



MUCH ADO ABOUT NOTHING – SUB-BASIN WORKING GROUPS IN KUNDUZ RIVER BASIN, AFGHANISTAN

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This chapter critically evaluates ongoing processes within preliminary sub-basin working groups in the Kunduz river basin. These working groups were set up in the context of Afghan water management reforms. The reforms aim to promote integrated water resource management and user participation in decision making. It is shown that the working groups are very far from their official aim of introducing a decision-making role for participants in the Kunduz sub-basins. To date, three years after formation of the working groups, meetings are more influenced by outside agendas. Even the invited stakeholders do not represent all the stakeholders of the basin but rather the stakeholders within local-level project sites.

1 Introduction

In Afghanistan, the water sector is in process of reform. In May 2004, the Supreme Council for Water Affairs and Management developed the Strategic Policy Framework for the Water Sector, providing principle directions for the water sector in Afghanistan (Government Islamic Republic of Afghanistan, 2008a). These policies are based on the principles of integrated water resources management (IWRM), the application of the

river basin approach, the splitting of functions from central management to a decentralized management and operation of water resources, and the participation of stakeholders in planning, decision making and management at basin and sub-basin level.

To start the implementation of this new policy, the European Commission as donor and the Government of Afghanistan as implementer initiated the Kunduz River Basin Program (KRBP). KRBP is a pilot project for the Kunduz river basin in Northern Afghanistan. One of the components of the program is integrated river basin management with stakeholder participation at basin level, but also at sub-basin level. In July 2005, KRBP started to form sub-basin working groups with pre-identified and selected stakeholders from the sub-basins. The

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official aim of the sub-basin working groups is to start coordinating and to take a decision-making role in the sub-basins of the Kunduz river. Later on, these groups are supposed to be divided into two organizations: sub-basin councils and sub-basin agencies. The sub-basin councils are supposed to represent the users and to make decisions on water management, and the sub-basin agencies are supposed to represent the ministries which have a stake in some aspects of water management to supply the necessary information and to execute the decisions of the councils. Therefore, at the moment, the sub-basin working groups integrate different stakeholder groups, government agencies, users and different sectors (energy and agriculture). Hence, it is possible to compare them with multi-stakeholder platforms (MSPs).

This research aims to investigate the structure, function, and results of the sub-basin working groups in order to determine their role in the local water management system and therefore their relevance to the current water management issues in Kunduz basin. The research was conducted in the Kunduz river basin from 1 March to 22 May 2008. During this time period, it was possible to participate in two sub-basin working group meetings, one in Taloqan and one in Baghlan sub-basin; three others were cancelled during the period. Four other meetings, held among the members of sub-basin working groups, were also attended. Structured and semi-structured interviews were conducted with KRBP staff members at different organizational levels, key staff members of different governmental departments, non-governmental organizations as well as different representatives of canal communities. In addition, different KRBP reports and sub-basin working group minutes of meetings were studied.

2 Conceptual framework

Many governments have adopted, or are attempting to adopt, IWRM to govern their water sector. IWRM is defined by the Global Water Partnership (2000: 24) as “a process which promotes the coordinated development of water, land and related resources in order to maximize the resultant economic

and social welfare in an equitable manner without compromising the sustainability of vital ecosystems”. The IWRM approach promotes giving some or all decision-making power to stakeholders. New forms of institutions (councils, committees, boards) are established at river-basin level to gather different stakeholders around one table to implement IWRM. It is believed that these institutions, often referred to as multi-stakeholder platforms, “reflect the same variety of interconnected social uses and users that IWRM tries to deal with” (Grigg, 1996, quoted in Warner, 2007: 3). Steins and Edwards (1998: 1) define an MSP as a “decision-making body (voluntary or statutory) comprising different stakeholders who perceive the same resource management problem, realize their interdependence for solving it, and come together to agree on action strategies for solving the problem”. Alaerts (2003: 37) describes the ideal situation in which “stakeholders are represented and empowered to play a major role in the planning and coordination of basin activities”.

Stakeholder identification and analysis addresses the question of who, how and to what degree individuals or groups may affect or be affected by the problem and its possible solutions. “Stakeholders are individuals, groups or institutions that are concerned with, or have an interest in the water resources and their management” (World Bank 2003, quoted in Warner 2007: 11). Mitchell highlights the problem by pointing out the importance of including “different priorities” due to “different spatial interests” in addition to “different sectoral interest” (2007: 60). Moreyra and Wegerich (2005: 9) highlight the fact that representatives may not represent the whole but only parts of the community, and that the top-down selection of representatives may exclude other voices within the community. If MSPs are not merely a place to talk about water problems and issues, but rather, as Oré (2007) defines them, a venue to negotiate water resource management problems, it is important to give different stakeholders a real voice/stake. Therefore, Warner (2007: 8) suggests that with giving “allocated seats to different groups [...] the idea is to give voice to weaker or smaller interests that would otherwise be

outvoted.” Barham (2001) questions whether these stakeholder platforms are broadly democratic, since there are no social and political institutions in place that could assure this.

