Electorate fosters transparency and accountability, NDI provides support

The Provincial Councils frequently commented on the fact that they were elected, representational bodies, and the same electorate that empowered them also demanded accountability. Transparency coupled with credible elections are the main mechanisms for controlling corruption on public bodies. NDI's program reinforced the PCs' transparency and accountability through their meetings and public hearings. Mechanisms capable of mitigating corrupt practices at the provincial level that can grow from the NDI program into regular practices are their frequent constituent meetings, cooperation with civil society and knowledgeable site investigations, coupled with regular consultations with PDCs. The fact that the PC's sought out the attention that these events brought also reinforces their accountability, cooperation and transparency.

12.3 Some administrative and electoral corruption alleged on PCs

While the assessment received virtually no evidence of financial corruption in the PCs operations, there were indications that at least one PC member was the victim of attempted corruption in her campaign to become a Provincial Councilor. For the first round of PC elections in 2005 she said she was told that if she wanted her name to appear on the ballot she would have to pay a \$10,000 bribe. She did not run in the first election, but was successful in the second in 2009, apparently without having to pay a bribe.

Also, the Nangarhar Provincial Council apparently had considerable political corruption during its internal voting for election of officers which negatively impacted its performance and ability to work with major donors. The evaluation team was told by the Nangarhar PRT's USAID representative and others that several factions were jostling for power on the PC and they were unable to form a majority coalition. The PC was apparently divided into three groups: two groups of male members were affiliated with two major influential groups in the province. The third group was composed of female PC members, who acted as king-makers, forming alliances with one or the other of the male groups as they saw fit. It was said that the women were offered cars to side with one of the groups.

It was unclear what benefits were at stake that drove this internal conflict and desire for control, which negatively impacted the PCs' election of officers. The election process was deemed to be so flawed that donors refused to recognize the legitimacy of PC officers and had no interaction with the PC for much of a year before the situation improved to the point that some legitimacy was restored. As noted earlier in this report, the governor capitalized on this disunity to keep the PC from organizing and expressing a unified voice, and thus not having to share authority with them in managing the affairs of the province.

As noted above, there were also allegations that the Kandahar PC was involved with corrupt practices during the period it was chaired by Wali Karzai, the President's influential brother. His assassination was reportedly linked to some of these allegations. No information was received to indicate whether the current Kandahar PC chair has been suspected of continuing the corruption that was alleged to have been a feature of Wali Karzai's time in office.

12.4 Site visits and constituency engagement limit corruption

Provincial Councilors frequently mentioned their NDI-supported site visits as opportunities to combat corruption. The combination of training, mentoring and situational awareness enabled the Provincial Councilors to identify instances of corruption, bring them to light and to help introduce corrective measures. The latter was reported to be one of the PCs' challenges as they have no authority beyond their ability to report.

Although it may be seen as difficult, controlling corruption was not impossible, as more than one Provincial Councilor reported having identified and stopped corruption in construction and other development projects.

An example illustrates how one PC reported success in addressing corruption linked to a construction project by using their outreach, public consultation and communication

capabilities. A local contractor brought the PC a complaint about an official demanding a \$2000 bribe before authorizing release of a payment for work that had been satisfactorily performed. The PC chairman said they alerted the NDS and AG offices, who sent their law enforcement personnel to a meeting hosted by the PC in which the accused official was confronted with the contractor's complaint. The PC chairman said the official left the meeting in a hurry, never to be seen in the province again. Similar efforts were reported by other PCs, which combined their citizens' communications activities with their networking capabilities to help the authorities address corruption problems.

Summary

While corruption is wide-spread in Afghanistan, the PCs appear to be relatively free of this problem. There was virtually no evidence of financial corruption – perhaps because the PCs have no real budgetary responsibilities. A possible exception was the Kandahar PC during the late Wali Karzai's time as its chairman: he was suspected of abusing his position for a range of legal and illegal business dealings. There were some allegations of administrative corruption related to elections, both for PC membership and internal elections of officers, but these were not wide-spread. The PCs' monitoring and citizen outreach process provided opportunities for corrupt practices to be brought to light and addressed through the PCs' relationships with other parts of the government. The primary mechanisms to control corruption on public bodies – transparency and credible elections – appeared to be in place with the Provincial Councils. PC members were proud of their accountability derived from open relations with constituents, and were harshly critical of corruption in the central government.

13. OTHER RELEVANT FINDINGS

13a. Support for and relations with IDLG

NDI support for IDLG was recent: why not earlier?

Although the third objective of the NDI project was to provide direct technical support to increase the capacity IDLG, this was a recent addition to an initiative that has been operating since at least 2008. It was part of Modification Twelve of the CoAg, signed July 21, 2012. While Modification six, dated March 24, 2011, makes frequent mention of collaboration with IDLG, it does not include provision of direct assistance to the agency, which began only after mid-2012.

In most of its documentation NDI proudly mentions that they have been working in Afghanistan since 2002. IDLG came into being in 2007, as the government agency charged with supporting subnational governance (see relevant laws and decrees in Annex IV). The principle of sustainable institutional development would indicate that support should be provided to host country institutions so they could become better able to attend to their own affairs once international support is withdrawn. This does not appear to have begun in a timely manner in this case.

Although most ministries operate at the provincial and district levels, virtually all are highly centralized and directly controlled by their Kabul-based offices. The only part of the

government that supports subnational governance is IDLG, an organization which is widely known for its limited capacity to manage and fund its operations. As an example, in 2011 its full time complement of some 20,000 employees was served by a capacity development unit with only seven field level staff. The Subnational Governance Policy – in spite of its many shortcomings – was approved in the Spring of 2010, and addressed a number of PC-related factors. The National Priority Programs, one of which (NPP4) addresses subnational governance, has been in the developmental process since early 2011. There was considerable evidence from at least 2007 that the government was making efforts to address its subnational governance needs, and other donors, such as the UN through its ASGP project, were attempting to support these efforts.

Why it took so long for NDI to begin to provide direct technical support to IDLG, the organization responsible for supporting PC operations, is an open question. It is difficult to understand why NDI, with its impressive global track record of building up sustainable democratic institutions in fragile post-conflict states, would have waited until after mid-2012 to begin paying attention to such an obvious gap in the country's administrative structure. The same question could be asked of USAID, which also has been well aware of this situation since IDLG was established in 2007, two years after the first PC election in 2005. When NDI and USAID were asked why they had not provided IDLG with assistance before July, 2012 to strengthen its support for PCs, no explanation was provided.

When discussing this issue with the head of GDCLCA, the IDLG unit supporting PCs, he said that there may have been a link with his threat to USAID – which he said was repeated by IDLG's deputy head – to order the PCs to stop cooperating with NDI if the SNG project did not start supporting IDLG.

NDI embeds providing good services to IDLG Kabul

The principle of “better late than never” seems to apply in NDI's recently-initiated direct technical support to GDCLCA, the unit in IDLG that is tasked with supporting PCs. The NDI-funded advisors assigned to the agency were reportedly providing high quality, effective services. These include drafting useful documentation, strengthening its administrative processes and other services the agency sorely needs – these are much appreciated by the head of that unit, and are steadily improving its performance.

IDLG pays PC salaries – virtually nothing else

A frequent refrain from the PCs contacted during this evaluation was that although they should be receiving support from IDLG, all they received was salaries. Other costs, such as transportation for field visits, communications, facilities, equipment, and more, were being covered (to some extent) by other sources, in many cases by UNDP's ASGP project. An account of the small amount of resources provided through IDLG (such as a few liters of fuel a month for travel in the province) was the source of derisive laughter when discussed during the evaluation's field visits.

IDLG staff in PCs report to Governor, not PC Chair: internal IDLG problem

One of several problems with IDLG that contributes to their low level of support was illustrated when the head of GDCLCA was asked about the government employees assigned

to support the PCs. He described a situation that indicates there may be considerable difficulties within IDLG's staffing structure. Apparently the personnel who he is meant to be supervising actually report to the Governor, not to the PC chairman, or even to himself. The unit head said he was not fully aware of how many provincial level employees he had on staff, let alone what they were meant to be doing. In other words, he is being held accountable for operations over which he exercises very little authority, a structurally untenable situation for any manager. He had made several attempts to change this situation, but so far had not been successful.

This is not the only such situation in the Afghan government, which has a staffing and financial system that seems to be very difficult to change to better align its management structures and authorities with actual workflow requirements.

Elected institution dependent on Executive: a problem

Another frequent refrain in meetings with PCs was an assertion that as elected bodies they should not be dependent on the Executive for resources, personnel, and other operating requirements. They said they should ideally be independent of the Executive arm of government, and should instead be linked to Parliament, as the country's chief elected body. This would presumably provide them with the independence required to fully and freely carry out their activities, most of which entail monitoring and where necessary criticizing activities of the Executive branch.

A brief review of the Constitution and other relevant laws indicated that this linkage with Parliament appeared to be difficult to justify given the nature of these foundation documents. Also, the centralizing tendencies noted elsewhere in this report would make it unlikely that the required political will would be present to make such a change, even if it were legally feasible.

The ability of the Ministry of Parliamentary Affairs to extend its operations to the provinces – and then presumably at some point to the districts – was not known, so even if the political will and legislative frameworks were supportive of such a change, its practical feasibility in the short term seemed questionable.

In discussions within IDLG on a possible way to put a type of firewall between the PCs and the Executive at the provincial level, a proposed solution could be to have the PCs become independent budgetary units within IDLG. The PGOs are in that category, and there were indications that creating a comparable budgetary arrangement for the PCs was administratively feasible. It would provide a measure of financial independence, which was seen as less than ideal, but probably the most one could expect given the circumstances. Whether the required political will would be available was another matter. Regardless of the level of political will, this was seen by IDLG officials to be a line of action worthy of further exploration.

13b. Sustainability

PCs on artificial life support – as is whole of GIROA

The question of sustainability of the Provincial Councils was repeatedly raised in discussions, most often by members of international agencies. There are at least two kinds of sustainability: financial and political (or social). It is the first that was at issue. While it was evident that NDI's support was not a permanent feature of Afghanistan's administrative reality, the fact that about 90 percent of the Afghan government's budget comes from the international community puts this matter within a much broader frame – that of the sustainability of the entire government system. While it was accurate to state that the PCs were on artificial life support, this is the situation across the board, so there was not much to be gained by singling out the PC support program as unsustainable.

The level of citizen engagement with PCs (discussed earlier in this report) indicates that the institutions have rapidly become politically and socially useful – with the impending reduction in international assistance for Afghanistan, the PCs may experience financial difficulties, but are likely to survive in some form on the strength of their credibility and perceived utility to the populations they serve.

External inputs needed: capacity development and funds

Informants were clear that the steady increase in performance of PCs called for continued external support, both financial and technical. In addition to the items noted in the section on training requirements (above), some of the PCs indicated they would benefit from the next generation of institutional development support. This would include capacity development to strengthen their internal administrative capacity, workflow management, and strategic planning skills, so they can set their own priorities and better focus their time and attention on the more significant issues facing the provinces they serve.

Another frequent theme heard in this evaluation was that additional funds were required to support PC operations, and also to keep quality people on the Councils. As noted earlier in this report, some incumbent PC members reported they were not going to put their names forward for nomination on the next round of elections, due largely to the required expenditure of personal resources and time. Most PC members supported the operations of the institutions from their own personal resources, and not all have the deep pockets required to sustain this over more than a single term. Serving on a PC was seen as a taxing endeavor, and for some members, one term was all they could sustain. If this trend is allowed to continue unchecked, it may turn out that what was intended as a democratic institution open to all qualified citizens may by default wind up in the hands of the wealthy, a process that PC members and the public are unlikely to consider desirable.

13c. Institution-building

NDI support focused on PC elected members, not on staff: skills left institution when members were not re-elected

Until relatively recently, most of NDI's inputs were focused on the elected members of the Provincial Councils. When some 70 percent of the first term's Councilors were not re-elected, those skills left the institutions, and a large new group needed attention. NDI's inputs had not focused on the permanent members of the institutions, the provincial level staff (approximately three in each PC, many with limited capacity) who would likely remain in the organization regardless of changes in the elected members. Institution-building was not reported to be high on NDI's priority list, with the result that some newly-elected members were found to be acting outside their mandate, largely because they had not been properly oriented to the roles and responsibilities of a PC member. In Kandahar, for example, both the Governor and the Chair of the PC identified this as a problem they needed to address. They said it would be better if NDI had provided institution-building inputs to the PCs' permanent staff so they could help orient new members and provide some stability to the organization's operations.

The head of IDLG's unit that is charged with supporting the PCs echoed this concern, noting that even though the interns were providing the PCs with technical and administrative support, this also was not a permanent institution-building process. The interns served for a relatively short term and then moved on, and as with the departing PC members, they took what they learned from NDI with them, and the institution no longer benefitted from their skills. It is important to note that their skills remain in the country, and are used elsewhere, but also that they are no longer available to serve the Provincial Councils as an institution.

NDI only recently started to focus on PC staff and institutional operations – why did this take so long?

NDI reportedly has only recently been focusing more on the institutional dimension of the PCs, a shift that is likely to increase stability and sustainability in their operations. As with an earlier question in this evaluation about the delay in beginning to support IDLG, the need for institutional development of the PCs would be a obvious requirement of their stability and sustainability. It begs the question as to why it took so long for NDI to adjust its programming to address this readily-evident issue. Although an explanation for the rationale for this was requested from NDI staff, none was provided. The lack of response may have been due to their having been relatively recently hired – most of the regional staff had been on the job for less than 6 months, so could not be expected to be aware of some of these longer-term issues.

13d. NDI Management Issues

There appeared to be problems within NDI's local management of the project, as evidenced by three issues identified during the evaluation: staff turnover, security constraints, and salary scales for local staff.

High turnover of senior expatriate advisors – why?

Two senior expatriate staff left the NDI project after working for only 6 months: this can be seen as a sign that something was not right with how the project was operating. These departing staff were seasoned development practitioners familiar with contexts such as Afghanistan, so it is reasonable to assume their leaving was due largely to organizational or personal factors, not problems with being in the country. The evaluation was not mandated to carry out an organizational assessment of NDI's management processes, so there was little accurate information available to explain this staff turnover issue; however, these usually are symptomatic of deeper problems with a project, sometimes a sign of a communications problem among senior expatriate staff.

One departing member who left in frustration expressed dismay at the “worthless” information provided by his predecessor who he replaced after he had worked for two years on the project. This was linked to the low quality M&E information provided for this evaluation. If this were the case, it would indicate a performance management and evaluation deficit in the senior management team (and also a lack of sufficiently stringent oversight by USAID) which would have a negative impact on the quality of services NDI provided to the PCs they were serving. The evaluation did not receive any indication of whether NDI conducted any exit interviews of these senior advisors to generate information that could be used to address the factors that prompted their premature departures.

Security seen as too stringent: impeding operations

Senior advisors who left NDI prematurely expressed intense frustration at the constraints posed by NDI's security team – they said they were essentially determining what the project staff could or could not do, and saw their restrictions as excessive. These comments were given in light of the considerably lighter security restrictions applied to other USAID implementing partners, whose staff were relatively free to move about Kabul and in the provinces in the course of their work. These contractors were all working for USAID, so the differences in permissible mobility levels raised questions as to whether some were excessively restrictive, or others too lax.

Regardless of the rationale behind these differences, it is sufficient to note that the NDI advisors were highly frustrated by what they perceived to be arbitrary and unnecessarily restrictive security protocols, and stated that these severely impeded their ability to do their work.

