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Can the Afghan state intervene successfully in the conflict between nomads and settlers?

Introduction

The conflict between nomads and settlers is no longer limited to a few districts of Hazarajat. It has spread to many corners of the country and pits mostly Pashtun nomads versus Hazara, Tajik and Pashtun settlers. It has also mutated from a conflict pitting local communities against each other, into one involving powerbrokers, parties and political leaders. The potential for a spillover is greater than ever.

The worsening conflict between nomads and settlers in Afghanistan needs to be tackled, but does the Afghan state have the capacity and the status to intervene in the conflict and to have a positive impact? The capacity is very limited now, and the Afghan state is not even able to fully monitor the conflict. Even when the Afghan state attempts to manage the conflict, it implements poorly - this is the case for example of nomad settlement projects. There is also a question of whether state intervention in the conflict is always perceived as neutral or not. But are there alternatives to state intervention? And if there are no alternatives, what are the potential consequences of the conflict being left to fester?

This policy note explores these issues, summarising a number of more detailed AREU papers already published on this topic, and provides some policy recommendations for future implementation. The related papers (by the same author) are:

- ‘Mapping nomad-farmer conflict in Afghanistan’, Kabul : AREU, 2017.
- ‘Typologies of nomad-settler conflict in Afghanistan’, Kabul : AREU, 2018
- ‘The Role of the Afghan State in Managing Nomadism and Nomad/Settler Conflict’, Kabul : AREU, 2018
- ‘Nomad Sedentarisation Processes in Afghanistan and Their Impact on Conflict’, Kabul : AREU, 2019
- ‘Nomad-settler conflict in Afghanistan today’, Kabul : AREU, 2019

Methodology

This policy note draws from fieldwork that included 98 interviews with elders of nomad and settler communities, and with government officials, political figures, analysts, mediators and others. The interviews took place in 2017-19 in Kabul city and in the provinces of Bamiyan, Farah, Ghazni, Kabul, Khost, Kunduz, Logar and Wardak. Fieldwork included first eight case studies of conflict in the districts in 2017, then a first follow up with elders and government officials in 2017-18. Subsequently, four case studies of nomad settlements were carried out in 2019, with some more follow-up interviews straight after that. Overall, fieldwork provided quite a comprehensive picture of nomad/settler conflict and of the Afghan state's involvement in managing it. It was possible to build this picture by gathering information about local conflicts, brokering negotiations and promoting the settlement of nomads, even if it was beyond the scope of the study to comprehensively map all local conflicts between nomads and settlers.

Key Findings

While friction between nomads and settlers dates back to before the war, there is no question that conflict between nomads and settlers intensified dramatically in the 1990s and then resumed again on an even large scale after 2001.

A High Degree of Conflict Persists Among Existing, Semi and Settled Nomads

The Kuchi Directorate estimates that about 45% of the existing nomads, semi-nomads and settled nomads are involved in some type of conflict. Of these, about 20% are active nomads involved in conflicts with other active nomads, 60-70% are active nomads involved in conflicts with settlers, and 10-20% are active nomads involved in conflicts with settled nomads.

Nomad Sedentarisation itself does not Reduce the Level of Conflict, it only Changes its Nature

The closure of the Pakistani border to nomads and the closure of the gates to Hazarajat in Behsud forced many nomads to seek alternative routes, thereby entering into conflict with other settler communities, previously unaffected. The process of nomad sedentarisation, largely unmanaged by the state, also generated new conflicts with settlers as well as between settled nomads and others who continued their migrations. The most recent estimates by the Kuchi Directorate were that there might be 4.5-5 million nomads, semi-nomads and settled nomads in the country in 2019. Of these, about 150-220,000 are believed to be semi-nomads, while full nomadism appears to be substantially extinct nowadays. Paradoxically, the conflict has been intensifying. This clearly suggests that sedentarisation per se does not reduce the level of conflict, it only changes its nature.

An Independent General Kuchi Directorate Setup in 2006 to Broker Peace Among Nomads and Settlers in Conflict has been Ineffective

The Afghan authorities have not completely ignored the multiplication of conflicts between nomad and farming communities around Afghanistan. They have tried to intervene in a number of ways. In 2006 they instituted the Independent General Kuchi Directorate, which was tasked with keeping track of all nomad-related affairs, and which reports to the local authorities about any conflicts. The Directorate is also tasked to work out long-term solutions to problems affecting the nomad population. Then, the authorities have sought to broker peace in a number of local conflicts. Finally, they have sponsored or planned nomad settlement programmes.