Still the assumption is that the topics discussed in an MSP are relevant to all the stakeholders. Moreyra and Wegerich (2005) show that both easy and contested issues may arise as topics in the MSP. They (2005: 10) show for their study that when easy issues are addressed rather than the real, contested issues, participants lose interest.

Last but not least, to identify the relevant stakeholders, one has to know the boundaries of the affecting or affected groups. Wester and Warner (2002) argue that the determination of boundaries is influenced through political processes. Not only political processes, but also practical considerations, determine the boundaries.

3 Background: Afghanistan, Kunduz and Afghanistan water law

With the invasion of 2002 and the subsequent attention of the international community, concepts of IWRM and user participation at basin level came onto Afghanistan’s water management agenda. The

new policy framework of Afghanistan’s Ministry of Energy and Water calls for the basin approach and suggests the natural boundaries of rivers for the planning, development and management of the water resources. In the water sector strategy, five river basins have been identified in Afghanistan (Government Islamic Republic of Afghanistan, 2007) as shown in Figure 1. All of these river basins are transboundary basins and only their upstream parts are located within the territory of Afghanistan.

As a result of donor activity in relation to water resources, a new water law was first drafted in 2005 by the Ministry of Energy and Water and gained approval of the cabinet in April 2008, but still has to be passed by the parliament of Afghanistan. The German Gesellschaft fuer Technische Zusammenarbeit (GTZ) water sector reform project provided consultants’ services to the Ministry of Energy and Water to assist in writing the new water law. In addition the Kunduz River Basin Program (KRBP) has been launched as a pilot water management project. The Landell Mills development consultancy company contracted by the EC is implementing KRBP. Some of the components of KRBP are river basin water management, irrigation asset development

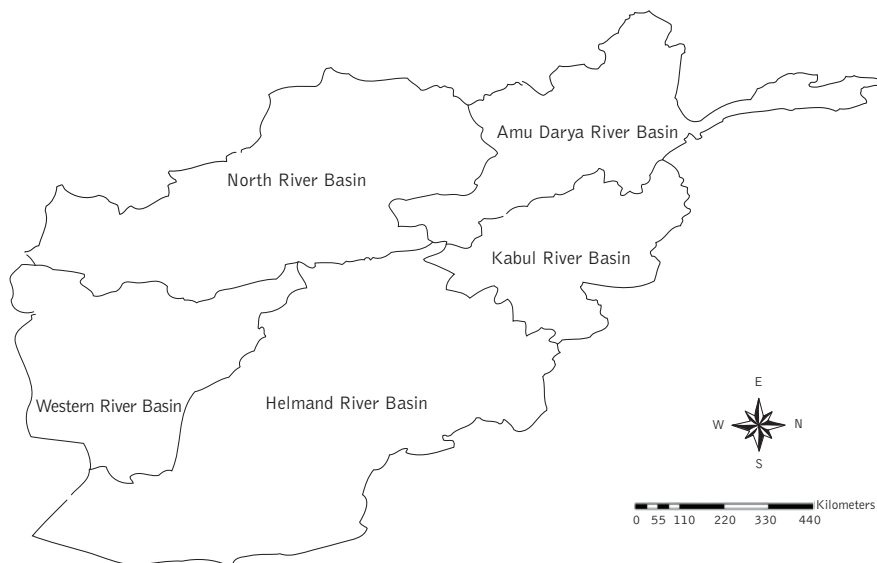


Figure 1: Afghanistan divided into five river basins. Source: Favre and Kamal (2004)

and community based water management (KRBP, 2005a). KRBP was able to contribute to the drafting of the water law by bringing in field-level experience (GTZ team leader, 21/04/2008), mainly the experience of the Aga Khan Foundation (AKF) participatory management of irrigation systems (PMIS) (PMIS coordinator, 16/04/2008).