Salary scales set too low to attract high functioning locals

Several NDI offices reported difficulty recruiting capable high-level local staff, due to problems with the salary scales that were apparently set by NDI's finance unit. One of the foreign advisors who left during this evaluation said he thought the salary scales were set arbitrarily low, and did not reflect actual labor market conditions, with the result that key positions remained un-filled, or high-level local staff left the organization for more lucrative positions elsewhere. This had a major negative impact on the project's performance.

It was not in this evaluation's mandate to examine conditions of employment of NDI's Afghan personnel, so other than indicating this was described as a problem and there appeared to be relatively high staff vacancy and turnover rates, no evidence was collected to determine the accuracy of these assertions.

CONCLUSIONS

The evaluation team reached the following conclusions regarding the NDI program, NDI staff and operations, the Provincial Councils, its interlocutors and the sustainability of the program and Councils.

The NDI project has had a positive effect on PCs' performance

Considering that there were no Provincial Councils prior to their first round of elections in 2005, and that they were re-elected in 2009 and appear to have steadily improved their performance over that period, it is clear that NDI has exerted a beneficial impact on these new institutions. This includes training and supporting PC activities such as relations with constituents, monitoring of government and NGO operations through M&E and site visits, and relations with Parliament.

Provincial Councils appear to be firmly established across Afghanistan

The institution of the Provincial Council appears to have become an established feature of Afghanistan's political, administrative and social landscape. With varying degrees of effectiveness they are reaching out to constituents, consulting with Parliament, monitoring the performance of line ministries, donors and NGOs, and the public is seeking their help in solving a wide range of problems. PC members have been approached to provide conflict resolution and mediation services that are directly related to maintaining peace and security in their areas. These functions are likely to continue in some form even if funding levels drop as the international community reduces its engagement in Afghanistan.

NDI has been silent on PC's hybrid cultural and administrative functions

Much of PC's time is taken up with matters that have not been central to NDI's capacity development supports. The public is bringing issues to the PCs that previously were addressed by *shuras* and other traditional mechanisms. This is not likely to stop – PCs have become hybrid political and administrative institutions, and some are experiencing difficulty managing their complex and demanding workloads.

Women PC members are articulate, self-assured, capable and forceful individuals

A large number of articulate, competent and strong-willed women have been elected to PCs across the country, and they are working to advance gender equity in a variety of ways, often with the support of their male colleagues. The PCs are institutions through which women can exercise their voice and influence the progress of Afghan society, and NDI's support has accelerated this process.

NDI management challenges (staff, M&E) limit effectiveness

NDI's program has suffered from management challenges, including high turnover among senior staff and an inadequate monitoring and evaluation system. These have had negative impacts on program continuity and on providing the information needed to help the project consistently improve its performance. One consequence is that some PCs were complaining

about redundant training, which would not be such an issue if the M&E program were in order.

NDI has strong base: many newly-hired regional staff need support

NDI's new field offices and its tested materials provide a strong base to advance the development of PCs, which are pleased that NDI has a local presence. The many new staff require intensive training on subnational governance issues so they can deliver the program effectively for the remaining months of the SNG project.

Centralizing tendencies and inadequate legislation limit growth

The struggle for control between the center and the periphery plays itself out in a reluctance among the country's governing elite to wholeheartedly support the growth of subnational government, in a mistaken assumption that strengthening the periphery will weaken the center. There is little political will to establish effective, accountable and transparent subnational institutions, which has negative implications for PC growth and on strengthening security across the country.

Inadequate IDLG support impedes PCs' sustainable institutional development

IDLG, the Afghan government agency responsible for supporting PCs, has serious political, structural, capacity and financial limitations that impede the sustainable institutional development of Provincial Councils.

PCs have good relations with constituents: Links between the people and government

Provincial Councils have good relations with constituents and value the legitimacy their support infers. The PCs see themselves as the primary agent for their constituents and with this confidence have worked to represent their interests to the Governors and Line Ministries.

PC relations with Governors and Line Ministries vary

The Provincial Councils' relations with their Provincial Governors Offices and Line Ministries vary from cooperative and constructive to meddling, overt conflict and indifferent neglect. NDI's initiative in bringing Provincial Councils together for best practices and lessons-learned in exchanges during regional visits helped PCs improve these relationships.

PCs' limited authority undercuts effectiveness

Even though the PCs often take on more than their mandate permits, their limited authority undercuts effectiveness: their powers are limited to oversight and reporting. They are unable to demand action and lack authority to impose their will on development projects or government programs. This limits their relationships with constituents and inhibits formation of a potentially valuable line of governance for better development, citizen expression and government reaction. Given the lack of political will noted above, this is likely to persist for some time.

RECOMMENDATIONS

The evaluation makes the following recommendations (not presented in order of priority) for strengthening the existing SNG project, and for consideration in the design of what to do after the current project ends:

1. Develop Afghan NGO and consulting firm capacity to strengthen subnational governance

Rather than having an international organization such as NDI be the main provider of capacity development services to Provincial Councils and other elected subnational governance entities, USAID should identify Afghan organizations that have the potential to offer services similar to those being provided by NDI, and then engage an international firm to partner with these local organizations who in turn would work directly with the SNG entities. USAID's current arrangement with the Afghan NGO Wadan is an example of this approach. Sustainable capacity development of these local partners should be a component of the governance initiative.

2. Recognize that Afghanistan is a diverse hybrid political order and design governance interventions accordingly

Initiatives fostering the evolution of good governance in Afghanistan should be based on a recognition of the need to combine modern democratic practices and international standards with long-standing traditional patterns of administration, and help the country create contextually-appropriate institutional forms that meet both local and global requirements. An example would be responding to the evident demand from the public to use PCs as a source of traditional conflict mediation services. They have acquired functions previously confined largely to *shuras*, something NDI was aware of, but did not incorporate in their supports to the PCs: it falls outside the scope of most western approaches to governance. This demand – which takes up as much as 80 per cent of some PCs' time – is not likely to diminish, so as noted below, the PCs should receive strategic planning, workload management and referral system supports to help them handle this function. There might be other potentially-beneficial traditional governance mechanisms, such as the institutions of *mirabs* and *maliks*, that could be incorporated in hybrid governance initiatives. USAID should engage anthropological services to identify indigenous administrative practices that are consistent with global standards to incorporate in the design of supports for Afghanistan's SNG operations.

3. Engage IDLG in capacity development and organizational reform to strengthen subnational governance

USAID should recognize that IDLG is the arm of government responsible for subnational government and dedicate appropriate resources to strengthen IDLG's policies, legislation and regulations, and improve its financial, administrative and human resource capacities in this area. It should also be assisted to establish a mechanism to ensure the coordination of donors' efforts to strengthen subnational governance.

4. *As an interim measure support IDLG in making elected subnational governance entities part of an independent budgetary unit within IDLG.*

As a temporary measure, elected subnational governance institutions should become part of an independent budgetary unit within IDLG (as are the Governors' Offices) to provide them with a measure of financial independence from the rest of the system.

5. *Analyze Parliament's administrative support system with a view to planning its extension to support elected sub-national governance entities at the provincial and district levels*

Elected governance entities should not be dependent on the Executive branch for resources. USAID should analyze the administrative capacity of the system supporting Parliament to design a program to extend its financial, administrative and capacity development supports to elected subnational governance entities at the provincial and district levels, so that this can be relatively quickly put in place when conditions permit.

6. *Design supports to link elected national and subnational governance entities: Parliament, Provincial Councils and their district-level counterparts*

USAID should ensure that Provincial Councils have the means and capacity to collaborate with Parliament and their district-level counterparts to foster good governance from the central level through to the districts. This could include providing support for PCs to engage with district-level constituents and agencies, and convening multi-level gatherings of legislative institutions to enhance their ability to collaborate in fostering good governance in the country.

7. *Strengthen Provincial Councils' sustainable institution base – staffing, planning, management, financial and communications systems*

USAID should recognize that Provincial Councils' institutional base and management systems are likely to evolve over time, and they will require elements such as strategic planning, workflow management, a portfolio system, mechanisms to track results from site visits and reports, strategic public communications, and financial administration capabilities, and should work with IDLG to help them build these systems as appropriate.

8. *Strengthen PCs' ability to provide appropriate levels of mediation and conflict resolution services*

PCs' involvement in conflict mediation should be supported and focused to address factors linked to good governance, stability and security, and should strive to increase the people's perception of the legitimacy of the state. A referral system should be developed with Line Ministries and others to support this service.

9. *Design capacity building initiatives that enable subnational governance entities to learn from each other*

Members of Provincial Councils benefit from sharing experiences with each other across the country, and newer members have much to learn from more experienced counterparts. USAID should support a culture and practice of active peer learning and mentoring throughout the elected subnational governance network.

10. Improve coordination among donors' SNG support initiatives

There should be greater coordination and collaboration among the various supports being provided to strengthen subnational governance. For example, the ASGP program operated by UNDP provides a range of material and technical supports to PCs, but there was little evidence of collaboration with NDI's activities. IDLG's ability to coordinate these and other similar efforts should be strengthened.

11. Provide gender related training to both male and female PC personnel, strengthen links with MOWA programming

NDI had started providing gender-related training to both male and female PC members. This should be increased, and PC linkages with the Ministry of Women's Affairs (MOWA) should be strengthened so its gender equality initiatives become established features of PC operations.

12. Tailor training and capacity development supports to PCs' needs and schedules

Some PC members saw NDI's training as redundant while others wanted more. Also, some reported that training was provided at times and in locations that were not convenient for PC operations. NDI should tailor its supports to the needs and schedules of the PCs they are working with.

13. Provide public education in democratization and civics

The Afghan public was reported as having limited awareness of basic democratic principles and processes. PC members requested that NDI resume the large-scale public education campaigns that preceded their elections, to increase the population's awareness of principles of democracy and civics and counteract the centralizing tendencies present in the country's political culture.

14. Strengthen NDI's (and IDLG's) M&E system – focus on results, not inputs

NDI's monitoring and evaluation system collected an impressive amount of information, but seemed incapable of putting it in tabular form for ease of reporting. It was also unable to produce concise, appropriately aggregated performance indicator information. Only three of the 29 indicators in the project's most recently approved PMP measured outcomes, but none of these were in terms of assessing improved governance performance in the provinces. NDI staff could not provide an evidence-based analysis of the project's impact on subnational government, the PCs' capacity or the communities' development. NDI's M&E system should be required to collect relevant governance-related outcome data, and strengthened so it can generate concise and comprehensive results-based reports. It should also help increase the capacity of IDLG's M&E system so it will be able to continue providing this information when international donor inputs cease.

15. USAID should intervene in projects' internal management processes where necessary

Two senior expatriate NDI staff recently left the project prematurely, both expressing frustration with how it was operating. They were skilled and seasoned development practitioners who were familiar with living and working in Afghanistan – valued qualifications that are rare in the international development field. Their departures after having served only about 6 months represented a loss to the project that likely negatively impacted on its performance and incurred unnecessary costs. USAID should include provisions in its agreements with implementing partners that it shall have oversight on their

internal project management processes and it should acquire the capacity to intervene constructively where appropriate to address factors contributing to advisors' frustrations, with a view to preventing their premature departure from projects.

16. Project security restrictions should be set at reasonable levels

Senior NDI managers said their work was impeded by what they saw as unnecessarily restrictive security measures. Other USAID contractors operating in the same environment had considerably less restrictive security protocols. USAID should ensure that implementing partners' security protocols are set at a level that appropriately balances safety concerns with the need for mobility required to get the work done.

17. Set appropriate salary scales for local personnel

The project reported having difficulty hiring and retaining high-functioning local staff. This was attributed to salary scales being set too low – apparently based on an arbitrary decision made by NDI's finance department. This negatively impacted on the project's performance. USAID should ensure that projects set salary scales at the level required to attract and retain qualified local staff.

ANNEX I: SCOPE OF WORK



OFFICE DEMOCRACY AND GOVERNANCE (ODG) OFFICE OF PROGRAM AND PROJECT DEVELOPMENT (OPPD)

SCOPE OF WORK PERFORMANCE EVALUATION

SUPPORT TO SUB-NATIONAL GOVERNANCE STRUCTURES (SNG), COOPERATIVE AGREEMENT No. 306-A-00-08-00513-00

I. INTRODUCTION

SUPPORT TO SUB-NATIONAL GOVERNANCE STRUCTURES PROJECT (SNG)

On August 20, 2009, elections were held in Afghanistan for president and provincial councils. As the only formally elected bodies at the sub-national level, provincial councils (PCs) are the most direct point of contact between citizens and the government; therefore, the legitimacy and performance of PCs are critical to the credibility of the country's governing institutions. The PCs have a mandate to enhance community representation in government decision-making as well as to oversee local development initiatives. They have the potential to channel the requests and demands of the population and serve as advocates to executive government at the sub-national and national levels. By representing the interests of citizens to senior government officials, PCs can improve the transparency and accountability of provincial development and increase citizen confidence in democratic governance.

The Independent Directorate of Local Governance (IDLG) has requested that USAID continues its support to the PCs until they have achieved a stronger capacity to better discharge their responsibilities under the PC law. USAID has assisted PCs through the SNG program since 2008 in the areas of promoting citizen outreach, participating in provincial development planning and conducting oversight, as well as promoting government accountability.

By providing technical guidance and mentoring tailored to the Afghan context, USAID will help enhance the ability of councils to respond to the needs of citizens in all 34 provinces of the country by focusing on the institution's main roles: communication with constituents to increase citizen representation in government decision-making; and development oversight to enhance transparency of government services and to ensure development processes serve the needs of citizens.

USAID's evaluation policy encourages independent external evaluation to both increase accountability and inform those who develop programs and strategies to refine designs and introduce improvements into future efforts. In keeping with that aim, this evaluation is being conducted to review and evaluate the performance of USAID-funded SNG project activities implemented since June 2008 by the National Democratic Institute (NDI) in all 34 provinces

of Afghanistan. The evaluation will focus on assessing the effectiveness of the project's performance in achieving its program goal, objectives and results. The evaluation also needs to examine the impact of the project on PCs performance as USAID has invested in Afghanistan's PCs with the existing partner for almost four years. To date, no independent evaluation of this program has been undertaken.

II. BACKGROUND CONTEXT

The SNG program activities have helped PCs in all 34 provinces of the country by focusing on the institution's main roles: communication with constituents and development stakeholders to increase citizen representation in government decision-making; as well as oversight to enhance transparency of government services and to ensure that development processes serve the needs of citizens. In addition, program activities contribute to IDLG's strategy for supporting PCs.

To implement program activities, the implementing partner draws on its relationships with PCs, IDLG, governors, line ministries, local and international nongovernmental organizations (NGOs) and Provincial Reconstruction Teams (PRTs); mobilizes its national staff and pool of national capacity development specialists experienced in the implementation of all of its activities; and utilizes its network of seven regional offices to provide consistent support and mentoring to councilors in each of the 34 provinces. The program also facilitates the following activities:

- **Site Visits:** The program sponsors/facilitates site visits for PCs to areas outside the provincial capital, depending on security conditions in each province. On average, these visits allow for four to five councilors to visit districts and villages within their province for two to three days (including travel time). During these visits, councilors have the opportunity to identify citizen needs and any ongoing development initiatives designed to address them. After each visit, councilors are required to write a report on their findings and recommendations, which is then submitted to development stakeholders. These reports are made available to the provincial government (including the governor), the constituent population, and other development stakeholders. To the greatest extent possible, the program ensures that women councilors and constituents have the opportunity to actively participate in site visits.
- **Public Hearings:** Security permitting, the program facilitates councils to plan for and organize up to two public hearings (for each of the 34 PCs) to discuss issues of importance in the province and receive feedback from citizens. PCs invite civic and government leaders, citizens and members of the media. To the greatest extent possible, the program ensures that women councilors and constituents have the opportunity to actively participate in these events; as such, public hearings are held at times and locations accessible to women.
- **Local Consultations:** The program encourages councils in reaching out to constituency leaders, Shuras, NGOs and other CSOs to discuss their work and collect development recommendations from citizens. These sessions are in line with the PCs' annual strategic plan. For example, some councils may choose to hold roundtables and stakeholder meetings while others consider other means to conduct outreach.

