

Petersberg Papers on  
Afghanistan and the Region

Wolfgang Danspeckgruber  
Editor



# Petersberg Papers on Afghanistan and the Region

Wolfgang Danspeckgruber  
Editor

Liechtenstein Colloquium Report  
Volume IV

© 2009 The Trustees of Princeton University  
Produced and published by the Liechtenstein Institute on Self-Determination

This report was made possible in part by a grant from the Carnegie Corporation of New York. The statements made and the views expressed herein are solely the responsibility of the contributing authors.

Liechtenstein Institute on Self-Determination  
Woodrow Wilson School of Public and International Affairs  
Princeton University  
Princeton, New Jersey 08544  
USA

Telephone: 609.258.6200  
Facsimile: 609.258.5196  
Electronic Mail: [lisd@princeton.edu](mailto:lisd@princeton.edu)  
Website: [www.princeton.edu/lisd](http://www.princeton.edu/lisd)

## CONTENTS

List of Abbreviations.....	4
Foreword	
Wolfgang Danspeckgruber.....	6
Special Statements	
Opening Address	
Rangin Dadfar Spanta .....	7
An Exit Strategy for Afghanistan	
Volker Stanzel .....	10
Special Statement	
Rita Kieber-Beck .....	14
Background and Summary	
Wolfgang Danspeckgruber.....	15
Abstracts .....	35
PART I - GOVERNANCE, RULE OF LAW, AND HUMAN RIGHTS	
Governance Issues in Afghanistan: Some Questions	
William Maley .....	44
The Rule of Law in Afghanistan: An Overview	
Ali Wardak.....	47
Historical Lessons on Rebuilding Afghanistan’s Judicial System	
Amin Tarzi .....	53
Implementing International Human Rights Law in Post-Conflict Settings: Backlash Without Buy-In – The Afghanistan Experience	
Leanne Smith.....	62
Afghanistan: Elite Fragmentation	
Amin Saikal .....	66
Promoting Civil Society in Afghanistan: Deconstructing Some Myths	
Susanne Schmeidl.....	68
The Buddhas of Bamiyan: Past, Present, and Future	
Michael Jansen .....	75

PART II - SECURITY, INSECURITY, AND RECONCILIATION

Some Thoughts on Security in Afghanistan  
Joseph Mohr ..... 83

Dimensions of the Afghan Insurgency: Causes and Actors  
Thomas Ruttig ..... 90

Negotiation, Reconciliation and Outreach: What Are the Options  
on the Table?  
Joseph Mohr ..... 103

PART III - ECONOMIC AND HUMAN DEVELOPMENT

Aid Investment in Human Development in Afghanistan and Measuring Progress in  
Building Social and Institutional Capital  
Nipa Banerjee ..... 117

Beyond Armed Stabilization in Afghanistan: Poverty and Unemployment  
Nematullah Bizhan ..... 124

Railroads: Afghanistan's Century Project  
Wolfgang Danspeckgruber, et al. .... 129

PART IV - AFGHANISTAN AND THE REGION

Afghanistan and the Region  
Zahir Tanin ..... 137

Afghanistan and Current Regional Tensions  
Mahmoud Saikal ..... 140

Afghanistan's Neighbors: Understanding Iranian, Chinese, Pakistani, and Indian  
Interests in Afghanistan  
Rani D. Mullen ..... 143

India in Afghanistan: What, Why, What If, and Why Not  
Varun Sahni ..... 152

China in Afghanistan: Same Objective, Different Means  
Carol Wang ..... 157

Central Asia and Afghanistan  
Robert Finn ..... 164

Appendix I: Colloquium Summary .....	175
Appendix II: Colloquium Participants.....	184
Appendix III: LISD Publications on Afghanistan.....	188
Appendix IV: Additional References .....	189

## LIST OF ABBREVIATIONS

ACSF	Afghan Civil Society Forum
ACSONP	Afghan Civil Society Organizations for Peace
ADB	Asian Development Bank
ADR	Alternative Dispute Resolution
AHDR	Afghan Human Development Report
AIHRC	Afghan Independent Human Rights Commission
ANA	Afghan National Army
ANAP	Afghan National Auxiliary Police
ANDS	Afghanistan National Development Strategy
ANP	Afghan National Police
ANSF	Afghan National Security Forces
ARMISH	US Training Mission for the Army in Iran
AWN	Afghan Women's Network
CAREC	Central Asia Regional Economic Cooperation
CDC	Community Development Council
CIDA	Canadian International Development Agency
CIS	Commonwealth of Independent States
CSHRN	Civil Society Human Rights Network
CSO	Civil Society Organization
CSTC-A	Combined Security Transition Command – Afghanistan
DAFA	French Archeological Mission to Afghanistan
DDR	Disarmament, Demobilization, and Reintegration
DGFI	Directorate General of Field Intelligence (Bangladesh)
DIAG	Disbandment of Illegal Armed Groups
DSRSG	Deputy Special Representative of the Secretary-General
ECO	Economic Cooperation Organization
EUPOL	European Union Police Mission in Afghanistan
FATA	Federally Administered Tribal Areas
FCCS	Foundation for Culture and Civil Society
FDD	Focused District Development
G8	Group of Eight Industrialized Nations
GENMISH	US Training Mission for the Police and Gendarmerie in Iran
HIG	Hezb-e Islami of Gulbuddin
HIYK	Hezb-e Islami of Yunus Khalis
HoO	High Office for Oversight
ICOMOS	International Council on Monuments and Sites
IDLG	Independent Directorate of Local Governance
IDPs	Internationally Displaced Persons
IEA	Islamic Emirate of Afghanistan
IED	Improvised Explosive Device
IHRL	International Human Rights Law
IRI	International Republican Institute



ISAF	International Security Assistance Force
ISI	Inter-Service Intelligence Directorate (Pakistan)
JCMB	Joint Coordination and Monitoring Board
JEMB	Joint Electoral Management Body
MDG	Millennium Development Goal
MOU	Memorandum of Understanding
NAPCE	National Assembly and Provincial Council Election
NDS	National Directorate of Security
NF	National Front
NGO	Non-Governmental Organization
NRICP	National Research Institute for Cultural Properties
NRVA	National Risk and Vulnerability Assessment
NSC	National Security Council
NSP	National Solidarity Program
OEF	Operation Enduring Freedom
OMLT	Operational Mentor and Liaison Team
OSCE	Organization for Security and Cooperation in Europe
PAG	Policy Action Group
PDPA	People's Democratic Party of Afghanistan
PRT	Provincial Reconstruction Team
PTS	Program for Strengthening Peace
RECC	Regional Economic Cooperation Conference
SAARC	South Asian Association for Regional Cooperation
SCO	Shanghai Cooperation Organization
SNTV	Single Non-Transferable Vote
SMSG	Special Representative of the Secretary-General
TAPI	Trans-Afghanistan Pipeline
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNHCR	Office of United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council
UNSMIA	United Nations Special Mission to Afghanistan
WTO	World Trade Organization

## FOREWORD

Afghans and Afghanistan have faced many challenges, suffering, and destruction in the past. However time and again, they have risen after and have rebuilt. Since the 2001 Bonn Conference and the subsequent extensive international engagement in Afghanistan – both military and civilian – much has changed and much has been achieved. But today, many are not satisfied.

Afghans can point to significant successes in their country, from health and education, to reconstruction and development of infrastructure. But eight years since Bonn, the situation in Afghanistan is far from where many expected it to be. The London Compact of 2006 began the second phase in the reconstruction of Afghanistan, emphasizing security, governance and rule of law, and social and economic development. But since then, there has been a considerable decrease in security, an increase in Taliban presence and operations, an increase in civilian casualties, an increase in corruption, and no substantial reduction of the drug trade. The August 2009 presidential elections only intensified the discussions about the future of Afghanistan, the role of the international community, and today many are hoping for significant change.

In September 2008, the Liechtenstein Institute on Self-Determination at Princeton University (LISD) invited a unique group of high-level governmental officials, experts, and various other representatives to discuss critical issues for Afghanistan and its region. This “Afghanistan Review Conference” convened in the Grandhotel Petersberg where the original Bonn Conference created a foundation for modern Afghanistan.

Numerous participants have continued to engage with LISD to develop a volume of papers that offer new perspectives on and fresh ideas about Afghanistan’s problems, dilemmas, and possible solutions. The contributions to this volume have been continuously updated since the 2008 conference and range from the key note addresses of senior foreign policy makers to papers by Afghanistan experts from the country, the region, and the wider international community.

I would like to thank the LISD Afghanistan team, many of whose members have become deeply involved in Afghanistan during the past eight years, for their invaluable assistance in making the colloquium happen, especially Carol Wang and Leanne Smith. My gratitude goes also to Chris Beusch, longtime friend and administrator of the Liechtenstein Colloquium (LCM), as well as to the Kunst- und Ausstellungshalle der Bundesrepublik Deutschland, particularly Dr. Susanne Wichert. I would also like to express my deep appreciation to the Government of the Principality of Liechtenstein, the Carnegie Corporation of New York, and the Foundation for Self-Determination and International Relations in Liechtenstein (SIBIL) for their gracious support. For the completion of this volume I would finally like to thank my special assistants, Carol Wang and Ana Cordovil.



Wolfgang Danspeckgruber  
Director, Liechtenstein Institute on Self-Determination  
Princeton, December 2009

## SPECIAL STATEMENTS

### OPENING ADDRESS

Rangin Dadfar Spanta

Minister of Foreign Affairs, Islamic Republic of Afghanistan

Good morning Ladies and Gentlemen, Your Excellency Madame Kieber-Beck.

It is a great pleasure for me to have the opportunity to address this important gathering. From the outset, allow me to thank my friend Wolfgang Danspeckgruber for organizing the meeting and, more importantly, for his continued interest and concern for Afghanistan.

I will begin my remarks by sharing with you my analysis of the current situation in Afghanistan and will conclude with some observations on the way forward. Our arduous journey toward joining the family of nations as a prosperous, progressive and democratic nation, which began in late 2001, has reached a critical juncture. The prevailing state and sense of insecurity and uncertainty have prompted many to question what went wrong and, more importantly, what needs to be done.

In my view, in order to answer the latter set of questions, it is imperative that we examine more closely the former. The current difficulties that Afghanistan faces are a combination of three sets of interrelated problems: the legacies of three decades of conflict; the emergence of new threats; and the resurgence of some of the old threats and problems. Afghanistan is continuing to suffer from all three sets of problems.

Painfully, both the Afghan government and our international partners have failed to develop an adequate, appropriate and consistent strategy to deal with the multitude of Afghanistan's challenges.

The most lethal shortcoming was the failure to invest sufficiently to nurture a unified strategic vision for Afghanistan. Afghanistan was inflicted by myopic, compartmentalized, uncoordinated, and contradictory views and policies.

This failure was compounded by an under-appreciation of the challenges, excessive optimism, misplaced trust in Pakistan's military-intelligence establishment, insufficient resources, short-termism, excessive militarization at the expense of reconstruction and development, bureaucratic incompetence, ethnicization of politics, and, more critically, the empowering of centrifugal and anti-democratic forces, and the ensuing consolidation of a culture of impunity.

Ladies and Gentlemen, what I just portrayed is, however, only one aspect of today's Afghanistan. Our arduous journey has also been a transformational one. Together, we have laid the foundations of a democratic state, an open society, a market economy, and a respectable place in the family of nations.

More importantly, the Afghan people, as the most important agent of peace and change, have said "no" to extremism, violence, isolation, and criminality. Furthermore, Afghanistan has been fortunate to have the full support and commitment of the international community as was reiterated at the Paris Conference. I am confident that we have the necessary tools to address Afghanistan's remaining challenges and consoli-

date our young democracy.

Ladies and Gentlemen, I consider the growing sense of pessimism and uncertainty as far more dangerous than the rise of terrorist attacks. The deteriorating state of security in the South and East has created a sense and perception of insecurity in the rest of the country and the world. The forthcoming presidential elections in the US and Afghanistan have also made their impact on the current uncertain environment.

Therefore, it is absolutely critical that we strengthen the sense of optimism and our determination to successfully complete our journey. In this context, we have to discourage the pursuit of hedging strategies in Afghanistan and the region. Reiterating our long-term commitment and allocating adequate resources towards a strong, democratic and pluralistic Afghanistan is the most effective and reassuring message.

The process of rebuilding our state institutions should be elevated as our pivotal objective. Other objectives – including anti-terrorism, counter-narcotics, economic development, and poverty reduction – should be pursued in relation to the central goal of building a strong, de-ethnicized, democratic, and responsive Afghan state. To this end, we must do our utmost to hold the next presidential and parliamentary elections fairly and freely, and my government is fully committed to this end.

While still a possibility, we cannot afford to fail in Afghanistan. Failure would have unimaginable consequences for Afghanistan, the region, and the world. The Taliban has access to thousands of madrassas in Pakistan, to millions of unemployed young men in the region, a willing partner in Al-Qaeda, a messianic ideology, their eyes on nuclear weapons, access to the proceeds of the drug trade and donations of their sympathizers in the region, and the flow of Pakistan's military and intelligence expertise. Together these provide them with the confidence and the tools to focus on recapturing the state of Afghanistan – and beyond.

This lethal conglomerate requires a comprehensive strategy that addresses its sources, culture, ideology, structures, sanctuaries, and symptoms. Unfortunately, some of us still treat this lethal conglomerate as a conventional insurgency challenge, with the ensuing complacency. The prospect of Talibanization is a fundamental and epistemological threat not only to Afghanistan and the region but also to the wider stability of the international system, including the Islamic world. It is imperative that all of us realize that we are vulnerable to this existential threat and mobilize our resources to confront this resilient and well-motivated enemy.

Ladies and Gentlemen, we must stop pretending that mere words and hope can alter Pakistan's military-intelligence establishment's strategic calculation and behavior. They must be forced to sever their institutional links with extremism and terrorism. While Afghanistan fully supports the sustained democratization and effective civilianization of power in Pakistan, Pakistan's military-intelligence establishment must be effectively curtailed. They must not be allowed to continue to use extremism and terrorism as instruments of foreign policy to achieve their hegemonic objectives and as leverage and bargaining tools against the international community.

Reiterating our joint responsibility to the Afghan people and to the taxpayers of the donor community is another priority. Our failure to jointly combat corruption will also weaken future progress, as Afghan citi-

zens will come to associate democracy with corruption, anarchy, and impunity.

Corruption and inefficiency should be addressed domestically and internationally. It is wrong and unfair to scrutinize only Afghans for corruption and inefficiency. There are many practices, procedures, and individuals among our international partners who are involved in malpractices and corruption. We must pursue a “zero tolerance” policy towards corruption and inefficiency regardless of the nationality or corporate affiliation of the culpable.

Our joint security strategy should aim to integrate, coordinate, and mobilize all stakeholders. It must be an Afghan-led strategy. It should be neither a bureaucratic and militarized strategy nor an appeasing one. We welcome the decision to increase the number of Afghan army personnel to 130,000. We must, however, ensure the increase in number be accompanied by corresponding quality and motivation.

An Afghan-led strategy should proactively engage with ordinary Afghans. To this end, we must do our utmost to protect civilians in our anti-terrorism campaigns. Civilian casualties not only are morally and legally unacceptable, they also serve a strategic victory for terrorists.

In this context, I would like to share with you a challenging personal issue. As a peace activist, the justification and utility of force in conflict resolution and peace building always prompts serious ethical questions and dilemmas. However, the brutality of terrorist acts in Afghanistan, violating all acceptable humanitarian, ethical, and legal norms and values convince me of the necessity to confront them with force.

Another important but unrecognized factor of insecurity and criminality is the role of private security firms. It is absolutely critical to curtail and regulate the activities of private security firms, both Afghan and international ones.

Another important priority for us is to encourage a more positive role and contribution of Afghanistan’s neighbors to the processes of stabilization and reconstruction of the country. Realizing Afghanistan’s potential as the natural land bridge between Central Asia, South Asia, the Middle East, and the Far East will significantly contribute to the stabilization and development of Afghanistan and the region. The donor community should help us by supporting and investing in joint projects between Afghanistan and our neighbors.

Friends, excluding Afghanistan from regional and international tensions and rivalries is another important priority for us. Addressing the region’s historical unresolved disputes must complement this.

In conclusion, I must reiterate our determination to join the family of democracies while maintaining our national and Islamic heritage. Afghanistan’s rich natural resources, our energized young population, our entrepreneurial spirit, and the country’s location are strategic assets that will enable the Afghan nation to realize its long-overdue dreams. To that end, the sustained support, resolve and patience of the international community are vital.

Thank you for your attention.

## AN EXIT STRATEGY FOR AFGHANISTAN?

Volker Stanzel

Director General of Political Affairs, Foreign Office, Federal Republic of Germany

Returning to Afghanistan after five years, some of the changes that have since occurred are striking. The international military presence has increased to about 80,000 troops, with the US alone providing more than half of them. Five years ago, there was one German civilian-military Provincial Reconstruction Team (PRT) in Kunduz, now there are five German or mixed PRTs in the North of Afghanistan alone. Yet, the number of armed incidents is at an all-time high, with July 2009 being the worst since the fall of the Taliban. Five years ago, high-ranking foreign visitors were able to steer through Kabul's traffic chaos. Today, foreign dignitaries' cars drive along roads where no human soul is to be seen, protected on both sides by high walls on which machine guns nestle. The German embassy five years ago permitted its staff to search for apartments on the Kabul real estate market. Today, all staff has to live in a protected container on the embassy compound – christened “the German jail” by its inhabitants. Inevitably, the returnee asks himself whether this is what the international community had in mind when the Taliban was defeated in 2001 and the decision was taken to invest heavily in the security and rehabilitation of this country with the Bonn Peace Accord at the Petersberg Conference. More important, the questions people in the more than forty countries involved in Afghanistan ask are, “How long is this engagement going to last – and is there an exit strategy at all?” In fact, in Germany in June 2009, the number of those favoring withdrawal from Afghanistan crossed the 50% threshold for the first time. Even more ominously, Afghans themselves more and more often seem to come to the opinion that the presence of foreign troops adds to, instead of lightens, their plight. This was the case especially during the run-up to the presidential election on August 20, 2009 when the insurgents massively increased their attacks. At the same time, frustration with unabated corruption and influence of local power holders, with widespread fraud during the elections, and the sentiment that in some cases foreigners profit more from costly projects in Afghanistan than the meant-to-be recipients do, increases to the level that Karzai would possibly not have been re-elected had there been a viable alternative.

However, things are more complicated and in some ways much more positive than they seem at first sight. Two-thirds of Afghan territory is still ruled by the central government, and despite being continuously undermined by massive internal corruption, insubordination by regional strongmen, and growing doubts among the population, it still manages to do the major jobs of a proper administration. Together with local authorities it provides the bare necessary sort of governance, a significant measure of physical security, together with the NATO/ISAF and OEF forces, together with mainly the United Nations and international and local NGOs it provides a minimal measure of social security (mainly medical care) and an increasing measure of education (more than two-thirds of all boys and more than one-third of all girls go to school), and together with many donor countries and NGOs it tries to provide jobs so that more than five million refugees have been able to return from neighboring countries. People also participate in the political process. There are no parties yet, but there is a very lively parliament. There is a growing and increasingly self-confident civil society, supported by a fairly free media.

If we considered only these two-thirds of Afghanistan (24 of 34 provinces) that the Afghan government has some control over, we would come to the conclusion that we were dealing with a poor country, which, taking its landlocked situation and more than problematic neighbors into account, was actually in much

better shape than to be expected from a country emerging from over thirty years of war – a country that is not so bad off in comparison with the rest of the region but still needs a lot more support to improve. More important, we can say that the main objectives of the 2001 Petersberg Conference and subsequent conferences in Bonn, Tokyo, Berlin, London, and Paris have been reached. The main objective was to make it impossible that international terrorism in the foreseeable future would again regain a foothold in Afghanistan. This we can argue has been achieved by mainly rehabilitating governance in Afghanistan, a formerly utterly failed state. Less than 10% of all military incidents take place in the 24 provinces that the Afghan government controls. Islamist terrorism, while still alive and threatening, does not possess sufficient strength to threaten other countries from here.

There is another major indicator of that success. Surprising as it may sound for a country that overall produces more opium poppy than is needed for the entire world heroin consumption, this is a decline in opium poppy cultivation. Of the 34 Afghan provinces, 18 now are almost free of poppy cultivation, mainly in the North, which only five years ago used to be the major center of poppy growth. More than 98% of opium comes from only seven provinces (50% coming from the province of Helmand alone), and these do not belong to the two-thirds of Afghan territory discussed here. Drug income to a large degree finances Al-Qaeda and the Taliban. That is why they pursue it. If we originally assumed that drug cultivation was a consequence of poverty, these last few years have disproved our thesis. Drug cultivation can be limited or even completely stopped by good, or least better, governance and alternative livelihoods. As a result, wheat production has reached a record high this year. The fact that governance structures as well as traditional tribal structures have survived and now can be built on, permits prosecution and repression of criminal activities, including drug cultivation. This has been successfully done in those 24 provinces, even though the opium often is still processed in tiny laboratories in those areas, and even though 20% of the drug trade passes through these two-thirds onwards to countries north of Afghanistan, to Russia, and to Western Europe.

The major problem confronting Afghanistan is therefore a lack of security in seven-odd provinces – mainly Helmand, Zabul, Kandahar, Uruzgan, Farah, Nuristan, Paktika, plus parts of Khost, Paktia, Gardez, and Wardak – or roughly one-third of its territory. These are the provinces that border Pakistan along 2,000 kilometers of mountainous territory and are mainly populated by Pashtun tribes. In only seven provinces about 90% of all military incidents take place, involving about 10,000 continuously active insurgents and occasional supporters from among local residents. The causes for the lack of success in these areas about eight years after the first Petersberg Conference in Bonn are therefore not hard to detect. First, the extremist enemies of the Afghan government have learned a lesson from the war in Iraq and from the mujahideen: no government is able to protect itself completely against spontaneous attacks, such as suicide bombers, rockets, and booby traps – the IEDs. This is even more true when a government does not have a fully trained, equipped, experienced, and sufficiently staffed army and police. Afghanistan possesses less policemen per capita than the city of Berlin. Such spontaneous attacks can only be prevented if the home bases of the attackers are destroyed. These areas, of course, are located mainly in Pakistan. And, just like in Afghanistan, the Taliban areas are practically identical to the regions inhabited by Pashtun tribes. The two major insecure areas outside the South and Southeast in Afghanistan – Kunduz and the province of Badghis – are also both the two major Pashtun pockets in the North. The Taliban may be fighting among each other or dispute each other's authority. But most of the time the Taliban-controlled Shura located in Quetta in Pakistan – where Mullah Omar is said to reside – today directs the insurgents in the South of

Afghanistan, and the Peshawar Shura the insurgents in the East. Pakistani Taliban also control the arms supply to the insurgents in Afghanistan, as well as their money supply, derived from taxation, the drug trade, and donations from religious organizations in Pakistan and Arab countries.

The Pakistani Pashtun areas have always been sympathetic to the Taliban. Here the first madrassas were located, where young Afghans were trained for the insurgency against the Soviets in Afghanistan during the 1980s. From a place where Taliban forces recuperated and regrouped during the first years after the war of 2001, Pakistan today has been turned into an operational bases where Taliban and Al-Qaeda headquarters are located. This had been easy to accomplish as the North Western Frontier Province and Federally Administrated Tribal Areas never were truly controlled by the government in Islamabad, especially since the ISI and parts of the army have been at times favorably inclined towards the extremists for a variety of reasons anyway. Therefore in order to succeed in all of Afghanistan, a solution for the Pashtun provinces in Pakistan is needed – and that means “success” in Pakistan as well as in Afghanistan.

The G8 in 2007, under German chairmanship, initiated a project to improve civil society cooperation across the border. With more than two hundred sub-projects, this has turned out to be useful but too little too late. While in Afghanistan traditional tribal structures still exist despite Taliban domination, guaranteeing some measure of resilience against extremist temptations, in the Pashtun areas of Pakistan there seems to be very little of such immunity against Islamist ideologies. In fact in many areas, the traditional social fabric has already been replaced by a “Taliban fabric,” all community institutions being in the hands of the Taliban, often after the traditional community leaders have been murdered or driven out of the area. This evidently makes it difficult to strengthen the resilience among Pashtun tribes against extremism.