The Kunduz river, a southern tributary to the Amu Darya river, is located in the north of Afghanistan. The Amu Darya is a border river between Afghanistan and its northern neighbours. To the present day, the amount of water that Afghanistan contributes to the Amu Darya basin is contested (Wegerich 2008), although in 1977 an Afghan delegation claimed the right to 9 km³ of the Amu Darya in Tashkent. At that time, the Soviet Union suggested 6 km³ (personal communication Dukhovny 02/09/2008). One decade later in 1987, the Soviet Central Asian republics (Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) divided the water among them, assuming that Afghanistan would utilize only 2.1 km³, which was lower than what was already being used in 1965, namely 3.85 km³ (Qaseem Naimi, 2005). To date, the cooperation between the former Soviet Republics and Afghanistan on water resources is limited (Horsman, 2008).

The Kunduz river has two main tributaries, the Baghlan and the Taloqan. These two rivers join the Kunduz river downstream of Kunduz city. After the confluence of the two rivers, the river is called Kunduz river. Including the two tributaries, the Kunduz river basin has an area of 35,000 km² (KRBP, 2005b). Within the Kunduz basin there are different administrative boundaries (provinces and districts); within the basin fall parts of Baghlan, Takhar, Bamyan, Samangan and Kunduz provinces. In addition, the Kunduz basin is divided into three sub-basins, the Taloqan, Baghlan and Doushi-Bamyan sub-basins (see Figure 2). In the Kunduz basin there are 213 canals. Rout (2008) distinguishes between formal and informal canal management systems. Informal systems account for 90 percent of the country's irrigated area. He (2008: 13) describes the infrastructure of these systems: "Canals are generally built with unlined

earth wherever site and soil conditions are suitable and, when necessary, stone slab or stone masonry. Simple earth structures and bunds are constructed for water diversion from rivers and streams". These earthen structures are very vulnerable to flood damage.

In order to implement a high degree of stakeholder participation, the new water law gives the mandate for water management to river basin councils. According to the draft water law (Government Islamic Republic of Afghanistan, 2008a) the planned councils will consist of "water users representatives, involved central and provincial departments and other involved groups in the basin" (Article 13, Paragraph 1). The Ministry of Energy and Water is supposed to establish the river basin councils. The ministry "may, after conduction capacity building with necessary technical training, gradually delegate some of its powers to river basin councils [...], when appropriate" (Article 13, Paragraph 2). Therefore, even after the ratification of the water law, it is undetermined when the councils will gain their mandate. As long as the river basin councils do not have a mandate, different governmental departments, including the Ministry of Energy and Water, will retain their power (Article 12). In the law, a similar approach is taken for sub-basin councils.

The planned water management reform can be summarized as shown in Figure 3.

The establishment of the planned basin organizations in Kunduz is part of KRBP's river basin water management component. As the water law is not passed yet, KRBP started establishing sub-basin working groups as "precursors of organizations that will be formed once the water law is enacted" (KRBP team leader, 10/02/2008).

The Draft Water Sector Strategy and the Draft Water Law emphasize a high degree of stakeholder participation in water governance in rural areas. However, although the Afghan Draft Water Sector Strategy (Government Islamic Republic of Afghanistan, 2007: 11) emphasizes the importance of law, it also highlights the difficulties of