- **Reporting:** The program mentors councilors as they analyze and report on feedback from constituents and stakeholders. This support includes assistance on drafting site visit reports as well as reports that PCs prepare on an annual or quarterly basis. The program's assistance also includes facilitation to prepare councilors for Provincial Development Committee (PDC) meetings, as PC reports on citizen needs/feedback in these sectors would be presented during committee meetings.
- **PC Delegations:** The program supports PC dialogue with national institutions through PC leadership delegation visits to Kabul. The program sponsors leadership – the PC Chair and two councilors, including at least one woman – from four to five PCs per trip to meet with elected representatives and officials from national-level institutions. Meetings are held with the following: Provincial Council Committee (PCC) of the Meshrano Jirga, the Wolesi Jirga, and IDLG, central ministries, the Independent Election Commission (IEC) or the president's office. Councilors and their counterparts in the National Assembly also meet with independent commissions, such as the human rights or anti-corruption commissions. The program facilitates these consultations in close cooperation with councilors and MPs.
- **Monitoring:** The program provides training sessions on development oversight for all 34 PCs to monitor implementation of activities. These sessions strengthen skills and guide councilors through the practical application of advanced strategies and techniques. These sessions are held in provincial capitals, wherever possible.
- **NGO Briefings:** Since Afghan and international NGOs are involved in several development projects, councilors should reach out to these groups to learn more about programs in their respective provinces. These efforts will provide opportunities for NGOs to share technical reports and other materials on local development issues with councilors. Therefore, the program facilitates PCs to plan and organize up to three NGO briefings per PC per year.
- **Stakeholder Meetings:** In addition to regular meetings of the PDC and its sectoral committees, councils benefit from opportunities to call government stakeholders to their offices and collect information and ask oversight-related questions. These events provide opportunities for executive institutions to share technical reports and other materials on local development issues with the councilors, and give PCs an opportunity to engage these actors on their terms with the entire PC present. The program facilitates PCs to plan and organize these briefings. Following these activities, including meeting with councilors to discuss lessons learned and provide additional targeted technical guidance, as necessary. The program encourages PCs to visit districts outside the provincial capital on a more consistent basis, utilizing their own resources or in partnership with executive and international stakeholders.

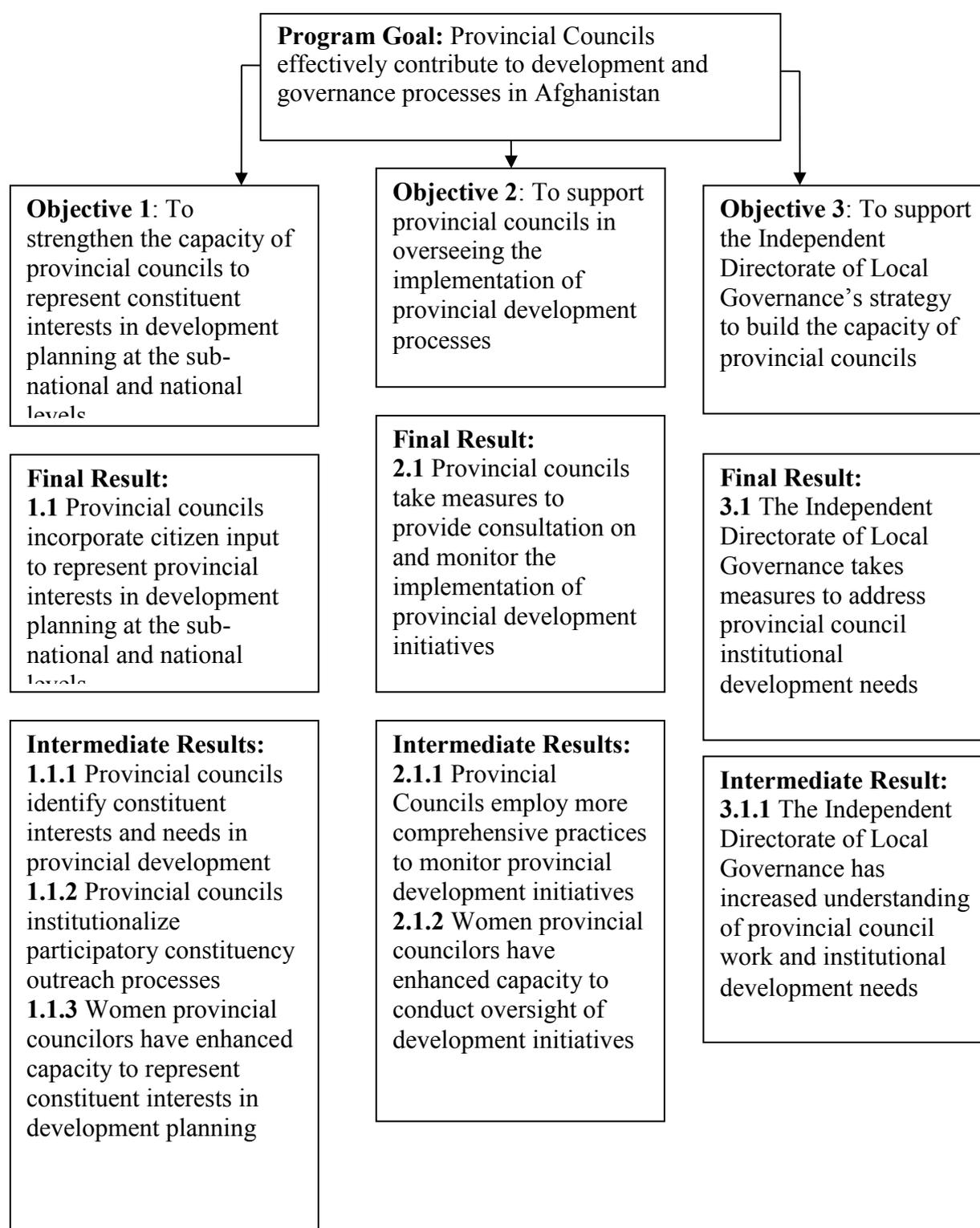
In addition, the program conducts an internship program to provide important administrative and technical support to PCs. The program works with Institutions of Higher Learning throughout the country to offer internships to outstanding students in 30 provinces by placing 3-4 interns in cooperation with each PC.

In April 2011, the program began its activities with one additional objective to complement the two objectives centered on the provincial councils: Support the Independent Directorate

of Local Governance's strategy to develop the capacity of provincial councils. This work has taken on several forms. One, the program provides individual and organizational capacity development to the General Directorate for Local Councils among other support areas related to the implementation of the National Priority Program for Local Governance, including facilitation of provincial council elections of Chairpersons and gender mainstreaming, forums for provincial councils.

III. SNG PROGRAM GOALS AND OBJECTIVES

Throughout the past five years, USAID has provided sustained assistance to PCs in every region of the country, including the volatile south and south-east. The following chart describes the goal and objectives of the project.



IV. PURPOSE OF THE EVALUATION

This evaluation is being conducted to review and evaluate the effectiveness of the project's performance in achieving its program goal, objectives and results. The evaluation also needs to examine the impact of the project on the PCs' performance as USAID has invested in Afghanistan's PCs for four years.

It is critical that the successes and weaknesses of this program are studied and documented to promote the effectiveness of PCs in democratic governance at the sub-national level.

This evaluation should:

1. Evaluate the approach, implementation, impact, and effectiveness of the SNG program in support of the PCs throughout Afghanistan. The discussion should include the project's effectiveness in achieving the expected results; identification of strengths and weaknesses.
2. Evaluate the citizens' satisfaction with their representatives and the effectiveness of the PC members in conducting their jobs in better representing of their constituents.
3. Specifically examine recent interventions, such as the scope, relevance, level and effectiveness of the SNG activities in the following areas:
 - Trainings
 - Site Visits
 - Public Hearings
 - NGO Briefing
 - Stakeholders Meetings
 - PCs Delegation Visit to Kabul
 - Internship

V. EVALUATION QUESTIONS

1. To what extent has the SNG project achieved its stated goal/purpose, objectives and expected results? What are the perceived impacts/outcomes of the project? What is the cost-effectiveness of the project and what can be done to improve its impact in general?
2. How effective has the program been in its approach to delivery of trainings, what are the outcomes that can be attributed to the trainings, and what are the recommendations for the future trainings?
3. What are some of the good examples of current program interventions (site visits, PC delegation visits, M&E events) that have changed/improved the working style of PC members in discharging their responsibilities?
4. What other important areas have been left out of the SNG project that needs to be included in future programming? What are the gaps in programming, missing interventions? What current interventions need to be discontinued?
5. What are some of the regulatory limitations that may have created bottlenecks for the project's activities and what are the suggested means to best address them?

6. How is the relationship between PCs, Governors, provincial line ministries offices and Parliamentarians functioning? What are suggested means, if appropriate for improving these linkages?
7. How is the program coordinated with other donors and in what manner can this coordination be improved if appropriate?
8. How has the improved capacity been defined and measured?
9. What additional outcomes were obtained as a result of the assistance provided? Were there any positive or negative results of the assistance? If so, what were they?
10. How were women integrated into the various activities of the program? How has the program fostered the development of female PC members' capacity? Were they successful in doing so and at what rate?
11. How have citizens' perception changed regarding the capacity and effectiveness of their representatives and PC members in conducting their jobs in better representing of their constituents?
12. What processes/mechanisms have been established in the PCs to increase accountability and transparency within the PC's and between government actors? What type of corruption is taking place within the PC's and what are the, if any, mechanisms to mitigate this? What are some interventions that the project can engage in to reduce/minimize opportunities for corruption?

VI. TEAM COMPOSITION

The evaluation team shall consist of two international experts and two high level Afghan experts one of whom can also serve as an interpreter. The international experts should be senior-level evaluation analyst specialized in areas such as public management or politics with expertise and knowledge of Afghanistan's local governance and political situation. The Afghan experts should have experience with governance programming in Afghanistan and monitoring and evaluation. Whenever possible, the team would include a designated member from ODG to participate in the interview process.

VII. EVALUATION SCHEDULE

This evaluation should be completed by the end of December 2012. The estimated Level of Effort (LOE) is 55 days LOE, of which at least 42 days LOE should be spent in Afghanistan. The evaluation team is authorized to work six days a week. The team is also required to travel to at least 10 provinces in different parts of the country where program activities are being implemented. The provinces to be visited shall be identified to the Team Leader during the in-brief session with USAID. At least 50% of the consultants' time will be spent outside Kabul to conduct interviews with PCs, government officials and the public. A presentation of the findings needs to be delivered to USAID staff before the consultants depart Afghanistan; and a draft report will be submitted to USAID the day of the exit presentation. USAID shall have ten days to provide comments to the consultants, who will incorporate said comments into the final report.

Example of Level of Effort (LOE) in Days:

Position	Prep Days	Total Travel Days to/from Kabul	In-Country Days	Report Finalization	Total LOE in Days
Expat Team Leader	2	4	42	3	51
Expat Evaluation Specialist	2	4	42	3	51
Afghan Evaluation Specialist/Translator			40		40
Afghan Evaluation Specialist/Translator			40		40
Totals	4	8	164	6	182

The justification for the increased LOE is due to the extensive in-country travel requirements. For example, each provincial trip will require 2 days round-trip travel to provincial hubs and while multiple locations can be visited from a provincial hub this equates to 20 days of travel for the ten provinces.

VIII. MANAGEMENT

The evaluation team will work closely with Mir Zarif Waez, the Agreement Officer Representative (AOR) for the SNG project, Monica Wisner the Alternate AOR for the SNG project and Leslie Schafer, the Governance Team Leader.

IX. DATA COLLECTION/ANALYSIS ACTIVITIES

The consultants will review the following documents:

- a) Program Descriptions and Modifications
- b) Work Plan
- c) Quarterly Reports
- d) PMP and other M&E documents
- e) Previous evaluation reports of PCs by other donors
- f) Comparison of PC site visit write ups with policies and practices implemented and supported.

X. METHODOLOGY

The evaluation team will be responsible for developing an evaluation strategy and methodologies that include a mix of qualitative and quantitative data collection and analysis approaches. The data needs to be disaggregated by gender, youth and geographic locations. The methodology will be presented as part of the draft work plan as outlined in the deliverables below. The evaluation team will be able to base their analysis on a variety of program implementation documents, as listed above, and other reports and program trackers.

The suggested methodology should include, but is not limited to:

- a) Key interviews with USAID/Afghanistan Democracy and Governance Office Staff, and field-based USG staff at Regional Platforms or Provincial Reconstruction Teams (PRTs);
- b) Interviews with PC Chairs and members
- c) Interviews with key IDLG staffs
- d) Interviews with implementing partner staff in Kabul and the provinces;
- e) Interviews with members of PC Commission of Meshrano Jirga
- f) Interviews with Governors
- g) Interviews with Parliament
- h) Interviews and focus groups with selected constituents
- i) Consultations with other donors.

VIII. REPORTING REQUIREMENTS AND DELIVERABLES

1. **In-briefing:** The Evaluation Team, within 48 hours arrival to Afghanistan, shall meet the USAID/Afghanistan Office of Democracy and Governance (ODG) Team for introductions; presentation of the Team's understanding of the assignments, initial assumptions, evaluation questions, and provinces to be visited etc.; discussion of initial work plan; and/or adjust SOW if necessary.
2. **Evaluation Work Plan:** The Evaluation Team shall provide an initial work plan prior to the arrival of international consultants in country, and the revised work plan 3 days after the in-briefing. The work plan will include the overall design strategy for the evaluation; (b) the methodology and data collection plan; (c) a list of the team members indicating and primary contact (an e-mail and phone contact for the team leader should be provided); and (d) the team's schedule for the evaluation. The revised work plan shall include the lists of potential interviewees and sites to visit.
3. **Mid-term Briefing and Interim Meetings:** Hold a mid-term briefing with USAID on the status of the assessment including potential challenges and emerging opportunities. The team will also provide the SNG/AOR with periodic briefings and feedback on the team's findings.
4. **Draft Evaluation Report:** Shall be consistent with the guidance provided in Section XI below. Length of the report: not to exceed 35 pages in English, excluding annexes in Times New Roman 12 point, single space, consistent with USAID branding policy. The report will address each of the issues identified in the SOW and any other factors the team considers to have a bearing on the objectives of the evaluation. Any such factors can be included in the report only after consultation with USAID. **The draft evaluation report per the below format will be submitted before the consultants depart Kabul for comments to USAID and shall be finalized in three days after the comments are received.**
5. **Final Evaluation Report** incorporates final comments from the SNG/AOR and other relevant ODG team members. USAID comments are due within one week after the receipt of the final draft. The final report should be submitted to the ODG and Program Office-OPPD within three days of receipt of comments.
6. All data and required from the evaluation be provided to the COR (i.e. survey response and interview transcripts)

IX. FINAL REPORT FORMAT

The evaluation report shall include the following:

1. Title Page
2. Table of Contents
3. List of any acronyms, tables, or charts (if needed)
4. Acknowledgements or Preface (optional)
5. Executive Summary (3-5 pages)
6. Introductory Chapter
 - a. A description of the project evaluated, including goals and objectives.
 - b. Brief statement on purpose of the evaluation, including a list of the main evaluation questions.
 - c. Brief statement on the methods used in the evaluation such as desk/document review, interviews, site visits, surveys, etc.
7. Findings: This section should describe the findings, focusing on each of the evaluation questions.
8. Conclusions: This section should include value statements drawn from the data gathered during the evaluation process.
9. Recommendations: This section should include actionable statements for ongoing programming and recommendations for the design and performance of future programming. It should also include recommended future objectives and types of activities based on lessons learned.
10. Annex
 - a. Statement of Work
 - b. Places visited; list of organizations and people interviewed
 - c. Methodology description
 - d. Copies of all survey instruments and questionnaires
 - e. List of critical and key documents reviewed
 - f. Meeting notes of all key interviews.