The way to “exit” from what the international community is doing in Afghanistan therefore takes three steps:

- Increase awareness in Pakistan of the necessity to solve the Afghanistan problem by beginning in Pakistan, and to develop a comprehensive and workable strategy (which is not to say that the Pashtun areas are the only problem areas for Pakistan – one only needs to look at Karachi or Baluchistan);
- Support a Pakistani strategy to increase and improve security and governance in the Pashtun/tribal areas of the country;
- Support enhanced Pakistani efforts to sever links between armed Taliban forces on both sides of the border.

For the development of a workable strategy, Pakistani ownership is just as necessary as Afghan ownership has been for military and civilian efforts in Afghanistan since 2001 – and those who doubt whether the famous “light footprint” devised by UNAMA’s Lakhdar Brahimi in the beginning should consider what the feeling among Afghans about years and years of a “heavy” foreign footprint might be like. What the international community can do is urge Pakistan to develop such a strategy. From experience in Afghanistan it seems clear that such a strategy needs to contain several essential elements:

- Sustainable security and financial support for local, non-Taliban, modern, but also traditional governance: administrative institutions, police, mayors, judges, and even tax collectors must be able to work in safety. To that end, police and a reformed army have to receive proper training and have to be increased significantly in numbers;



- Security and financial support for non-Taliban institutions, such as public schools (especially those that girls attend), and hospitals (especially those that also cater to women);
- Security and financial support for civil society, such as media and political parties;
- Rupture of money flows from abroad to madrassas or religious parties to the militant Taliban;
- Repression of Taliban institutions (for example subverted shuras) unless they cooperate with state institutions and accept their control. This may include support for Pakistani military operations as well. With 170,000 troops engaged in the tribal areas and enormous reconstruction tasks ahead of them, the Pakistani military is taxed considerably already.

The last item indicates another major problem. The Taliban objectives are not in the first place to support terrorism and Al-Qaeda. The Taliban objective is a Pashtun Islamist society governed according to Taliban understanding of Islam and Pashtun traditions – the well-known “Pashtunwali.” That is why the Taliban fight the infidels. They want them out of the country. For the international community the problem is that in the past, Taliban society has not only failed as a state – it ruined the economy of Afghanistan and alienated large parts of society in an impressively brief period of time – but it also proved prone to ally itself easily to anti-Western militant groups elsewhere in the world, such as Al-Qaeda. That is why we may assume that reconciliation with the Taliban both in Afghanistan and Pakistan is possible only if the Taliban accept the authority of the state and if they are ready to renounce demands for a society that is governed solely by Taliban religious concepts. The much talked about “reconciliation” with so-called “moderate” Taliban is possible only under that condition.

Even then, an arrangement on that basis will be fragile. One possibility to make it stable might consist of giving tribal societies a greater stake in their future – and that must also mean their prosperity. Parallel to a political settlement, both Pakistani and Afghan governments therefore will have to improve the economic situation and governance in the Pashtun areas significantly, and in a relatively short time. It is not that important to guarantee higher income and rents immediately, but to create the hope that both are possible and within reach in a lifetime, or at least in the lifetime of a generation. It will be necessary to put the economy as a whole and in its local components on a sustainable basis containing the promise of future improvement. It may also be necessary to learn from the PRT concept in North Afghanistan, the military providing not too conspicuous but enough security to allow daily life as well as administrative work to proceed satisfactorily. The idea of a rail system in Afghanistan connected to Pakistan, Iran, and the North might be an example for improving trade and business, or the introduction of new crops that increase the cash income of farmers. In any case, it will be essential that we consider Afghanistan in the context of developments in Pakistan, and vice versa. An “exit strategy” for Afghanistan is possible only if both the Pakistani strategy for the rehabilitation of the tribal and federally administrated areas in its Pashtun belt, as well as the rehabilitation of Afghanistan by Afghans themselves, are successful.

## **SPECIAL STATEMENT**

Rita Kieber-Beck

Foreign Minister of the Principality of Liechtenstein

Mr. Chairman, Ministers, Excellencies, Esteemed Participants,

Afghanistan has been on the agenda of the international community for many years now. At times, the international commitment was strong, driven by a unity of purpose and collective political will. At other times, it was half-hearted and lacked direction. More perhaps than any other crisis situation, the case of Afghanistan illustrates how important a sustained and consistent international engagement is. Peace and stability in Afghanistan, and the region in which it is situated, are essential for the maintenance of international security, and we therefore have a common responsibility in this respect. As a small state without armed forces, Liechtenstein is particularly grateful to all those who have shouldered military responsibility, often at very high cost. In spite of our small size and our limited resources, we have followed the developments in Afghanistan closely and consistently, and have tried to make our own contribution – often in concert with others – and we feel a deep connection with the people of Afghanistan. The needs of Afghanistan remain numerous and complex. Our engagement has traditionally been in the humanitarian area, in particular channeled through the relevant agencies of the United Nations, but also in the field of development, in the largest sense of the word. Last year, the Liechtenstein Development Service chose Afghanistan as one of three target countries for cooperation in all of Asia and Eastern Europe. Our development assistance has often been carried out in cooperation with partners such as Germany. As a consequence we have participated in the construction of children's day care facilities in Kabul. After concluding other projects of a similar nature, we are currently involved in a project of the Afghan Women's Council in the province of Parwan and in the reconstruction of electricity supply for a number of schools and an orphanage. For four years we have also provided significant financial support to alternative crops projects of UNODC.

I am therefore happy to be here today to represent the Government of Liechtenstein and to support this important conference. We find it most appropriate that it is taking place in Petersberg, a place that has played such a crucial role in the recent history of Afghanistan. We hope that the spirit of Petersberg will be translated into and expressed in concrete results on the ground.

I would therefore also like to thank the Government of Germany for its leadership role in connection with Afghanistan. We all realize how important this has been and still is, and we are all indebted to Germany for its sustained commitment to peace and stability in Afghanistan. Last but not least, we are thankful to the Liechtenstein Institute on Self-Determination and proud to be able to support this conference financially. The Institute has displayed remarkable vision with regard to Afghanistan and contributed significantly to keeping the focus of international awareness on Afghanistan when there was considerable distraction by other developments. This conference constitutes another big step in this effort.

Mr. Chairman, Ministers, Excellencies, Esteemed Participants of the conference, I wish you and this conference great success. And, most importantly, I wish a peaceful and prosperous future to the people of Afghanistan.

Thank you very much.

## BACKGROUND AND SUMMARY

Wolfgang Danspeckgruber

Director, Liechtenstein Institute on Self-Determination

Afghanistan is faced with a complex conundrum. On the one hand, only a relatively stable and secure environment will allow for the creation and effective implementation of a working state and its economy. On the other hand, without an effectively functioning state and a working economy, there can be neither true security nor stability. Governance and rule of law are the foundations of a functioning state. However, without effective institutions, rule of law and governance cannot be supported or strengthened. Security may be externally imposed for a certain period of time, and national income may be substituted by international assistance, but eventually the state in question will have to be able to provide both independently.

### FRAMEWORK OF THE STUDY

In order to try to systematize the complex components of the puzzle that form the various segments and challenges of Afghanistan's contemporary situation, possible developments and answers for the future of the country can be categorized into seven major domains: security; governance and rule of law; economic and social development; the region; human development; international involvement; and perceptive elements.

### BACKGROUND

#### The Past as Guide – and Warning – for the Future

Today, many Afghans are worried that the international community may abandon them once again, as we did in 1990 after the Soviets left the country. At that time, the international community was preoccupied with the Iraqi aggression against Kuwait – leaving Pakistan and the ISI as de facto caretakers of Afghanistan. The country then became engulfed in the mujahideen war, and then by the Taliban takeover. Hence, there is now some concern that if a new major international crisis should erupt, such as a confrontation with Iran, that the United States and the international community would then significantly reduce their involvement in Afghanistan. This represents a problem of perception that unfortunately relates to the issue of “Afghanistan fatigue” in the international community and, slowly but steadily, also for Afghans about the international community.

After the terrorist attacks of 2001 that shook the global order and rang the alarm bells in the capitals of the world concerning what was happening in Afghanistan, the United Nations Security Council authorized military action through UN Resolution 1386, and NATO activated its own Article V. In an international effort on a scale unseen for decades, the United States and more than fifty other nations embarked upon “Operation Enduring Freedom.” The operation united the world for some time in its effort to deal with Afghanistan and to help rebuild a stable and peaceful country that had experienced tremendous suffering and hardship since 1979. Between 1979 and 2001, more than 1.6 million Afghans had been killed, nearly 2 million injured, nearly 1.5 million women widowed, and 6 million people displaced. An entire generation of children had not been able to attend school, nor had they access medical or health care.

Table 1. The Afghanistan Puzzle

Issues	Perception			Actors
	Time	Costs	Stakes	
Security ANA Police	Immediately Immediately	High High	High High	Foreign Military Civilians
Opium Poppy Cultivation	3 Years	Medium	High	International Or- ganizations Afghan Gov- ernment Afghan Civilians
Sovereignty	5 Years	Low	Medium	Foreign Govern- ment Leaders Afghan Govern- ment Leaders
Governance Corruption Ministries	Immediately Immediately	High High	High High	Foreign Organi- zations Contractors Afghan Ministries
Reconciliation Taliban	5 Years	Medium	High	Leaders Fighters
Health Care Child Care (Pre-/ Post-Natal)	Immediately Immediately	Medium Medium	Medium Medium	NGOs Afghan Doctors

Issues	Perception			Actors
	Time	Costs	Stakes	
Education Primary School Vocational School High School University	Immediately Immediately 3 Years 3 Years	Low Low Low Low	High High High High	Afghan NGOs International Organizations
Agriculture	3 Years	High	High	NGOs International Organizations
Economy Job Creation Infrastructure (Railway) Power (Electric, Wind, Solar)	Immediately Immediately Immediately	High Medium Medium	High High High	Afghan Government Foreign Donors Investors Entrepreneurs
Region Security (Taliban, Border Line) Economic	Immediately 3 Years	Medium Medium	High High	Pakistan India Iran China Russia Saudi Arabia United States EU

Rapid progress was achieved early in the operation, with international forces swiftly moving to control large parts of the country and retaking Kabul within five weeks of the launching of operations in October 2001. But even more importantly, the international forces found an open welcome by the Afghan population, reflecting a shared belief that this was their best shot at peace after decades of civil strife and conflict. The world was focused on Afghanistan, and Afghans found hope and believed in this effort.

### The Role of Third, Initially Unrelated Events

Much has been said and written about the enormous international involvement in Afghanistan since the original fall of the Taliban. However, this is only partially correct: there was a rather limited focus on the country's problems after 2003. Operation Iraqi Freedom, and then the large-scale problems with Guantanamo and Abu Ghraib, absorbed international media concern – and similarly, the war in Iraq absorbed enormous amounts of resources.

The next few years were to play out very differently than all of us who care for Afghanistan had envisioned. Even as the operations in Afghanistan started to gain traction, and achievements were made in terms of establishing institutional order, the attention in Washington too-swiftly turned to Iraq, and traction in Afghanistan was lost. Troops and military resources that were supposed to stabilize the country, maintain its peace, and allow for development were channeled to Iraq. Criticisms against President Karzai that called him the “mayor of Kabul,” therefore, only represented a partial truth: it was the United States who originally did not want to expand ISAF beyond Kabul. It was only from 2004 onwards that slow expansion was considered and the Provincial Reconstruction Teams (PRTs) were introduced. ISAF did not cover the entirety of Afghanistan until 2006. A substantial amount of military forces arrived only after UK and US forces began leaving Iraq in 2008.

There was another outside event that also influenced Afghanistan. In December 2004, Southeast Asia was ravaged by a tsunami, killing over 230,000 people in eleven countries – one of history's deadliest natural disasters. The world's attention was diverted to addressing the needs of the scores left behind and the damage caused, resulting in a combined effort of over \$7 billion dollars of humanitarian aid. In view of limited financial resources at the end of the fiscal year, many Western governments accepted the shift of funds originally marked for the “Asian State Afghanistan” to the tsunami-stricken region. For Afghanistan, this meant seeing much of the funds earmarked for its national development being sent elsewhere.

After the 2004 presidential elections and the parliamentary elections of the following year, the 2006 London Compact represented phase two of the international effort that began in Bonn five years earlier. It focused on three critical pillars: security; governance, rule of law, and human rights; and economic and social development.

### The Danger of Spoilers: “Afghanistan Fatigue”

Spoilers can be national actors who want to regain power, and/or who want the state-building effort in Afghanistan to fail. They might also be regional neighbors who have a stake in the country, who are trying to influence or exploit developments to their advantage, and/or who would like the international community to leave soon and without success. Obviously, Afghanistan remains “strategic hinterland” for Pakistan, and

is of critical importance in its strife with India. In turn, India sees Afghanistan as a welcome element in its dealings with Pakistan, and joins with the US and the international community in fighting the Taliban and radical elements. Spoilers could also be international actors who want to exploit the country, and hence who try to interfere negatively in the state-building process.

Possible spoilers must be identified, anticipated, and taken into consideration in the overall assessment of the situation. A strategy dealing with them should include three options: include/build them in, disempower them, or ascertain that they are fully neutralized – that is, “out of the equation.”

In 2005, we began to see a dramatic decrease in security. Those who do not want Afghanistan to succeed – namely the Taliban – had not missed their opportunity. Especially in Afghanistan’s South and East, they exploited Afghan disappointment, including in the shortcomings in the delivery of assistance, and in the lack of improvement in the battered lives of many. Also – apparently influenced by developments in the Iraq war – extremists introduced tactics such as beheadings, kidnappings, suicide bombings, and the use of improvised explosive devices (IEDs). Moreover, civilian casualties resulting from ISAF and anti-terror operations dramatically increased, which made the situation for the Karzai government significantly more difficult and which decreased support for the international presence.

In addition, the situation in the countryside was fraught with a lack of rule of law and many governmental services. The international PRTs, could only partially make up for the absence of services and reconstruction, and in many cases unevenly delivered results. This all contributed to the spread and influence of the Taliban. Also, the fact that the Durand Line is open and the mountainous border areas with Pakistan offer easy refuge for radical elements contributed to the security challenges in Afghanistan.

Amin Saikal views the fragmentation of Afghanistan’s governing elite as divided into two informal clusters: those who have undertaken an alliance primarily with the United States, and those who have entered into a partnership with the first cluster, but have grown highly skeptical of the American agenda. The second reflects the massive political and security vacuum that the situation has generated, and from which various counter-systemic actors and spoilers have emerged.

Since 2008, the financial and economic crisis has added another problem for the international community. The issue of money spent abroad contrasts in many states with domestic problems such as job losses, banks and companies in trouble, and high spending contributing to the national deficit. Problems like excessive spending on contractors, duplication of financial efforts and international assistance, and waste in development aid attract different reactions. Sending soldiers and aid to Afghanistan has proven very costly, and may become increasingly problematic for members of the international community whom themselves face critical economic issues. Debates in the US, UK, Netherlands, and Germany offer a clear indication as to how popular support has shifted from more than 50% in favor prior to the August 20, 2009 presidential elections, to a majority in these countries opposed to continued involvement in Afghanistan.

### Perception: The Forgotten Aspect of the Afghanistan Puzzle

The international community must be aware of the perceptions we create, whether intentionally or unintentionally. We especially have to be far more aware of the closeness with which the Afghans follow our

discussions, media reports, etc.

“The international community might have the watches, but the Taliban has the time.” The “time” factor is an issue, as are the “stakes” for all those involved. Many Afghans, as well as the Taliban, are beginning to prepare for their future, once the international community is less present and after the US has begun to withdraw. Even those who want us to succeed can find signs of an “exit strategy” in our plans. After all, high-level American officials have spoken about a 2011/2012 “deadline” for some time, though it seems certain that neither the US nor the international community will actually leave any time soon.

Perception forms reality. Afghans either believe that the international community is here for the long run, or they feel that the international community will abandon them soon. Beliefs on this topic will shape their behaviors as much as will their belief that in terms of security and fighting they are gaining the upper hand. The fear of a deadline or limitation of significant international community engagement will also encourage Afghans to prepare for the future vacuum of power created by perceptions of fleeting international involvement. Many will choose their arrangements according to whom they perceive as best serving their anticipated future.

Accordingly, if parts of the Afghan population begin seeing the international community and the US as occupiers rather than as liberators, then not only will the hearts and minds of the Afghans be lost, but the international community will also have lost its very *raison d’être* in Afghanistan, and vindicated the arguments of all those who want the international community and its efforts in Afghanistan to fail.

Each time US and coalition forces are involved in military operations in Afghanistan that cause civilian casualties and collateral damage, Afghanistan’s government is in an even worse situation in public perception. In addition, public perception can easily be manipulated and exploited by enemies of the international involvement in Afghanistan. Fortunately, however, the dramatic decrease in civilian casualties since the fall of 2009 has actually sent out different and encouraging signals regarding international intentions in Afghanistan.

We also need to be careful not to operate in parallel realities. It is not effective or desirable that the international community, along with its associates in Afghanistan (including the diaspora Afghans whom it takes as reference for its work) operates in one reality, while the majority of ordinary Afghans live, work, and suffer in another reality – one where they experience little to no change or improvement.

Also in terms of perception, the glass might be half empty, but it is also half full. Significant advances have been achieved in the last eight years, and there is great hope that the Afghans, with the assistance of their international friends, will manage to build a stable, secure, and prosperous country. Moreover, there are forces on the ground that can be leveraged for success. Let us not forget the achievements that Afghans and their international friends have accomplished thanks to their tireless work against many odds.

As Ambassador Karl Eikenberry stated at the Petersberg Conference, at the end of the day it is not important what we consider or evaluate, but how the Afghans see it. For instance if they feel insecure and see problems, then we better take this seriously. Even if members of the international community believe that the situation has improved in relative terms, if Afghans feel that it has not – if there is a nice road from



Point A to Point B, but due to the security problems they can't use it – then this is a problem, and security there has not improved.

This point becomes particularly critical when strategies, models, concepts, etc. are developed without the actual involvement of – or, in fact, over the heads of – Afghans by the international community and expensive advisors with little or no field contact or experience. Similarly, it is also unacceptable if, for instance, in the critical development stages of the Afghan National Security Strategy, no Afghan is involved at all. It remains very doubtful as to how effective these strategies will really be, and how sustainable their implementation will turn out. This is not even to delve into Afghan sovereignty or Afghan ownership, i.e. the feeling of obligation on the part of the Afghans to be bound by the strategy.

The essential leitmotiv of international efforts in Afghanistan has to be that whatever we do is undertaken by, with, and for Afghans and Afghanistan. We must reach the hearts and minds of the Afghan people. We must foster Afghan empowerment and encourage Afghan ownership – any other approach will delay Afghanization and ultimately fail.

### Opportunities and Challenges: The Young Generation

Afghan authorities and the international community need to focus on the youth of Afghanistan. More than 60% of Afghanistan's population is under twenty years old. Most young families have between five and eight children. We need to work with Afghans to create sustainable jobs and serious income opportunities. We must provide young Afghans with jobs, income, and a belief in the future. This is our most effective defense against the Taliban and Al-Qaeda, and is infinitely cheaper than maintaining hundreds of thousands of troops. I have personally experienced the eagerness of young Afghans in Kabul to learn and to move forward. I know that they are hard working and are trying to create a better future for themselves, their families, their clans, and their country. But we have to assist in the creation of jobs – Afghan jobs – for Afghans to benefit from the enormous riches of their country that range from minerals, to gems, to agriculture, to a population historically gifted in handicrafts.

All of these crucial factors are necessary to improve the lives of the Afghan people. Without them, there will be no progress. We need to deliver effective results to the population and invest more in developing the infrastructure, communications, and institutions that will allow Afghanistan to govern itself.

Eight years after the US-led invasion ousted the Taliban from power in Afghanistan, as reported by UNICEF in 2009, war-ravaged Afghanistan is supposedly one of the most dangerous places in the world for a child to be born, and especially dangerous for girls. Afghanistan has the highest infant mortality rate in the world – 257 deaths per 1,000 live births. Moreover, UNICEF says that 70% of the population lacks access to clean water, and 43% of the country is now virtually off-limits to aid agencies due to insecurity. As Taliban insurgents increase their presence across the country, growing insecurity is also making it hard to carry out vital vaccination campaigns against polio, a crippling disease still endemic in the country, and against measles, a disease that kills children in particular. The Taliban have been building their forces in their traditional southern and eastern Afghanistan strongholds and are increasing attacks in the North and West. Teaching girls is one of the practices they forbid. In the past year, 317 schools in Afghanistan were attacked, killing 124 and wounding another 290, resulting in a reduction of pupils attending school. Still,

there are now more than 9,000 schools in the country with more than 35% of Afghan girls attending.

However, according to Afghan Minister for Public Health Syed Mohammad Amin Fatimi, 12 million out of the total of 30 million Afghans – including 2.4 million mothers, and 3 million children under 5 years old – live under the poverty line. These children suffer from malnutrition. Based on a report on human development in 178 countries compiled by the UNDP, Afghanistan is the fourth poorest country in the world in terms of food security. More than 60% of Afghans are unemployed, and more than 70% are illiterate. According to UNESCO, more than 52% are below 18 years of age, while the average young Afghan parents are in their early twenties and have six to eight children. This makes the country, quite simply, a breeding ground for radicalization! Sustainable jobs and income are indispensable and must be an integral part of discussions about counter-insurgency, for which we need local support.

In addition, many Afghan internally displaced persons (IDPs) are returning. Unfortunately however, most of these end up in larger urban areas like Kabul. UNHCR has estimated that in 2002, nearly 2 million returned, and that in 2004 nearly 1 million refugees returned. Numbers of returnees have been steadily decreasing since 2004. Nonetheless, from Iran alone – sometimes forcefully – 300,000 refugees returned in 2009. This obviously aggravates the economic and job situation in the areas close to the border like Herat and Kandahar. This also emphasizes the need for a credible census – from the perspective of health and social services, as well as for the drawing of provincial and district boundaries and gauges of human development indicators. The Paris Conference asked for a census to be held at the end of 2009, in time for the parliamentary elections.

### Corruption and Governance

Beyond security, income, and jobs, corruption has been an overarching problem in Afghanistan. It seems to have at least three different dimensions. First, Afghans seem to have lost trust in governmental officials, who – largely because of their low pay – use any means to obtain more income. Second, it has become increasingly obvious that some actors within the international community and NGOs use money to buy relative security or stability – most famously documented with the case of the PRT which paid off local commanders for security; or, the cases of the transportation companies hired by ISAF which pay local commanders not to attack their trucks. Finally, there is the international dimension, from the amazingly low amount of money actually spent for Afghans – less than 20% of all the funds floating around in Afghanistan – to the amazing sums spent for contractors. Also, the case of the Aynak copper mine and other major projects to be launched have raised fears that international bidders on potentially lucrative Afghan projects will offer huge kick-backs to Afghan officials for obtaining their desired contracts.

As Ali Wardak has said, “corruption in Afghanistan involves the abuse of . . . power, misuse of public funds, land grabbing, abuse of public land management, corruption related to the . . . privatization process, and widespread graft – it is organized around strong official and non-official networks. The message is: making money through whatever means, and it is increasingly rampant.” Little wonder, considering the enormous influx of money through the international system. This is why experts like Dr. Reinhard Erös

argue that “Afghanistan does not need any more money, it needs a new focus.”<sup>1</sup>

In addition, internationals provide Afghans with earnings that are much higher than what employment by the Afghan government or domestic organizations can provide. All of this has also contributed to the emergence of an “ultra rich” class of Afghans in very short time. In the absence of effective property rights, they control much of the building boom in and around Kabul and other places, and so contribute to social tensions.

The problem of corrupting the housing market and the job market has been particularly vicious. While the average family earns perhaps max \$4,000 per year, the rent of a house in the good districts of Kabul is now in excess of \$10,000 per year. This gross discrepancy has completely ruined the housing and real estate market for the Kabulis, and indeed for much of the rest of Afghanistan. And since money simply keeps pouring in, while there is a shortage of good housing, the prices keep rising. It appears that some of the Afghan elite are correspondingly resorting to anything, including corruption, to obtain housing – particularly in safer areas. Kabul’s population has at least doubled since the fall of the Taliban, ballooning to over 3.5 million.

The above represent some examples of corruption and misappropriation of funds, as well as negative effects due to bad policies. It seems that in each case it is imperative to try to remedy the situation, but to do so with Afghans and with an emphasis on transparency.