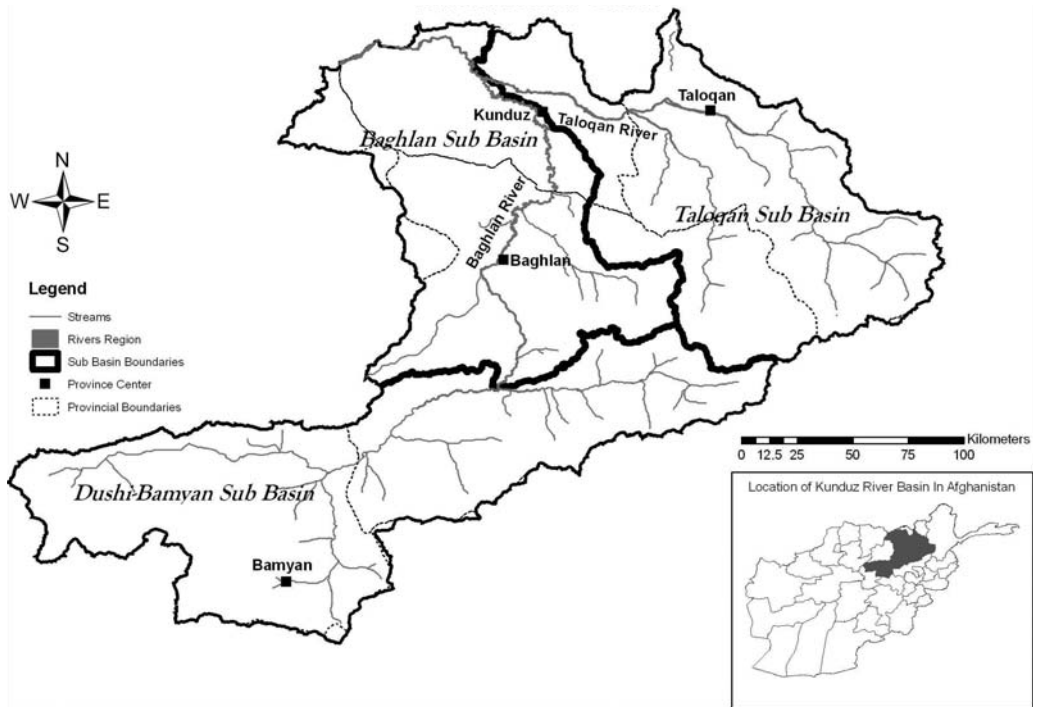


Figure 2: Kunduz River basin and its three sub-basins. Source: KRBP map archive

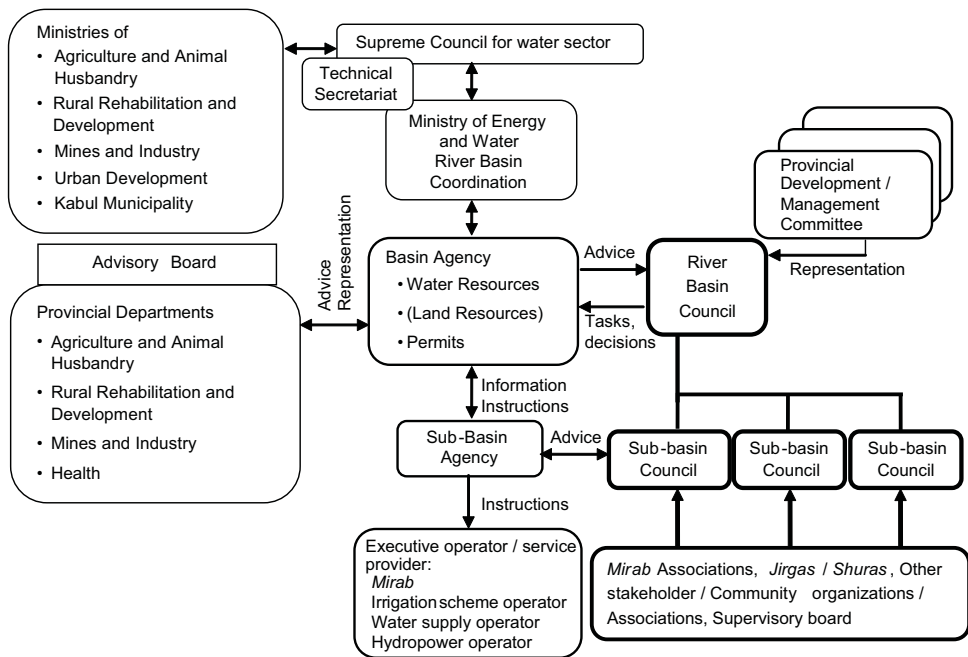


Figure 3: River basin institutional arrangements. (Source: KRBP, updated from Draft WSS October 2007: 20, but this figure is missing in the Draft WSS February 2008)

implementing the law: “Unlike the social-political situation that existed in the past, strict enforcement of any enacted water law may present an immediate problem in the rural areas of the country. Not until an effective governance system is re-established in outlying provinces can any law become effective. These enforcement constraints are expected to influence and diminish the development of desired achievements: Their resolutions are extremely time dependent as the Ministry of the Interior re-establishes a national policing capacity”. In a later draft of the Water Sector Strategy (Government Islamic Republic of Afghanistan, 2008b) a clear distinction is made between urban and rural water management. Whereas for the urban areas the emphasis is on rule enforcement, for the rural areas reference is made only to governance. Thomas and Wegerich (forthcoming a) reveal that, for one canal in the Kunduz basin, even the locally accepted canal-level governing body is in need of higher level support for rule enforcement. Hence, focusing on governance alone is inadequate in the Afghan context. The context is determined by various ethnic minorities, different power brokers and the disintegrated management of water resources at canal level from the time of the Russian invasion (1979) up to Taliban rule.

4 Case study: the Kunduz river sub-basin working groups

On 19-20 April 2005 in Kunduz, a workshop was held on river basin management. At that time, the river basin organizational set-up was discussed. The meeting was attended by different governmental organizations and a few *mirabs* (the canal service providers in Afghanistan’s traditional irrigation systems). It was reasoned that one organization at basin level would be too large to be effective; therefore it was decided that the basin should be split into sub-basins and that in each sub-basin a working group would be established. However, the Kunduz river basin consists of seven rivers and about 50 smaller watercourses. It would have been uneconomical to have a sub-basin authority for each sub-basin. It was decided to establish only three sub-basins: Dushi-Bamyān, Baghlan and Taloqan (KRBP, 2005a). The boundaries of the new sub-basins do not coincide with those of the administrative units.