REPORTING GUIDELINES

- The evaluation report should represent a thoughtful, well-researched and well-organized effort to objectively evaluate what worked in the project, what did not and why.
- Evaluation reports shall address all evaluation questions included in the scope of work.
- The evaluation report should include the scope of work as an annex. All modifications to the scope of work, whether in technical requirements, evaluation questions, evaluation team composition, methodology, or timeline need to be agreed upon in writing by the technical officer.
- Evaluation methodology shall be explained in detail and all tools used in conducting the evaluation such as questionnaires, checklists and discussion guides will be included in an Annex in the final report.
- Evaluation findings will assess outcomes and impact on males and females.

- Limitations to the evaluation shall be disclosed in the report, with particular attention to the limitations associated with the evaluation methodology (selection bias, recall bias, unobservable differences between comparator groups, etc.).
- Evaluation findings should be presented as analyzed facts, evidence, and data and not based on anecdotes, hearsay or the compilation of people's opinions. Findings should be specific, concise and supported by strong quantitative or qualitative evidence.
- Sources of information need to be properly identified and listed in an annex.
- Recommendations need to be supported by a specific set of findings.
- Recommendations should be action-oriented, practical, and specific, with defined responsibility for the action.

ANNEX II: EVALUATION WORKPLAN & SCHEDULE

Performance Evaluation of Support to Subnational Governance Structures (SNG) Project Afghanistan

Evaluation Workplan
27 November 2012

Introduction

This is a workplan for a performance evaluation of the Support to Subnational Governance Structures (SNG) project operated by the National Democratic Institute (NDI). It is consistent with the general objectives defined in the Statement of Work, as follows:

USAID's evaluation policy encourages independent external evaluation to both increase accountability and inform those who develop programs and strategies to refine designs and introduce improvements into future efforts. In keeping with that aim, this evaluation is being conducted to review and evaluate the performance of USAID-funded SNG project activities implemented since June 2008 by the National Democratic Institute (NDI) in all 34 provinces of Afghanistan. The evaluation will focus on assessing the effectiveness of the project's performance in achieving its program goal, objectives and results. The evaluation also needs to examine the impact of the project on PCs (Provincial Councils) performance as USAID has invested in Afghanistan's PCs with the existing partner for almost four years. To date, no independent evaluation of this program has been undertaken.

In keeping with these general objectives, the evaluation focuses on three main areas:

- What has been the SNG project's effectiveness in meeting its program goals, objectives and results?
- What has been the impact of the SNG project on PC performance?
- What are the lessons learned and gaps that need to be addressed in future programs to support PCs?

Purpose of Evaluation

The evaluation will provide information that USAID can use to address three issues:

1. Assess NDI's effectiveness in increasing the capacity and performance of Provincial Councils across Afghanistan, and identify the project's strengths and weaknesses;
2. Identify lessons learned that may contribute to the design of the next stages of USG support for strengthening subnational governance in Afghanistan;
3. Provide objective information that USAID can use in its negotiations of the terms of their cooperative agreement with NDI.

Evaluation Questions

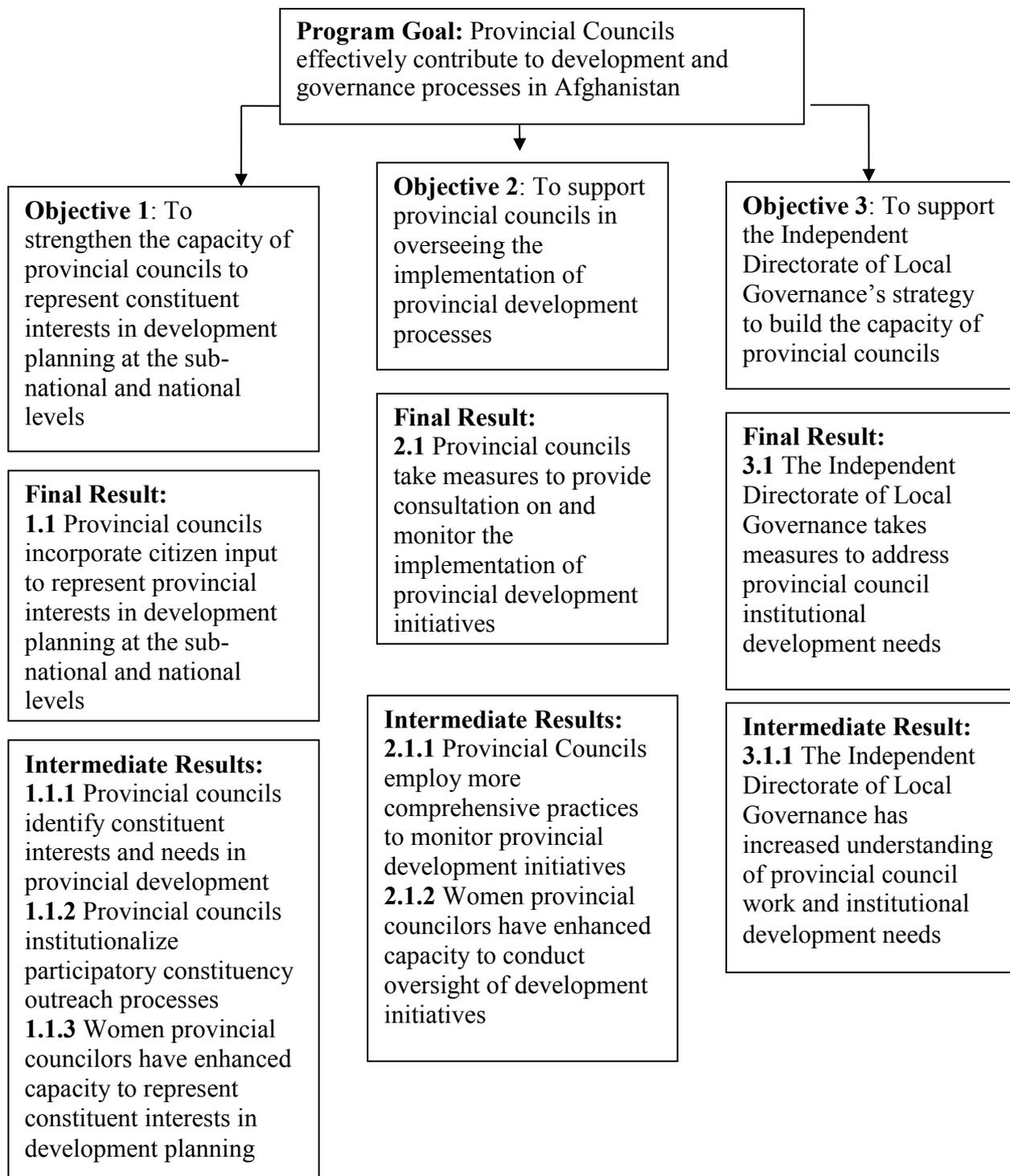
This evaluation will provide information to answer the questions in the Statement of Work, as follows:

1. To what extent has the SNG project achieved its stated goal/purpose, objectives and expected results? What are the perceived impacts or outcomes of the project? What is the cost effectiveness of the project and what can be done to improve its impact in general?
2. How effective has the program been in its approach to delivery of training, what are the outcomes that can be attributed to training, and what are the recommendations for future training?
3. What are some of the good examples of current program interventions (site visits, PC delegation visits, M&E events) that have changed or improved the working style of PC members in discharging their responsibilities?
4. What other important areas have been left out of the SNG project that need to be included in future programming? What are the gaps in programming, missing interventions? What current interventions need to be discontinued?
5. What are some of the regulatory limitations that may have created bottlenecks for the project's activities and what are the suggested means to best address them?
6. How is the relationship functioning between PCs, Governors, provincial line ministries' offices and Parliamentarians? What are suggested means, if appropriate for improving these linkages?
7. How is the program coordinated with other donors and in what manner can this coordination be improved if appropriate?
8. How has the improved capacity been defined and measured?
9. What additional outcomes were obtained as a result of the assistance provided? Were there any positive or negative results of the assistance? If so, what were they?
10. How were women integrated into the various activities of the program? How has the program fostered the development of female PC members' capacity? Were they successful in doing so and at what rate?
11. How have citizens' perceptions changed regarding the capacity and effectiveness of their representatives and PC members in conducting their jobs in better representing of their constituents?
12. What processes or mechanisms have been established in the PCs to increase accountability and transparency within the PCs and among government actors? What type of corruption is taking place within the PCs and what are the mechanisms to mitigate this (if any)? What are some interventions that the project can engage in to reduce or minimize opportunities for corruption?

The report will use these categories to present its findings.

SNG Program Goals and Objectives

The goals and objectives of the SNG project are defined in the following figure from the Statement of Work:



The evaluation will gather information that will help determine the extent to which these results have been achieved, and identify other relevant factors for USAID's consideration in future supports for subnational governance in Afghanistan.

Methodology

The project's methodology will include document review and interviews with key informants in Kabul and in a cross-section of provinces with PCs functioning at different levels, as follows.

Sources of information

Document review

The evaluators will review the following documents, as specified in the SOW:

1. Program Descriptions and Modifications
2. Work Plans
3. Quarterly Reports
4. PMP and other M&E documents
5. Previous evaluation reports of PCs by other donors
6. Comparison of PC site visit write ups with policies and practices implemented and supported.

Key Informants

This evaluation will collect data from the following sources, as described in the Methodology section of the Statement of Work:

1. USAID/Afghanistan Democracy and Governance Office Staff, and field-based USG staff at Regional Platforms or Provincial Reconstruction Teams (PRTs);
2. PC Chairs and members
3. Key IDLG staff
4. Implementing partner staff in Kabul and the provinces;
5. Members of PC Commission of Meshrano Jirga
6. Governors
7. Members of Parliament
8. In focus groups with selected constituents
9. Afghan NGOs that are involved in PCs and their work
10. Consultations with other donors.

Locations of data collection

The following is an indicative list of provinces in which interviews will take place:

- Kabul and Kapisa: November 27 - 29
- Herat & Ghor: December 1 - 3
- Balkh: December 1 - 3
- Nangarhar & Nuristan: December 4 - 6
- Bamyan & Daikundi: December 4 - 6
- Faryab & Nimroz: December 11 - 13
- Helmand: December 11- 13
- Paktika: December 15 - 17
- Zabul: December 15 - 17

Additional interviews will take place with key informants in Kabul.

This schedule has fourteen possible destinations, taking into account changing possible transportation and safety to meet the requirement to collect data from ten Provinces.

Travel to the places that have "&s" is contingent on flights between the cities, and not having to return to Kabul to get to the second city. Destinations that have the same dates represent places and times where the assessment team will divide to cover the Provinces.

This schedule indicates what the assessment team believes may be possible, with recognition that destinations and dates may change based on available flights, weather, accommodations and meeting schedules.

The assessment will rely on field support from Mission representatives as well as IDLG and NDI personnel where it is available.

The assessment team will make efforts to meet with Provincial Councilors when they are in Kabul. Should this be possible the team's travel plans may change accordingly.

Data Categories and Questions

Qualitative and quantitative data will be collected in categories comparable to the SNG project's main activities described in the Statement of Work, as follows:

1. Communication with constituents and development stakeholders

- 1.1 How have the PCs communicated with constituents and development stakeholders? (samples)
- 1.2 What is the level of citizens' satisfaction with PCs in representing their constituents? (evidence)
- 1.3 How have PCs increased government transparency? (evidence)
- 1.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 1.5 How did NDI help improve PC performance in these areas? (evidence)

2. Site Visits

- 2.1 How frequently have site visits been carried out? (samples)
- 2.2 What citizens' needs have been identified in PC site visits? (samples)
- 2.3 How often did councilors write reports of site visits? (evidence)
- 2.4 What has been done with these reports and what effect did they have? (samples)
- 2.5 To what extent did women councilors and constituents participate in site visits? (evidence)
- 2.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 2.7 How did NDI help improve PC performance in these areas? (evidence)

3. Public Hearings

- 3.1 How have public hearing process been planned, announced and carried out? (samples)
- 3.2 How many public hearings have taken place in each province? (evidence)
- 3.3 To what extent has the public expressed its concerns to the PCs in these hearings? (samples)
- 3.4 What did the PCs do with citizens' comments from public hearings? (evidence)
- 3.5 To what extent did women councilors and constituents participate in public hearings? (evidence)
- 3.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 3.7 How did NDI help improve PC performance in these areas? (evidence)

4. Local Consultations

- 4.1 Did PCs reach out to consult with constituency leaders, Shuras, CSOs, and NGOs? (evidence)
- 4.2 If they did, how did they reach these people and how frequently was this done? (evidence)
- 4.3 Have local consultations been part of the PCs' annual strategic plans? (evidence)
- 4.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 4.5 How did NDI help improve PC performance in these areas? (evidence)

5. Reporting

- 5.1 How have councilors analyzed and reported on feedback from constituents and stakeholders? (samples)
- 5.2 How did the SNG program prepare PCs for meetings with PDCs? (evidence)
- 5.3 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 5.4 How did NDI help improve PC performance in these areas? (evidence)

6. PC Delegations

- 6.1 How did the PCs dialogue with national institutions (such as parliament, IDLG, central ministries, IEC and others) take place? (samples)
- 6.2 What did PC members do in these delegations? (examples)
- 6.3 To what extent did women participate in these delegations? (evidence)
- 6.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 6.5 How did NDI help improve PC performance in these areas? (evidence)

7. Monitoring

- 7.1 What training was provided to PCs to monitor the implementation of development activities? (samples)
- 7.2 To what extent did PCs apply this training in their oversight of development activities? (evidence)

- 7.3 To what extent has the PCs' performance in this area changed over the past few years? (evidence)

8. NGO Briefings

- 8.1 How many NGO briefings have PCs planned and organized in a year? (evidence)
- 8.2 To what extent did the NGOs participate in these briefings? (samples)
- 8.3 How many of these NGOs were focused on women's issues? (evidence)
- 8.4 What did PCs do with the results of these NGO briefings? (evidence)
- 8.5 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 8.6 How did NDI help improve PC performance in this area? (evidence)

9. Stakeholder Meetings

- 9.1 How many stakeholder meetings were held by the PCs? (evidence)
- 9.2 Which stakeholders participated in these meetings? (evidence)
- 9.3 What proportion of these meetings took place outside the provincial capital? (evidence)
- 9.4 How did the PCs interact with district-level representatives? (samples)
- 9.5 What was the result of these meetings? (samples)
- 9.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 9.7 How did NDI help improve PC performance in this area? (evidence)

10. Internship Program

- 10.1 How many interns have been placed with PCs? (evidence)
- 10.2 What have interns been doing to support PC operations? (samples)
- 10.3 What have interns learned from these placements? (samples)
- 10.4 How have interns interacted with full time government Tashkeel staff? (examples)
- 10.5 What percentage of interns found jobs with government or international organizations after completing the NDI program? (evidence – disaggregate by type of organization)
- 10.6 To what extent has the PC's performance in this area changed over the past few years? (evidence)
- 10.7 How did NDI help improve PC performance in these areas? (evidence)

11. Support for IDLG

- 11.1 What supports has the SNG project provided to IDLG's General Directorate of Local and Community Administration (GDCLCA)? (samples)
- 11.2 What impacts did these supports have on GDCLCA's ability to support PCs? (examples)
- 11.3 What supports did the SNG project provide to IDLG to facilitate PC elections? (evidence)
- 11.4 How did the SNG project support gender mainstreaming in the PCs? (examples)
- 11.5 What effect has IDLG's support had on PCs' performance? (evidence)
- 11.6 What other support is needed to make GDCLCA a functional entity that can support PCs in the long run? (samples)

12. Additional Questions

- 12.1 The project began in 2008: why did it take till April 2011 for the SNG to start supporting the IDLG unit that supports PCs?
- 12.2 What has been the cost-effectiveness of the SNG project?
- 12.3 What gaps and missing elements are there that should have been included in the SNG project?
- 12.4 What current activities should be discontinued?
- 12.5 How has the SNG project coordinated with key partners such as UNDP, PRTs, etc.?
- 12.6 How has the project supported PC relationships with the districts?
- 12.7 What formal and informal regulatory mechanisms are there that limit the project's effectiveness, and what can be done to address these constraints?
- 12.8 What processes/mechanisms have been established in the PCs to increase accountability and transparency within the PCs and among government actors?
- 12.9 What type of corruption is taking place within the PCs and what are the mechanisms to mitigate this?
- 12.10 What are some interventions that the project can engage in to reduce/minimize opportunities for corruption?
- 12.11 Were there any unintended outcomes – positive or negative – from the project's activities?
- 12.12 What is required to ensure the sustainability of the results of SNG project activity?