However, all these efforts have something in common: none of them was implemented effectively. The settlement programmes hardly saw any role of the state, except in some cases, when it distributed land deeds to participating nomads. This allowed speculators and/or powerbrokers to insert themselves in the process. Attempts by the authorities to negotiate between conflict parties almost never bore fruit. Efforts to produce plans for addressing the conflict drivers never went beyond the early draft stage.

A Lack of Resources, Weak Capacity, and Limited Rollout of Basic Services to the New Settlements Adversely Affected State Legitimacy

In part, the ineffectiveness of state intervention has been due to lack of resources. The Kuchi Directorate in particular is woefully underfunded, to the extent of having to rely on other departments for transport. The on-going war has not been helping either, limiting access to many areas. As in virtually every government department, there is a major problem of weak capacity and of corruption, perceived or real. Interviewees often complained about the inability, or unwillingness, of government officials to issue land deeds even in government-supported settlement schemes. Services like schools, clinics and utilities reached the new settlements very late if at all. These delays and inefficiencies too tend to weaken state legitimacy.

Non-State Initiatives have Emerged due to Ineffective State Intervention but Even these have had Limited Success in Resolving Conflicts between Nomads and Settlers

The Afghan society has been looking for ways to manage conflicts between nomads and farmers, in the absence of effective state intervention. While these non-state alternatives have in some cases provided some relief, they do not seem able to resolve the conflicts.

- The nomads changed their migration routes to avoid insurmountable conflicts, but ended up generating new conflicts elsewhere, with other settler communities along the new migration routes.
- Non-state mediation has been extensively tried, often with a degree of success. That usually involves elders from neighbouring communities or clerics. But only a minority of conflicts have experienced successful non-state mediation, and when non-state mediation did happen, it was sometimes only temporarily or partially successful.
- The nomads have been settling without waiting for the government to offer suitable sedentarisation schemes. This resulted in large-scale land grabbing, which often generated new conflicts, and in many cases nomads settling in the cities, mostly in the poorest suburbs.

The Conflict between Nomads and Settlers is Unlikely to be Resolved without Appropriate State Intervention

It seems therefore inescapable that without some state intervention, the conflicts between nomads and settlers are not likely to be resolved. They might mutate further, with the nomads gradually disappearing, and turning into land-grabbing settled former nomads. But it will still be a conflict, and might be even more violent and destabilising.

It clearly seems that nomad/settler conflict is not considered a high priority by the Afghan authorities, which have their hands full with many other problems, first and foremost fighting a war. But clearly as the conflict festers, it contributes to weaken state legitimacy. While it is true that it might be hard or impossible to divert resources away from higher priority areas of state activity, there might be ways for the Afghan state to do more, without significantly increasing the resources it allocates to managing nomad affairs.

Recommendations

To some extent, the Afghan authorities have come to terms with the fact that they are not able to resolve, or even manage, the spreading conflict between nomads and settlers.

Afghan Authorities Find it Effective to Work with Local Elders to Resolve, Manage, or Confine the Conflict between Nomads and Settlers from Spreading Elsewhere

When they do get involved in some negotiation effort, for example, it is now standard practice to rely on local elders for most of the work, with the Kuchi directorate or other departments operating in a support role only. This resolves a number of issues for the Afghan authorities, including access to insecure areas. It is not expensive either: typically these non-state mediators only ask for some assistance to cover transportation costs and modest per diems. The sedentarisation programmes launched by the authorities too have often been contracted out to nomad powerbrokers, although this is less likely to be a case of policymaking and more to be one of power politics.

State actors and non-state actors such as elders have therefore already been coming together, mostly informally and not always in virtuous ways. There might be a lot to be gained in formalising this relationship and restructuring it in such a way so as to improve effectiveness, find synergies and better serve the aims of the Afghan authorities.