4.1 Setting the boundaries of the sub-basin working groups

The area within the Taloqan catchment forms the Taloqan sub-basin (12,919km²). The Baghlan river catchment covers a vast area of 28,441km². It was decided to split the Baghlan sub-basin into two sub-basins; the downstream sub-basin was named Baghlan and the upstream sub-basin, Dushi-Bamyān. During an interview (04/03/2008) with the GTZ team leader, different reasons were mentioned for splitting up the Baghlan sub-basin. Some of these reasons are logistical and some relate to water management activities. According to him, the Dushi-Bamyān sub-basin has clear characteristics of an upper catchment with steep slopes and agricultural lands concentrated in narrow valleys. The downstream Baghlan sub-basin has flatter lands. It is believed that different land characteristics will need different water management activities. The implication is that it is not water boundaries that are considered, but the different engineering activities required to tame the water. Logistical considerations mentioned include the cost of transport to attend meetings, the number of council seats and the anticipated income through fee collection. The explanations given suggest that setting boundaries is not as straightforward as the literature on IWRM suggests.

Ironically, as it is defined in the EC contract, KRBP is only active in three provinces: Kunduz, Baghlan and Taloqan. Part of the Dushi-Bamyān sub-basin is located in Bamyān Province and therefore it is outside the scope of the EC contract (KRBP team leader, 31/03/2008). The implication is that even the EC did not consider hydrological boundaries for IWRM in the Kunduz river basin but, rather, focused on administrative boundaries.

4.2 Who participates and why

Line provincial governmental bodies are represented in the sub-basin working groups. *Mirabs* are also invited as representatives of agricultural water users. KRBP suggested the relevant governmental participants of these groups on the basis of discussions with line departments at the April workshop (KRBP team leader, 20/05/08).

Table 1: Sub-basins of the Kunduz river basin

SUB-BASIN	PROVINCES SHARING THE SUB-BASIN	TOTAL AREA (km ²)	IRRIGATED AREA UNDER KRBP		NUMBER OF CANALS UNDER KRBP
			(ha)	(ha)	
Taloqan	Takhar, Kunduz, Baghlan	12,919	99,649	23,664	14
Baghlan	Baghlan, Kunduz, Samangan	11,971	109,483	46,468	19
Dushi-Bamyan	Baghlan, Bamyan	16,470	23,316	0	0
Total in Kunduz basin	Five provinces	41,360	232,448	70,132	33*

* Out of 213 canals

It was also decided to give the role of chairman to the directors of water management departments.

The members of sub-basin working groups are suggested in the terms of reference for the sub-basin working groups (KRBP, 2005a). The fact that out of nine members, only one user representative is anticipated in this membership list highlights the strong emphasis on governmental departments and an under-representation of the users, whether industrial, urban or agricultural. Furthermore, the list suggests that there are clear representatives identified to represent the users and that these representatives represent all the different sectors. However, this trend was partly revised later. In the second meeting it was decided to invite *mirabs* as farmers' representatives, but their invitation arrangements were only prepared from the eighth meeting onwards. Initially, KRBP asked the individual provincial water management departments to invite *mirabs* from their respective provinces. The reason for this is that the water management departments register *mirabs* after their annual elections. Hence, they know all *mirabs* in their respective provinces. However, the water management departments were not able to invite the *mirabs*, so KRBP took the initiative and invited the *mirabs* from its project area (KRBP team leader, 31/03/2008).

The reason for approaching the *mirabs* relates to the program itself. When the sub-basin working

group meetings started, water users' associations or committees were not yet formed and the program did not have access to the water users (PMIS coordinator, 24/04/08). According to the KRBP team leader, *mirabs* are believed to be good representatives of their canals. They are perceived as being skilful and knowledgeable water service providers in their canals (31/03/2008). However, recent research shows that *mirabs* may not represent the whole canal unit; they are selected by the most powerful land users, and therefore do not represent the spectrum of water users within the canal (Thomas & Wegerich, forthcoming b). Furthermore, Thomas and Wegerich (forthcoming c) show that *mirabs* do not provide an organized service; rather, water allocation to different farmers within one canal is ad hoc.