Data Collection, Analysis and Reporting

Qualitative and quantitative data will be collected from appropriate key informants and documents as noted above, and will be disaggregated by gender, youth and geographic location.

This evaluation is essentially an assessment of a training and capacity development project that was designed to provide citizens at the subnational level with a voice and an ability to make input to the operations of the Afghan government. Analysis of findings will use training impact and capacity development frameworks to indicate strengths and weaknesses in the project's design and operations.

Training impact analysis will be based on tools similar to the well-known Kirkpatrick's Scale which focuses on the results of training inputs on the performance of learners' organizations.

The assessment of the project's capacity development dimensions will be based on accepted approaches to strengthening capacity and governance in fragile states – these will be further described in our final report.

Other relevant analytical tools will be used as appropriate, and findings will be reported in response to the evaluation questions in the Statement of Work (noted above).

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ANNEX IV – LAWS, DECREES, ETC.
(Unofficial Translations)

LAW OF PROVINCIAL COUNCILS
(2007)

Chapter One
General Provisions

Article 1.

This Law is adopted pursuant to article 138 and article 139 of the Afghan Constitution for the purpose of organizing the activities of Provincial Councils and all other related affairs.

Objective

Article 2.

The Provincial Councils shall function as an elective assembly with the objective of creating a structure for partnership and participation of people and Civil Society institutions with State Administration at the Provincial level, and counseling and overseeing the Provincial offices on related affairs.

Behavior of Members of Provincial Council

Article 3.

Member of the Provincial Council shall represent the inhabitants in performance of his duties and take into consideration the supreme interests of Afghanistan. Honesty, trustworthiness and impartiality shall be the criteria for his actions and consider himself responsible to the people and respects the opinion of the Council members.

Member of the Provincial Councils shall adjust his behavior without discrimination and consideration of ethnic origin, religious, linguistic, gender, and disability, support the Law and acts based on trust of the people.

Chapter Two
Duties and Authorities of Provincial Council

Duties and Authorities

Article 4.

1. Participate in determining the development objectives of government such as economic, social, health, education, environment, reconstruction, and contribute to improve other affairs of the related Province.
2. Provide consultation on effective usage of financial resources of the Province and oversee them.
3. Participate in settlement of ethnic and local disputes through holding of amendatory assemblies (Jirgas).
4. Provide consultation to design the development plan of Province and anticipated plan and approve them before proposing to government.

5. Participate actively and in possible ways in elimination of the customs and traditions contrary to the law and Islamic Sharia such as forced marriages, exchange of females for settlement of disputes etc., and efforts to ensure Human Rights.
6. Visit the areas lacking freedom after reporting to the related authorities, analyze and evaluate the actions of law enforcement bodies, and provide related report to Provincial Administration.
7. Participate actively and effectively to ban the poppy cultivation, drug and narcotic, alcoholic beverage production keeping and smuggling addiction to them by providing awareness regarding the danger of using these substances, attracting the cooperation of people and institutions involved in campaign against drugs and alcoholic beverage.
8. Acquire information on the proceedings and work plan of the Provincial Administration and related branches and provide written report to President and National Council.
9. Appraise the development plan and annual expenditure process of Provincial Administration, and provide information to the respective inhabitants of province through media.
10. Participate in protection of heritage and ancient places and avoid stealing, destruction and smuggling.
11. Participate affectively in protection of environmental damages like trees from being cut and protect wildlife and birds from being killed.
12. Promote the participation of Provincial Councils in establishing better coordination with district and local villages' councils.
13. Participate actively in protecting the general public's property from illegal occupation by the support of the related authorities.
14. Have advisory meeting with inhabitant of province once in three months and with governor and other local authority at least once a month.

Duties of Heads and Members of Council

Article 5

(1) Heads of Provincial Councils have the following duties:

- 1) Represent the Council at the Provincial level and outside the province.
- 2) Chair the meetings of Council and announce the agenda to the members.
- 3) Present consultations, decisions and approvals of Council to the related departments and ensure their implementation.

(2) The members of the Councils have the following Duties:

- 1) To communicate, exchange of views and ideas with people for the purpose of collecting information about their problems and concerns.
- 2) To participate in the meetings and taking participation in the resolution of the problems, which will be followed by the related Council meetings.
- 3) To perform continuous efforts regarding establishing a sound administration and to build up capacities for the purpose of fast and qualitative services and fight against corruption and other deficiencies in the related departments.

Chapter Three

Sessions of Provincial Councils Election for HoPC, DHoPC and secretary

First session

Article 6.

The Provincial Council shall hold its first session under the oldest member of Council and elect from its members the Head, Deputy and Secretary of the Council for the period of one year.

If any of the candidates could not win the majority of votes in the first round, the second voting round shall take place between the two candidates who have won the most votes, and the winning candidate shall be selected as the Head of the Council. In case of equal votes the most educated candidate shall be elected as Head of Council.

Quorum for Sessions and Decisions

Article 7.

1. The quorum for holding the sessions of Provincial Council is the presence of the majority of all members.
2. Decisions and approvals of the Council shall be taken by two third votes of members present in the session.

Openness and Secrecy of Council Sessions

Article 8.

(1) Meetings of the Provincial Councils are held open unless one third of the members of Council demand its secrecy.

Sessions

Article 9.

1. The Provincial Council shall meet once every 15 days, and extraordinary meetings of the Council shall be called upon by request of one third of the members or its Head, or at the request of Governor to the Head of Council and his acceptance.
2. The sessions of Provincial Council shall begin in the centre of province, and report of activities shall be announced to the inhabitants by media at the end of each quarter of the year.

Chapter 4

Suspension and Dissolution of Provincial Council

State of Suspension

Article 10.

1. In case of declaring the state of emergency in one or more provinces according to the provisions of Article (143) of the Afghanistan Constitution, the Council and or related Councils shall be suspended, and in accordance with the instruction of the President, the Governor of province shall take necessary measures to manage the provincial affairs, and the Council shall resume its activities once the state of emergency is lifted.

State of Dissolution

Article 11.

Whenever the Council act against the constitution and PC law such, that their acts threaten the general security and stability, in this case the Council or the Councils will be suspended by an executed delegation assigned by the president in participation of lower house selected members that have been appointed by the National Council. This delegation will follow the case. In case if they prove that the Provincial Council acted beyond their authorities that have been permitted by law, regarding the delegation suggestion and approval of the high court, the president will order the PC to have a new election.

Complaints against Council Member

Article 12.

1. Complaints against member of Council shall be submitted to the local administration along with name of the complainant and reasons and factual evidences, and the local administration without mentioning name of the complainant refer the issue to the Head of respective Council.
In case the complaint is against the Head of Council, the local administration shall refer the complaint directly to the Code of Ethics Committee, provided under Article 14 of this law.
2. If the complaint arises from non- observance of legal obligations by Council member, the Head of Council shall refer the issue to the Code of Ethics Committee for investigation, and the Committee shall inform the member of the issue within seven (7) days and the Council member is responsible to provide satisfactory answer within fifteen (15) days. In case of unsatisfactory answer, appropriate advice or warning shall be issued to the member.

Committing Crime

Article 13.

In case of committing crimes, member of Provincial Council shall be prosecuted by the authorized court.

Committees

Article 14.

The Provincial Council shall establish a committee consisting of three members to monitor the code of ethics of members of Council, and if necessary other committees shall also be established.

Suspension of Seat

Article 15.

In case of death, resignation or dismissal of a Council member or sickness, which prevents him from continuation of duty, the seat shall be given to the next candidate of same gender who has the maximum votes, for the remaining period, according to the arranged list of the Independent Elections Commission. In case the Council member is murdered his/her seat will remain vacant until the period of the Council member service ends up.

Privileges

Article 16.

A suitable salary shall be fixed for members of Provincial Council based on the provision of law.

Needs of the Commission

Article 17.

The Administrative affairs and service needs of Provincial Council shall be organized and provided by the concerned Province.

Chapter 5 Miscellaneous Provision

Provision of Information

Article 18.

The local agencies of Ministries and central independent departments are obligated to provide specific information requested by Provincial Council, when necessary, in maximum ten days within the limits of law.

Cooperation of Councils

Article 19.

The authority to verify and solve issues, which needs cooperation of various Provincial Councils, shall be given, as required, to a delegation established by the relevant Provincial Councils.

Employment rule***Article 20.***

The Provincial Council members are not allowed to hold any other official duty other than the assigned job at their normal work hours, except teaching.

Safety and Security***Article 21.***

It is for the Ministry of Interior Affairs and rest of the related security departments to maintain the safety of the Provincial Council members and their offices.

Attendance***Article 22.***

The attendance policies of the Provincial Council members shall be addressed in the operating procedures.

Stamp & Gazette***Article 23.***

- 1) Provincial Councils have its specific stamp.
- 2) Provincial Council can have its specific gazette.

Enforcement date***Article 24.***

This law shall be effective from the date of endorsement and publication in the official gazette.

PRESIDENTIAL DECREES

(Unofficial Translation)

Presidential Decree No. 4116 is an indicator of which the Governors should take action with the cooperation of the provincial councils, organize and design the implementation of programs.

Presidential Decree No. 862

Dated: 05.11.2007

According to the decree of article no. 139 of the constitution and article no. 4 of the Provincial Councils Law, for the purpose of establishing coordination and better understanding between the Governors and the Provincial Councils as well as promoting the importance and status of the Provincial Councils in the community **and improvement of the Islamic Republic of Afghanistan's pillars, the followings** would be approved:

The Governors are tasked to devise their Development Plans together with the Provincial Councils and after the approval of the Provincial Councils, present it to the central government.

The Governors must provide fair and favorable environment for the Provincial Councils overall activities including their M&E over the Rule of Law, Balanced Reconstruction, Administrative Reforms and other main areas.

The authority of monitoring from the implementation of this decree has been granted to the Office of the Administrative Affairs (OAA)⁴.

Hamid Karzai
President of the Islamic Republic of Afghanistan

⁴ Note: The subnational governance functions of OAA were transferred to IDLG when it was established in 2007 – see relevant decree below.

Decree establishing IDLG**Decree****No: 73****Date: 30 – 08 – 2007****Subject: Establishment of the Independent Directorate of Local Governance (IDLG)**

Pursuant to Article 142 of the constitution, for the purpose of better management and facilities in the provincial and district affairs, the establishment of the Independent Directorate of Local Governance is approved as a first budgetary unit in the framework of the President Office of Afghanistan.

- IDLG will supervise the affairs related to the governors and district governors and their offices as well as the municipalities (except Kabul Municipality) and will report to the President's Office regarding performance.
- The Tashkil and budget of the Administration Branch of MOI, excluding MOI ID Department, should be separated from MOI and be integrated into the Tashkil and budget of IDLG.
- The Tashkil and budget of the PC Support Unit of OAA should also be separated from OAA and be integrated into IDLG Tashkil and budget.
- The ministries of Finance, Interior, CSC and OAA should make the Tashkil and budget of IDLG with respect to the grade of its Director General which is Beyond Grade as well as the Upper Grade positions for the Policy & Coordination and Finance & Admin Deputies. The budget for the two deputy offices should be arranged from the previous approved budget of MOI.
- The current staff in the grades one and lower than that of the Civil Administration Branch of MOI should be hired in the equivalent grades with maintaining of their PRR rights and incentives in IDLG structure.
- Ministry of Justice and other relevant authorities should bring the necessary amendments in the articles of some laws which need to be changed based on the establishment of IDLG.