---

1 Dr. Erös qualified this statement with the following concrete proposals:

1. Focus on “education, education, education:” Educational reform and institutions must be established by the Afghans, for the Afghans, and with the Afghans and without any involvement from the military. Otherwise, any such school will be seen as a target for its part of the military involvement. There is the need to maintain a separation of duties. It is important to also consider that right now, there are over 10,000 madrassas and a shortage of more than 25,000 secular schools in Pakistan.

2. Bring Afghanistan into the list of legal opium producers: Under the current situation, opium production has increased sixteen-fold since 2001. Every year, the opium trade represents a business of over \$56 billion of which it is estimated approximately \$5.6 billion ends up fuelling international terrorism. As a new way to fight the opium war, we can attempt to make opium production legal in Afghanistan by bringing them into the codeine market. A transition period could be allowed, with the ultimate goal of the transfer of currently illegal opium laboratories into legal codeine laboratories. This would help dismantle the current nexus of violence in Afghanistan, bring an additional source of revenue to the central government and provide a legal, honorable living to many Afghan farmers. Additionally, this would provide Afghanistan with a solid export industry, which it does not have at the moment. Such legal opium production should be however also combined with maximization of alternative agricultural programs.

3. Change the military approach from fighting to training: It is not about quantity – it is about quality and capacity building. It is about developing the trust of the Afghans for their armed forces. Recruits should be provided with more and better training – do not try to get 100,000 ready in a year. Appropriate compensation and life alternatives should also be provided. Currently incomes are on the range of over \$10,000 monthly for foreigners and \$200 for locals – paying less than the Taliban in many cases and not enough to survive in Afghanistan. Recruits should receive appropriate equipment and the military should be made into a valued profession. Foreign troops should also be better equipped and trained in culture competence (language, customs, etc.) to dramatically decrease casualties on both sides and, more importantly, diminish the aversion by the population.

3. Change the focus from the army to the police: Do all of the above but refocus on the police. This is not an interstate war. This war can only be won by the police from within the communities. The focus on the army should be managed so that equipping and training the police force is the core focus.

4. Stop the brain drain: Educated Afghans are being paid around \$1000 month to be drivers, translators, etc. for the international forces, compared with their salaries of \$200-\$300 as professors, doctors, politicians, etc. This is compared with the monthly salaries of \$6,000-\$15,000 for foreigners performing menial tasks. This must stop. We need to start providing Afghans with appropriate livings to help build their country and develop their intellectual and cultural capabilities.

## SUMMARY

### Achievements in Afghanistan

While the current situation in Afghanistan is certainly not yet acceptable, we should not discount the achievements that have been made, as they are significant ones. For instance, I can personally testify as to how much Kabul has changed since 2003, when I visited it for the first time. The progress in construction and infrastructure is impressive, as is the establishment of well-working healthcare facilities and schools, many of which I have visited. Today, over 80% of the Afghan population has access to basic health care, compared to well below 30% in 2001. Over 60% of children, or about 6.2 million, now attend primary schools.

Even if Afghanistan still ranks amongst the ten poorest states in the world, domestic per capita income has tripled since 2001 and is now at \$365. Kabul now has electricity 24 hours a day, thanks in part to a power-line from Central Asia built with the assistance of India. More than 9,000 kilometers of roads have been built, representing an incredible development in the country's infrastructure, and providing crucial transportation and communication channels. As of late, this also includes a connection to the Iranian road network, with work underway to create a rail link to Iran as well. Surprisingly, there are more than 3.5 million cell phones in use, in a country where the majority of the population is illiterate. There are elected political institutions (president and parliament). There has been some progress in human rights. There is a vibrant media. Many provinces, especially in the North and West, are beginning to see economic development.

Further, we have tried to fulfill the criteria of the London Compact of 2006. The EU and its member states have spent some €4 billion in civilian assistance, not counting the costs of their military involvement. Equally noteworthy is the continued commitment of the international community to Afghanistan over what is a relatively long period.

Opium cultivation has been greatly reduced, and there are now twenty drug-free provinces. However, we must continue to find ways to reduce poppy cultivation. Eradication programs – under the auspices of the UK as lead nation – have proven largely successful only if combined with effective alternative agriculture. It is important to keep up the support. Nevertheless, such programs have been far more successful in some regions and districts than others. Spraying as an eradication strategy has been proven not to work. According to the 2009 UNODC report, included among the major reasons for poppy crop reduction are higher sale prices for wheat, the belief of many farmers that poppy growing is against the Koran and Islamic principles, as well as the continuing pressure by the government and the international community to stop production.

There must be more support for poppy-free provinces, including more international assistance. For instance, paying the farmers off with security protection and available alternative agricultural initiatives has proven successful in Badakhshan Province. Encouragement by foreign embassies to purchase food from Afghan farmers can also contribute to the reduction of poppy growing, as it ensures a decent income.



- 76% of Afghans live in a rural environment
- Agriculture is the main source of income for 75% of the Afghan population



- In 2007, the infant mortality rate was 129 per 1,000 live births
- In 2007, the mortality rate for children under five years of age was 191 per 1,000
- In 2007, only 32% of women had pre-natal care
- Life expectancy is 43 years
- Less than one-third (28%) of the Afghan population is literate



- Opium: 53% of Afghanistan's GDP in 2007; 33% of GDP in 2008
- High inflation rates: 16.9% in 2007; 27.1% in 2008

## Governance and Rule of Law

Good governance is the key to restoring Afghan self-determination. The only solutions that have worked in Afghanistan have been institutional ones – these were absent in the Bonn Agreement, but were present in the London Afghanistan Compact, ANDS, and the Paris Conference. A needs-based “roots and branch” review of bureaucratic structures should be conducted, with stakeholders considering whether or not Afghanistan needs all of the ministries that have been created. Many believe that in 2002 the international community traded peace for ministries, so now there is an overblown bureaucracy in Kabul.

It is also important to address the emergence of a new class of Afghan “nouveau riche” – corrupt wealth accumulators – which is deeply resented by the overwhelming poor population, and is deepening social divides. So too must the issue of property rights be tackled, complicated though it is after years of conflict, through the development of a land titling system.

Capacity building is another key challenge facing Afghanistan. The international community with Afghans should increase the priority of building state institutions in relation to other apparent priorities. Capacity building, particularly of the civil service, is essential, as is the development of an effective civil service academy. Civil society groups should be supported especially in this context to reach policy makers and have an impact on the policy directions of reform. Civil society can act as a crucial “bridge” between people at the remote district level and the capital.

International actors must be made more accountable and provide consistent support to initiatives as a general principle of involvement in rule of law, governance, human rights, and transitional justice. This means not paying lip service to these principles when it is politically expedient to do so while undermining the new structures it has helped create when they become inconvenient. Likewise, Afghanistan has a

clearly defined, well researched, and appropriate National Action Plan for Peace, Justice, and Reconciliation which was adopted in 2006 and supported by the international community through a lengthy consultation process with ordinary Afghans. The international community needs to also provide real support for the government's implementation of this plan, and any discussion of reconciliation with the Taliban must be developed within this framework, but Afghans have to take the lead.

Urgent reforms to the legal system must also be pursued and with a focus on defining what role and function the formal and informal systems should play, through a process of broad and representative consultation. This should be done by the Afghan government with the support of the international community. A draft model for developing a hybrid legal system might form the basis of further development of a new model. Further, significant steps must be taken to address impunity and corruption in the current justice system. The establishment of an Afghan legal institute to undertake research and collect data on the current functioning of the Afghan legal system should also be part of any reforms as should the creation of a strong system of administrative law that would make officials accountable, beyond the current formal legal system. For example, an Ombudsman's Office or an independent complaint mechanism and tribunal for police abuse and misconduct should be formed.

## Security

In terms of security, failure is not an option – the international community should not be considering exit strategies, but should rather reinforce donor and military commitments by reviewing current strategies, developing more effective ones, and garnering increased national domestic support. The international community must strengthen its determination through adequate resources and a long-term commitment. There are no quick fixes, and domestic constituencies of donor and NATO states need to understand that. The international community must also start perceiving security threats through Afghan eyes using the prism of human security, rather than seeing security as being all about international access. Afghans are experiencing an increasing level of fear. It is time to engage local communities, including local leaders and tribal elders who are increasingly under attack by insurgents. Afghans have to have critical roles shaping their security.

Islam has historically been the theoretical common thread in Afghanistan. Recently, however, there has been a fragmentation within the urban elite between those, many from the diaspora, who favor a secular approach, and those who are skeptical of Western-led secular changes and favor a more indigenous and Islamic approach. Afghans are often confused and torn between internationally-led secular reformers and the indigenous Islamists. A bridge is needed to link these groups, and will require a new strategy if the Afghan elite and the international community are prepared to rise to the challenge.

Part of this process is building on the Paris Conference and the London Compact. The Afghan government has failed to convey its authority throughout the country and the Afghan government, with international support and buy-in, should draft and make available an overarching political and security plan that will provide the basis of a unified vision of Afghanistan's future. This strategic document must be a combined one that marshals the clear support of the United Nations, the US, EU, and other leading donors, NATO, and the Afghan government. As international military involvement changes, the international community must craft a careful strategic communications strategy, especially for any increase of US forces in order to prevent armed insurgents from exploiting the impression that an increase in international troops

amounts to an occupation force in the southern, largely Pashtun, region. Increases of international troop levels, and how best they can be used, must be discussed with the Afghan government so it can get the most advantage out of the increase. Any increase in US troops is likely to focus on the South, East, and border regions, and other NATO countries will need to be prepared to strengthen their focus on the North and West of the country, which also face complex security challenges.

Any security plan must include an assessment of the roles, missions, and relationships between the Afghan security institutions, as well as the identification and deployment of all assets on the ground so that they are directed towards the military, development, reconstruction, social, and economic objectives of this plan. For example, the increase in international and national force numbers and PRTs should be components within this overall plan. Discussions about an increase in ANA numbers should occur in the context of this national security policy. The extent and quantity of the increase must be sustainable for Afghans, in particular in terms of a salary sufficient to maintain the loyalty of soldiers. Afghan security forces should be increasingly utilized to lead the charge in terms of security – particularly in light of Afghan frustration with international forces and civilian casualties.

Police reform should be the most important security priority. Police reform efforts must be strengthened, and intervention at the district level is required. The police need to be educated, better equipped, and police positions must be hardened. The retrained local police – in the Focused District Development (FDD) program – lack effective oversight, and gains may prove to be short-lived. The inherent risk is the concern that deputizing local militia groups will continue to fragment the authority of the central government. Every effort should be made to secure and patrol existing lines of transportation (mostly highways), in order to ensure an unobstructed flow of commerce. Subsequent focus should fall on population centers and areas of communication, as well as breaking the linkage between mid-level commanders and their men. This will require evaluating the Disbandment of Illegal Armed Groups (DIAG) program, as well as strengthening oversight provisions for FDD and considering rotating commanders across districts and provinces. Finally, consideration should be given to broadening EUPol's mandate to contribute at the district level, rather than just the provincial level.

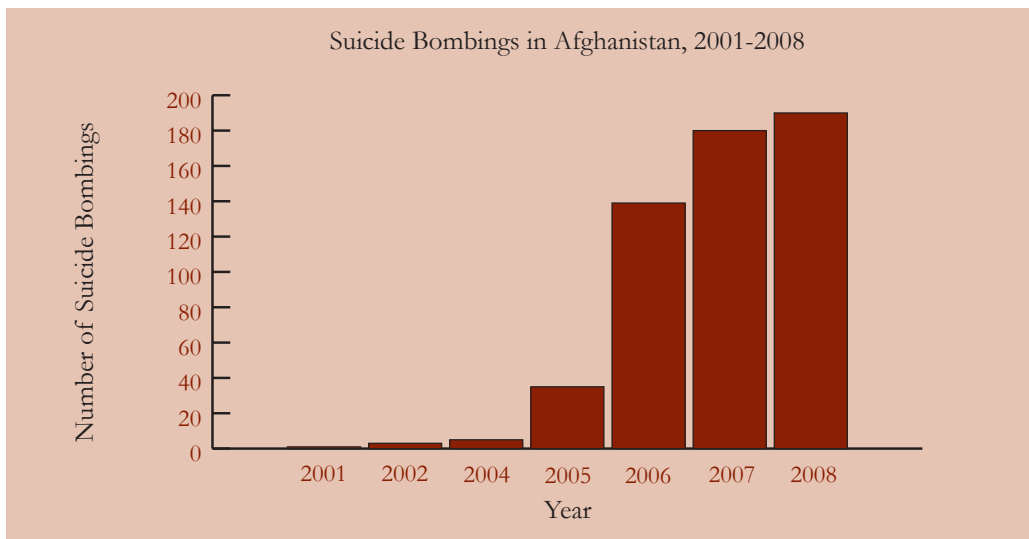
Issues of pay and equipment for Afghan police are keys to police reform. Hamid Karzai has said he wants Afghan forces to take the lead in securing the nation within five years. Police are seen as crucial to improving security and eventually allowing foreign troops to go home. But many police complain they are underpaid and under-equipped. The 93,000-strong police force, along with the judiciary, are widely considered among the most corrupt institutions in Afghanistan, with low salaries contributing to the problem. Pay and welfare/retirement plans for Afghan police must be enhanced. The international community should support a new initiative to increase governmental pay for police. Afghan Interior Minister Mohammad Hanif Atmar said salaries will increase from \$180 to \$240 for police in high-threat provinces, a 33% rise. In lower-risk areas, they will increase to \$200 from the current \$120, a 67% rise.

Civilian casualties are an issue that international forces must deal with immediately. A reduction in civilian casualties is critical – Afghans must be protected. Tom Koenigs, former UN SRSG for Afghanistan raised the issue of civilian casualties during military operations by ISAF or US troops. Civilian casualties are compounded by the facts that a wounded Afghan cannot hope for any sustainable assistance, and an injured or dead husband, father or brother, may well mean poverty and misery for other family members – especially

the wife and mother. If this is a multi-child family, the sons in the family could be prone to follow the Taliban if they do not find a decent sustainable source of income for their families.

Civilian deaths have badly strained the relationship between ISAF and Afghans. According to a UNAMA statement, more than 2,000 civilians lost their lives in the first ten months of 2009. UNAMA recorded 2,021 civilian deaths, compared with 1,838 for the same period in 2008, and 1,275 in 2007. Civilians have been caught in the crossfire, and their basic human rights – such as access to health, education, food, and shelter – have been violated by the warring parties. However, more civilians have died in attacks by Taliban insurgents than by aerial strikes and military operations by pro-government Afghan and international forces. According to UNAMA, 1,397 were killed by anti-government elements, 465 by pro-government forces, and 165 by other actors. Matters are made worse by the often completely inappropriate ways in which NATO and US forces deal with civilian deaths, which thereby enable Taliban and radical forces to exploit popular disapproval.

Reducing suicide bombings too must be a priority. Suicide bombers, who are mostly young, deliberately target Western and international actors, troops, and governmental officials. In 2001, there was 1 recorded suicide bombing, 3 bombings in 2002, 5 in 2004, 35 in 2005, 139 in 2006, 180 in 2007, and 190 in 2008. There have been more than 70 suicide attacks in the first six months of 2009, but the numbers have been declining since 2008. This is a change, especially since the majority of the Afghan population is deeply opposed to suicide attacks and considers them a travesty.



### Reintegration and Reconciliation

Special focus has to be addressed on growing criminality – some with links to the Taliban, some with links to the police, and some with links to both. There can be no purely military victory in Afghanistan today, given the strength of the Taliban and the perception that the international community will begin reduction



of its engagement. This needs to be discussed more by and with Afghans. How do we define the Taliban? Who can we deal with and who can't we? How do we take the Taliban from their current position of strength to a position where they are compelled to compromise? What are we prepared to compromise on, given the Taliban's stated agenda of bringing down the government and forcing out international forces, and the movement's documented history of human rights abuse?

Top Taliban leadership must be targeted via the UN Sanctions Committee (1267) action, rather than by hunting mid-level Taliban. But, the current sanctions list must also be updated, and used to publicly ostracize these individuals. As part of UN Security Council Resolutions 1735 and 1822, narco-traffickers must be considered for inclusion on this list as well. Efforts should be made to urge some neighboring states to apply these sanctions.

The international community and its Afghan partners should not only attempt to bridge the gap between the fragmented elite and the Taliban, but also broaden the base to include democratic, secular reformists who have largely been left out of the process to date. We must be aware that while a majority of Afghans welcome our presence, support has been declining since 2002. But in the end, reintegration and reconciliation should be defined and implemented by Afghans.

## The Region

A regional solution is the only kind that will solve Afghanistan's internal security problems. Multiparty talks under the auspices of the UN are needed, including the US, EU, Russia, China, Iran, Pakistan, and possibly Saudi Arabia and some of the northern Afghan border states. Pakistan is without doubt the greatest cause of regional instability and a main contributor to the insurgency within Afghanistan. However, Afghans must take responsibility for other factors contributing to the insurgency beyond Pakistan's involvement.

Resolution of the dispute concerning the border between Afghanistan and Pakistan (across the Durand Line) is essential to Afghanistan and the region's security. Pressure, including smart sanctions if required, should be applied against carefully identified targets in Pakistan. This pressure should take into account the role of the "deep state" in Pakistan, a deeply entrenched network of high-ranking military representatives and intelligence officers. However, the international community, and particularly regional powers, must also unite to support the new Pakistan government's efforts to control the Taliban insurgency in the Northwest. The highly sensitive internal politics of Pakistan must be acknowledged, and reliable partners must be identified.

The roles of India and Iran must also be carefully considered in any regional solution to Afghanistan's security problems. India-Pakistan disputes, particularly over Kashmir, continue to feed Afghanistan's problems and color the regional relationships. The resolution of Kashmir would have a strong positive impact on Afghanistan and on both India and Pakistan's bilateral policies there.

Regardless of bilateral tensions with Iran, states involved in Afghanistan – particularly the US – should seek Iran's cooperation in the fields of security and stability, development and promotion, and fighting against drugs and terrorism. Iran faces significant challenges from its eastern neighbor. There are many areas of common interest between Iran and the international community in dealing with Afghanistan. Iranians also

consider the Taliban to be an enemy, they have lost many diplomats in Taliban-controlled Afghanistan prior to 2001, they have continued casualties among the guards on the long Iran-Afghanistan border, and there are efforts to create extensive border barriers in order to try to curb smuggling and the drug trade. The Western world must recognize that Iran has legitimate national interests in Afghanistan, and the constructive role it has played there in the past and can play in the future.

The international community also needs to do more to encourage other macro-regional stakeholders to participate in security building in Afghanistan. Central Asian involvement in Afghanistan's reconstruction should be supported particularly in areas where they have comparative advantage and national interest – power and energy, trade, border control, security. China must be encouraged to not only invest financially but also politically in Afghanistan, including by using its leverage with Pakistan. Saudi Arabia, Qatar, and the UAE must be more closely engaged with international forces, and their interests and roles in Afghanistan and Pakistan acknowledged.

Afghanistan must develop a proactive regional diplomacy agenda that focuses on outstanding regional issues with short-, medium- and long-term benchmarks. A third Regional Economic Cooperation Conference should be on the agenda, and should include Pakistan and all other regional players. Confidence building measures must be adopted to assure regional neighbors that the international military presence has no other objective than the stabilization of Afghanistan, and that it has a clear time frame for achieving this goal.

### Elections

The outcome of the August 2009 presidential elections reflects the greater challenges facing Afghanistan. With roughly only 35% of Afghans having cast a vote, compared to over 70% in 2004, it is clear that there are serious security challenges on the ground. There was an acrimonious debate about election fraud, all kinds of manipulation, and the clear use of violence against voters. There was also an unfortunate and widely publicized debate within the UNAMA leadership. It seems that this has not only damaged the image of UNAMA and its operations, but has caused overall rather derogatory effects on UNAMA's involvement in general and with the Afghan leadership in particular. It is now widely held that the international community also has significantly lost in Afghanistan due to the outcome of the presidential elections. Following this debacle, by September one could observe in the US a marked decline of public acceptance of the international involvement in Afghanistan.

Elections were already difficult in 2004 and 2005, this was even more so the case in 2009, and 2010 will undoubtedly be no different. Despite best efforts, elections in Afghanistan can only be imperfect to a greater or lesser extent, due to extraordinarily difficult security and domestic circumstances. The best an election can achieve is to produce as legitimate a leader as possible. Institutions, participation, and insecurity are all key to the legitimacy of the election process, but security is the crucial element. Two key questions related to election legitimacy must be considered: 1) Is there still domestic support for elections as a vehicle for bringing reform? and 2) Will elites accept election results as legitimate to govern?

Future elections will require a “surge” in security to allow them to be implemented effectively and to ensure maximum access. Civil society groups will need more support and security. Turnout problems in past

elections indicate the need for effective outreach. More so, future elections will need a “political surge” including international and Afghan consensus on the process, security, vetting, removal of Pakistan/Taliban influence, civic outreach, and cooperation with civil society. Elections without rule of law institutions and genuine vetting procedures are merely a playground for those with money, power, and guns.

In the end, “elections” must be decoupled from “democracy.” The international community’s focus on elections must be on the process – including between electoral cycles – rather than only on the event every time it comes around. As a process, the international community must support it consistently over time. The electoral system – the Single Non-Transferable Vote (SNTV) system – has proven to be impracticable for a country like Afghanistan and, with Afghans in the lead, should be revised through the adoption of either a first-past-the-post or a proportional system. The constitutional calendar for elections should also be revisited. According to the constitution, Afghanistan must hold 109 elections over the next 60 years – this is unsustainable, unnecessary, unaffordable and could lead to voter fatigue.

### Economic and Human Development

Of the \$40-\$50 billion in aid allocated to Afghanistan at the various international donor conferences, only \$13 billion has been allocated to the Government of Afghanistan. Through March 2008:

- 90% of public expenditure in Afghanistan was international assistance;
- Reconstruction assistance represented a fraction of military spending. The US alone spent over \$50 billion per year in Afghanistan: \$57 per capita or roughly \$7 million day;
- Between 2001 and March 2008, \$25 billion was spent on security-related assistance;
- Some \$25 billion was pledged for development assistance between 2002-2008, but only \$15 billion delivered. Forty percent was returned to donor countries in corporate profits and consultant salaries;
- The World Bank disbursed just over half of \$1.6 billion commitment, the US disbursed only 50% of its \$10.4 billion commitment; and the Asian Development Bank and India disbursed only 30% of their commitments.
- Of the \$39 billion pledged by donor countries for 2002-2011, only 40% had been disbursed by 2008.
- According to the IMF, inflation in Afghanistan in 2008 was greater than 18%, while in 2007 it was at 13%;
- According to a CIA report, Afghanistan’s exports in 2007 were worth \$327 million, while opium exporters illegally earned roughly \$3 billion in the same year.

Because of disbursement mechanisms that largely circumvent the Afghan government, donor spending has not been accountable to the parliament. Despite the difficulties of funding donor projects through the Afghan government, this is essential to increase the legitimacy of the state and to build capacity. Whether aid funds are spent through the Afghan government, or directly through NGOs or private contractors, spending should be allocated through consultation with, or made accountable to, the Afghan government, in order to increase Afghan ownership of the development process. This will increase aid effectiveness and accountability.

Donor investment in infrastructure and buildings (school buildings, medical centers, hospitals, roads) have many times been “one-hit” projects – “built and done” – but mostly not followed up with maintenance or

support. PRT “quick impact” projects in particular have had little impact in most provinces because they are unsustainable. Hence, many times the projects flounder, resources are wasted, and hopes destroyed.

Development projects must be sustainable. In this context, coordination of the international community under UNAMA’s leadership needs to be strengthened. The ANDS is also weak, has too many objectives, and needs to be better prioritized by Afghans through more community consultation. The geographic allocation of development aid must be reevaluated with a focus not only on unstable regions. Instead, successful regions should also reap benefits and receive effective financial support from the international donor community.

As agreed upon in Paris, a major development priority must be the agricultural sector. Food security, as a result of drought and rising food prices, has become a time-critical issue. Greater capacity building through agricultural colleges and vocational training centers is required, and agricultural strategy must be refocused on subsistence agriculture instead of commercial agriculture. Loans must be available to subsistence farmers and small- to medium-sized investors, and if funds are available, low-interest loans must be provided. Sustainable and alternative job creation and sources of income must be created to effectively replace the income derived from poppy production, the drug trade, and other illegal or semi-legal activities. Poppy eradication programs will have little or no impact without viable economic alternatives and real sources of income.