At the time of the research, *mirabs* participated in the meetings as water users' representatives. In the whole Kunduz basin, there are 213 canals, but only 33 canals (30 percent of irrigated land) are covered by KRBP and therefore within the scope of NGO activities in relation to social water management (German Agro Action and AKF PMIS). Many *mirabs* are invited through the NGOs (KRBP counterpart from the Ministry of Energy and Water, 26/04/2008). *Mirabs* of canals that are not covered by NGOs are not invited. However, they can attend if they find out about the meetings.

Figure 4 shows the participants and their role in the groups.

In the fifteenth working group meeting, the composition of the future sub-basin councils was discussed. The decision was made based on the previous meetings in which the different categories (sectors) of water use in the sub-basins were classified. Moreover, the water use of different sectors, determined by KRBP, was also taken into account. Table 2 shows the result of this meeting.

There are some ambiguities in Table 2 when it comes to the allocation of seats. For example, it is not evident why 93 percent of water use is represented by 17 seats, forestry which uses nearly 7 percent receives one seat, and all other sectors using less than 1 percent receive seven seats. In addition, the distinction made within the agricultural sector is unclear. The different areas identified are either districts, parts of districts or even only canals; hence there is no clear distinction about their water utilization. The most striking example is the Asqalan canal which has two seats. This canal has an irrigated area of only 3,000 ha. However, for example the Baharak and Khoje-ghar districts have in total an irrigated area of 13,000 ha and have also two seats.

Moreover it is not known why fishing and herding water use is only considered for one district since they are practiced in most parts of the basin. In addition, even the environmental water uses are just considered for one district. Given the security situation in Afghanistan, it is questionable why a seat is allocated to the tourism sector.

Overall, it seems that it is unclear who should represent these different identified stakeholders, given that some classifications, such as Mining, Transport and Trading, or Environment and Tourism, represent different interest groups that might even have conflicting interests and concerns. In addition, currently, a *mirab* represents only one canal, hence it is questionable how these different canals would select one representative for a whole area, including different canals.

Given that at this meeting not all the different users were represented and that, in the future sub-basin councils, governmental organizations will not be present, the decisions about seat allocation seem arbitrary. At a different presentation, the randomness of the seats became more obvious. The director of the Takhar water management department realized that the Khost and Fering districts were not represented in the table. So he decided to take one seat away from Asqalan canal and give it to these two districts.

4.3 Meetings and attendance at the sub-basin working groups meetings

Since July 2005, KRBP has been organizing the sub-basin working group meetings, sometimes with the assistance of the GTZ water sector reform project. From the eighth meeting onwards, a membership list was prepared. Originally, the introduction of a membership list was intended to make the meetings more official and to let the organizations know which member of staff should be sent to the meetings. Usually the highest official in each government department is a member of a working group. The KRBP counterpart from the Ministry of Energy and Water explained (09/03/2008) that the key persons or directors can play a more effective role in the meetings than other staff members of the government departments. However, the selected members often assign other staff members to participate in the meetings.

The minutes show that the persons representing the government departments change frequently. The reason for this is that invitation letters for the group meetings are sent out to the government members very late. By the time the government members are informed, they often have other meetings to attend. Besides, within the government departments staff members are often moved from one position to another.

In addition to these frequent changes, it was explained in the Takhar Rural Development Department that the participants either do not report back at all, or report only orally to their director. Consequently, there are no internal

Table 2: Composition of future Taloqan sub-basin council. Source: SBWG Taloqan minutes of fifteenth meeting

WATER USER	NAME OF IDENTIFIED PLACE	SEAT REPRESENTS A ...	WATER USE (%)	NO. OF SEATS
Fishing and Herding	Farkhar district	sector	0.3	1
Environment and Tourism	Worsaj district	sector		1
Drinking Water and Health Centres	-	sector		1
Mining, Transport and Trading	-	sector		1
Municipality and Education Centres	-	sector		1
Forestry	-	sector	6.95	1
Electricity	-	sector	non-consumptive	1
Women	-	gender	-	1
Large-scale agriculture	Taloqan river's left bank	area	92.75	1
	Taloqan river's right bank	area		1
	Kunduz	area		1
	Eshkamesh, Chal, Namakab	districts		1
Small-scale agriculture	Bangi, Siab Bangi	district, village		1
	Khatayan, Ahandare	parts of districts		1
	Saraysang	part of district		1
	Qara Parchaw, Abdal, Takhte Kabarak	villages		1
	Baharak	district		1
	Khoje-ghar	district		1
	Taloqan river's left bank	area		2
	Khanabad	district		2
	Asqalan	canal		2
Aq tapa	canal	1		
Total		-	100	25

did not even know the name of the sub-basins, and only mentioned the cities in which meetings were held, or confused the meetings with other KRBP meetings. Similarly, the *mirabs* did not know which meetings were being referred to if only the name of a certain sub-basin working group was given. Even with more explanation, they confused them with other meetings, such as meetings in the water management departments.