Hamid Karzai
President of Afghanistan

Constitution Article No. (142): The government establishes the new offices and institutions for the purpose of fulfillment of the provisions and ensuring the values of this constitution

ANNEX V: SCHEDULE OF MEETINGS

No	Date	Organization	Name	Title	Phone	E-mail
1.	2012.11.09	Afghanistan Embassy, Ottawa, Canada	Barna Karimi	Ambassador (Former Deputy Head, IDLG)	+1 613- 695 - 2595	b.karimi@afghanembassy.ca>
2.	2012.11.20	USAID/ODG USAID/ODG USAID USAID/OPPD	Mir Zarif Waez Cael Savage Claudia M Pastor Sayed Aqa	Senior Democracy and Governance Advisor Democracy and Governance Officer	+93 (0) 799 311 039 +93 (0) 700 066 579 +93 (0) 797 777 321 +93 (0) 702 626 259	mwaez@usaid.gov Csavage@state.gov PastorCM@state.gov saqa@usaid.gov
3.	2012.11.22	National Democratic Institute	Ken Lizzio	Director	+93 (0) 790 272 610	klizzio@ndi.org
4.	2012.11.27	IDLG/ASP GDLCA	Hamed Sarwary Noorullah Haidary	M&E Director Legal Specialist	+93 (0) 799 396 201 +93 (0) 773 307 337	hsarwary@yahoo.com noor_haidary@hotmail.com
5.	2012.11.28	Kabul Provincial Council	Torpekai Nawabi M. Ewaz Chakaryar Dr. Khoshal Quraishy Dip. Eng. Amirudeen Haqpana Zazy Sayed Mujtaba Hashemi Dr. Tajudin Bahrami	PC Member PC Secretary NDI Provincial Monitor PC Deputy PC Member PC Member	+93 (0) 799 211 382 +93 (0) 799 346 124 +93 (0) 700 001 601 +93 (0) 799 355 221	
6.	2012.11.29	Kapisa Provincial Council	Moh. Hussain Sanjani Najibullah Rahimi Safi Haji Shafiullah Hakimi Gul M. Safi Dr. Farooq	PC Chairman PC Member PC Member PC Member PC Member	+93 (0) 799 170 032 +93 (0) 798 415 511 +93 (0) 794 196 090 +93 (0) 700 233 057 +93 (0) 797 121 329	Najibullah.raheemi@gmail.com

No	Date	Organization	Name	Title	Phone	E-mail
7.	2012.12.01	NDI-Herat	Dr. Abdul Aziz Samim	Regional Manager	+93 (0) 799 205 618	asamim@ndi.org
8.	2012.12.01	Herat Provincial Council	Dr. Ab. Zaher Faiz Zada Toor M. Mahdi Taha	PC Chairman PC Member NDI Intern	+93 (0) 793 210 000	Mahdi.taha2@yahoo.com
9.	2012.12.01	Herat Provincial Council/ ASGP-2	Hamed Naorozi	ASGP Representative	+93 (0) 793 375 033	Hamed_fif@yahoo.com
10.	2012.12.01	NDI-Balkh (Mazar-e-Sharif)	Akbar Qateh Khesraw Qaderi Parasto Sultani Karim Karwar	Regional Manager PC Development Specialist Gender Coordinator D&G Trainer	+93 (0) 793 605 770 +93 (0) 796 932 066 +93 (0) 791 696 831 +93 (0) 774 131 980	kqaderi@ndi.org
11.	2012.12.01	Balkh Provincial Council	Haji Gh. Abas Akhlaqi	Deputy PC Chairman	+93 (0) 772 102 326	
12.	2012.12.01	Balkh Governor House	Haji Zaher Wahdat	Deputy Governor	+93 (0) 700 500 533	mzwahdat@gmail.com
13.	2012.12.02	Balkh-UNDP/ASGP2	Moh. Haroon Sahab	Regional Governance Specialist	+93 (0) 703 333 093	Muhammad.sahab@undp.org
14.	2012.12.02	NDI-Herat	Dr. Abdul Aziz Samim Wahid Ahadi Ali Jan Fasehi Amena Khavari	Regional Manager D&G Officer Political Parties & Youth Development PC Development Specialist	+93 (0) 799 205 618 +93 (0) 799 027 435 +93 (0) 798 415 891 +93 (0) 799	asamim@ndi.org awahadi@ndi.org jan.fasihi@gmail.com
15.	2012.12.03	NDI Head Office-Kabul	Moh. Davud Kohi Moh. Hadi Mahmoodi Shams Rasikh Ghulam Riza Habib	Senior Program Manager Program Manager Program Manager Program Officer	+93 (0) 797 144 897 +93 (0) 799 381 983 +93 (0) 796 074 565 +93 (0) 797 144 895	mkohi@ndi.org hmahmoodi@ndi.org srasikh@ndi.org grhabib@ndi.org

No	Date	Organization	Name	Title	Phone	E-mail
16.	2012.12.04	NDI-Nangarhar	Moh. Yousof Alokozai Moh. Haroon Shahab	Regional Manager PC Development Specialist	+93 (0) 799 382 597 +93 (0) 700 063 656	ayousof@ndi.org hshahab@ndi.org
17.	2012.12.05	Bamyan Provincial Council	Moh. Aziz Shafaq	PC Chairman	+93 (0) 778 072 859	
18.	2012.12.05	Bamyan Governor House	Moh. Asef Baligh	Deputy Governor	+93 (0) 799 398 593	Mohasif_2005@yahoo.com
19.	2012.12.04	NDI-Bamyan	Masuma Amiri Fatima Rezaee	Regional Manager Gender Coordinator	+93 (0) 776 669 531 +93 (0) 778 025 496	amiree.masuma@gmail.com
20.	2012.12.05	NDI-Nangarhar	Rafiullah Fazalyar Nasrullah Nasih Abdul Rauf Kamila Nawabi	D&G Officer/Trainer Political Parties & Youth Development Admin& Finance Gender Coordinator	+93 (0) 796 196 709 +93 (0) 772 299 702 +93 (0) 795 533 114 +93 (0) 789 468 667	rfazalyar@ndi.org nasih.nasrullah@gmail.com arazime@ndi.org knawabi@ndi.org
21.	2012.12.05	Nangarhar Provincial Council	Haji Agha Jan Zabiullah Zamyar Angiza	PC Chairman PC Member PC Member	+93 (0) 797 866 666 +93 (0) 798 221 100 +93 (0) 799 042 133	Aghajan2007@yahoo.com Zabiullah.zamary@gmail.com
22.	2012.12.06	USAID/Nangarhar PRT	Pnina Levemore	Governance Officer	+93 (0) 702 593 372 +93 (0) 793 370 932	plevermore@state.gov
23.	2012.12.10	NDI Head Office	Ans Zwerver	Senior Country Director	+93 (0) 796 073 459	azwerver@ndi.org
24.	2012.12.10	GIZ German Development Cooperation	Benjamin Seidel	Governance Advisor	+93 (0) 797 774 131	Benjamin.seidel@giz.de
25.	2012.12.11	USAID-ODG	Mir Zarif Waez	Senior Democracy and Governance Advisor	+93 (0) 799 311 039 +93 (0) 700 066 579	mwaez@usaid.gov

No	Date	Organization	Name	Title	Phone	E-mail
			Cael Savage	Democracy and Governance Officer	+93 (0) 797 777 321	Csavage@state.gov
			Leslie Anne Schafer	Governance Team Leader	+93 (0) 705 191 977	Lschafer@state.gov
			Zaks Lubin	Mission Evaluation Officer	+93 (0) 702 626 294	zlubin@state.gov
			Carlos Lamadrid	Deputy Mission Evaluation Officer	+93 (0)705 191 941	clamadrid@state.gov
26.	2012.12.11	Kandahar-UNDP/ASGP-2	Khan Moh. Khadem	Regional Governance Specialist	+93 (0) 703 333 138	Khan.mohammad.khadim@undp.org
27.	2012.12.11	DFID Afghanistan	Susan Loughhead	Group Head, Governance Reform Group	+93 (0) 797 222 020	s-loughhead@dfid.gov.uk
			Christa Rottensteiner	Sub-national Governance Team Leader	+93 (0)794 155 502	c-rottensteiner@dfid.gov.uk
28.	2012.12.11	NDI Head Office	Ans Zwerver	Senior Country Director	+93 (0) 796 073 459	azwerver@ndi.org
	NDI Head Office-Kabul	Herat Provincial Council Badghis Provincial Council Ghor Provincial Council Panjsher Provincial Council Kabul Provincial Council Kabul Provincial Council Kabul Provincial Council	Sakina Hussaini Zia Gul Habibi Lida Orfani Zaheda Daqeeq Vida Saeedi Narges Mujahed Sadat Maryam Ahmadi	PC Secretary PC Member PC Member PC Member PC Member PC Member PC Member	+93 (0) 799 240 761 +93 (0) 796 298 086 +93 (0) 708 198 278 +93 (0) 773 641 025 +93 (0) 755 183 358 +93 (0) 787 400 110 +93 (0) 797 911 331	Ms_hussainy@yhaoo.com Lida.or.fa@gmail.com mnargis@yahoo.com Ahmadi-maryam35@yahoo.com
29.	2012.12.12	NDI-Kandahar	Abdul Halimyar	Regional Manager	+93 (0) 790 272 611	ahalimyar@ndi.org
30.	2012.12.12	Kandahar Governor House	Prof. Toryalai Weesa	Governor	+93 (0) 798 560 289	toorwesa@gmail.com
31.	2012.12.12	Kandahar Provincial Council	Moh. Ehsan Noorzai	PC Chairman	+93 (0) 799 430 750	Ehsannoorzai1@gmail.com

No	Date	Organization	Name	Title	Phone	E-mail
32.	2012.12.13	NDI-Kandahar	Abdul Halimyar Abdul Latif Quraishi	Regional Manager Democracy and Governance Trainer	+93 (0) 790 272 611 +93 (0) 796 497 565	ahalimyar@ndi.org aquriashe@ndi.org
			Noor Nawaz Shinwari	Political Parties & Youth Development	+93 (0) 700 358 690	nnshinwari@ndi.org
			Sara Omerzai Wali Ahmad Wali Ali Raza	Gender Coordinator PC Monitor Officer Admin/ Finance	+93 (0) 700 363 713 +93 (0) 798 140 002 +93 (0) 700 325 107	s.omarzai@gmail.com wawali@ndi.org araza@ndi.org
33.	2012.12.13	Maidan Wardak Provincial Council	Sher Shah Wardak Halima Askari Moh. Hussain Fahimi	PC Chairman PC Member PC Member	+93 (0) 799 127 462 +93 (0) 775 853 228 +93 (0) 777 00 469	
34.	2012.12.15	The Asia Foundation	Seamus Clancy Faiz Moh. Zaland	Chief of Party Deputy Chief of Party	+93 (0) 798 399 352 +93 (0) 794 090 924	sclancy@asiafound.org fzaland@asiafound.org
35.	2012.12.17	NDI Head Office	Ans Zwerver Rachel Wareham	Senior Country Director Gender Advisor	+93 (0) 796 073 459 +93 (0) 796 534 983	azwerver@ndi.org rachwareham@gmail.com
36.	2012.12.18	Parwan Provincial Council	Haji Ahmad Zaki Zahid Naseer Ahmad Mumtaz Raeesa Saber Hosai Bayani Abdul Waseh Saidkheli Abul Razaq Moh. Saber Safar	PC Chairman PC Member PC Member PC Member PC Member Executive Assistant Media Relation	+93 (0) 799 737 373 +93 (0) 786 083 838 +93 (0) 799 221 573 +93 (0) 799 424 947 +93 (0) 796 911 981 +93 (0) 778 205 886 +93 (0) 789 245 900	
37.	2012.12.18	Khost Provincial Council	Dr Daud Shah Makinzao Murad Khan Mangar Zohra Jalal	PC Chairman PC Member PC Member	+93 (0) 799 135 505 +93 (0) 798 403 072 +93 (0) 799 136 030	
38.	2012.12.18	Paktiya Provincial Council	Dr Allah Mer Mail Khail Zazai Golalai	PC Deputy PC Member PC Member	+93 (0) 798 137 737 +93 (0) 790 004 623 +93 (0) 700 201 430	
39.	2012.12.18	Paktika Provincial Council	Ghani Paktin	PC Secretary	+93 (0) 708 876 543	

No	Date	Organization	Name	Title	Phone	E-mail
			Zafar Khan Dr Amina	PC Member PC Member	+93 (0) 707 350 067 +93 (0) 799 779 098	
40.	2012.12.18	NDI Head Office	Ans Zwerver	Senior Country Director	+93 (0) 796 073 459	azwerver@ndi.org
41.	2012.12.19	IDLG- GDCLCA/ General Directorate of Coordination for Local Councils' Affairs	Saeed Ahmed Khamoosh	General Director	+93 (0) 700275 379	khamoosh.saeed@gmail.com
		IDLG/ASP IDLG/ASP	Hamed Sarwary Sharifullah Mahbob	M&E Director	+93 (0) 799 396 201 +93 (0) 772 978 307	hsarwary@yahoo.com misharif22@yahoo.com
42.	2012.12.19	IDLG/GDLPC	Dr Sibghat Khan	Director	+93 (0) 771 171 416	Khan.sibghat@yahoo.com
43.	2012.12.19	Khost Provincial Council	Dr Daud Shah Makinza Murad Khan Mangar Zohra Jalal	PC Chairman PC Member PC Member	+93 (0) 799 135 505 +93 (0) 798 403 072 +93 (0) 799 136 030	
44.	2012.12.19	Paktiya Provincial Council	Dr Allah Mer Mail Khail Zazai Golalai	PC Deputy PC Member PC Member	+93 (0) 798 137 737 +93 (0) 790 004 623 +93 (0) 700 201 430	
45.	2012.12.19	Paktika Provincial Council	Ghani Paktin Zafar Khan Dr Amina	PC Secretary PC Member PC Member	+93 (0) 708 876 543 +93 (0) 707 350 067 +93 (0) 799 779 098	
46.	2012.12.19	Meshrano Jerga (Upper House)	Moh. Kazem Malvan Sayed Mohammad Khalid	Secretary General Deputy, PC Commission of upper house	+93 (0) 799 333 219 +93 (0) 799 770 770	Malwan1@hotmail.com
			Moawen Ahmad	Secretary, PC Commission of upper house	+93 (0) 795 015 451	
			Mohammad Karam Mukhtar	Adviser, PC Commission of upper house	+93 (0) 787 817 756	
			Haji Mohammad Khagi	Member, PC Commission of upper house	+93 (0) 707 350 067	

No	Date	Organization	Name	Title	Phone	E-mail
47.	2012.12.19	MRRD	Wais Ahmad Barmak Khyber Farahi	Minister Senior Advisor to the minister		
48.	2012.12.19	Ministry of Public Works	Eng. Enayatullah Fakhri Sheer Moh. Samet Barakzai	Deputy Minister		
49.	2012.12.19	Ministry of Energy & Water	Eng. Mohammad Sami Eng. Meya gul Saljoqee Eng. Sediq Zada	Deputy Minister		
50.	2012.12.19	NDI Head Office	Arezo Muzhgan Helai	Program Assistant Program Officer Program Assistant	+93 (0) 796 196 430	aaltafi@ndi.org
51.	2012.12.23	USAID AFGHANISTAN OPPD and ODG Offices (Final Presentation)	Carlos Lamadrid Mir Zarif Waez Cael Savage Leslie Anne Schafer Rafiudin Nejat David Stonehill Jeane G. Davis Roy Fenn Brendan Sanders Abdul Samad Ghaznavi Sayed Aqa	Deputy Mission Evaluation Officer Senior Democracy and Governance Advisor Democracy and Governance Officer Governance Team Leader	+93 (0)705 191 941 +93 (0) 799 311 039 +93 (0) 700 066 579 +93 (0) 797 777 321 +93 (0) 705 191 977	clamadrid@state.gov mwaez@usaid.gov Csavage@state.gov Lschafer@state.gov NejatR@state.gov dstonehill@state.gov davisjg@state.gov rfenn@state.gov bsanders@state.gov aghaznavi@state.gov

No	Date	Organization	Name	Title	Phone	E-mail
.						saqa@usaid.gov
52.	2012-12-27	USAID Afghanistan – OGD	Tim Alexander Leslie Schafer Zarif Waez	Director, OGD Deputy Director Program Officer		
53.	2012-12-29	Meshrano Jirga	H.E. Kazaim Malwan Mr. Shinwary	Sec. General of MJ Deputy Sec. Gen.		