Afghanistan is blessed with numerous mineral and natural resources – from uranium to lapis lazuli to natural gas – upon which myriad small- and large-scale industries could be based. In combination with manufacturing and other industries, this could contribute to reversing the brain drain currently plaguing the country. Non-agricultural economic projects like carpet and soap production must therefore also be enhanced and encouraged. Connected to this, an emphasis should be placed on Afghanistan country-branding, so that, for instance, Afghan carpets can readily be marketed and sold with a brand identity associated with high quality handicrafts.

A special focus on the education of women and youth is essential for progress in Afghanistan. Better education will allow for more Afghanization of the economy, and hence for a stronger and more sustainable economic situation. The quality of the schools at all levels of learning also has to be improved – especially considering that many graduates cannot write or read well since teachers and materials are not up to par. Elementary schools and communal schools last much longer and work better if the community wields a strong influence in their construction, conduct, and teaching. Schools simply implanted by international organizations or NGO initiatives are typically of short duration, and the security of their teachers can easily be threatened. However, if the community is involved, the community will be invested in and take over the school’s security.

Job creation has to be emphasized, and the focus should not only be on training, but on jobs as a long-term source of income. It is not advisable to offer education – for the first time in thirty years – to an increasing part of the children and young population without accounting for employment thereafter. Besides the fact that this would be an economic catastrophe, history has repeatedly shown that unfulfilled graduates of high schools and colleges who remain jobless are potentially dangerous for the political stability of the state. We must provide young Afghans with jobs, income, and a belief in the future.

Vocational schools and professional training centers are of critical importance to this as a way to combine education and training with early job creation and income. The international community must urgently strengthen these initiatives, and foreign investment should be an integral part of supporting primary and vocational schools and the larger goal of sustainable job creation. But these steps must be carried out with Afghan involvement – from establishing the curriculum to linking onto norms and traditions of Afghan tradesman.

The geographic location of Afghanistan makes it uniquely positioned to become a crucial north-south, east-west transit point. All-year and all-weather workable infrastructure, including regional roadways and especially railroads, could facilitate intrastate village interconnectivity and market access, offer new sources of income, and incentive industrialization, employment, and national pride. Direct foreign investment from regional investors, international financial institutions, and the European Union is essential in the start-up of these industries and infrastructure projects, and necessary for building up the ability of Afghanistan's central authority to deliver basic human services. The country should be encouraged to participate in regional and international economic organizations so as to ease market access and to provide incentive for foreign direct investment.

Also of crucial importance for Afghan economic development is Afghanistan's power supply. Electricity is in critical shortage and distribution of it to workplaces should be prioritized to bolster efforts at individual economic stabilization. Any improvement in the electrical supply would also send very positive signals of the Afghans' faith in their leadership. As development projects move forward, it should be considered that solar energy is ideal for Afghanistan and relatively cheap to develop and maintain.

### LOOKING AHEAD

Peace and stability in Afghanistan can be successfully attained only through a paradigm change from traditional strategies - namely, an increased and combined emphasis on the development and strengthening of effective governance, civilian rule, institution building, and sustainable job and income creation by and for the Afghan people. Without tangible deliverables, completed projects which work effectively, rule of law, real alternatives for economic viability, work for civilians and for those participating in the DDR process, and without Afghans feeling that they have a direct input and therefore a stake and ownership in the success or failure of village-level projects, neither the battle for security nor that for "hearts and minds" can be won.

The international community must rectify egregious mistakes. Rather than again and again restarting new projects and initiatives, let us streamline and adapt and improve existing ones – so that learning, Afghan ownership, and continuity can be established. For instance, it does not behoove the search for improved Afghan development, labor, and economic stimulation, if major international actors in the country – such as the embassies – import all of their foodstuffs, and even fly in construction workers and material, all at an excessive price. What is worse, I learned that even UNAMA imports their food, rather than using local food and water, and thus offering local farmers a good salary for their production and contributing to the process of luring them away from poppy production.

Afghanistan and the international community will need the support of the entire region to achieve these

vital goals. While Afghanistan plays a crucial role in the safety and stability of the region, it is also extremely vulnerable and dependent on those countries that surround it – especially large neighbors such as Iran and Pakistan. There are many joint concerns between Afghanistan, its neighbors, the region, the EU, and the international community. For a long-term solution to be found for Afghanistan, increased cooperation and support from all of these powers is paramount.

In closing, let me repeat my credo: the international community cannot lose Afghanistan. We need to work together to ensure that Afghanistan will be rebuilt, that jobs will be created, and that it will be more secure. We must do it by, for and with the Afghans, and we can only succeed by winning their hearts and minds. However, in the end, Afghanistan is the country of the Afghans, and control of Afghanistan will be by Afghans alone. We should now look to begin a new chapter in Afghanistan's history wherein a sovereign Afghanistan, with international friends, stands as a stable, secure, and economically prosperous state.

## ABSTRACTS

### PART I - GOVERNANCE, RULE OF LAW, AND HUMAN RIGHTS

#### GOVERNANCE ISSUES IN AFGHANISTAN: SOME QUESTIONS

William Maley

The idea of “good governance” seems increasingly prominent in discussions of what Afghanistan needs to overcome its problems. Poor governance is likely to blight any administration’s quest for legitimacy. Yet issues of governance are typically complex and interconnected. Patterns of governance tend to be shaped by the intersection of formal structures with informal rules and norms, some of them generated within that particular structural framework, and others from deeper cultural mores. To address issues of governance in Afghanistan is of course principally a matter for Afghans, since they fall within Afghanistan’s sovereign responsibility. However, useful lessons can be taken from the experiences of other states, which deserve to be highlighted. This paper focuses on several themes, which are of crucial importance to the development of good governance in Afghanistan, namely the constitutional structures, voting and elections, the operation of parliament, the central civil service, center and periphery relations, and the role of civil society. Raising questions of where we are now on each of these issues and where to go from here, the paper hopes to provide a framework for guiding the necessary reforms for improved governance. An overarching question in all these spheres is what kind of assistance might the wider world offer to assist the achievement of better outcomes.

#### THE RULE OF LAW IN AFGHANISTAN: AN OVERVIEW

Ali Wardak

This paper focuses on a review of the current state of the rule of law in Afghanistan. The paper examines national and international efforts that have focused on rebuilding the justice system, protecting human rights, addressing past crimes, and tackling corruption since the establishment of post-Taliban administration in Afghanistan. However progress in these areas has been slow and patchy. It is argued that the lack of effective coordination among national justice institutions and between national international actors, lack of a coherent “Afghan” vision, and the focus on reviving the old, pre-civil war justice system with some patchy “legal engineering” seem to be the main reasons for the slow progress. Endemic corruption, and the paying of lip service to transnational justice and human rights both by the Afghan government and its international supporters, and the growing insurgency further weaken Afghans’ faith in rule of law institutions in Afghanistan. Thus, the overwhelming majority of the Afghan population continues to take their disputes to informal justice institutions – jirga and shura – for resolution. Drawing on the *Afghanistan Human Development Report* of 2007, it is maintained that creating meaningful institutional relationships between formal and informal justice and civil society institutions within a coherent framework could provide effective, cost-effective, speedy and sustainable justice to the Afghan population. This could, in turn, strengthen the Afghan population’s trust in justice and rule of law institutions and in the efforts to stabilize Afghanistan.

#### HISTORICAL LESSONS ON REBUILDING AFGHANISTAN’S JUDICIAL SYSTEM

Amin Tarzi

As the security situation in Afghanistan continues to deteriorate, the link between justice and security is

gaining more currency in the international and national debate. Judicial reform in Afghanistan is broader than a limited focus on the rule of law and it requires building from scratch a functioning, comprehensive system of justice that is presently absent. This paper argues that a fundamental shortcoming of the state-building process in Afghanistan has been a sweeping negligence of the role of justice, not only in promoting security but also in allowing the Afghan government structures to gain their due legitimacy. Because of this oversight, the process to restore Afghanistan's judicial system and the right of arbitration through religious or traditional means have been handed over to the opposition. However, as attention shifts toward the concept that justice and rule of law are central to the development of the Afghan state, a pattern is emerging which calls for reliance on and even direct support for local justice systems as a quick measure of success. By examining the historical roots of the judicial system and how it has interacted with the informal system of justice over the centuries, this paper argues that while there is room for the informal justice system, customary law, or folk sharia to function in Afghanistan, those tasked with ensuring a future stable governing system need to leverage the historical development of the justice system in Afghanistan and plan a system which enhances rather than lessens the legitimacy of the constitutional authorities of the country. Attention should focus on the revival of the three components of Afghanistan's system of justice: positive law, the sharia-based formal legal system, and the informal dispute-solving mechanisms. This three-pronged system accounts for local as well as national needs and serves to provide a holistic judicial system that conforms to Afghan realities.

### **IMPLEMENTING INTERNATIONAL HUMAN RIGHTS LAW IN POST-CONFLICT SETTINGS: BACKLASH WITHOUT BUY-IN – THE AFGHANISTAN EXPERIENCE**

Leanne Smith

This paper explores the difficulties of implementing international human rights standards in post-conflict states, particularly in Islamic states, using Afghanistan as a case study. It argues that imposing international human rights law with a “top down” approach is ineffective, using the example of the Western-style Afghan constitution, which contains many human rights protections, such as freedom of religion, that cannot be realized in contemporary Afghan society. A more transparent, consultative, and long-term approach to human rights implementation should be taken in post-conflict situations if “human rights” is to be more than a catch phrase for members of the international community.

### **AFGHANISTAN: ELITE FRAGMENTATION**

Amin Saikal

Afghanistan has historically been characterized by a weak state in dynamic relations with a strong society. Its mosaic has been critical in impeding national unity and attempts at institutionalized state building. Since Washington's immediate response to the events of September 11, 2001, two factors, partly grounded in these divisions, have come more than others to affect Afghanistan's transformation. The first is the fragmentation of the governing elite, who can be divided into two informal clusters: those who have undertaken an alliance primarily with the United States, and those who have entered a partnership with the first cluster but have grown highly skeptical of the American agenda. The second is the massive political and security vacuum, which this situation has generated, and from which various counter-systemic actors and spoilers have emerged. The most important of these is the Taliban, followed by the Hezb-e Islami (Islamic Party), and Al-Qaeda. The major challenge now is how to effectively bridge these factors. What has trans-



pired so far has not moved Afghanistan in a desirable direction. The time has come for a new approach, a new strategy, and possibly a new compact in order to salvage the situation.

## **PROMOTING CIVIL SOCIETY IN AFGHANISTAN: DECONSTRUCTING SOME MYTHS**

Susanne Schmeidl

Despite the fact that the importance of civil society has been touted for many years as a key element in peace building, in reality and as the case of Afghanistan demonstrates, much remains limited to lip service and symbolic engagement. This article highlights challenges and misconceptions about civil society in Afghanistan in an attempt to contribute to a better understanding. These include an erroneous equation of civil society with modernity leading to an initial lacking of focus on traditional structures; the assumption that civil society is indeed always civilized and peace-oriented which it can but does not have to be, albeit for most Afghans civil society has come to signify a different way of life out of war and violence; the fear that a strong civil society means a decline of the state or setting up parallel structures – which it is definitely does not, but the Afghan state still treats it as competition; the assumption that civil society promotes social cohesion, which in the case of a fragmented country is not so easy and still may take some more time; and, the belief that international efforts automatically contribute to civil society development, when evidence suggests a very mixed score card at best, due to contradictory approaches, rigid funding structures, and sometimes even turf behavior.

## **THE BUDDHAS OF BAMBIAN: PAST, PRESENT, AND FUTURE**

Michael Jansen

This paper provides an overview of the historical developments surrounding the Buddha statues of the Bamiyan Valley in Afghanistan, from their construction until the present day. More specifically, it discusses the effects of the March 2001 destruction of the seventh-century Giant Buddha statues by the Taliban and what the international and national response has been to address the loss of this cultural heritage and to restore it. The paper documents how international agencies around the world have come together in an emergency effort to safeguard the remains of this invaluable Afghan and world heritage. Within this framework, the paper details the work undertaken by a UNESCO-led project for the Safeguarding of the Cultural Landscape and Archaeological Remains of the Bamiyan Valley. After focusing on the initial process of immediate stabilization of the remains of the Buddhas and inventory of the existing site, the project is now entering a last phase, with the objective of establishing a long-term preservation strategy and developing national capacity for the sustainable and autonomous conservation and management of the cultural heritage in Afghanistan.

## **PART II - SECURITY, INSECURITY, AND RECONCILIATION**

### **SOME THOUGHTS ON SECURITY IN AFGHANISTAN**

Joseph Mohr

To achieve security in Afghanistan – defined as a situation where the government of Afghanistan is able to maintain law and order, and denies the use of its own territory as a secure base for terrorist groups – requires Afghans “owning” this aim and the process to get there. The current methods employed to deliver external assistance are limiting efforts by Afghans to achieve ownership of this process, thereby

jeopardizing success. This paper analyzes several external and internal constraints toward the creation of an Afghan-led and Afghan-owned process. In the external arena, the building up of institutions to establish and maintain security, international counter-insurgency operations, and international counter-terrorism operations are crucial issues where change can make a difference. In the internal sphere, recovering a common vision for Afghanistan, and tackling nepotism and corruption stand out. The author puts forward several proposals to address this situation for both international actors and for Afghans, with the key emphasis being the achievement of Afghan ownership.

### **DIMENSIONS OF THE AFGHAN INSURGENCY: CAUSES AND ACTORS**

Thomas Ruttig

The discussion about ending the insurgency in Afghanistan by relying more on political means has been ongoing for many years. Various channels and methods have been tried to come to a kind of “reconciliation” with the insurgents or parts of them, but not with much success. The new US administration’s search for a new strategy for Afghanistan and Pakistan has opened the door for a new, coordinated approach. However, this requires a better understanding of what the insurgency is, who its actors are, and what are their reasons for taking up arms. There is a need to clarify what we mean when saying that there needs to be talks with (the) “Taliban” or “reconciliation” with (the) “insurgents.” It is not sufficient to consider the insurgency exclusively – and even primarily – as a problem of terrorism. In its first part, this paper discusses the structures of the insurgency and its organized core, the Taliban, to expose the different pathways and ways to approach the insurgency. In its second part, it tries to clarify what the range of meanings can be when referring to “reconciliation” in the current Afghan context and to suggest a more useful language in order to draw conclusions that might contribute to sharpening emerging strategies for a stabilization of Afghanistan by ending the insurgency through political means.

### **NEGOTIATION, RECONCILIATION AND OUTREACH: WHAT ARE THE OPTIONS ON THE TABLE?**

Joseph Mohr

The upsurge in violence in Afghanistan since 2006 should be seen within the framework of those included versus those marginalized by the Bonn process. For the power groups that were marginalized by Bonn, the 2005 National Assembly and Provincial Council Elections represented an opportunity for reintegration into the political fabric. The procedural failures and results of the elections confirmed the belief that the institutional framework set-up by Bonn would not allow any of the outsiders back in through the legal channels. Additionally, attempts at reconciliation during the time period since Bonn have largely failed to provide alternatives for those willing to come into the system. While over 4,700 Afghans have availed themselves of the PTS program, the framework was not set-up for reintegration and the question of what reconciliation meant was never addressed and still has not been. This paper argues that formal attempts at reconciliation with the leadership of the insurgents is unlikely to bring about any successes as the goal of any of these actors is ultimate victory at any cost. However, there is much room for maneuvering in negotiating with the mid-level leadership, especially at the local level. Previous attempts at this undertaken by UNAMA have proved successful, even if they have been stalled by fears of the Afghan government that it should be the only interlocutor in the reconciliation process. It is necessary for the government to explore this venue. For reconciliation to be successful, it must be accompanied by a relentless and public hammering of the terrorist-linked leadership as well as a widening of the PTS program by enlarging the board with

the participation of government security agencies and the UN, involving a wider mix of Muslim clerics, and including a socio-economic, security, and transitional justice component into each and every negotiation. Most importantly, a public apology must be made by those within the current system for the atrocities committed during the pre-Bonn period. Without truth and honesty there will be no reconciliation.

### **PART III - ECONOMIC AND HUMAN DEVELOPMENT**

#### **AID INVESTMENT IN HUMAN DEVELOPMENT IN AFGHANISTAN AND MEASURING PROGRESS IN BUILDING SOCIAL AND INSTITUTIONAL CAPITAL**

Nipa Banerjee

This paper sets out to determine if development investment in Afghanistan has helped to create human, social, and institutional capitals – all essential elements of effective human development. Research led the author to conclude that assessments of progress in human and social capital development is difficult due to the unavailability of qualitative data, and in the absence of an understanding by the development players – practitioners, donors, national partners, implementers, and programmers in human development – that there is life beyond numerical figures to allow assessment of real progress in human and institutional capital development. An assessment of the effectiveness of investment in human development demands a look at the human faces behind the quantitative and statistical figures of inputs (financial resources invested and activities undertaken) and outputs (displayed in completed activities and budget expended). Design, planning, implementation, and monitoring of programs, not backed up with appropriate qualitative analyses of outcome results needed as evidence of human, social, and institutional capital development, hamper realistic assessment of effective use of development resources. Since foreign aid finances constitute a very large percentage of Afghanistan's development budget, the conclusions are directly linked to aid investment in Afghanistan. References are made to ineffective delivery mechanisms used by donors resulting in making aid volume an inconsequential issue. Certain conceptual policy changes and tools are currently being considered in Afghanistan to facilitate measurement of progress in human, social, and institutional capital building. Appropriate and timely implementation of these reforms will address issues of effective use of aid and measurement of the qualitative impact of development programs, the central issue addressed in this paper. But until these reform elements are internalized and fully integrated into development planning, implementation, and monitoring processes, measuring progress in human development and social and institutional capital building will remain elusive. Capacity building in setting indicators for measuring qualitative changes is a critical need, which must also be addressed.

#### **BEYOND ARMED STABILIZATION IN AFGHANISTAN: POVERTY AND UNEMPLOYMENT**

Nematullah Bizhan

After eight years of international engagement in Afghanistan, many have doubts on the future of the war against terror and state-building efforts in Afghanistan. Both the government and the international community have created a perception of lack of legitimacy among the public and a lack of interest for long-term investments in Afghanistan. Afghans feel that they are not a part of the calculation in the development process, as the identified targets are narrowed down to war against terror or, more recently, a counter-insurgency focus. In this paper it is argued that development is a critical part of the stability process. Until the local communities are empowered economically and politically, a domestic means of stability cannot be created in the long term. There is a need for informed and balanced security, political,

and development strategies to be supported by an integrated approach in the country. It is necessary to reenergize the development agenda in Afghanistan and shift the focus to more targeted priorities that can generate employment and foster development.

### **THE AFGHANISTAN RAILROAD PROJECT: A CENTURY PROJECT**

Wolfgang Danspeckgruber, et al.

The issue of how to promote economic development in Afghanistan remains elusive to policy makers who have directed many millions in foreign aid to Afghanistan in the last decade. As a result of research conducted by the team at the Liechtenstein Institute in Self-Determination at Princeton University, this paper argues that a coordinated approach for developing a railroad system in Afghanistan with regional connections is key in promoting development and stability in Afghanistan. A railroad system would facilitate transportation within Afghanistan – being less susceptible to geographic and climate difficulties than other types of infrastructure – would provide a link with the regional players, promote trade and commerce, and finally, would be a driver for employment that Afghanistan badly needs. Different international and national actors have developed several projects in this area. This paper provides an overview of all of them. However, challenges remain in the integration of the different track gauge systems that surround Afghanistan and in the coordination of the several projects. As the title of this paper suggests, a comprehensive railroad project can be the project of the twenty-first century for Afghanistan. But for it to be so, there is a need for integration and coordination of the different projects, and this must be a project for, by, and with the Afghans.

## **PART IV - AFGHANISTAN AND THE REGION**

### **AFGHANISTAN AND THE REGION**

Zahir Tanin

History shows that Afghanistan's past relationship with its neighbors has been one built on conflict and mutual mistrust. Yet paradoxically it is these same regional actors that will play a role in Afghanistan's future prosperity. Therefore it is paramount to break down barriers to regional cooperation through economic ties between the parties concerned, and specifically through trade. This will generate trust, a necessary building block to continued diplomatic efforts to rebuild Afghanistan, and will bring peace to the region.

### **AFGHANISTAN AND CURRENT REGIONAL TENSIONS**

Mahmoud Saikal

In the past few years, several factors have brought together mixed elements of the nineteenth-century's Great Game and the twentieth-century's Cold War into the twenty-first century of Afghanistan and its surrounding regions, with a much larger number of power players. The tensions involve old players, namely, the United Kingdom, Russia, Iran, and the United States, assuming slightly modified positions and new players such as India, Pakistan, China, and the Central Asian republics. They signify the fragility of Afghanistan's inner and outer regions. They also indicate that once again Afghanistan's geostrategic location, after a brief period of being an asset for all, might have already turned back into a liability. Increasing regional tensions have made cooperation in Afghanistan increasingly challenging. The war on terror, which once enjoyed the overwhelming support of regional and international actors, has now become the first victim of escalating tensions and rivalries among these actors. The second victim of the rising regional tensions

is the political, security, social, and economic gains of Afghanistan in the past seven years, which have also benefited its neighbors and the world community. And finally, the third victim is the current and future development programs of Afghanistan, and regional economic cooperation and integration. Given the complexity of the different regional issues, multipronged initiatives need to be taken at unilateral, bilateral, and multilateral levels. A number of specific proposals are put forth to ease regional tensions and provide Afghanistan with a fair chance at stability and development.

### **AFGHANISTAN'S NEIGHBORS: UNDERSTANDING IRANIAN, CHINESE, PAKISTANI AND INDIAN INTERESTS IN AFGHANISTAN**

Rani D. Mullen

Since regional actors play such a vital role in determining Afghanistan's prospects, it is important to understand the factors determining their individual relationships with Afghanistan, as well as the relationships between these actors and the possible influence of those interactions on their relations with Afghanistan. Among Afghanistan's neighbors and regional actors, Afghanistan's relationship with Iran, China, Pakistan, and India are of particular note. These countries have historically played a role in different political factions in Afghanistan and continue to play important roles in both positive and negative ways by providing aid, trade, and foreign investment. This analysis provides a brief overview of the relationship between Afghanistan and Iran, China, Pakistan, and India. The main thrust of this paper's finding is that a coherent international policy toward supporting security and development in Afghanistan should be cognizant not only of the motivations behind regional actors' foreign policies toward Afghanistan, but also how the interactions between these regional actors in Southwestern Asia drive their foreign policies towards Afghanistan.

### **INDIA IN AFGHANISTAN: WHAT, WHY, WHAT IF, AND WHY NOT**

Varun Sahni

This paper addresses the Indian presence in Afghanistan since 2002, and whether it makes sense for India to remain in Afghanistan. It seeks to answer four critical questions: What is India doing to assist Afghanistan's reconstruction and redevelopment; Why is India interested in Afghanistan's reconstruction and redevelopment; What if Pakistan continues to attack the Indian presence in Afghanistan with impunity; and, Why not shift the Indian effort in Afghanistan from the construction of hard infrastructure to the provision of soft infrastructure? The analysis suggests that the Indian presence in Afghanistan should not be seen as a new phenomenon and certainly not at the mercy of Pakistan's wishes. Considering the crucial role of Afghanistan for India's maintenance of stability, India is likely to remain involved. The author suggests this involvement should, however, be revisited and changed to the provision of soft infrastructure, especially through new multinational regional avenues.

### **CHINA IN AFGHANISTAN: SAME OBJECTIVE, DIFFERENT MEANS**

Carol Wang

The role of China in the rebuilding of Afghanistan is increasingly scrutinized. As strategic reviews and renewed international attention reveal the necessity of more resources and more troops to stabilize the situation in Afghanistan, China's 1.7 billion ground troops and \$4.4 trillion nominal GDP could do much to fill

the remaining resource/troop gap. Today, China is the largest investor in Afghanistan but has not contributed peacekeeping ground troops of its own to the NATO-led ISAF peacekeeping force in Afghanistan. Instead of pressuring China to send military troops, Afghanistan may actually benefit more by pushing for substantial improvements in China's policy of economic assistance. The Chinese are unlikely to contribute military troops to Afghanistan in the near future as a direct result of China's peacekeeping principles, its history, and the current situation which is shaped by its stated foreign policy, regional complexities, domestic demands, as well as Afghan and Chinese popular opinion. But, this position is not necessarily counter to state-building efforts in Afghanistan. Expressed in its statements at the United Nations, in the media, and in blogs, China shares the same overall objective of the West: the stabilization of Afghanistan. With China's particular investment style, knowledge of rural development, potential for improving coordination/transparency and increasing investment in transportation infrastructure, China can greatly contribute to the stabilization of Afghanistan. At this time of Afghanistan's strategic importance to global security, the West may be most productive by strategizing China's involvement in China's language of economic development, not in the West's terms of military engagement.