Afghan Authorities should Engage Qualified and Capable Actors Outside of Government to Mediate Conflicts between Nomads and Settlers but should not rely on them Excessively

Contracting out is not a new concept in Afghan governance and service delivery. It is generally considered to have worked well in the delivery of health services, although at a higher cost. Especially in the case of recurrent services, contracting out is inevitably more expensive than direct delivery by state agencies. Whether or not the higher quality of the output is worth the higher cost should be considered on a case by case basis. However, in the case of non-recurrent services such as mediation between conflicting parties, the costs of contracting out might not be higher than direct delivery, as the state has to keep in place bureaucratic apparatuses to deal with occasional flares up of conflict, whereas non-state contractors can be brought in only when required. It is highly likely that contracting out would turn out to be much more effective than direct state intervention: contracted non-state actors would be able to recruit scarce qualified personnel more easily (being able to offer higher pay), and use them more effectively by deploying them wherever required.

Afghan Authorities need to Find a Balance between Engaging Non-State Actors and Deploying their own Resources in Mediating Nomad-Settler Conflicts as Overreliance on Outsiders may Militate Against State Legitimacy

There are other problems associated with contracting out: the state tends to earn little legitimacy when it does not deliver directly. Efforts to brand as 'Afghan state' services and activities contracted out tend not to fool anybody, not least because the contractors have every interest in distancing themselves from the state. For these reasons, contracting out is not popular within the ranks of the current Afghan government. However, given recurrent failures in the efforts of the Afghan state to intervene effectively in conflicts between nomads and settlers, contracting out might end up being the lesser evil. The Afghan government has to decide what its priorities are and where it wants to commit its limited human resources. If lessening nomad/settler conflict is not one of these priorities, insisting in not managing the conflict, or in mismanaging it, is likely to affect state legitimacy much worse than contracting out efforts to intervene in these conflicts.

Support from NGOs and International Organisations to Non-State Mediators has the Potential to provide them with additional Resources to Deploy at Longer Ranges which has the added Benefit of potentially being seen as Impartial to the Conflict

These considerations beg the question of what could the Afghan state formally contract out, and how. As pointed out already, conflict resolution has already, quietly and informally, been contracted out. Non-state conflict resolution efforts suffer from insufficient support, which however could conceivably be provided by NGOs or international organisations. The availability of such support would enable non-state mediators to deploy at longer ranges, resolving one frequent problem that has emerged in non-state mediation in nomad/settler conflict: the mediators are local and are not seen as impartial by all parties.

Strong Government Backing is a prerequisite for NGOs or International Organisations to be involved with Supporting Non-State Mediators Tasked with Mediating Conflicts

Could settlement programmes also be managed more effectively by contracting them out to non-state actors? Since it has already happened frequently that these programmes have been hijacked by powerbrokers, seeing them taken over by NGOs or international organisations would appear again as the lesser evil. In this case, such a takeover is likely to cause significant resistance by interested parties (such as the powerbrokers, but also corrupt government officials). Strong government backing would be needed for NGOs or international organisations to get involved.

The Government can Engage Civil Society, Researchers from Public or Private Institutions, among others to Conduct Research into New and Improved Development Initiatives for Nomads

Another field where non-state involvement could help, without being too controversial, is in supporting research and the development of improved schemes to support nomad settlement, or other ways to integrate nomads

in the national economy of Afghanistan in less conflictual ways. The Kuchi directorate and other government departments would likely benefit from such support, especially if they were able to engage in a discussion with research organisations about needs and aims.

The Most Effective Way for the Afghan State to Address the Nomad/Settler Conflict is to take up the Role of Manager and to Direct Resources where they are needed, but the State should be Cognisant of Spoilers that Seek to Profit from the Process

The best chance of the Afghan state to play a more constructive role in containing nomad/settler conflict is to take up the role of manager of mostly non-state efforts. Ideally the Afghan authorities would like and should control the streams of funding dedicated to addressing nomad/settler conflict, but there is a risk of power brokers and corrupt officials interfering in the process.

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The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul that was established in 2002 by the assistance of the international community in Afghanistan. AREU's mission is to inform and influence policy and practice by conducting high-quality, policy relevant, evidence-based research and actively disseminating the results and promote a culture of research and learning. As the top think-tank in Afghanistan and number three in Central Asia according to the Global Go To Think Tank Index Report at the University of Pennsylvania, AREU achieves its mission by engaging with policy makers, civil society, researchers and academics to promote their use of AREU's research-based publications and its library, strengthening their research capacity and creating opportunities for analysis, reflection and debate. AREU is governed by a Board of Directors comprised of representatives of donor organizations, embassies, the United Nations and other multilateral agencies, Afghan civil society and independent experts.

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