ANNEX VI: METHODOLOGY DESCRIPTION

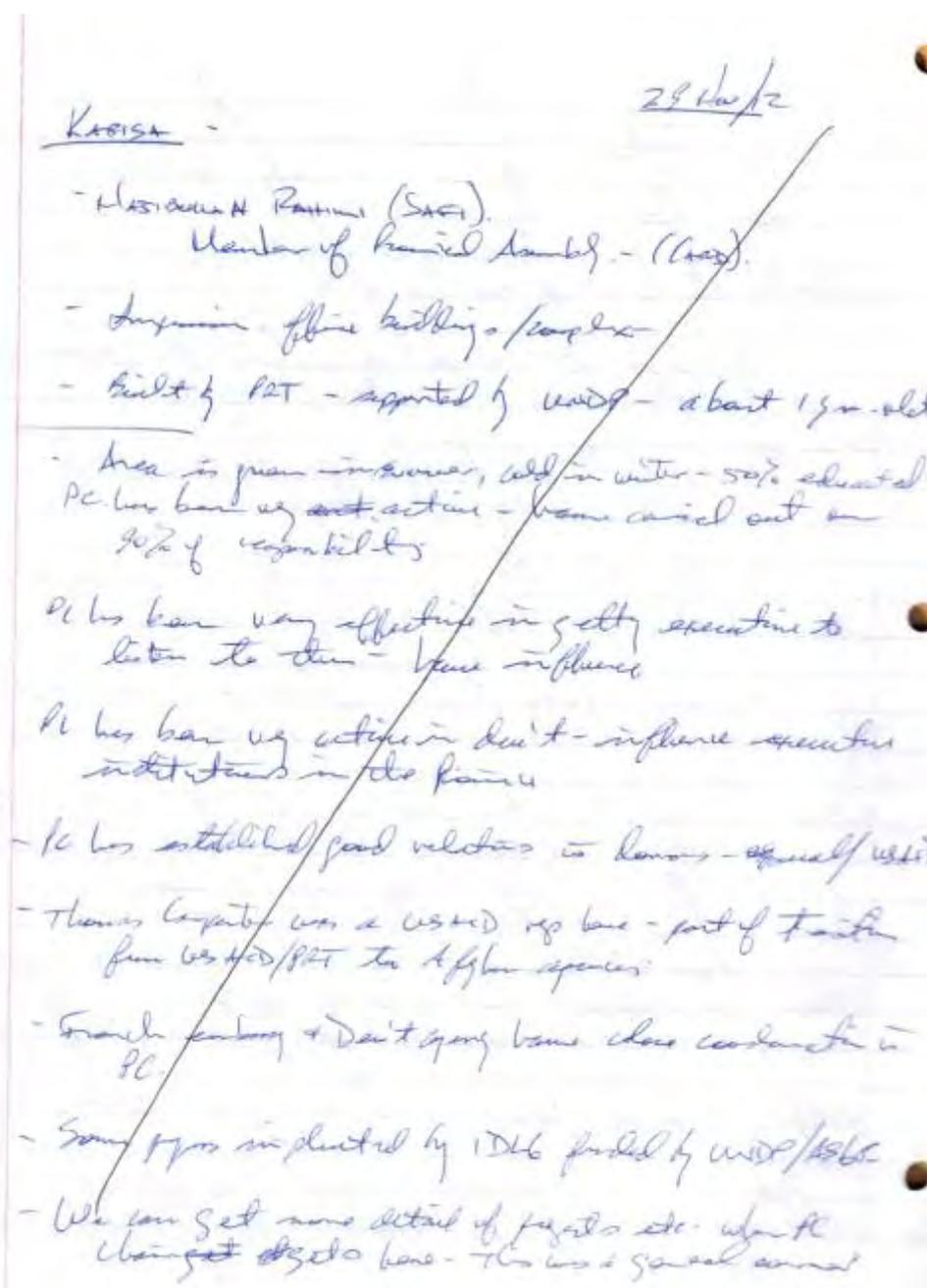
This study used two main forms of data collection and analysis. The first and most straightforward was used for the document review portion of data collection. Key documents were identified, read, and relevant content was noted for inclusion or reference in this report.

Interview Notes

The second methodology was used for collecting, transcribing and analyzing interview data. A brief description of the process, with samples, follows.

Step 1

Comments made in interviews were transcribed by hand (see sample from Kapisa below)



Step 2

Rough notes (above) were then dictated and transcribed onto a Macintosh laptop using Dragon Dictate by Nuance Software. Note the hand-written numbers in the left margin: they are coding numbers used to group responses by theme or topic. See Coding Key below.

Kapisa Provincial Council**29 November 2012****Participants:**

Get PC participants' list from Tamim.

Checchi participants: Tamim, Paiman, Islam, Noor, Bradley, Andy

Our meeting with the provincial Council members took place in their new facility – a clean well-built facility that we were told was built by the PRT. The meeting room was large spacious and had a long conference table down the middle that was equipped with a microphone system similar to what one would find in a conference facility that was set up for simultaneous translation. This equipment and furnishings were apparently provided by a UNDP project. The facility appeared to be less than two years old. The PC members were justifiably proud of this setup.

Introductory comments:

our primary informant was Najibullah Rahimi – a member of the provincial assembly.

The area is green in the summer and cold in the winter – 50% of the population is educated. The PC has been very active and they have carried out over 90% of PC's responsibilities.

6 | The PC has been very effective in getting the executive to listen to them – they have influence over the operations of the government in the province.

7 | The PC has been very active in development – it is also established good relations with the donors especially with USAID.

A USAID representative here, Thomas Carpenter, was active in working with them – and it was part of the transition from a USAID PRT to one run by Afghan agencies.

The French Embassy and their development agency did not have a close coordination with the provincial Council.

Some of the programs implemented by IDLG are funded by UNDP (ASGP).

We can get more detail of the projects etc. when the PC chairman ^{comes here} get shor [comes to the meeting] – this was a general overview of their situation.

6 | When compared with other PCs, Kapisa has better relations with the executive and the donors.

11 | This area has lots of needs the PC Council does what it can to help. The people come to the provincial Council with their concerns – security violence etc.

6 | We have good relations with the central government – we do our best to convince the government to respond to the needs of the people. We have good relationships with the governor the security institutions in our area.

If we had better relationships with the government we could do a better job of serving our people.

2 | Question: what are the key inputs that NDI has been providing your PC?
NDI has had a very close relationship with this PC and capacity development.

Step 3

The dictated and coded notes were then analyzed using HyperRESEARCH software which grouped all notes with the same coding number for review. In the sample below notes coded “6” from Kandahar and Kapisa are shown on the same page. See the coding key on the following page for the categories used. These compiled notes were then reviewed for key content or themes to be included in the evaluation report. The same numbers are used in the Interview Guide in Annex VII below.

The regional director said that was a problem he was going to address. He has been busy setting up his office and hiring staff over the past three months – he will take it up in the new year.

Kandahar – PC Chairman:

The PC had good relations with the Canadians at the Kandahar PRT – every Kandahari thanks Canadians for what they've done.

PC activities – the regulations say the PC should meet once a month: this PC meets twice a week – once to deal with government issues the other for the people.

This Sunday to have a big meeting with the governor, heads of line ministries (education, economy, MRRD, etc.), mayors, directors of security, etc.

PC members have good relationships with each other – when Wali was the head of the PC they also had good relationships with each other.

Kandahar – PC Chairman:

The provincial governor is kind, educated, the people appreciate his efforts – we have a good relationship with him.

Kapisa PC:

The PC has been very effective in getting the executive to listen to them – they have influence over the operations of the government in the province.

Kapisa PC:

When compared with other PCs, Kapisa has better relations with the executive and the donors.

Kapisa PC:

We have good relations with the central government – we do our best to convince the government to respond to the needs of the people. We have good relationships with the governor the security institutions in our area.

If we had better relationships with the government we could do a better job of serving our people.

Kapisa PC:

Monthly sectorial meetings: we invite all government departments to the meetings here at the PC. The PC shares all information on the shortcomings they have been told about during their meetings with NGOs and their outreach. They also provide letters of appreciation and congratulations when the ministries have been reported to be doing good work. Almost 14 government agencies have been provided with such letters by the PC.

Kapisa PC:

We develop our work plans and send them to NDI. We get together in teams [interns engineers etc.] – we identified 53 projects with shortcomings. We were able to convince the line ministries to remedy these problems.

Kapisa PC:

After we have done our monitoring, we contact implementers and provide comments – appreciation or remedies as required.

Kapisa PC:

Question links with constituents and development stakeholders?

[Monthly meetings, constituents? When did this start? Do constituents try to connect with the PCs more frequently?]

Kapisa PC:

Question: budget issues? How has that been developed?

Interview Data Coding Key

21 December 2012

(Derived from Evaluation Questions in Statement of Work)

- 1. Project objectives, results and cost-effectiveness**
- 2. Training effectiveness and outcomes**
- 3. Examples of program interventions and impacts on PC members' activities**
Interns, Site Visits, Districts
- 4. SNG program gaps and activities to discontinue**
Mediation
- 5. Regulations and informal limitations**
Laws, decrees, centralization tendencies, etc.
- 6. Relations among PCs, Governors, Parliamentarians and Line Ministries**
- 7. Coordination with other donors**
- 8. Measurement of improved capacity**
- 9. Additional outcomes – positive and negative**
- 10. Women and PC operations**
- 11. Citizen perception of PC effectiveness**
Mediation
- 12. Accountability, transparency and control of corruption**
- 13. Other relevant findings**
 - 13a – Support for and relations with IDLG
 - 13b – Sustainability
 - 13c – Institution-building
 - 13d – NDI management issues

ANNEX VII: DATA COLLECTION SURVEY INSTRUMENT

Interview Guide

Performance Evaluation of Support to Subnational Governance Structures (SNG) Project Afghanistan

27 November 2012

Data Categories and Questions

We are collecting qualitative and quantitative data in categories comparable to the SNG project's main activities described in the evaluation's Statement of Work, as follows:

1. Communication with constituents and development stakeholders

- 1.1 How have the PCs communicated with constituents and development stakeholders? (samples)
- 1.2 What is the level of citizens' satisfaction with PCs in representing their constituents? (evidence)
- 1.3 How have PCs increased government transparency? (evidence)
- 1.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 1.5 How did NDI help improve PC performance in these areas? (evidence)

2. Site Visits

- 2.1 How frequently have site visits been carried out? (evidence)
- 2.2 What citizens' needs have been identified in PC site visits? (samples)
- 2.3 How often did councilors write reports of site visits? (evidence)
- 2.4 What has been done with these reports and what effect did they have? (samples)
- 2.5 To what extent did women councilors and constituents participate in site visits? (evidence)
- 2.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 2.7 How did NDI help improve PC performance in these areas? (evidence)

3. Public Hearings

- 3.1 How have public hearing process been planned, announced and carried out? (samples)
- 3.2 How many public hearings have taken place in each province? (evidence)
- 3.3 To what extent has the public expressed its concerns to the PCs in these hearings? (samples)
- 3.4 What did the PCs do with citizens' comments from public hearings? (evidence)
- 3.5 To what extent did women councilors and constituents participate in public hearings? (evidence)
- 3.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 3.7 How did NDI help improve PC performance in these areas? (evidence)

4. Local Consultations

- 4.1 Did PCs reach out to consult with constituency leaders, Shuras, CSOs, and NGOs? (evidence)
- 4.2 If they did, how did they reach these people and how frequently was this done? (evidence)
- 4.3 Have local consultations been part of the PCs' annual strategic plans? (evidence)
- 4.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 4.5 How did NDI help improve PC performance in these areas? (evidence)

5. Reporting

- 5.1 How have councilors analyzed and reported on feedback from constituents and stakeholders? (samples)
- 5.2 How did the SNG program prepare PCs for meetings with PDCs? (evidence)
- 5.3 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 5.4 How did NDI help improve PC performance in these areas? (evidence)

6. PC Delegations

- 6.1 How did the PCs dialogue with national institutions (such as parliament, IDLG, central ministries, IEC and others) take place? (samples)
- 6.2 What did PC members do in these delegations? (examples)
- 6.3 To what extent did women participate in these delegations? (evidence)
- 6.4 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 6.5 How did NDI help improve PC performance in these areas? (evidence)

7. Monitoring

- 7.1 What training was provided to PCs to monitor the implementation of development activities? (samples)
- 7.2 To what extent did PCs apply this training in their oversight of development activities? (evidence)
- 7.3 To what extent has the PCs' performance in this area changed over the past few years? (evidence)

8. NGO Briefings

- 8.1 How many NGO briefings have PCs planned and organized in a year? (evidence)
- 8.2 To what extent did the NGOs participate in these briefings? (samples)
- 8.3 How many of these NGOs were focused on women's issues? (evidence)
- 8.4 What did PCs do with the results of these NGO briefings? (evidence)
- 8.5 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 8.6 How did NDI help improve PC performance in this area? (evidence)

9. Stakeholder Meetings

- 9.1 How many stakeholder meetings were held by the PCs? (evidence)
- 9.2 Which stakeholders participated in these meetings? (evidence)
- 9.3 What proportion of these meetings took place outside the provincial capital? (evidence)
- 9.4 How did the PCs interact with district-level representatives? (samples)
- 9.5 What was the result of these meetings? (samples)
- 9.6 To what extent has the PCs' performance in this area changed over the past few years? (evidence)
- 9.7 How did NDI help improve PC performance in this area? (evidence)

10. Internship Program

- 10.1 How many interns have been placed with PCs? (evidence)
- 10.2 What have interns been doing to support PC operations? (samples)
- 10.3 What have interns learned from these placements? (samples)
- 10.4 How have interns interacted with full time government Tashkeel staff? (examples)
- 10.5 What percentage of interns found jobs with government or international organizations after completing the NDI program? (evidence – disaggregate by type of organization)
- 10.6 To what extent has the PC's performance in this area changed over the past few years? (evidence)
- 10.7 How did NDI help improve PC performance in these areas? (evidence)

11. Support for IDLG

- 11.1 What supports has the SNG project provided to IDLG's General Directorate of Local and Community Administration (GDCLCA)? (samples)
- 11.2 What impacts did these supports have on GDCLCA's ability to support PCs? (examples)
- 11.3 What supports did the SNG project provide to IDLG to facilitate PC elections? (evidence)
- 11.4 How did the SNG project support gender mainstreaming in the PCs? (examples)
- 11.5 What effect has IDLG's support had on PCs' performance? (evidence)
- 11.6 What other support is needed to make GDCLCA a functional entity that can support PCs in the long run? (samples)

12. Additional Questions

- 12.1 The project began in 2008: why did it take till April 2011 for the SNG to start supporting the IDLG unit that supports PCs?
- 12.2 What has been the cost-effectiveness of the SNG project?
- 12.3 What gaps and missing elements are there that should have been included in the SNG project?
- 12.4 What current activities should be discontinued?
- 12.5 How has the SNG project coordinated with key partners such as UNDP, PRTs, etc.?
- 12.6 How has the project supported PC relationships with the districts?
- 12.7 What formal and informal regulatory mechanisms are there that limit the project's effectiveness, and what can be done to address these constraints?
- 12.8 What processes/mechanisms have been established in the PCs to increase accountability and transparency within the PCs and among government actors?
- 12.9 What type of corruption is taking place within the PCs and what are the mechanisms to mitigate this?
- 12.10 What are some interventions that the project can engage in to reduce/minimize opportunities for corruption?

12.11 Were there any unintended outcomes – positive or negative – from the project’s activities?

12.12 What is required to ensure the sustainability of the results of SNG project activity?

Key Informant Category	Location of Data Collection
USAID/Afghanistan Democracy and Governance Office Staff, Kabul	Balkh
Field-based USG staff at Regional Platforms or PRTs;	Bamyan
PC Chairs and members	Daikundi
Key IDLG staff	Ghor
Implementing partner staff in Kabul and the provinces;	Herat
Members of PC Commission of Meshrano Jirga	Helmand
Governors	Kabul
Members of Parliament	Faryab
Focus groups with selected constituents	Kapisa
Other donors	Nangarhar
Other	Nimroz
	Nuristan
	Paktika
	Zabul
	Other

ANNEX VIII: NDI KABUL RESPONSE TO INTERVIEW GUIDE

Interview Guide
Performance Evaluation
of
Support to Subnational Governance Structures (SNG) Project
Afghanistan

Data Categories and Answers:

1. Communication with constituents and development stakeholders:

- 1.1. PCs communicate through Public hearings and face to face meetings with their constituency at the district level whenever they visiting the district which normally happens every other month. Meanwhile, PC meets with the stakeholders on monthly basis (In some province as required) through stakeholders meeting. In the meantime, provincial council's members are now highly and actively take part in provincial development committee (PDC) every month and discuss the development issues with the governor and line ministers. It worth mentioning that provincial council members are taking part in sectoral committee in order to provide their input on development matters of the province with the certain line ministers (or sectors) as needed.