## CENTRAL ASIA AND AFGHANISTAN

Robert Finn

Central Asia has been for many people the blank space on the map. In the years since the dissolution of the Soviet Union little more than unclear images of vast distances and endless energy deposits, authoritarian governments, and threats of fundamentalist Islam have appeared to fill in the void. Central Asia remains for most an enigma, but one that is assuming greater importance as the issues of power, influence, and resources that will shape this century become more defined. This paper addresses the most important developments in the different republics – Afghanistan, Turkmenistan, Tajikistan, Kazakhstan, and Kyrgyzstan – and the underlying connections between them. Furthermore, it puts these developments within the context of the actions and interests of international players, such as China, Russia, Iran, and the United States. The new nations in the region inherited parameters of history, ethnicity, and religion that shape, but do not determine how they will develop, and the area is both stage and player for the drama of the up-coming century. Several specific issues of relevance for the region and the international community are addressed, which can become vehicles of development and cooperation for the region, but which must be dealt with at the regional scale and if gone unaddressed can become focuses of conflict. These include the security and stability of Afghanistan, much coveted energy resources, water, transportation networks, succession issues, economic change, and the development of a holistic Central Asia policy by the international actors. Central Asia is almost another New World, with vast resources, huge territory, and peoples and cultures that in many ways are unfamiliar. At the same time, there are many aspects of life, particularly in its cities, that are quite recognizable, and Westerners easily adapt. Partnerships with Central Asian states and their peoples could result in mutually beneficial growth and development. The process will be long and sometimes difficult. The development of democracy is not guaranteed, nor is economic prosperity. Central Asia has the potential for both, however.

Part I  
Governance, Rule of Law, and  
Human Rights

## GOVERNANCE ISSUES IN AFGHANISTAN: SOME QUESTIONS

William Maley

Director, Asia-Pacific College of Diplomacy, Australian National University

The idea of “good governance” seems increasingly prominent in discussions of what Afghanistan needs to overcome its problems. Poor governance is likely to blight any administration’s quest for legitimacy. Yet issues of governance are typically complex and interconnected. Patterns of governance tend to be shaped by the intersection of formal structures with informal rules and norms, some of them generated within that particular structural framework, and others from deeper cultural mores. To address issues of governance in Afghanistan is of course principally a matter for Afghans, since they fall within Afghanistan’s sovereign responsibility. However, useful lessons can be taken from the experiences of other states, which deserve to be highlighted. I will focus on six specific spheres that merit some discussion. An overarching question in all these spheres is what kind of assistance might the wider world offer to assist the achievement of better outcomes.

### CONSTITUTIONAL STRUCTURES

Constitutional design is a challenging process.<sup>1</sup> Afghanistan’s constitution has been in place for nearly six years, and it has much to commend it, particularly the affirmation of fundamental human rights.<sup>2</sup> However all constitutions can benefit from periodic review, in order to determine whether the high hopes of the authors have been fully realized. (The Australian Constitution, for example, was reviewed by independent expert Commissions in 1929 and 1988, and by a bipartisan parliamentary committee in 1959). Several questions might usefully be addressed in contemplating the 2004 Constitution of Afghanistan:

- Have human rights guarantees worked as effectively in practice as on paper?
- Is the balance of responsibilities between executive and legislature appropriate?
- Is the president overburdened with responsibilities?
- Are the roles of different agencies and levels of government sufficiently defined?

### VOTING AND ELECTIONS

Elections are intrinsically divisive activities, creating winners and losers,<sup>3</sup> but they offer unique opportunities to produce political change without recourse to bloodshed. The vast fraud at the 2009 election, however, has already done great damage to the Afghan political process, snapping what was left of the fragile fibers of trust that had been rebuilt over the previous eight years. Daunting questions flow from these dramatic events:

- Are Afghans unequal to the demands of democracy, or simply the incumbent elite?
- How can political legitimacy be rebuilt in the aftermath of the elections?
- How might it be possible to prevent the suborning of electoral authorities in the future?
- What responsibility does the international community bear for the 2009 debacle?

---

1. Jan-Erik Lane, *Constitutions and Political Theory* (Manchester: Manchester University Press, 1996); Donald S. Lutz, *Principles of Constitutional Design* (Cambridge: Cambridge University Press, 2006).

2. William Maley, “Human Rights in Afghanistan,” in Shahram Akbarzadeh and Benjamin MacQueen, eds., *Islam and Human Rights in Practice: Perspectives Across the Ummah* (London and New York: Routledge, 2008), 89-107.

3. Jack L. Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: W. W. Norton, 2000).



## THE OPERATION OF PARLIAMENT

Parliaments can perform many different functions – ratifying appointments, scrutinizing proposed laws, interrogating ministers and officials, and investigating malpractice, as well as linking citizens and the state through a mediator.<sup>1</sup> The Afghan parliament performs some of these functions, but improvements may be possible. Some obvious questions are the following:

- Do parliamentary procedures facilitate effective performance of these tasks?
- Did the 2005 election exclude “party” activity, or simply drive it underground?
- Could a parliament with regulated parties in it function more effectively?
- If there is a large turnover at the next election, how will transition be handled?

## THE CENTRAL CIVIL SERVICE

Civil services typically operate with a mixture of political appointments – the “spoils system” – and professional career appointments, modeled on the Northcote-Trevelyan Report of 1853.<sup>2</sup> It is often said that the Bonn conference left the design of the new political system to the Constitutional Loya Jirga, but the future structure of the civil service (the bureaucratic state) was determined through the allocation of “departments” to different groups at the Bonn conference. This set the scene for a variant of the “spoils” system to apply. Some key questions arise:

- Does Afghanistan need all the ministries and agencies it has?
- How effective is coordination between these ministries and agencies?
- Will more donor funding be possible without more stringent auditing?
- Is there a need for a root-and-branch review of the Afghan bureaucracy?

## CENTER AND PERIPHERY RELATIONS

Afghanistan has a unitary system of government, but with devolved (but not entrenched) local responsibilities.<sup>3</sup> The bulk of the population live outside Kabul, and it is what goes on in particular provinces and woleswalis that is more likely to shape their perceptions of the state. This gives rise to a number of important questions:

- What can Kabul do to improve local security, justice, and governance?
- How can de jure and de facto states be matched?
- What roles should Provincial Councils and traditional leaderships perform?
- Should the National Solidarity Program model be extended?
- Is there a mismatch between monies and responsibilities at the local level (“vertical fiscal imbalance”)?

---

4. Marvin G. Weinbaum, “The Legislator as Intermediary: Integration of the Center and Periphery in Afghanistan,” in Albert F. Eldridge, ed., *Legislatures in Plural Societies: The Search for Cohesion in National Development* (Durham: Duke University Press, 1977), 95–121.

5. Eugene Kamenka, *Bureaucracy* (Oxford: Basil Blackwell, 1989), 125-126.

6. World Bank, *Afghanistan: Building an Effective State, Priorities for Public Administration Reform* (Washington, DC: The World Bank, Report no. 42166-AF, 2008), 40-45.

## CIVIL SOCIETY

At the mass level, the sense that Afghanistan is moving in the right direction has declined sharply, while the proportion of Afghans who think it is moving in the wrong direction has risen.<sup>4</sup> Such alienation is a worrying trend – even though the causes may be complex – as it can adversely affect the legitimacy of the state. Some questions to consider might include:

- How meaningful is the concept of “civil society” in Afghanistan?
- What forms of social polarization will likely flow from the 2009 election?
- How much further might political polarization go?
- Do free media contribute to “cascade” effects, where problems become exaggerated in popular perceptions?

---

7. The Asia Foundation, *Afghanistan in 2008: A Survey of the Afghan People* (Kabul: The Asia Foundation, 2008).

## THE RULE OF LAW IN AFGHANISTAN: AN OVERVIEW

Ali Wardak

Senior Researcher, Centre for Policy and Human Development, Kabul University

### INTRODUCTION

Rule of law is a multidimensional concept, which lacks a fixed meaning. Legal philosophers, sociologists of law, development specialists, and international organizations have defined the concept in different contexts, and in ways that serve specific purposes. Defining, or merely describing, rule of law in the post-Taliban era in Afghanistan is even more complicated. However, a field report by the Centre for Humanitarian Dialogue described rule of law in the current Afghan context in this way: “. . . since the Rule of Law is rooted in the judicial system, we have chosen to focus our analysis on how the actors have worked to foster it through the activities of the police, the prosecution, the legal profession, the courts, the corrections system, and human rights institutions, thus encompassing what is generally understood as those activities and institutions which connect the people with the ‘law’.”<sup>1</sup>

Similarly, the 2007 *Afghanistan Human Development Report*, stresses that the judiciary and justice system are central to a definition of rule of law in Afghanistan: “For Afghans, the rule of law refers to all those state and non-state institutions that promote human development through the application of public rules that are deemed fair, applied independently, enforced equally, and consistent with human rights principles.”<sup>2</sup> Although this definition sets forth the meaning of rule of law in a human developmental context, it nevertheless indicates that the judiciary and the justice system constitute the backbone of rule of law in Afghanistan. Thus, this paper focuses on an overview of the current state of the judiciary and the justice system, human rights, transitional justice, and anti-corruption strategies as key dimensions of reestablishing the rule of law in Afghanistan today. The paper also briefly examines and lends support to the “hybrid model of justice system in Afghanistan,” which is proposed by the UNDP-supported 2007 *Afghanistan Human Development Report*.

### THE JUDICIARY AND THE JUSTICE SYSTEM

Despite some modest progress, rebuilding the judiciary and the justice system in post-Taliban Afghanistan seems to be a complicated task, and there is a long way to go. With the support of the international community, especially the UN, Italy, the US, Germany and Canada, some progress in this area has been made. Noticeable work has been done on legislation, and several hundred judges, prosecutors, prison wardens, and thousands of police personnel have been trained. Some justice institutions have been refurbished, and several new ones have been built from scratch. Furthermore, progress has been made with regard to administrative capacity building within the existing judicial and justice institutions. More recent progress in these areas, according to the Afghanistan National Development Strategy (ANDS) First Annual Report includes: the establishment of the Independent Bar Association of Afghanistan, legal aid departments in Kabul and in three provinces, the Independent National Legal Training Centre in Kabul, and a committee

---

1. Centre for Humanitarian Dialogue, *Assistance to Justice and Rule of Law in Afghanistan: A Strategic Analysis* (Geneva: Center for Humanitarian Dialogue, 2004), 10.

2. A. Wardak, D. Saba, and H. Kazem, *Afghanistan Human Development Report (2007): Bridging Modernity and Tradition – Rule of Law and the Search for Justice* (Kabul: Centre for Policy and Human Development, 2007), 43. Hereafter AHDR, 2007.

for the simplification of judicial activities.<sup>3</sup> This progress also includes an agreement between the Attorney General and the Ministry of Interior on the development and implementation of measures to improve prosecution processes, and the introduction of common telephone numbers for use by the public to register complaints. Furthermore, 53 new laws have been processed, approved, and published in Afghanistan during the past five years.

These achievements in the process of reestablishing rule of law in Afghanistan are undoubtedly very important. However the nature of these achievements would seem to indicate that the current national and international efforts appear to concentrate on strengthening the pre-civil war justice institutions in Afghanistan. They seem to focus on patchy legal engineering and quick-fixes,<sup>4</sup> and on technical aspects of reform at the expense of its normative dimensions.<sup>5</sup> This situation and persistent institutionalized corruption, low salaries of judicial personnel, high level of professional incompetence, inadequacy of detention/correctional facilities, and more importantly, a very low level of public trust in the formal justice system, continue to pose serious problems to the rebuilding of rule of law institutions in Afghanistan.<sup>6</sup> A growing insurgency and the lack of security outside most key urban centers further add to these problems. As a result, most Afghans continue to take their disputes to jirga/shura – informal local institutions of dispute resolution – for resolution.<sup>7</sup> Some Afghans even prefer to take their disputes to the Taliban for resolution.

All this would seem to indicate that Afghanistan needs a new coherent “Afghan” vision for rebuilding an effective justice system in the country – a vision that reflects realities of the Afghan situation, and is capable of meeting the new complex needs of the Afghan population effectively and in cost-effective ways. Such a vision – in the form of a “hybrid model for Afghan justice” – was proposed by the UNDP-supported *Afghanistan Human Development Report* in 2007. The hybrid model proposes the creation of Alternative Dispute Resolution (ADR) and Human Rights Units alongside the state justice system at the district level. The model envisages that the ADR Unit would be responsible for selecting appropriate mechanisms to settle disputes outside the courtroom. This would mainly include jirga/shura, but also other appropriate civil society organizations such as Community Development Councils (CDCs). ADR mechanisms would handle minor criminal incidents and civil cases, while giving people a choice to have their cases heard at the nearest state court. All serious criminal cases, on the other hand, would fall exclusively within the jurisdiction of the formal justice system. The model proposes that when ADR decisions are not satisfactory to the disputant(s), they can be taken back to the formal state justice system. According to the hybrid model, the proposed Human Rights Unit would be staffed by officials from the Afghanistan Independent Human Rights Commission (AIHRC), or by specially trained law graduates. In order to counterbalance the dominance of men in jirga/shura within the ADR Unit, the Human Rights Unit is to be staffed by female personnel as much as feasible. The Human Rights Unit would be mandated to monitor decisions made by ADR bodies, in order to ensure their consistency with human rights principles. The Human Rights Unit would also carry out educational and training activities and would be tasked with examining past human

---

3. *Afghanistan National Development Strategy First Annual Report (2009): Making a Difference – Transition from Planning to Practice* (Kabul: The Islamic Republic of Afghanistan, 2009), 33.

4. A. Suhrke and K. Borchgrevink, “Negotiating Justice Sector Reform in Afghanistan,” *Crime, Law and Social Change*, vol. 50, no. 3 (2008).

5. T. Murray, “The Security Section in Afghanistan: An Overview,” Paper Presented at Institute of Peace and Conflict Studies (IPCS) Conference, Bangkok, April 11-13, 2008.

6. AHDR 2007.

7. Ibid.; Asia Foundation, *Afghanistan in 2007: A Survey of the Afghan People* (Kabul: The Asia Foundation, 2009).

rights abuses, domestic violence, and war crimes.

The hybrid model, which reflects deeply held Afghan moral and cultural values, as well as most recent thoughts in contemporary criminology and criminal justice,<sup>8</sup> provides a coherent framework for the delivery of effective, cost-effective, and speedy justice to the Afghan people. As an innovative idea linking formal and informal justice institutions, the model envisages an Afghan justice system that is less bureaucratic, and therefore, less corruptible. Moreover, since it is deeply rooted in Afghan culture and society, the hybrid model promises the establishment of sustainable justice institutions that are central to the “Afghanization” of rebuilding the Afghan state. Despite the angry response of Afghan state justice institutions to the hybrid model, it has been piloted in some parts of Afghanistan. Preliminary results of a pilot study in Khost Province indicate that the model provides workable solutions to some of the current problems of the Afghan formal justice system with regard to the delivery of effective, cost-effective, and speedy justice to local people.<sup>9</sup>

### TRANSITIONAL JUSTICE AND HUMAN RIGHTS

Despite a strong demand for dealing with past crimes among the Afghan population,<sup>10</sup> and despite well-documented evidence of war crimes, crimes against humanity, and other rights violations committed over the past thirty years,<sup>11</sup> the Afghan government and its international supporters seem to have sidelined transitional justice in Afghanistan. In response to strong popular demands for justice, the government adopted an “Action Plan on Peace, Justice, and Reconciliation” in December 2005. Using the unfavorable security situation and political sensitivities as grounds for a conciliatory stand on transitional justice, the Action Plan placed the emphasis on reconciliation rather than on justice. It focused more strongly on peace and national reconciliation, healing the wounds of victims of past crimes, and reintegrating all citizens including former combatants back into society.

However, despite the conciliatory agenda of the Action Plan, it has been opposed by some high-ranking officials within the government and by powerful local strongmen outside it. Some state institutions that are influenced by those who are accused of war crimes and crimes against humanity saw the Action Plan as a conspiracy against Afghan mujahideen – holy warriors who participated in the holy war against the (former) USSR invasion forces in Afghanistan. Opposition to the Action Plan has been especially strong within the Afghan parliament into which many former warlords have found their ways as members. The Afghan parliament proposed an amnesty bill for all those involved in the long Afghan conflict, including those accused of war crimes and crimes against humanity. The lack of a strong response by the Afghan government and its international supporters to this development is widely seen as a serious setback to the implementation of the Action Plan. Importantly, the absence of transitional justice as an issue of importance in the 2009 presidential election campaigns of the two main candidates – President Karzai and Dr. Abdullah – would seem to indicate that it is a forgotten cause. This assertion is supported by the 2009 *Afghanistan National Development Strategy First Annual Report*, which shows no progress on the issue of transitional justice in Afghanistan. It seems that both the Afghan government and the international community have continued

8. A. Wardak, “Building a Post-War Justice System in Afghanistan,” *Journal of Crime, Law and Social Change*, vol. 41 (2004): 319-341.

9. S. Schmidt, “An Evaluation of the Khost Commission on Conflict Mediation (CCM),” Unpublished Tribal Liaison Office Paper (Kabul: Tribal Liaison Office, 2009).

10. AIHRC, *A Call for Justice (2005)*. [http://aihrc.org.af/rep\\_Eng\\_29\\_01\\_05.htm](http://aihrc.org.af/rep_Eng_29_01_05.htm).

11. Afghanistan Justice Project, 2006

to follow former Special Representative of the UN Secretary-General to Afghanistan Lakhdar Brahimi's "peace first, then justice" erroneous formula.<sup>12</sup> This formula has neither resulted in the delivery of justice to victims, nor in the establishment of peace in war-torn Afghanistan.

Although some noticeable progress has been made with regard to the overall human rights situation in Afghanistan,<sup>13</sup> continued injustices toward Afghan women and children represent a major challenge to reestablishing the rule in the country. Afghan women and children lack sufficient healthcare, education and livelihood opportunities. Domestic violence and discrimination against women, as well as child marriage, continue to prevail.<sup>14</sup> Furthermore, reckless and repeated bombings by international forces in the Afghan countryside have resulted in the deaths of several dozens of innocent civilians during 2009 alone. In addition, unjustified and culturally insensitive searches of men and women by international forces have created a strong sense of resentment among the Afghan population.

This situation and the sidelining of transitional justice have created serious questions about the ability and sovereignty of the Afghan state, and have thrown major doubts on the international community's manifest stance on the protection of human rights and the reestablishment of rule of law in Afghanistan. This state of affairs has, in turn, resulted in the development of popular "conspiracy theories" among the Afghan population. The most common of these theories is that under the pretext of "war against terrorism," and "stabilizing Afghanistan," the US and the UK intend to deliberately prolong the Afghan war for achieving their strategic political and economic interests in this part of the world. According to these conspiracy theories the American and British military personnel in Afghanistan provide aid and weapons to Afghan insurgents and are involved in drug production and smuggling. These conspiracy theories and the increased insecurity in the North of Afghanistan seem to have prompted the head of the Afghan Upper House of Parliament (mashrano jirga) - Hazrat Sibghatullah Mojaddedi – to state publicly that "Foreigners are aiding the Taleban."<sup>15</sup> It soon became clear that by "foreigners," Mr. Mojaddedi meant the US and the UK. Conspiracy theories hardly stand empirical tests, but they flourish vigorously in Afghanistan – a country where widespread corruption seriously undermines national and international efforts to reestablish rule of law in the country.

## CORRUPTION

Like the concept of rule of law, corruption does not have a fixed definition. However, it may be described as the use of public office for private gain, or offering undue advantage to others with or without financial or non-financial consideration in return. Nevertheless, Alatas defines corruption as "stealing through deception in a situation which betrays a trust."<sup>16</sup> This definition implies that corruption mainly involves unfair enrichment through the exploitation of office in a social, economic and political environment that lacks effective mechanisms for holding power-holders into account. Maley argues that in the current Afghan context, it is the existing cultural and political arrangements that result in abuse of power – a phenomenon

---

12. N. Nadery, "Peace OR Justice?: Transitional Justice in Afghanistan," *International Journal of Transitional Justice*, vol. 1, no. 1 (2007): 173-179.

13. AIHRC, *Annual Report (2008)*. [http://www.aihrc.org.af/Rep\\_Annual\\_2008.pdf](http://www.aihrc.org.af/Rep_Annual_2008.pdf). Hereafter AIHRC, 2008.

14. AHDR, 2007; AIHRC, 2008.

15. BBC News. <http://www.bbc.co.uk/persian/afghanistan>.

16. Syed Hussein Alatas, *Corruption: Its Nature, Causes and Functions* (Aldershot: Avebury, 1990), 2.

that needs to be dealt with effectively.<sup>17</sup> This means that controlling the politically, economically, and militarily powerful in the current Afghan situation is key to reducing corruption in Afghanistan.

Indeed, the most common forms of corruption in Afghanistan involve abuse of political, economic, and military power, misuse of public funds, public land grabbing, abuse of public land management by high-ranking government officials, corruption related to the opaque and obscured privatization processes of state-owned enterprises, and widespread graft.<sup>18</sup> These forms of corruption are rarely committed by individual offenders acting alone. Corruption in Afghanistan is organized around strong official and non-official networks, with people at different levels involved. And those at the top reap the largest rewards. These networks appear to be closely connected with the emerging subculture of the “new rich” in Afghanistan, which is built around “making money” through whatever means possible – legitimate or illegitimate. The Afghan subculture of the “new rich,” which is formed by powerful political leaders – including those in opposition to the government – large businessmen, high-ranking government officials, and many Western-educated intellectuals/experts and their Kabul-based “international friends,” represents a glamorous Afghanistan within the wartorn miserable Afghanistan.

While the sources of the wealth of its members are unknown – or known to be illegitimate – this subculture sends a powerful message to the Afghan population: making money – through whatever means possible – guarantees social status, political power, and a high life. This message, coming from those in positions of respectability and high social status, make corruption look “normal” in Afghanistan. Thus, it is not a coincidence that corruption in Afghanistan today is, or is perceived to be, becoming increasingly widespread and institutionalized. The country’s ranking in Transparency International’s corruption perception index has dropped from 117 out of 159 countries surveyed in 2005 to 172 of 180 countries in 2007.<sup>19</sup> Transparency International’s 2009 survey of world corruption indicates that Afghanistan was only one step above the bottom rung – ranking 179 out of 180 countries surveyed.<sup>20</sup>

The Afghan government, with the support of the international community has devised various anti-corruption strategies: anti-corruption is strongly represented in the Governance, Rule of Law and Human Rights pillar of the Afghanistan National Development Strategy. The Government of Afghanistan has also committed itself to a number of time bound anti-corruption benchmarks under the Afghanistan Compact, including ratification of the United Nations Convention against Corruption. In addition, the General and Independent Administration for Anti-Corruption and Bribery, and the Law against Bribery and Corruption have been the main initial activities of the government against corruption. Also, the government and the donor community have developed a short-term action plan to demonstrate commitment to the fight against corruption in a paper titled, “Anti-Corruption Road Map.” Moreover in July 2008, President Karzai adopted a decree establishing a High Office for Oversight (HoO) for the Implementation of the Anti-Corruption Strategy. The HoO and key relevant ministries have taken some important practical steps

---

17. William Maley, “Corruption, Nepotism, and Trust: Problems of Governance in Afghanistan,” in *State, Security, and Economy in Afghanistan: Current Challenges, Possible Solutions*, (Liechtenstein Institute on Self-Determination at Princeton University, Liechtenstein Colloquium Report Volume III, 2008), 38-41.

18. Transparency International, *Transparency International Corruption Perceptions Index: (2007)*. [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2007](http://www.transparency.org/policy_research/surveys_indices/cpi/2007). Hereafter TI, 2007.