4.4 Sub-basin working group's agenda and its relevance for the members

According to the terms of reference for the Kunduz river basin working group, the focus of the groups should be on finalization of a river basin profile, developing a strategic plan, developing an annual plan, carrying out river system modelling, and suggesting proposals for the development of river basin management organizations.

However, according to the GTZ team leader (04/03/2008): “the meetings are supposed to transfer the idea of reform to lower levels and to create ownership”. This statement can be put into question as the KRBP team leader always sets the meeting's agenda. Therefore the agendas for the three sub-basins are identical. The headings of the different meeting agenda points suggest that the meetings are participatory in nature. However, when minutes of the meetings are analysed, it becomes evident that the meetings are dominated by KRBP staff presentations, with only a few group discussions.

Even though one could interpret the group discussions as a kind of future planning for the sub-basin councils, the GTZ team leader referred to group works as “exercises” which should be repeated once the water law is enacted and the councils are formed (04/03/2008). The EC delegation task manager stated: “the groups are not legally formal so if they make a decision they cannot implement it, which will frustrate the members” (17/03/2008). Hence, the working groups are perceived as a training venue by the international parities involved rather than a decision-making body, although it is claimed otherwise.

However, already within the province it seems that the decisions of the working groups are not considered. An example is the drought situation of spring 2008. Even though before the drought occurred, one working group session in Taloqan (01/04/2008) had water sharing in drought situations on the agenda, and it was decided where to prioritize and how to share water, when the drought actually came the director of the Takhar water management department decided ad hoc on a rotational plan for the different canals, ignoring what had been debated in the working groups and the information provided by KRBP. However, his decision was accepted and signed by canal *mirabs*. Thomas and Wegerich (forthcoming a) show that the water management department as well as the governor of Takhar had some problems enforcing the rule. Nevertheless, the example highlights the fact that basin problems are in practice still dealt with in the traditional way and by the main power player, the water management department. The example puts into question whether there is an actual need for the new organisations (councils) to be set up.

Even though KRBP does not ask the participants to bring their own points to the agenda, the *mirabs* introduce their own issues. For example, in the eighteenth Baghlan meeting, the *mirab* of Jangaroq complained about the quality of construction works in his canal supervised by KRBP and asked KRBP engineers to come and stop the contractor. But *mirabs* from outside the KRBP project sites also bring their agendas to the meetings. An example is the *mirab* of Gorgorak canal who is not a member of any sub-basin working group. Although he is never invited, he always attends the meetings to bring attention to his canal (KRBP counterpart from the Ministry of Energy and Water, 26/04/2008). In the eighteenth Baghlan meeting he took any opportunity to shout “but what about the 14,000 *jeribs* (2,800 ha) under Gorgorak canal which are left without water?” (sub-basin working group Baghlan minutes of the eighteenth meeting). These examples show that the *mirabs* who are within the KRBP project see the sub-basin working group meetings as a place to raise the problems experienced in their canals. They ask for help from

KRBP and complain about contractors' slow work. *Mirabs* who are not members use these meetings to get their canals rehabilitated. This shows that, for the *mirabs*, the meetings are not about basin issues, but about problems at the canal level.

The working groups are supposed to integrate different sectors. The underlying assumption is that there are conflicts of interests. Therefore, the different participants were asked about the conflict-raising issues for individual parties and among parties. No government participant was able to mention any water-related conflict or issue. Only one *mirab* from the Taloqan sub-basin mentioned a problem between different sectors, a salt mine which makes the water in one of his canals (the Shurab) salty and unsuitable for agriculture (*mirab* Nazar Mohammad, 11/05/2008). On the other hand, NGO staff members seem to have a clear understanding of the topics of concern. KRBP engineers (12/04/2008) mentioned water sharing between different canals within one river. The PMIS coordinator (24/04/2008) mentioned conflicts between farmers and mill owners (see also Thomas & Wegerich, forthcoming a). In addition, the PMIS coordinator mentioned the consequences of new construction work, such as the joining of two canals with one headwork in Baghlan province. However, with the exception of the topic mentioned by the PMIS coordinator, the other topics were not raised in the meetings.