(Public hearing, site visit and stakeholders meeting report)

- 1.2. It would be very difficult to measure the constituent's satisfaction with the PCs in the provinces. But, our experience as we are working with them shows that it is varying from province to province. Although as the election result shows that the levels of satisfaction with PCs were not very high as more than 70% present of them lost their role. We should bear in mind that PCs are a very new structure in the country, they have no budgetary role in the provinces, their oversight role is not welcomed by the strong governor of the provinces, they don't have a strong political will and support and more importantly political, ethnical, tribal and sometimes even geographical location is a factor on the PC life with regards to the level of satisfaction of their constituencies. Every ethnic supports their own PC members, in the meantime every tribes support their own, and so every political party. Therefore, based on the ethnical, political and tribal factors the constituencies are satisfy with the members, but in general as whole they may need to go a long way.
- 1.3. It would very ideal to claim that the councilors are totally been able to increase the transparency within the local government in their provinces. But, they have conducted many site visits, public hearings, stakeholder meeting in the past few years. They have shared their findings with the parliament, ministries, local authorities and their constituencies. In result nowadays the councilors are an active part of the bidding committee in every bidding meeting in their provinces.
- 1.4. When the first generation of provincial councils started their work as councilors, they had no clue of their roles and responsibilities as there was no rule of procedures for the PCs. By law they were entitled to give advice to their local government. They were not part of any discussion over the development issues of their provinces. However, nowadays they are an active member of the PDC meeting, they an active part of the bidding committee for the province, they hold public hearings in which they questioning line ministers for their poor performances, they hold NGO briefings and stakeholders meetings which the NGO representatives and line ministers

participating in their meetings, they are conducting site visits regularly and writing their findings, they improved their relation in with the governors, they have improved their relation and communication with the upper house at National Assembly.

- 1.5. Since 2006 and since the beginning of the program NDI helped to develop PC's institutional and individual capacities through its central and regional offices. NDI provided trainings and coaching through its technical national and international staff to improve PCs capacity to enable them to fulfill their mandates. NDI provided basic and advance trainings in areas of responsibilities of the PCs. For the first time NDI developed public hearing as tools to increase PCs oversight roles in an efficient way based on its experiences elsewhere in the world. Meanwhile, NDI also provided trainings on different topics from the taking minutes, report writing, proposal writing, meeting management, filings system, legal training on PCs law/rules of procedures, development cycles, M&E, communications and outreach and few more.

2. Site Visits

- 2.1. It differs from province to province, in provinces where lots of development projects are being implemented and security is not a challenge, site visits are conducted every other month, i.e. Herat, Panjshir, Balkh, and Kabul.. See appendix I for list of activities.
- 2.2. Councilors usually visit the development projects implemented by the national and/or international donors/organizations, and when they meet with the locals during the site visit they discuss the effectiveness of those projects being implemented. A copy of the site visit report has been included.
- 2.3. Councilors are writing a report at the end of each site visit. In total NDI have 82 site visit reports in its system (2009 to Nov 2012).
- 2.4. The intended use of the reports being produced by the councilors after the site visit is to be shared with government line departments, governor office and even central ministries to document the find outs of the site visit conducted by the provincial councilors, also the reports are being used by the councilors during PC delegation visits to Kabul as a proof of their visit and quality of work which will be shared with key ministries and the upper house.
- 2.5. According to NDI work plan, female councilors are highly encouraged to take part, as one third of the group of the councilors should be female. Constituents can't be official part of a site visit, but councilors can meet with them at the end of their visit in a form of a small public hearing.
- 2.6. As mentioned above the PCs due to lack of resources and capacity and lack political will wasn't able to fulfill their mandates. But, since the engagement of NDI program they been able to achieve some significant points in their provinces. They have conducted and regularly conducting site visits, they meet with line ministers at the provincial level to pass people's needs, demands and concerns over the development issues, they are conducting public hearings, they are conducting stakeholders and NGO briefings, they are part of the bidding committee of their provinces and they are part of the PDC meetings. All this shows a remarkable improvement with regards to PCs performances in their respective provinces.
- 2.7. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistant.

3. Public Hearings

- 3.1. Councilors plan public hearings based on the needs identified during individual meeting with constituents, complaints, site visit findings and media , the councilors will decide on a date and communicate it with local constituents and send out invitations to media and other stakeholders. See the attached SNG manual for further information.
- 3.2. From 2008 till November 2012, SNG has sponsored 95 public hearings in different provinces. See the attached SNG activities sheet for further details.
- 3.3. See the attached hard copy for further information.
- 3.4. PC normally discuss their constituencies comments with the governor, they raise constituencies concerns with all stakeholders including governor in PDC meetings.
- 3.5. Participation of women in the public hearings vary from province to province, usually public hearings are being attended by male councilors and constituents, except some recent hearings dedicated to women which was conducted in Kabul, Herat and Mazar.
- 3.6. It seems that that public hearing is a useful and interesting tool for the councilors. They are frequently conduct hearings even by their own budget. Laghman PC conducted a hearing on November by their own budget and invite the district elders to discuss security issues of the province.
- 3.7. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistant.

4. Local Consultations

- 4.1. Whenever the councilors conduct a site visit they with the leaders, Shura, CSOs and NGOs. They meet with the CSOs and NGO before their trip to the districts but with the Shuras and leaders when they reach the districts.
- 4.2. They meet with NGOs and CSOs through NGO briefings based on the PCs need or if its required, but with the Shuras and Leaders through public hearings in the district level.
- 4.3. Yes, Based on PC law the councilors should consult with their constituencies at least every quarter of the year.
- 4.4. The trajectory of PCs performances shows a great sign of increase with regards to consultation with their constituencies at the district level.
- 4.5. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistant.

5. Reporting

- 5.1. SNG programs support PCs stakeholders meeting in which in those meetings PC members discuss the development issues, such as provincial plan, implementations and budgets. Meanwhile, NGO briefings and site visits, public hearings and consultation meetings provides information for the councilors to discuss issues over developments and people's needs and demands to the PDC committee.
- 5.2. Mostly in 2005 and partly in 2006 the councilors were not able to write reports to reflect their constituency's interests. But, since then provincial councils frequently write reports of their constituency's interest. Every year by support of SNG program provincial councilors travel to Kabul to provide their reports/findings with the Meshrano Jirga and relevant ministries.
- 5.3. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistant.
- 5.4. NDI has maintained a decent hard files that consisted of number of written reports that was developed by PC Admin staff, interns and PC Secretary.

6. PC Delegations

- 6.1. Councilors do site visit, prepare reports and document their findings, then they are meeting with ministers and officials through facilitation of PC Commission of the Upper House. See the attached document as a sample.
- 6.2. PC members meet with IDLG-GDLCA officials as well as the PC Commission of the Upper House and discuss pre-noted issues with 3-4 ministers or their designee.
- 6.3. Please see the attached document for this question.
- 6.4. Provincial councils members (PC chair , Secretary including one female member) once a year before the approval of the national budget by the parliament visiting parliament to talk with the ministers to raise their constituencies demands and needs. Besides, that the councilors regularly meet with their parliament members specially with the PC commission of MJ whenever they visit Kabul.
- 6.5. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistant.

7. Monitoring

- 7.1. NDI delivered Provincial Development Monitoring and Evaluation training to the councilors. Please see a sample attached.
- 7.2. The PC members were very good in applying NDI's M&E training while they were visiting the projects. Bamyan PC found that two NGOs received fund to build the same school in village in Bamyan province.
- 7.3. Before the training the councilors was not able to conduct any oversight over the project. But, post training they are conducting very useful oversight visits over development projects. The number of site visits were increased from zero in 2006 to at least 1 site visit every 3 months in 2012, we expect that by the end of this project (September 2013) provincial councils of all provinces conduct at least 15 site visit each.

8. NGO Briefings

- 8.1. NDI have sponsored 134 NGO Briefings for the PCs. Please see the attached list of NDI SNG activities for further details of provinces and dates.
- 8.2. So far all key national and international NGOs invited in any briefing have participated, the NGO Briefings are held for those NGOs who are implementing development projects in the province.
- 8.3. So far PCs have held NGO Briefings mainly with NGOs implementing development projects, only Herat PC conducted an NGO Briefing dedicated to women issues.
- 8.4. Based on these NGO briefings the councilors travel to districts and visit the projects itself, meanwhile the councilors record the numbers of all projects which implemented and or is under the implementation by the NGOs. In the meantime, they are seeking advices from the NGOs over the development of the province.
- 8.5. The number of NGO briefing increased from zero to 134 by 2012 in all provinces except Nuristan.
- 8.6. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical and technical assistants.

9. Stakeholder Meetings

- 9.1. NDI SNG has sponsored 122 stakeholder meetings for the PCs. Please see the attached list of NDI SNG activities for further details of provinces and dates.

- 9.2. PC hold stakeholder meetings with government line departments with participation of governor office representatives and other government high ranked officials. Please see the attached evidence for further details.
- 9.3. None of the stakeholder meetings was conducted outside of the provincial capital.
- 9.4. Whenever the councilors conduct a site visit in the district level, first and foremost they meet with the district governor. This is a face to face meeting in which PC describe the aim of their trip to that particular district.
- 9.5. The results of these types of meetings are to inform the district governor about PCs visit. In which then the district governor provides security personals for the smooth travel of the councilors in their district.
- 9.6. It enabled PCs to discuss the development projects with relevant ministries and encouraged them to perform more site visits. This shows an incredible amount of increase in PC's performances.
- 9.7. As mentioned above, NDI helped councilors to improve their performances through trainings, guidance through mentoring and logistical/ technical assistance.

10. Internship

- 10.1. The internship program is active in all 34 provinces. NDI been able to place 171 interns both male and female in all provincial councils. The numbers of interns in PCs are varying from province to province based on the load of PC activities and the number of provincial councilors and active committees in the PC.
- 10.2. The interns are facilitating PCs meeting, taking minutes of the meetings, writing reports for the provincial councils such as site visit report or report to GDCLCA, NDI capacity development team developed a reporting format for GDCLCA to receive report every quarter from PCs, interns are helping the councilors on writing their quarterly report.
- 10.3. The interns are learning how to interact with the elders, community leaders, politicians, the government officials. Meanwhile, they have learned, report writing, minute taking, research methodologies, meeting management, budgeting and provincial budgeting since they were placed in the PC offices.
- 10.4. The interns working four hours a day in the PC office. The intern's task is to help the PC members and the PC itself; therefore they are helping and assisting the Tashkil staff in daily basis with their administrative routines.
- 10.5. So far 60 % of the interns have been recruited by the national/ international NGOs, media organizations or government departments. Interns CVs are attached as evidence.
- 10.6. Since the placement of the interns in the provincial councils, the PC institutional memories have been improved as their filing systems been developed by the interns. Meanwhile, PC reporting is better than any other time in the PC's history.
- 10.7. NDI conducted trainings for interns that they can serve the PCs in an efficient and effective ways. Training like budgeting, provincial budgeting, M&E, reporting writing, minute taking and meeting management are the efforts which NDI has been put forward to improve PCs performances through interns. (All NDI training materials has been already send to evaluators)

11. Support for IDLG

- 11.1. NDI working to develop the institutional and individual capacity of GDCLCA. NDI placed three capacity development specialist and five interns to reach its goals. This effort includes training, mentoring and closely working with the head of GDCLCA to develop mechanisms, policies and procedures for the smoothly running of GDCLCA.

- 11.2. For the first time the GDCLCA staff been able to conduct three days M&E for Logar PC members. Meanwhile, the staff of GDCLCA is frequently writing their performance report to head of GDCLCA for the first time. The staff and GDCLCA's relation with the councilors are improved as SNG designed and supported GDCLCA's cross regional visit between south east and Northern provinces and supported PC chairs trip to Kabul to meet with the parliamentarian over the PC law.
- 11.3. SNG advised GDCLCA to facilitated PC's internal elections with full coordination of IEC. In result the head of GDCLCA meet with the head of IEC that IEC send its observer to the PC internal election. NDI supports GDCLCA's staffs travel to observe some of the elections.
- 11.4. NDI placed one female capacity development specialist to lead NDI's program in GDCLCA. Meanwhile, NDI placed three female interns to work in GDCLCA. In the meantime, NDI provide advices to head of GDCLCA on gender mainstreaming on daily basis. NDI also developed GDCLCA's staff TOR in a way that women can compete with the men. In result GDCLCA asked NDI to introduce three female qualified and graduated interns to be hired as part of GDCLCA's Tashkil.
- 11.5. It's really hard to answer this as still the GDCLCA / IDLG is lacking an appropriate structure to fulfill the provincial needs particularly on PCs needed support at the provincial level. Apart from NDI or some other donor agencies support IDLG did not provide any support to provincial council that can affect their performances. But, so far based on NDI's technical support for the first time the north east PCs send their quarterly report to GDCLCA. The report format was developed by NDI and introduced to the north east councils by GDCLCA's staff through NDI's logistical support.
- 11.6. NDI's institutional and individual capacity development has been a very effective strategy toward GDCLCA's improvement as the GDCLCA's staffs were able to conduct for the first time M&E training for provincial councilors. But, it needs the continuation of support for GDCLCA as the directorate has no any budget for PCs programmatic or representative activities. They have to find support that can interact with the PCs of all provinces more regularly. Meanwhile, the GDCLCA institutional and individual capacity needs to be continued. The GDCLCA should find budget that can support PCs activities.

12. Additional Questions

- 12.1. The answer was provided during the meeting on early December.
- 12.2. This was sent via separate email on Thursday Dec 20.

ANNEX IX: DISCLOSURE OF ANY CONFLICTS OF INTEREST

Name	Andy Tamas
Title	Team Leader
SUPPORT	
Evaluation Position?	<input type="checkbox"/> Team Leader <input type="checkbox"/> Team member
Evaluation Award Number <i>(contract or other instrument)</i>	Contract No. 306-C- 12-00012
USAID Project(s) Evaluated <i>(Include project name(s), implementer name(s) and award number(s), if applicable)</i>	Afghanistan: Support to Sub-National Governance Structures, National Democratic Institute for International Affairs, Associate Cooperative Agreement 306-A-00-08-00513-00 under Leader Cooperative Agreement No. DGC-A-00-01-00004-00.
I have real or potential conflicts of interest to disclose.	No

Name	Bradley J. Austin
Title	consultant
Organization	SUPPORT 2
Evaluation Position?	Team member
Evaluation Award Number <i>(contract or other instrument)</i>	Contract No. 306-C- 12-00012
USAID Project(s) Evaluated <i>(Include project name(s), implementer name(s) and award number(s), if applicable)</i>	Afghanistan: Support to Sub-National Governance Structures, National Democratic Institute for International Affairs, Associate Cooperative Agreement 306-A-00-08-00513-00 under Leader Cooperative Agreement No. DGC-A-00-01-00004-00.
I have real or potential conflicts of interest to disclose.	No

I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

Signature	
Date	December 28, 2012

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