19. TI, 2007.

20. Transparency International, *Transparency International Corruption Perceptions Index: (2009)*. [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/20079](http://www.transparency.org/policy_research/surveys_indices/cpi/20079).

in the right direction. These include simplification of the archaic and “criminogenic” bureaucratic system in some government institutions, and the creation of a specialized anti-corruption criminal justice (sub) system in Afghanistan.

While these recent strategies are promising developments, past strategies have not had any noticeable impact on reducing corruption in the country. The government has failed to implement past strategies wholeheartedly, and failed to take decisive actions against high-ranking officials accused of corruption. This lack of political will may be closely linked to the core causes of corruption in Afghanistan, which seem to be highly complex. Thus, the past Karzai administration may be over-criticized by the international community and by opposition politicians as members of both groups are accused of deep involvement in corrupt activities in Afghanistan. A successful anti-corruption strategy in Afghanistan requires a thorough understanding of the causes of corruption in the country. Causes of corruption need to be sought in the archaic bureaucracy of the Afghan state conducive to abuse of political power, in Afghan cultural practices (patronage and nepotism), and in the subculture of the “new rich” that has close and organic relationships to the political and economic elites of Afghanistan, who are supported by their powerful “international friends.”

## CONCLUSION

What has been examined in this paper indicates that Afghans see efficient justice institutions and the effective and transparent delivery of justice as key to reestablishing rule of law in Afghanistan. The reestablishment of rule of law also means addressing past crimes, upholding fundamental human rights, and the delivering essential services to the Afghan population and distributing them transparently. However, efforts of the Afghan government and the international community to reestablish the rule of law in post-Taliban Afghanistan have met with little progress. The lack of a coherent “Afghan” vision, lack of effective coordination among key stakeholders, and widespread corruption appear to be the main obstacles. Paying lip service to human rights and transitional justice in Afghanistan appear to have weakened people’s trust in the government and in its ability to govern and deliver justice. This state of affairs seems to be closely linked to the increasing insecurity in the country. There is a need for a full review of the Afghan rule of law project, and for a new coherent vision for reestablishing rule of law institutions – sustainable institutions that are deeply rooted in Afghan culture and society, and are capable of meeting the new complex needs of the Afghan population in the twenty-first century.



## HISTORICAL LESSONS ON REBUILDING AFGHANISTAN'S JUDICIAL SYSTEM

Amin Tarzi

Director of Middle East Studies, Marine Corps University

As Afghanistan enters its eighth year of post-Taliban reformulation of state structures, the links between justice and security and other pillars of state building is gaining more currency. There is greater emphasis on steps to enhance the capacity of the government of the Islamic Republic of Afghanistan to “develop an effective mix of national, regional, and central governance; develop economic hope and security; establish a functioning rule of law; and move towards development.”<sup>1</sup> Judicial reform in Afghanistan is broader than a limited focus on the rule of law as it includes a functioning, comprehensive system of justice. As pointed out by J Alexander Thier, “reestablishing a legitimate justice system [in Afghanistan] . . . presents enormous, if not insurmountable, challenges. Every aspect of the picture of a functioning judiciary is presently absent.”<sup>2</sup>

In this paper I argue that a fundamental shortcoming of the state-building process in Afghanistan has been a sweeping negligence of the role of justice not only in promoting security but also in allowing the Afghan government structures to gain their due legitimacy. Because of this oversight, the process to restore Afghanistan's judicial system and the right of arbitration through religious or traditional means has been handed over to the opposition. However, as attention shifts toward the concept that justice and rule of law are central to the development of the Afghan state, a pattern is emerging which calls for reliance on and even direct support for local justice systems as a quick measure of success.<sup>3</sup> I assert that while there is room for the informal justice system, customary law or “folk sharia” to function in Afghanistan, those tasked with ensuring a future stable governing system need to leverage the historical development of the justice system in Afghanistan and plan a system which enhances rather than lessens the legitimacy of the constitutional authorities of the country.<sup>4</sup>

In the ideal classical Islamic system, the most important function of a ruler is that of lawgiver, to uphold justice through enforcing the sharia, a code of law ostensibly based on the Koran and the practices and sayings of the Prophet Mohammad. In reality, however, almost from the start the local customs of inhabitants of Muslim lands were either incorporated into the sharia or in many instances coexisted with the formal justice mechanisms represented by the sharia. In time, as Muslim polities became more diverse, positive or secular law (*qanun*) also took its place alongside the sharia and customary laws. With the advent of modern Islamic states, central authorities have tried either to minimize the role of the informal justice mechanisms or to bring them under some degree of governmental control. In most cases where the central state has remained weak or where state structures have been weakened by political events, informal justice systems have filled the void created by the absence of state-sponsored justice mechanisms.

---

1. Anthony H. Cordesman, “The Afghanistan Campaign: Can We Win?” Center for Strategic and International Studies, Burke Chair in Strategy, 22 July 2009, 3. [www.csis.org/burke/reports](http://www.csis.org/burke/reports).

2. J Alexander Thier, “A Third Branch?: (Re)Establishing the Judicial System in Afghanistan,” in Wolfgang Danspeckgruber with Robert P. Finn, eds., *Building State and Security in Afghanistan* (Princeton: Woodrow Wilson School of Public and International Affairs, 2007), 57.

3. For an argument in favor of providing informal justice or customary law its due place in Afghanistan judicial system, see Thomas Barfield, “Culture and Custom in Nation-Building: Law in Afghanistan,” *Maine Law Review*, vol. 60, no. 2 (2008): 348-373.

4. The term “folk sharia” is referred to by Thier in “A Third Branch?,” 60.

In Afghanistan, the initial efforts to codify the judicial system date back to the last two decades of the nineteenth century. During this time, the central authority attempted to rein in the informal justice systems and incorporate them into the nascent formal legal structure.<sup>5</sup> The intent was to dissolve eventually the dependence on informal, uncodified legal practices and replace them with a single, centralized, state-controlled judicial system. From this point forward, each successive government recognized that it could not ignore the informal justice system. What follows examines how some rulers in Afghanistan have handled the informal justice system during their attempts to centralize their authority and will apply lessons learned to current discussions.

Any attempt to review the historical interaction between state and non-state judicial sectors in Afghan society has to begin with an understanding of the historiographical heritage of the evolution of modern Afghanistan. When examining the historical relationship between state and non-state justice sectors in Afghan society, one must take into account the presence of the state-building myth, which presumes that Afghanistan sprang into being as a fully functioning state with all of its state structures in place in 1747. The myth masks the actual process. The formation of the Afghan state, including the justice system, evolved over time. It is also important to consider the tribal structure of the country at the time, especially the supremacy of one tribal confederation – the Pashtuns – and the binding of the Afghan national identity with Islam.

The process of building a state structure in Afghanistan began in the 1830s by Amir Dost Mohammad Khan (r. 1826-1839, 1842-1863)<sup>6</sup> and continued by his son and successor, Amir Shayr Ali (r. 1869-1879). However, the nascent state structure took a near fatal blow during the 1879-1880 war with British India and ensuing civil wars. When the dust had settled, a new ruler of Afghanistan, Amir Abd al-Rahman Khan (r. 1880-1901), had surfaced. Through an alliance with the British, this new amir secured his domain from outside threats. He then began to centralize his power to create a functioning state. One sector he paid particular attention to was the legal system. By bringing law and order through a centralized, regulated legal system, backed by brutal force, he hoped to gain control over the territory and to legitimize his rule.

Abd al-Rahman inherited a legal system that had undergone recent reform. Shayr Ali had attempted to make the judicial system more centralized and accountable under a uniform legal code. His efforts were only partly successful because he could not control the religious scholars (*ulama*), especially those outside the large cities. According to one source, prior to the reign of Abd al-Rahman, the central government rarely interfered in the internal affairs of local autonomous communities, where “elders, advised by councils, acted as a sort of magistrate in settling disputes in accordance with the customary laws. Civil suits were settled by self-appointed religious leaders with the sharia [sic], in cities by state-appointed judges, and in

---

5. For a study of the first attempts at centralization of Afghanistan’s judicial system, see Amin Tarzi, “The Judicial State: Evolution and Centralization of the Courts in Afghanistan, 1883-1896,” Ph.D. diss., New York University, 2003.

6. While Dost Mohammad became the ruler of Kabul in 1828, he did not assume the title of amir until 1838 when he declared a jihad against the Sikhs who had recently taking control of Peshawar. For more on the dates of the amir’s reigns, see Tarzi, “The Judicial State,” 65, n. 133.

rural areas by self-appointed religious leaders.”<sup>7</sup>

No detailed study of the judicial system under Shayr Ali is available to be used as a comparison to the changes introduced to this system by Abd al-Rahman. Lists of publications in the reign of Shayr Ali do not include instruction manuals or any other texts dealing with the judicial system of the state. It is generally accepted that the country lacked a centralized and systematized judicial system.<sup>8</sup>

Abd al-Rahman’s understanding of his position as the head of an Islamic community was similar to the traditional Islamic ideals of society, that such a community “exists to bear witness to God amid the darkness of this world, and the function of its government is essentially to act as the executive of the Law.”<sup>9</sup> The administration of the law by the government also meant that the amir could assume, directly or indirectly, the function of the judiciary and interpret the laws as he wanted. Sultan Mohammad Khan, in his biography of Abd al-Rahman, relates a dream that the amir had before leaving Russian Turkistan for Afghanistan. In this metaphorical dream, the then-Afghan exiled prince is brought before Prophet Mohammad and his companions and is asked what he would do if he is made king. Abd al-Rahman replies, “I will do justice and break the idols and place Kalima [the Muslim testimony (*shahada*) to God’s unity] instead.” Upon giving this answer, continues the biography, he received approval and blessing.<sup>10</sup>

The biographer of the amir in another place has written that Abd al-Rahman not only could interpret Islamic law but also made his own laws where the sharia did not provide conclusive commands.<sup>11</sup> This depiction is not so remote from the actual adjudication of cases that were settled by the Afghan courts during the reign of the amir, nor is it contrary to the practice of law throughout Islamic history. As Noel J. Coulson argues, from the eleventh century onwards, the Sunni schools of Islamic jurisprudence (*fiqh*) accepted two prerequisites for the holder of the office of caliph. One was extreme piety, the other was possession of the faculty to understand and determine the divine law. Once these conditions were met, Coulson writes,

---

7. Hasan Kakar, “An Analysis of the Centralization of Political Power in Afghanistan in the Reign of Amir Abdal-Rahman Khan (1880-1901),” *Afghanistan* (Kabul), vol. 30, no. 1 (1977): 1. The situation described by Kakar had lingered from the times of the Saduzais (1747-1818, 1839-41). For a description of the judicial administration of the country during the first reign of Shah Shuja al-Mulk (r. 1803-1818, 1839-1841), see Mounstuart Elphinstone, *An Account of the Kingdom of Caubul and its Dependencies in Persia, Tartary, and India*, reprinted in Graz by Akademische Druck- u. Verlagsanstalt in 1969 with bio-bibliographical notes by Alfred Janata from the first edition printed in London in 1815. Elphinstone writes that the “general law of the kingdom is that of Mahomet, which is adopted in civil actions in the Ooloosces [tribes, or as Elphinstone has it “clanish commonwealth[s]”] also; but their peculiar code, and the only one applied in their *internal* administration of criminal justice, is the Pooштоonwulle, or usage of the Afghans; a rude system of customary law, founded on principles such a one would suppose to have prevailed before the institution of civil government,” 165.

8. For variant lists of publications during the reign of Shayr Ali, see *Nigabi bar naqsh-i farhangi-yi Afghanistan dar abd-i Islami*, 1976 (no author), 133-134; Wasil Noor, “Chronological Survey of the Dari Books Published in Afghanistan” *Central Asia* (Peshawar), vol. 1, no. 5 (1980): 78. In his survey of the Afghan judicial system Fufalzai reproduces several legal documents mostly related to real estate transactions, but he does not provide details on how the system worked. See Aziz al-Din Fufalzai, *Dar al-qaza dar Afghanistan* (Kabul, 1990), 338-360.

9. Ann K. S. Lambton, *State and Government in Medieval Islam* (Oxford: Oxford University Press, 1981), xiv.

10. Mir Munshi Sultan Mahomed Khan, ed., *The Life of Abdur Rahman Khan Amir of Afghanistan*, G.C.B. G.C.S.I. 2 vols. (1900; reprint, Karachi: Oxford University Press, 1980), vol. 1, 230-232. Although the mention of breaking idols raises suspicion that the quote may not have come directly from Abd al-Rahman’s mouth and may be the product of a Muslim Indian’s frame of mind who would be more directly concerned with conflicts with Hindu idolaters, the general spirit of the story is consistent with the amir’s emphasis on Islamic justice.

11. Sultan Mohammad (same as Sultan Mahomed, see above n. 10), *The Constitution and Laws of Afghanistan* (London: John Murray, 1900), 126.

the ruler “had the power to take such steps as he saw fit to implement and supplement the principles established by the religious law.”<sup>12</sup> Joseph Schacht states that according to the doctrine adopted at the beginning of the Abbasid rule, the caliph, though accepted as having absolute command of the community, “had not the right to legislate but only to make administrative regulations within the limits laid down by the sacred Law.”<sup>13</sup> However, Schacht also points out that Muslim rulers often enacted new laws under the guise of administrative regulations. Instead of calling them legislation, “they maintained the fiction that their regulations served only to apply, to supplement, and to enforce the *shari’a*, and were well within the limits of their political authority.”<sup>14</sup> With the assumption of this discretionary power, which came to be known as *siyasa* (discipline or infliction), the sovereign theoretically sought to complete the scope of the sharia and in practice began to “regulate by virtually independent legislation matter of police, taxation, and criminal justice, all of which escaped the control of the *kadi* in early ’Abbasid times.”<sup>15</sup> The term *siyasat* in the evolution of the Islamic state came to be equated with “the exercise of political authority.”<sup>16</sup> In Abd al-Rahman’s publications, the term *siyasa* is used in the same manner as it was by the Abbasid caliphs.

The crux of the amir’s efforts was to establish a system of administering justice based on the sharia to serve as the law for all inhabitants of Afghanistan. As stated above, until the reign of Abd al-Rahman, Afghanistan lacked a cohesive, centralized government (*bukumat*). Using classical Islamic notions of dispensation of justice and obedience to the ruler, Abd al-Rahman brought order to the loosely governed country, many areas of which the amir referred to as *yaghistan*, the “land of the unruly.”<sup>17</sup> I argue in my dissertation that he created a state through the codification of the court system and its functionaries and linked the legitimacy of his rule to clearly understood Islamic notions of justice and governance. Justice and good governance then were effected through a visible and accessible system of courts or, as in the cases of the *sandug-e adalat* – “boxes of justice” – mechanisms for local remedies for injustice.<sup>18</sup> Abd al-Rahman stressed that the *farmans* (royal decrees) he issued reflected divine commands. Therefore, deviation from his *farmans* was to be regarded as tantamount to disobedience to the divine rules. Early in the amir’s reign, whenever the excessive repression of the amir caused concern among the leading ulama, who still wielded considerable influence over public opinion, Abd al-Rahman would justify his actions as necessary steps in propagating the rule of the sharia, as if to remind the ulama of his fundamental requirement to uphold the sharia and their primary duty to support him, the upholder of the sharia.

Using sources published by the Afghan amir and court registers from Konar, Ashraf Ghani Ahmadzai highlights Abd al-Rahman’s emphasis on Islamization of the courts and, through them, of the entire bureaucratic system of the country. This, he argues, introduced a kind of understanding of the religion “that had very little in common with what passed as Islam before it, and [this] served as justification for the cen-

---

12. Noel J. Coulson, *A History of Islamic Law* (Edinburgh: Edinburgh University Press, 1964), 129.

13. Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Oxford University Press, 1964), 53.

14. *Ibid.*, 54.

15. *Ibid.* In Islamic law the term *siyasatan* refers to the act by the rulers to take action, usually disciplinary, for reasons of expediency.

16. F. R. C. Bagley, trans., *Ghazali’s Book of Counsel for Kings*, second ed. (London: Oxford University Press, 1971), 45, n. 1.

17. Tarzi, “The Judicial State,” 305.

18. *Ibid.*, 306. The idea of “box of justice,” while not novel in Afghanistan, was placement of sealed boxes throughout Afghanistan as a means to facilitate the means of petitioning for subjects who could not come to the capital because of distance or for fear of repercussions from their local governors. For more see 275-282.

tralizing policies of the Amir.”<sup>19</sup> Hasan Kakar, concurring with Ghani’s point, adds that the “overall effects of these laws were that for the first time the inhabitants of Afghanistan began to learn how to obey a sole monarch and a uniform set of laws.”<sup>20</sup>

One challenge to this process was the existence of informal structures of justice in Afghanistan. The prevalence of informal customary and tribal justice mechanisms was not peculiar to Afghanistan. Generally speaking, in the Muslim world, while the ideal theory of the sharia was closely adhered to in the field of personal law, informal mechanisms dictated penal and administrative law. Going back to the birth of Islam in Arabia in the seventh century, Prophet Mohammad united Arab tribes in a single polity or community (*umma*) under a “common ideology, centralized authority, and law.”<sup>21</sup> However, according to John Esposito, this unity should not be overestimated since the “old tribal system of loyalties and values was not simply replaced but rather reformed and modified, Islamized.”<sup>22</sup>

Ashraf Ghani maintains that for the first time in the history of the Afghan state, under Abd al-Rahman the sharia became the supreme law of the land and the courts replaced all other local means of settling disputes. The control of the legal system formed the basis for the amir’s policies of centralization.<sup>23</sup> A year before Abd al-Rahman’s death in 1901, his biographer published a work on the laws of Afghanistan, painting an ideal situation, perhaps reflective of the amir’s ultimate hopes. He stated the following:

“The law of Afghanistan in the present day [1900] may be easily placed under three headings; (1) those of Islam; (2) those of the Amir, which are based upon Islamic laws, the opinions of the people, and the Amir’s own personal views and ideas; (3) Customary laws of the various tribes. In all criminal and political cases, practically the chief part of the law has been made by the Amir, and so in cases as to the Government revenue. But for the rest, Islamic law is the general rule. Thus very little is left to custom.”<sup>24</sup>

While Abd al-Rahman forcefully tried to institute a state-sponsored and controlled sharia-based legal system to replace all other mechanisms of dispute solving, he in practice could not eliminate all the non-state informal mechanisms. As Ghani states, while most of the population of Afghanistan adhered to the religion of Islam, for most of the Pashtun tribal confederations living in the country, the sharia did not serve “as its judicial basis and no religious tradition enforced allegiance to monarchs.”<sup>25</sup> Throughout his reign, the amir struggled to bring these practices under the control, or at least supervision, of the central authority. For example, in a farman from 1889 addressed to Shirindel Khan, his governor (*bakim*) in eastern Afghanistan, the amir reprimanded Shirindel Khan for the failure of the courts in Katawaz to adhere to the sharia in its legal proceedings. The amir noted that in the previous year, twelve cases of murder had occurred in Katawaz and not one perpetrator was brought before the court. Also, according to information provided

19. Ashraf Ghani Ahmadzai, “State-Building and Centralization in a Tribal Society, Afghanistan: 1880-1901,” MA thesis, American University of Beirut, 1977, 74.

20. Hasan Kawun Kakar, *Government and Society in Afghanistan: The Reign of Amir Abd al-Rahman Khan* (Austin: University of Texas Press, 1979), 169.

21. John L. Esposito, *Islam and Politics*. (Syracuse: Syracuse University Press, 1984), 4.

22. *Ibid.*

23. Ashraf Ghani, “Disputes in a Court of Sharia, Kunar Valley, Afghanistan, 1885-1890,” *International Journal of Middle East Studies*, vol. 15 (1983): 253.

24. Sultan Mohammad, *Constitution*, 126-127.

25. Ashraf Ghani, “Islam and State Building in a Tribal Society: Afghanistan 1880-1901,” *Modern Asian Studies*, vol. 12 (1978): 269.

by the local khans, four people who were accused of committing adultery were killed, and the culprits in other crimes escaped. Abd al-Rahman stressed that the accused and plaintiff in every case should come before a formal court, and if a murder suspect evades judgment by fleeing, the *dīya* (blood money) has to be collected from the felon's tribe. The amir, expressing his frustration on the lack of progress in his policy of creating a uniform legal system based on the sharia, wrote: "Not one article of the Shari'ah is progressing in Katawaz and they [the inhabitants of Katawaz district] are fearless people on whom the hakim cannot impose discipline. They find Shari'ah rulings unpleasant and propagate their Afghan [i.e. Pashtun] customs." The amir cites the unruly attitude of the inhabitants and the corruption and ineffectiveness of government officials as reasons for the failure of the sharia vis-à-vis Pashtun tribal customs.<sup>26</sup>

In certain instances, Abd al-Rahman allowed informal justice practices to continue. However, he subsumed them to his authority by regulating them or by bringing the state as party to the process with the end goal of dissolving these systems of customary law. For example, in the area of commercial disputes, Abd al-Rahman relied not on the sharia, but instead instituted a commercial court or tribunal based in Kabul in 1893 called panchat court (*makhma-ye panchat*) and appointed four Muslim and three Hindu magistrates.<sup>27</sup> The term *panchayat/panchaayat* is Hindi in origin and refers to a council of arbiters constituted of five or more village elders who would rule on civic issues in the community. From available sources, the conclusion may be drawn that the amir wanted the panchat court to be a tribunal with international members, namely Indians and occasionally British, with the capacity to settle disputes between Afghan merchants and foreign states or when foreign traders had commercial problems with the Afghan government.<sup>28</sup> While officially recognizing an informal mechanism, Abd al-Rahman kept the tribunal, the origins of which were Indian, under government control by appointing the arbiters to the panchat court.

There were also instances in which Abd al-Rahman did not immediately dissolve the informal justice mechanisms but evaluated the value of the practice before eliminating it. One such case was the imposition of the *chaharyaka* tax.<sup>29</sup> As evident from Abd al-Rahman's farmans, the custom prevailing in the Khost region prior to Abd al-Rahman's reforms was the following: when the government restored stolen property to its rightful owner, the government was entitled to collect a fee of 25% of the value of the property from the owner, the *chaharyaka* or "one-fourth."<sup>30</sup> This levy was acted as a finder's fee, sanctioned by the unwritten customary law of the region (whether the principle of the *chaharyaka* levy was extended to private individuals who restored property is not clear from the documents available). At first, the amir allowed for the *chaharyaka* levy. However he altered it to reflect his sense of justice. In a series of farmans to Shirindil Khan, the amir first instructed his hakim to collect the levy from the thieves rather than the owner of the stolen property, adding if the thief is not found, then the fine should be collected from the thief's tribe or any tribe that might have given refuge to the thief.<sup>31</sup> Eventually, the amir equated the collection of *chaharyaka* with an undesirable innovation (*bid'a*) and decreed that it no longer should be applicable in Afghanistan.<sup>32</sup>

---

26. Tarzi, "The Judicial State," 145-146. For a discussion of the farmans of Abd al-Rahman see, *Ibid.*, 310-319; for Shirindil Khan's background, see *Ibid.*, 236-248.

27. *Ibid.*, 181.

28. For more information about the panchat court, see Tarzi, "The Judicial State," 181-185.

29. Amin Tarzi, "A Tax Reform of the Afghan Amir, Abd al-Rahman Khan," *Journal of Asian History* vol. 27, no. 1 (1993): 30-50.

30. *Ibid.*, 45.

31. *Ibid.*, 46-47.

32. *Ibid.*, 48.

Amir Habib-Allah (r. 1901-1919), Abd al-Rahman's son and successor, continued the Islamization and centralization of Afghanistan's judicial system by publishing more extensive and detailed law manuals. However, he did not maintain as draconian a hold on the people as had his father. During this time, religious and tribal leaders began reasserting their roles in arbitration and informal justice practices. Traditionally in informal dispute solving in Afghanistan, the arbitration could only rely on customary laws "as interpreted by the elders and/or on Shari'a as expounded by the mullahs."<sup>33</sup> According to Leon Poullada, this system "[gave] the mullah another lever of power in the tribe."<sup>34</sup> Thus, it could be argued that while those within the religious establishment under Habib-Allah welcomed the amir's tendency to increase the prevalence of the sharia, they granted that they and not the state were to be the interpreters of the laws.