The members have different opinions about the purpose of sub-basin working groups. Of the 56 members interviewed, 25 thought that the meetings were about KRBP rehabilitation and construction works (stated by all *mirabs*). Twenty considered that the sub-basin working groups had a managing role, and four thought that its role was mainly to inform participants about KRBP activities. Six interviewees could not identify a definite purpose for the meetings, the reason being that the meetings have not yet produced any tangible results that they can relate to a certain purpose.

Overall, it appeared that the official agenda of the meetings did not address issues that were relevant for the representatives of the canal communities.

Some *mirabs* directly stated their dissatisfaction. For example, Qayoum (04/05/2008), the former *mirab* of Ajmir canal, summarized the meetings as follows: "they would talk, we would eat the lunch and then we would leave". *Mirab* Abdullhadi of the Chaman canal complained (16/04/2008) that the meetings did not have practical results. Likewise, Shah Mohammad, a member of Saeed canal WUA, stated (16/04/2008): "talking should be followed by acting". Similarly, nine of 28 government participants also mentioned the lack of practical results from the meetings and questioned the necessity of holding them. Even two high staff members of water management departments (Baghlan director and Bamyán deputy director) stated that the sub-basin working groups' work is "just on paper" and they want to see practical outcomes.

5 Conclusion

The brief description of the water law and the water policy shows that the future of the multi-stakeholder groups and their role in decision making is undetermined. It is up to the Ministry of Energy and Water to decide when the time is right to accept the role of the councils as decision-making organs. In this respect, it may not even be in the ministry's interest to make the current sub-basin working groups more functional, since this would imply that the ministry would lose power in the long run.

Given that the Kunduz basin consists of seven rivers and about 50 smaller watercourses, it seems arbitrary to establish three sub-basins – even more so since the Baghlan river is divided into two sub-basins (upstream and downstream), because of different planned engineering interventions and logistical considerations. This implies that, even though hydrological boundaries are natural, certain pre-defined categories determine whether a tributary is worthy to become a sub-basin or is within a sub-basin of a larger river. In addition, as was the case here, logistical considerations were taken into account in setting the sub-basin boundaries. Overall, given that the Kunduz river is itself a tributary of the Amu Darya, the question

arises as to whether downstream users and uses will be considered.

The presented data have shown that the identified stakeholders do not represent all the different users within the basin; in terms of invited *mirabs* they only represent the canals on which there are KRBP projects and affiliated programs (30 percent of the irrigated area in the Kunduz basin). However, it is questionable whether these *mirabs* are really representative of all the different users along their respective canals. Furthermore, the fact that only *mirabs* from KRBP project areas are invited highlights the inability of KRBP and water management departments to mobilize all users. It also puts generally into question the legitimacy of the sub-basin working groups as decision makers for the basin. In any case, if any decisions were made, it is doubtful whether they would be capable of being implemented.

Currently, KRBP determines when meetings are held, and even the agenda for these meetings, and mainly presents topics in a top-down manner. The implication is that the topics relevant to the participants are not addressed. Consequently, the participants, and specifically the canal representatives, are not interested in the set topics. However, as shown, they manage to bring up their own individual topics in the meetings (construction works). Because the topics of discussion are determined from the top down, the canal representatives may in fact continue in their own ways and address their concerns (other than construction works) directly with the relevant stakeholders, and therefore further undermine the relevance of the sub-basin working groups. The future outlook for the to-be-established sub-basin councils may therefore be negative, in that the current participants will have lost any interest in

participating in these councils, because they have learned that these meetings are not relevant for them, just time consuming.

Overall, it appears that the idea of basin management is being forced onto water organisations and water users in the Kunduz basin. The idea of water management reform is the result of donor-driven activities in Afghanistan inspired by modern discourses on basin closure and the call for IWRM. However, the Kunduz river is only a tributary of the Amu Darya. Within the sub-basin working groups, the interests of the downstream riparian states are not reflected, hence the Kunduz basin is not closed. Canal communities in the Kunduz basin experience scarcity only during drought periods. Therefore, there is very little incentive for them to attend the meetings other than to ask for, or complain about, rehabilitation work to KRBP. Furthermore, giving decision-making power to stakeholders to allocate water (scarce or not scarce) assumes knowledge about the overall amount and how much water is used. The absence of metering stations in the Kunduz basin or in the current intake infrastructure puts this assumption into question. Finally, it is continuously argued that the water law has to be accepted to give real power to the sub-basin working groups and to establish the councils, but, even if the parliament ratifies the current Draft Water Law, the instability of the security situation in the Kunduz basin casts doubt on whether it will have any influence on the ground.

Acknowledgement

The authors would like to thank Jelle Beekma (KRBP) for providing the opportunity to conduct this research and an unknown reviewer for his/her critical comments and constructive suggestions.

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