It was not until Abd al-Rahman's grandson Amir Aman-Allah (r. 1919-29) became ruler that the late amir's vision to provide Afghanistan with a codified, state-supervised judicial system became formalized. Judicial reforms, in which a separate independent judiciary was established, were part of a much larger modernization program initiated by the new amir. Aman-Allah, first and foremost, provided Afghanistan with its first constitution.<sup>35</sup> Article 55 in his constitution stipulated that "no special court" could hear and adjudicate a special case nor could a special issue be established outside the framework of the regular judiciary. This severely limited the role of informal justice.<sup>36</sup>

Aman-Allah's constitution and the accompanying reforms severely challenged the authority of the traditional ulama and tribal leaders who regarded these as an encroachment on their authority. Senzil Nawid explains how the Pashtun tribes reacted to the reforms by stating, "They were menaced both by the imposition of universal conscription and the abrogation of practices of the Pashtun tribal code of honor (*pashtunwali*) in favor of new regulations."<sup>37</sup> In 1924, the Pashtun tribes in the vicinity of Khost, who were led by the Mangals, began to rebel against the central government in Kabul. The actual cause of this rebellion – referred to in most sources as the Mangal or the Khost rebellion – is still debated by historians and scholars. Poullada writes that there is enough evidence to suggest that the real controversy that led to the Khost rebellion was not the new constitution, but the disenchantment of the local tribes with regard to the king's centralization programs threatening their autonomy.<sup>38</sup> Nawid agrees that the "main motive" for the revolt was "to curtail the loss of their authority to the central regime."<sup>39</sup> The tribal informal justice mechanisms based on jirgas stood in opposition to the state laws, which "relied heavily" on the sharia.<sup>40</sup> Nevertheless, the leadership of the Khost rebellion was comprised mostly of the ulama, and their official complaint was that the new laws of the country did not conform to the sharia.<sup>41</sup>

The eventual overthrow of Aman-Allah's government in 1929 became a lesson for successive Afghan

33. Leon B. Poullada, *Reform and Rebellion in Afghanistan, 1919-1929: King Amanullah's Failure to Modernize a Tribal Society* (Ithaca: Cornell University Press, 1973), 21.

34. *Ibid.*

35. *Ibid.*, 75.

36. For texts of all Afghan constitutions, see Sarwar Danesh, ed., *Matn-e kamel-e qawanin-e asasi-ye Afghanistan (az 1301 ta 1372 sh)* (Qom: Markaz-e Farhangi-ye Nawisendagan-e Afghanistan, 1995).

37. Senzil K. Nawid, *Religious Response to Social Change in Afghanistan 1919-29: King Aman-Allah and the Afghan Ulama*. (Costa Mesa: Mazda Publishers, 1999), 85.

38. Poullada, *Reform and Rebellion*, 94-95.

39. Nawid, *Religious Response*, 87.

40. *Ibid.*

41. Mir Mohammad Sidiq Farhang, *Afghanistan dar panj qarn-e akhbar*, 3 vols. (Qom: Muasesa-ye Matbuati-ye Ismailian, 1992), 525.

governments as they moved very cautiously in extending the authority of the state, especially in the area of law, outside main urban areas. King Mohammad Nader (r. 1929-1933) “adopted a policy of rapprochement towards the tribes.”<sup>42</sup> Mohammad Nader’s policies were generally followed by his son and successor, King Mohammad Zaher (r. 1933-1973) until the mid-1960s. In 1964, Mohammad Zaher drafted a new constitution, which again pressed for the consolidation of authority under a centralized law, and the state gradually extended its authority and laws into the outlying regions of the country.

Despite the new constitution, evidence surfaced in the 1970s that informal justice mechanisms were alive and well in Afghanistan. Alef-Shah Zadran, who conducted fieldwork on the traditional Pashtun legal system in Almarah in the 1970s, determined that more than 75% of cases were solved by informal justice mechanisms.<sup>43</sup> Almarah is a village currently situated in Khost Province. During the late nineteenth century, Almarah was under the jurisdiction of Shirindel Khan, the hakim responsible for Katawaz. Zadran observes that the “Pashtuns are people who live by a body of *tsali* (codes) known in the literature as ‘tribal laws,’ ‘traditional laws,’ or ‘customary laws.’”<sup>44</sup>

In the late 1970s, Afghanistan saw the total erosion of state structures and controls, and central authority weakened. Because of this, the periphery became more independent and began taking charge of its own affairs, including the dispensation of justice. Still, today in most parts of Afghanistan, the formal justice mechanisms, be it sharia-based or positive law, either remain very weak or are nonexistent. Moreover, and perhaps more importantly, this period witnessed a fundamental, if subtle, change of guard in Afghanistan’s local power structure and dispute solving mechanisms. “Large landowners and traditional tribal leaders gave way to a new class of younger military commanders who also took on the responsibility of civil administration.”<sup>45</sup> The military commanders gained their legitimacy, not from lineage and ownership of property, but rather from controlling the mechanisms of violence. Furthermore, the legitimacy of the traditional community leaders rested in their ability to be arbitrators of disputes and providers of continuity through descent. These new leaders justified and legitimized their rule in one form or another through provision of security and application of Islamic law.

As post-Taliban Afghanistan is moving forward with reestablishing the basics of state authority, the retooling and expansion of the judicial system take utmost importance. As an Islamic republic, the dispensation of justice remains central to the legitimacy of Afghanistan’s governing system. There is no denying the fact that today a vast majority of disputes are solved by informal means. Because of the lack of a strong formal justice system, not relying on these informal practices is unwise at this time. As the government moves forward with codifying laws and defining its legal structure, it needs to take into consideration these informal practices and establish a legal structure based on Afghan reality that affords objectivity and universal application of law.

In the conclusion of my dissertation, which I finished immediately after the fall of the Taliban regime, I

---

42. Mohammad Hashim Kamali, *Law in Afghanistan: A Study of the Constitutions, Matrimonial Law and the Judiciary* (Leiden: E. J. Brill, 1985), 20.

43. Alef-Shah Zadran, “Socio-Economic and Legal-Political Processes in a Pashtun Village, Southeastern Afghanistan,” Ph.D. diss., State University of New York at Buffalo, 1977, 288. Zadran’s study was based on 29 cases.

44. *Ibid.*, 205. Zadran writes that “*tsale* is a trial or a pathway, demarcated by pillars, in order to lead pedestrians and passengers to the right goal or target,” *Ibid.*, 206.

45. Barfield, “Culture and Customary Law,” 363.



wrote the following lines to which I continue to adhere:

“In a time when Afghanistan is attempting to reorganize its judicial system and draft a new constitution, it would be prudent for those involved to look back to the experience of ‘Abd al-Rahman. It behooves current policy makers to first learn from ‘Abd al-Rahman’s mistakes, especially his uncompromising use of force and his disregard for the fact that Afghanistan was and is inhabited by diverse ethno-linguistic and confessional groups. It equally behooves decision-makers to learn from the positive aspects of his reorganization of, and his innovations in, the structure of the justice system, such as making the judiciary accountable to the people and staffing it with officials drawing fixed salaries and carefully auditing its practices and procedures. ‘Abd al-Rahman’s emphasis on the administration of justice accountable to a central authority, and its implied other side of the coin, curbing the role of local religious and tribal leaders in the dispensing of justice could serve as a model for today.”<sup>46</sup>

As pointed out by Thier, Afghanistan’s “devastated justice system has to be rebuilt brick by brick, judge by judge, prosecutor by prosecutor, cop by cop.”<sup>47</sup> There is a tendency to seek short-term solutions for expediency sake. However, in the long-run, these will undermine the viability of a sound functioning justice system. Attention should focus on the revival of the three components of Afghanistan’s system of justice: positive law, the sharia-based formal legal system, and the informal dispute-solving mechanisms. This three-pronged system accounts for local as well as national needs and serves to provide a holistic judicial system that conforms to Afghan realities. An example of how this would look is as follows. At district levels, the informal justice systems function to maintain peace and security and arbitrate local disputes, independent of the government. Local norms are respected, and local authorities maintain their traditional roles within communities. However, an appellate court system is in place to hear those cases that cannot be solved through local arbitration to the satisfaction of all parties to a dispute. This appellate court system affords the government legitimacy as people learn to depend on a more formal judicial system, based on both the sharia and positive law, to appeal their cases in the event the local system fails to bring forth justice. There is much in Afghanistan’s history of state transformation that can be used as guidance and as lessons-learned to produce an Afghan judicial system that serves the people of that country, honoring their traditions, while allowing the state to preserve law and order and maintain the Islamic character of the country.

---

46. Tarzi, “Judicial State,” 308.

47. Thier, “A Third Branch?” 70.

## IMPLEMENTING INTERNATIONAL HUMAN RIGHTS LAW IN POST-CONFLICT SETTINGS: BACKLASH WITHOUT BUY-IN: THE AFGHANISTAN EXPERIENCE

Leanne Smith

Former Deputy Chief, Peace-Keeping Situation Centre, United Nations

International Human Rights Law (IHRL) acts as a major tool of diplomacy in today's international relations, particularly in relation to newly formed states or post-conflict states. International human rights standards form part of the armory of post-conflict reconstruction tools used by the international community in its interventions in countries emerging from war. Typically, efforts to establish human rights standards in post-conflict countries are being made concurrently with a range of other stabilization efforts, including humanitarian responses, reconstruction and development, political developments such as elections, reconciliation and transitional justice processes, and disarmament and demobilization. Both the international community actors and the host governments are faced with many competing demands and priorities.

Before identifying what obstacles there are to implementing human rights standards in Afghanistan we should first note the place human rights have been given, by the interim, transitional, and elected Afghan governments. This is important not only for improving implementation, but also to counter the often heard fatalistic arguments that human rights have no place in Islamic societies. However, it potentially also raises the concern that states like Afghanistan were pressured into taking on human rights commitments by the international community. We can find commitments by the Government of Afghanistan to human rights in the six international human rights treaties it has ratified, in the Bonn Agreement, the Afghan constitution, in the law establishing the Afghan Independent Human Rights Commission, in the Afghanistan Compact, and the Afghan National Development Strategy.

There are several difficulties involved in implementing international human rights standards in Afghanistan. At times, human rights concerns complicate the more immediate political and development objectives – this can cause division within the international community, and human rights standards often fall by the wayside due to the need for political expediency. In addition, for human rights practitioners there is an inherent tension between the desire to have countries like Afghanistan sign on to aspirational human rights standards, that cannot be achieved in the short term, and the need to acknowledge and report the many cases of human rights violations occurring on a daily basis.

At the outset, it is important to acknowledge the constraints on attempts to develop the field of human rights in the current Afghan security and political context. The difficulty of implementing human rights in the context of an unresolved internal political struggle cannot be underestimated, with the Afghan government not yet functioning in parts of the country and international military forces still fighting against insurgents for security control in those regions. There is a growing perception (at least by some elements) that Afghanistan continues to be under foreign military occupation. Combined with allegations of human rights abuses by those international forces, there are both practical and perception problems with the international community's role in supporting human rights.

Imposing international human rights law with a “top down” approach is ineffective, using the example of the Western-style Afghan constitution which contains many human rights protections, such as freedom of religion, that cannot be realized in contemporary Afghan society. The highly publicized arrest, trial, and

asylum of Abdul Rahman for apostasy in March 2006 was perhaps the most high profile case in recent years to illustrate the tensions the Government of Afghanistan faces in balancing its human rights obligations with traditional, religious, and cultural norms. In this case the government had to balance freedom of religion, as contained in its constitution and the IHRL treaties it has ratified, against the Hanafi Islamic crime of apostasy.<sup>1</sup>

In this, the first case of its kind since the fall of the Taliban, the government was truly between a rock and a hard place – the religious establishment, the Supreme Court, the prosecutors and police, and the large majority of the Afghan people all supported the death penalty for Abdul Rahman. The international community, on the other hand, leveraged strongly on the treaties Afghanistan had ratified, and the provision for freedom of religion in the Afghan constitution, to have the president intervene in the judicial process to have the trial declared faulty due to procedural errors.

“The case raised long-standing concerns about the capacity of the judiciary, the interference of clerics, application of the death penalty and the struggle between Sharia and statutory law.”<sup>2</sup>

This case illustrated three things: that most Afghans see sharia law, and not the provisions of the constitution or international treaties, as the law of the land; that ordinary Afghans are not aware of the provisions of the constitution or the treaties Afghanistan has ratified, and if they had been, probably would not have supported them; and, Afghans were angry that after creating the legal structures of the new Afghanistan, the international community was prepared to intervene to undermine both the religious values of their society and the separation of powers between the executive and the judiciary. The top down approach to implementing international human rights standards is clearly not working.

For international human rights standards to be effectively implemented and enforced in Afghanistan they will require the support of key actors. These must include not only the government which has ratified those treaties, but also the parliament, the courts, the police, the military, the civil service, civil society groups, and ordinary Afghans. Such support is clearly not evident in Afghanistan today. A precondition for support for human rights by these actors is obviously awareness and understanding, as well as acceptance. There are real and significant barriers to achieving these preconditions – warlordism, the absence of a human rights tradition, and the influence of conservative societal Islam, just to name a few. However, although it must be acknowledged that building a culture of human rights will be a gradual process, it remains a process that requires investment and commitment by the international community and the Government of Afghanistan. While significant investments in human rights have been made in Afghanistan, particularly through the AIHRC, the more basic process of awareness-raising needs further attention.

An initial problem of gaining traction for human rights in Afghanistan is the way human rights treaties have been ratified and incorporated. Due to the turmoil of war and the lack of effective governance structures, the process of ratifying treaties to date has been a largely bureaucratic and symbolic one. By way of ex-

---

1. Although the first, subsequently the case has been followed by several others involving apostasy and blasphemy, see for example the more recent case of Sayed Kaamakhsh in B. Wallace, “Afghan Student’s Defenders May Doom Him,” *Los Angeles Times*, 18 February 2008.

2. “Report of the High Commissioner for Human Rights on the Situation of Human Rights in Afghanistan and on the Achievements of Technical Assistance in the Field of Human Rights,” Human Rights Council, 5 March 2007, A/HRC/4/98, paragraph 52.

ample, there are very few people in government, including some ministers, who are aware that Afghanistan has ratified the Convention on the Elimination of Discrimination Against Women, without any substantive reservations. Indeed, it was ratified by Foreign Ministry officials, before the government was elected or the parliament formed. Had the Government of Afghanistan waited for the formation of the parliament, no doubt there would have been much controversy over whether Afghanistan should ratify this convention without reservation. However, it also would have caused significant media attention and raised awareness of the international protections that exist for the rights of women. It could have started an honest debate on these issues, between IHRL and Afghan Islam, which might have delayed ratification of the convention in the short term, but garnered more support and a better understanding of what the treaty could mean for Afghan women in the long run. Raising awareness not only invites spoilers, it also empowers those without a voice whose rights are being violated.

As awareness increases in Afghanistan about such treaties having been ratified without consultation, there has been a backlash against what is perceived as the imposition of Western values on Afghan society and culture. The conflict between international pressure and domestic support for Afghanistan's international human rights obligations was clearly seen in 2007 when some MPs in the Afghan parliament raised the prospect of unilaterally revoking Afghanistan's human rights treaties. Installing human rights obligations without the support and consent of key stakeholders cannot be effective – however uncomfortable the debate will be between the international community and Afghan power-brokers on the sticky issues of human rights and Islam, it is a debate that needs to begin if human rights are to have any meaning in Afghanistan.

One of the difficulties in making international human rights standards accessible in Afghanistan is that they have not been fully incorporated into Afghan law. In the simplest example, the human rights treaties have not been officially translated into Dari or Pashtu, the two official languages of Afghanistan. This of course makes these standards inaccessible to Afghans who may want to invoke them, such as parliamentarians, judges or victims of human rights abuses. It makes it difficult for Afghans to own these rights. It also provides some officials with excuses for not implementing these obligations.<sup>3</sup>

A more transparent, consultative, and long-term approach to human rights implementation should be taken in post-conflict situations if “human rights” is a serious issue for the international community. This will not only require the commitment of the country's government, but a coordinated approach by the international community that gives a central place to human rights in all its programs, while conscious of all the barriers to acceptance of human rights discourse. We must make human rights relevant to the local population, through committed and well-resourced education and awareness raising that focuses on rights that mean the most to those people. We must start a human rights dialogue through the political and development processes, not alongside them. In this way we will be able to engage civil society, the media, the parliaments, and the governments of host countries in a way that makes human rights discourse relevant and more than mere rhetoric. Human rights must be based in reality. Without the buy-in of key players in a domestic society, “installing” human rights is rarely effective.

If the international community places a high value on human rights, as indicated by its stewardship of the Bonn Agreement, the Afghan constitution, the Afghanistan Compact, and the Afghan National Develop-

---

3. In a 2007 interview with a representative of the Ministry of Justice the author was told that unless there was an official translation of these treaties, they could not be approved by the parliament, nor could they be incorporated into domestic law.

ment Strategy, then it must take this commitment seriously and dedicate policies and resources to it. Too often in practice in Afghanistan “human rights” are relegated to a quiet corner, rather than being perceived as an integral part of the redevelopment of Afghanistan. This can be seen in the Afghan National Development Strategy. Rather than being a cross-cutting theme (in the way that gender concerns are treated) relevant to all the various development sectors such as health, education, infrastructure, agricultural development, and so on, “human rights” are treated as a discrete, self-contained benchmark, as though they are not integral to these other sectors of reform. Another example is the lack of a human rights based approach to development in the work of some UN agencies in Afghanistan, where human rights principles like transparency, participation, protection of minorities, and equity in distribution could greatly enhance the effectiveness of development work.

There is no doubt that there are serious violations of human rights occurring in Afghanistan every day that require urgent action. This paper does not intend to represent the apologist position for Afghan cultural relativism, or to posit that it is all too hard and we should give up on protecting the rights of Afghans. It does however argue that without investing more in Afghan awareness, understanding, and support of human rights – across the spectrum of power-brokers – such urgent interventions to protect individuals will not be sustainable over the longer term.

What the international community should focus on in its promotion of human rights, as opposed to its protection function is building a culture of human rights within the collection of international actors as well as within Afghan society from the roots up. This involves taking human rights to the grassroots level through the development framework and the political processes, such as was done ahead of the 2005 parliamentary elections with the Political Rights Verification Campaign conducted by the AIHRC and UNAMA. It means taking human rights to the victims of abuses and the weak and marginalized within the community, not only to official or unofficial power-brokers that may be guilty of abusing human rights. It also means starting the promotion and education process with rights that make sense to ordinary Afghans.

## AFGHANISTAN: ELITE FRAGMENTATION

Amin Saikal

Director, Center for Arab and Islamic Studies, Australian National University

Afghanistan has historically been characterized by a weak state in dynamic relations with a strong society. Its population is composed of various ethnic, tribal, linguistic, cultural, and sectarian groups, each forming a distinct micro-society. These social and cultural divisions have historically played a critical role in impeding national unity and attempts at institutionalized state building in the country. Although the turbulence of the past thirty years has profoundly affected Afghanistan's landscape, the country's micro-societies have continued to remain salient in shaping Afghan politics and society.

Since the tragic events of September 11, 2001 and Washington's immediate response to them, two factors, partly grounded in these social divisions, have come more than others to affect Afghanistan's transformation.

The first factor is the fragmentation of the governing elite. Although all elite components have expressed public allegiance to Islam as the common thread running through Afghan micro-societies, they can in general be divided into two informal clusters. One is made up of those who have taken the reins of power on the basis of an alliance primarily with the United States, and signed up to American-induced processes of secular change and democratization. The other is composed of those who have entered a partnership with the first cluster but have grown highly skeptical of the American agenda.

The first cluster has included figures that have come from the ranks of the Afghan diaspora, primarily from the United States and Europe. While most of them lacked popular constituencies of their own in Afghanistan prior to the US-led intervention, they have generally grown dependent on and, therefore, vulnerable to US ideological and policy preferences. These preferences were determined initially very much by three minority groups in American politics that came to dominate the Bush administration's foreign policy. Pursuing overlapping agendas and sharing a common "doctrine of power reality" and therefore a belief in the application of American power, these groups were neo-conservatives, "Born Again" Christians and ultra-nationalists. Although the Obama administration has now revised the US approach to Afghanistan away from the influence of these groups, the latter's impact on some of the leading elements of the Afghan governing elite still remains quite paramount.

These elements have found it conducive to their interests to push for a mode of democratization that would uphold a strong presidential system of government, more akin to the American model than what might be most appropriate for a socially divided Afghanistan. This means that whatever has transpired in Afghanistan – in both positive and negative terms – continues to reflect the dynamics of the close relationship that originally evolved between these elements and the neo-conservatives and their allies within the Bush administration.

The second cluster within the Afghan governing elite has been primarily made up of those who have not found it appropriate to share their factional counterparts' emphasis on pro-US secular changes under the stresses of the US-led occupation. They have advocated a more indigenously based, pro-Islamic mode of change and development, ostensibly more in tune with the social and cultural milieu of Afghanistan. This

cluster has included many personalities from the ranks of Afghans who spent most of their time inside Afghanistan during the long years of turmoil preceding the US-led intervention, who have had their own power bases in Afghanistan and who come from a strong traditional religious background, but have found it expedient to join the governing elite as the best way to advance their personal ambitions and protect the interests of their constituencies. Although both clusters have been incoherent with a degree of inter-cluster fluidity, the elements within the second cluster have acted from time to time as a counter-elite.

This elite fragmentation, which is reminiscent of the problem that bedeviled the Soviet communist surrogates and their mujahideen successors, has resulted in highly damaging political intrigues, power rivalries, and the lack of a clear ideological direction in Afghanistan. It has substantially contributed to the development of a very dysfunctional, ineffective, and corrupted system of government, with a devastating impact on Afghanistan's transformation, especially when considered against the background of a number of other important variables. They range from the fragmentation of the Afghan parliament and the lack of an effective relationship between the executive and legislative branches of the government, to the failure of the US and its NATO allies to invest wisely in Afghanistan's reconstruction and to pursue an appropriate strategy of security building, and to the lack of a noted improvement in the living conditions of a majority of the Afghan people. The whole situation has generated a massive political and security vacuum for various counter-systemic actors and spoilers to emerge. This brings us to a second factor.

The most important counter-systemic actor that has emerged is the Taliban, with two noted spoilers on their tail: the Hezb-e Islami (Islamic Party) of the former mujahideen leader, Gulbuddin Hekmatyar, and Al-Qaeda, which like the Taliban have found all the opportunities needed to regroup and make a comeback with a vengeance. The Taliban have skillfully drawn on the weakness of the government and of its international backers at both strategic and operational levels to mount a serious challenge from outside the system.

Undoubtedly, the Taliban have enjoyed sanctuaries and a considerable amount of logistical, human, and material support from Pakistan. However, this support has been equally complemented by the weaknesses of the Afghan government and its international supporters, making many Afghans receptive to the Taliban's influence.

This has been nowhere more evident than among the ethnic Pashtuns. The Taliban have been able to penetrate the Afghan government and its instrumentalities of power at several levels. This, together with its earnings from opium fields and drug trafficking, has enabled it to emerge as a formidable outside-the-system radical Islamist opposition, impeding seriously the reconstruction of Afghanistan. The Afghans, who have traditionally been in the grip of an authoritarian political culture, are now indeed caught between two forces. One seeks to lead them down a path of secular political change, which is very much dictated by outside interests, and another wants to move them down the lane of an indigenous-based radical Islamist transformation.

The major challenge now is how to build effective bridges between these factors. What has transpired so far has not moved Afghanistan in a desirable direction. The time has come for a new approach, a new strategy, and possibly a new compact in order to salvage the situation.

## PROMOTING CIVIL SOCIETY IN AFGHANISTAN: DECONSTRUCTING SOME MYTHS

Susanne Schmeidl

Advisor, Tribal Liaison Office, Afghanistan

“Civil society is like a suit or a dress that has been given to us, but it is too big on us. It doesn’t fit well. It will take a long time for us to fit into it, or we may need to have it altered.”

*Director of Civil Society Organization in Mazar-i Sharif*<sup>1</sup>

### INTRODUCTION

Thomas Carothers, Vice President for Studies at the Carnegie Endowment for International Peace, noted ten years ago, “civil society has become one of the favorite buzzwords among the global chattering classes, touted by presidents and political scientists as the key to political, economic, and societal success.”<sup>2</sup> Not stopping here, the importance of civil society for conflict prevention and peace building has been increasingly acknowledged,<sup>3</sup> so to speak as the “key element of the post-cold war zeitgeist.”<sup>4</sup> Despite all this, however, “there is little systematic analysis of its [civil society’s] potential and limitations, and little practical guidance on how to support it. . . . The discourse on civil society contributions to peace building is still nascent, with codification of knowledge, critical analysis and good practice still evolving.”<sup>5</sup> This may explain why, at least in the case of Afghanistan, ample lip service was paid to civil society engagement in the post-conflict process, with actual engagement being “symbolic at best, and a fig leaf approach at worst.”<sup>6</sup> This paper attempts to highlight some of the challenges of working with civil society in Afghanistan and mistakes international actors could make and already have.<sup>7</sup>

### CIVIL SOCIETY EQUATES MODERNITY

*Not in the Afghan context.* This would leave out a majority of social institutions that allowed Afghans to survive through many years of war. Nevertheless, even the Dari term for civil society – *jamea-e-madani* – which can be translated as either meaning urban (*madani* seen as derived from *medina* = city) or civilized (*madaniat* = civilization) society shows some ambiguity about the civil society concept in Afghanistan. While the idea of urban society might go hand in hand with a minority of Afghan intellectuals and internationals driving a modernization agenda in Afghanistan, it would be irrelevant to the majority of the Afghan population (about 75%) living in rural areas. It may also lead to a premature conclusion that civil society was destroyed

1. *Afghanistan Human Development Report (2007)*. Hereafter AHDR 2007.

2. Thomas Carothers, “Think Again: Civil Society,” *Foreign Policy*, vol. 117 (1999-2000): 18. <http://www.carnegieendowment.org/pdf/CivilSociety.pdf>, (accessed 16 July 2009).

3. See United Nations, “Statement by the President of the Security Council,” S/PRST/2005/42 (2005). <http://daccessdds.un.org/doc/UNDOC/GEN/N05/515/21/PDF/N0551521.pdf?OpenElement>, (accessed 16 July 2009).

4. Carothers, “Think Again,” 19.

5. World Bank, *Civil Society and Peacebuilding: Potential, Limitations and Critical Factors* (Social Development Department, Sustainable Development Network; Report No. 36445-GLB, 2006), 1. [http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1164107274725/3182370-1164110717447/Civil\\_Society\\_and\\_Peacebuilding.pdf](http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1164107274725/3182370-1164110717447/Civil_Society_and_Peacebuilding.pdf), (accessed 16 July 2009).

6. Susanne Schmeidl (with Masood Karokhail), “Pret-a-Proter States’: How the McDonalidization of State-Building Misses the Mark in Afghanistan,” 67-76, in Martina Fischer and Beatrix Schmelzle, eds., *Building Peace in the Absence of States: Challenging the Discourse on State Failure* (Berlin: Berghof Research Center, Berghof Handbook Dialogue No. 8; 2009). [http://www.berghof-handbook.net/uploads/download/dialogue8\\_schmeidl\\_karokhail\\_comm.pdf](http://www.berghof-handbook.net/uploads/download/dialogue8_schmeidl_karokhail_comm.pdf), (accessed 16 July 2009).

7. Paying homage to Carothers, “Think Again,” I am adopting his structure of statements and short responses.



during the many years of war.<sup>8</sup>

Traditional institutions such as jirgas and shuras (or madrassas and ulema councils) played an important role in Afghanistan even before more modern civil society organizations emerged, and continue to do so.<sup>9</sup> They tend to be more embedded in society, enjoy greater legitimacy, and above all have been shown to be more sustainable. In similar contexts, such as Africa, they actually form quite legitimate “informal [civil] groups that pursue their collective interests vis-à-vis the state, often retaining some autonomy from the state, and providing a means (however imperfect) of both political participation and accountability.”<sup>10</sup> The resilience of traditional institutions vis-à-vis modern ones can be illustrated by the statistic that informal institutions currently handle about 80-90% of all disputes, including in cities.<sup>11</sup>

Many NGOs have long recognized the importance of traditional structures and used shuras for service delivery and to engage communities. More recently, traditional structures (both tribal and religious) were engaged during the 2004 and 2005 elections in Afghanistan to convince communities to allow women to vote and provide security to civic educators.<sup>12</sup> Even, the National Solidarity Program (NSP) of the Afghan government, realizing the importance of traditional civil society tried to create “a modernized version of jirgas and shuras, requiring them to be elected democratically by community members and to meet on a regular basis.”<sup>13</sup>

#### CIVIL SOCIETY IS CIVILIZED AND PEACE-ORIENTED

*Afghans would like to think so.* As noted earlier, jamea-e-madani is by and large understood by most ordinary Afghans as signifying civilized society. Civil society then becomes more than the sum of civil society organizations (CSOs), but a different way of life, one that is not dominated by *jang* and *tofang salars* (gunlords, warlords). This is clearly reflected in the words of a Kandahari woman that are echoed in many conversations with Afghans from all walks of life: “Now I can’t go to the bazaar; in a civil society I would have the

---

8. Amnesty International, “Human Rights Defenders in Afghanistan: Civil Society Destroyed,” (AI Index: ASA 11/012/1999. <http://asiapacific.amnesty.org/library/Index/ENGASA110121999?open&of=ENG-AFG>, (accessed 16 July 2009).

9. See Masood Karokhail and Susanne Schmeidl, “Integration of Traditional Structures into the State-Building Process: Lessons from the Tribal Liaison Office in Loya Paktia,” 59-79, in *Publication Series on Promoting Democracy under Conditions of State Fragility*, Issue 1: Afghanistan (Berlin: Heinrich Böll Foundation, 2006). [http://www.boell.de/downloads/asien/afghanistan\\_en.pdf](http://www.boell.de/downloads/asien/afghanistan_en.pdf), (accessed 16 July 2009); and Kaja Borchgrevink, *Religious Actors and Civil Society in Post-2001 Afghanistan* (Oslo: PRIO, 2007), 5. [http://www.cmi.no/pdf/?file=/afghanistan/doc/071212%20Religious%20Actors%20and%20Civil%20Society%20in%20Post-2001%20Afghanistan%20\\_Paper.pdf](http://www.cmi.no/pdf/?file=/afghanistan/doc/071212%20Religious%20Actors%20and%20Civil%20Society%20in%20Post-2001%20Afghanistan%20_Paper.pdf), (accessed 16 July 2009). For the importance of religious civil society see, Borchgrevink, *Religious Actors and Civil Society*; Borchgrevink et al., *Disconnected and Discounted?*, and Mirwais Wardak, Idrees Zaman, and Kanishka Nawabi, *The Role and Functions of Religious Civil Society in Afghanistan: Case Studies from Kunduz and Sayedabad* (Kabul: Cooperation for Peace and Unity, 2007). [http://www.cpa.org.af/Research/Docs\\_our\\_publications/Religious%20Civil%20Society%20in%20Afghanistan.pdf](http://www.cpa.org.af/Research/Docs_our_publications/Religious%20Civil%20Society%20in%20Afghanistan.pdf), (accessed 16 July 2009).

10. Stephen Orvis, “Civil Society in Africa or African Civil Society?,” *Journal of Asian and African Studies*, vol, 36, no. 1 (2001): 27.

11. Thomas Barfield, Neamat Nojumi, and J Alexander Thier, *The Clash of Two Goods: State and Non-State Dispute Resolution in Afghanistan* (Washington, DC: United States Institute of Peace, November 2006); AHDR, 2007.

12. Susanne Schmeidl, “Civil Society and State-Building in Afghanistan.” in Wolfgang F. Danspeckgruber with Robert Finn, eds., *Building State and Security in Afghanistan* (Princeton: Woodrow Wilson School of Public and International Affairs, 2007), 102-127; and Susanne Schmeidl, “Collaborating with Religious Actors in Afghanistan,” in *Rolle und Bedeutung von Religion und Spiritualität in der Entwicklungs-zusammenarbeit/Role and Meaning of Religion and Spirituality in Development-Cooperation* (Berne: Swiss Agency for Development Cooperation, 2007), 20-31.

13. AHDR, 2007, 101.

freedom to live freely in my own country and community.”<sup>14</sup>

The widely held international view that civil society “is warm and fuzzy” was already refuted by Carothers arguing that “civil society everywhere is a bewildering array of the good, the bad and outright bizarre” and includes mafia and militia groups as well, given all function outside the state.<sup>15</sup> This has led some to argue that in Afghanistan “it may be useful to add ‘uncivil society’ as an operational category.”<sup>16</sup>

Whether we like it or not, the mujahideen resistance against the communist government, as much as the Taliban movement in the early stage, can both be considered a form of collective action against social ills. Yet what may have started out as a genuine movement against the Soviet occupation was later on hijacked by strongmen using the resistance to increase their own power base, and what was initiated to free Afghanistan of arbitrary mujahideen rule later became a highly repressive government. Still both movements at one time functioned outside the state and had civil society roots.

Currently, due to failures in Afghanistan’s Disarmament, Demobilization, and Reintegration (DDR) process, militia groups are still widespread in Afghanistan.<sup>17</sup> Some function as pro-government militia, some have rolled over into private security companies or sell their services directly to international military – hence joined the private sector – and yet others have embedded themselves inside the Afghan government.<sup>18</sup>

Even NGOs were not necessarily neutral at all times, and some still are not. “Throughout the 1980s and early 1990s, a large part of NGOs and voluntary associations were closely associated with a political group, even those that intend on maintaining neutrality had to cultivate political contacts for their own protection.”<sup>19</sup> As different mujahideen parties controlled the refugee camps,<sup>20</sup> in which many NGOs emerged, they clearly had to arrange themselves, possibly even sympathizing with mujahideen agendas.

Not all civil society groups in Afghanistan, including women’s organizations, promote the typical “liberal Western messages.” For example, during the Constitutional Loya Jirga, several women collected signatures to make the *hijab* (women’s head scarf) a constitutional requirement.<sup>21</sup> Similarly traditional civil society structures still promote an exclusion of women. Even if Western onlookers dislike such messages, “the public interest is a highly contested domain,”<sup>22</sup> and Afghanistan remains an Islamic country with strong traditional roots.

---

14. As cited in Counterpart International, *Afghanistan Civil Society Assessment & How Afghans View Civil Society* (Kabul: CPI, 2005), 109. <http://www.counterpart-afg.org/PDF/EnglishSCA.pdf>, (accessed 26 July 2009).

15. Carothers, “Think Again,” 20.

16. William Maley and Amin Saikal, “Civil Society and Reconstruction: Some Reflections,” *Afghanistan Info*, no. 52 (2002): 7.

17. Antonio Giustozzi, “Bureaucratic Façade and Political Realities of Disarmament and Demobilisation in Afghanistan,” *Conflict, Security and Development*, vol. 8, no. 2 (2008): 169-192.

18. Susanne Schmeidl, “Case Study Afghanistan,” in Ulrike Joras and Adrian Schuster, eds., *Private Security Companies and Local Populations: An Exploratory Study of Afghanistan and Angola* (Working Paper 1/2008, 2008), 9-38.

19. Kaja Borchgrevink and Kristian Berg Harpviken, “Afghan Civil Society: Caught in Conflicting Agendas,” 13. Paper presented at the 49th Annual Convention of the International Studies Association, San Francisco, March 26-29, 2008.

20. Susanne Schmeidl and William Maley, “The Case of the Afghan Refugee Population: Finding Durable Solutions in Contested Transitions,” in Howard Adelman, ed., *Protracted Displacement in Asia: No Place to Call Home* (Ashgate Publishers, 2008), 131-179.

21. Personal observations, December 2003.

22. Carothers, “Think Again,” 18-19.

## THE RISE OF CIVIL SOCIETY MEANS THE DECLINE OF THE STATE

*Definitely not.* Carothers already asked this same question and responded the same way,<sup>23</sup> yet it is a fear harbored by a fledgling Afghan state<sup>24</sup> and some international supporters. This is especially the case of traditional civil society structures that represent in many ways a pre-modern state form in the Weberian sense.

The problem in Afghanistan has always been a juxtaposition of a weak state with a strong (civil) society.<sup>25</sup> “Neither the empires of the Safavids and Mughals of the sixteenth and seventeenth centuries nor the Durrani rulers of the eighteenth and nineteenth centuries managed to preserve their rule permanently or extend state structures beyond the few urban centres.”<sup>26</sup> Thus, Afghanistan never knew (and still does not know) a situation where the state was able to reach into all parts of society or was strong enough to undermine other local (power) structures. Furthermore, Afghanistan’s most recent experience is that of state failure after the communist government was toppled and non-state actors had to pick up state functions by default.

This created situations where, for example, under the Taliban, the non-governmental sector were almost considered as a “state within a state” picking up many state-functions such as health care and education.<sup>27</sup> Even today, the central state does not reach much outside urban centers and in some areas CSOs – especially traditional ones – substitute for lacking state functions, such as justice (as noted earlier) and security,<sup>28</sup> but also still in the traditional areas of health care and education.

As during the times of war, capable individuals had few options for political activism. Aside from becoming military leaders, they turned to work with the United Nations, NGOs, and CSOs. Come the fall of the Taliban, slowly but surely more and more members of Afghan civil society began to enter politics,<sup>29</sup> and many still do. One of the most prominent ones is Hanif Atmar, who by now is occupying his third ministerial appointment (Interior, prior it was Rural Development and Rehabilitation and Education). This has further blurred the lines between civil society and the state in Afghanistan.

## A CIVIL SOCIETY PROMOTES SOCIAL COHESION

*This is not so simple in Afghanistan.* Afghan society has always been based strongly on clientelistic networks, none extending much beyond family and kinship networks. The onset of the Afghan wars only exacerbated this. Heightened insecurity emphasized the need to stick together in what might be best described as

23. *Ibid.*, 26.

24. See, Schmeidl, “Civil Society and State-Building in Afghanistan,” for the example how the Afghan government ended up feeling threatened by strong civil society activism around the constitution-making process, especially the slogan, “People make the constitution.”

25. Amin Saikal, “Afghanistan’s Weak State and Strong Society,” in Simon Chesterman, Michael Ignatieff and Ramesh Thakur eds., *Making States Work: State Failure and the Crisis of Governance*. (Tokyo: United Nations University, 2005), 193.

26. Andreas Wimmer and Conrad Schetter, “State-Formation First: Recommendations for Reconstruction and Peace-Making in Afghanistan,” ZEF Discussion Paper 45 (2002), 8. <http://www.zef.de/publications.htm>.

27. See Borchgrevink and Harpviken, “Afghan Civil Society.”

28. Susanne Schmeidl and Masood Karokhail, “The Role of Non-State Actors in ‘Community-Based Policing’: A Exploration of the Arbakai (Tribal Police) in South-Eastern Afghanistan,” in *Contemporary Security Policy*, vol. 30, no. 2 (2009). The Ministry of Rural Rehabilitation and Development, unfortunately, also sees traditional shuras sometimes as competing with their newly created Community Development Councils, even though the latter have existed much longer.

29. For examples of prominent members see Schmeidl, “Civil Society and State-Building in Afghanistan.”

“survival networks” along narrow tribal, ethnic, or kinship lines. This is no different in other contexts in the Global South, as “in an extremely insecure situation, these networks provide the best available means of social and economic security.”<sup>30</sup> Maley goes as far to argue that such behavior is “a rational response to a situation in which being too trusting can prove exceedingly dangerous.”<sup>31</sup>

The necessity for “survival networks” grew stronger as the Afghan war began to polarize Afghans due to ethnicity-driven recruitment by warlords. Distrust grew to an extent that clientelism spread into almost every sphere of Afghan society, including diaspora groups and CSOs.

Today, many NGOs are still associated with specific ethnic groups. For example, local NGOs that formed in the Afghan refugee camps in Pakistan are often informally called “Pashtun NGO mafia,” the Afghanistan Independent Human Rights Commission has at times been called the Hazara Human Rights Commission, and in Kandahar-city NGOs linked to the Popalzai tribe are seen as monopolizing the international aid agenda.

All this said, however, since the fall of the Taliban, some civil society groups have shown remarkable efforts to break through clientelistic barriers and link different groups together by common agendas such as peace, human (women’s) rights, or democracy.<sup>32</sup> The Afghan Civil Society Forum (ACSF), for example, held (and still holds) workshops and gatherings that try to unite people around issues (for example, private sector rights, youth issues, handicaps) or to provide input to the state-building process (Emergency Loya Jirga 2002, Constitutional Loya Jirga 2003, and various donor meetings such as Berlin in 2004, London in 2006, and Paris in 2008). Such meetings tried to sample from the diversity of civil society; and while initially individuals may have stuck with kinship groups, with time they opened up to engage others. Some of those meetings remain a lasting memory for participants and have fostered associations that cut across ethnic, tribal and kinship networks.<sup>33</sup> And there are many other networks and organizations who have tried the same, such as the Afghan Women’s Network (AWN), the Civil Society Human Rights Network (CSHRN), or the Afghan Civil Society Organizations for Peace (ACSONP).<sup>34</sup>

#### INTERNATIONAL EFFORTS STRONGLY CONTRIBUTE TO CIVIL SOCIETY DEVELOPMENT

*No guarantees here.* While many international actors might be willing to support civil society development, they still tend to funnel more funding to the United Nations, contractors, and the Afghan government. Even where civil society is funded, it often does not reach those who may truly represent the people. “The understanding of civil society in the international aid community that has defined peace building and development policy in Afghanistan since 2001 is rather narrow.”<sup>35</sup> As in other post-conflict contexts this has created an NGOization of civil society. In Afghanistan, around 2003 nearly 2,000 NGOs were believed

30. Orvis, “Civil Society in Africa,” 27. Also in Latin America “the idea of trusting people outside your community, much less often corrupt state institutions, seems naïve at best, and dangerous at worst.” Philip Oxhorn, “Making Civil Society Relevant (Again),” *Focal Point: Spotlight on the Americas*, vol. 2, no. 3 (2003): 1

31. William Maley, *Rescuing Afghanistan* (Sydney: University of New South Wales Press, 2006), 18.

32. See Borchgrevink and Harpviken, “Afghan Civil Society.”

33. Personal observations and conversations with participants since 2002.

34. See Borchgrevink and Harpviken, “Afghan Civil Society.”

35. Kaja Borchgrevink, et al., *Disconnected and Discounted?: Religious Actors and Civil Society in Post-2001 Afghanistan* (Oslo/Bergen/Kabul: PRIO/CMI/CPAU, 2007). [http://www.cmi.no/pdf/?file=/afghanistan/doc/PRIOCAUCMI\\_PB\\_A4.pdf](http://www.cmi.no/pdf/?file=/afghanistan/doc/PRIOCAUCMI_PB_A4.pdf), (accessed 16 July 2009).

to be in existence until the Afghan government began to tighten regulation. Far from representing social activism or working for an advancement of civil society, many NGOs functioned as private enterprises or simply as a livelihood in a country with few employment opportunities. This was already visible during the 1980s and 1990s when many NGOs emerged in Afghan refugee camps as service-delivery organizations responding to donor needs.<sup>36</sup> Now as then many NGOs are still donor-driven, and the international community has contributed to this phenomenon.

This civil society cum NGO funding behavior ignores the many other forms of civil society actors that exist in non-Western settings, both modern and traditional,<sup>37</sup> and allows NGOs to become “‘gatekeepers’ vis-à-vis other groups in society.”<sup>38</sup> A recent study of the Foundation for Culture and Civil Society (FCCS) in all 34 Afghan provinces already showed that of the modern 1,686 CSOs surveyed only about 21% (362) were identified as NGOs, the others were categorized as social/cultural organizations, associations/networks, or unions.<sup>39</sup> NGOs, however, seem to fit the mold of donor funding, they tend to be registered and can deal with donor reporting requirements, both narrative and financial. CSOs, in contrast, were mainly (70%) funded via the community, local donations or course fees. Yet showing a keen understanding to “obtain a piece of the donor pie,” 77% and 62% of all CSOs showed a keen interest in fundraising and proposal writing, respectively. Thus, donor behavior in post-conflict countries may inadvertently discourage voluntarism and activism, teaching Afghans that civil society is for hire.

The exclusion of traditional civil society actors may very well be linked to the neo-liberal democratic norms of donors rather than realities in countries such as Afghanistan. International actors are often more comfortable to work “with people who have high educational levels and Western life-styles, but this does not make them necessarily the best agents for peace building.”<sup>40</sup> Reservation by international actors to reach out to “the great unknown,” include their “pre-modern” nature, violations of international human rights (especially that of women), lacking representation of a broad spectrum of society (exclusion of women and youth), and providing a parallel governance system.<sup>41</sup> This all ignores the fact that traditional structures have been around much longer than a modern state and operate on a different normative system, which puts community values and restorative justice above individualistic rights.<sup>42</sup>

Interestingly enough, the pendulum has recently swung from a reservation of working with traditional

---

36. See Borchgrevink and Harpviken, “Afghan Civil Society;” Sippi Azarbaijani-Moghaddam, Conrad Schetter, and Susanne Schmeidl, “The Transition from Relief to Development from a Human Security Perspective: Afghanistan,” Report to the UN Commission on Human Security, 2002.

37. UNDP, Civil Society Development and Governance Division, *Civil Society Sourcebook: Participatory Organizational Evaluation Tool* (CSOPP Resource Center: Toolbox, 2000).

38. Context-Sensitive Engagement: Lessons Learned from Swiss Experiences in South Asia for Aid Effectiveness in Fragile Scenarios,” Prepared for 3rd High-Level Forum on Aid Effectiveness, Accra, September 2008 (Berne: Conflict Prevention and Transformation Division [COPRET] and South Asia Division, Swiss Agency for Development and Cooperation [SDC]). [http://www.deza.admin.ch/ressources/resource\\_en\\_169566.pdf](http://www.deza.admin.ch/ressources/resource_en_169566.pdf), (accessed 16 July 2009).

39. Foundation for Culture and Civil Society, “Afghan Civil Society Baseline Survey Report: Provincial Analysis,” 2007. [http://www.akdn.org/publications/civil\\_society\\_afghanistan\\_survey.pdf](http://www.akdn.org/publications/civil_society_afghanistan_survey.pdf), (accessed 16 July 2009).

40. Jenny Pearce, “The International Community and Peacebuilding,” *Development*, vol. 48, no. 3 (2005): 46.

41. Schmeidl with Karokhail, “Pret-a-Porter States;” Orvis, in “Civil Society in Africa,” 27, put forth two further arguments for similar structures in Afghanistan: “they are seen to be far too hierarchical and unequal to be part of civil society, [as] the very limited autonomy of clients vis-à-vis patrons denies them equal citizenship.” And they “are also rather nebulous and informal, making them poor candidates for inclusion in civil society according to the conventional view”.

42. See Schmeidl and Karokhail, “The Role of Non-State Actors”

structures to what could be considered “jumping the tribal bandwagon” when it comes to security provision. All of a sudden, the arming of tribal militia and traditional security providers, such as the *Arbakai* (tribal police) in southeastern Afghanistan,<sup>43</sup> are being embraced as a potential silver bullet to Afghanistan’s security dilemma. It follows that international actors are very selective in who to work with at what time, depending on the ends that need to be met.

Sometimes international actors also fail to cooperate on the same effort, each trying to build their version of civil society. I experienced this thrice while working with the Afghan Civil Society Forum: during the creation of the FCCS, a civil society human rights network, and a civil society peace network. In all cases, the international supporters had a different idea of how to promote civil society (and culture), possibly also feeling that their effort may drown out next to that of Swisspeace. The last example was particularly disappointing, as ACSF had specifically requested assistance to develop a peace network within its own structure; yet the individual sent to help decided to go solo with it.

Of course, there is no need for one civil society organization to monopolize all civil society activities in Afghanistan (even if it attempts to function as a platform), as the strength of civil society clearly lies in pluralism. Yet the examples do illustrate that sometimes international actors almost encourage a “divide and rule” attitude rather than trying to unite civil society actors. Another example of misguided behavior of international actors is the role of international military – particularly the US army – in strengthened local strongmen in their war against terrorism (or out of a need for guarding services), that later on undermine the Afghan government.<sup>44</sup>

Last but not least, the example of the 2003 constitution-making process showed conflicting agendas of some international actors – mostly the UN, alongside the Afghan government – wishing to control the process behind closed doors, possibly fearing to unleash the unknown force of civil society, while others promoted wider civil society consultation.<sup>45</sup> Similarly during the two election processes (2004, 2005), even though civil society was a main supportive partner of the United Nations in providing civic education, UN staff often tried to micromanage the process, some treating civil society actors as lazy and ignorant individuals.<sup>46</sup> More disappointing, however, is that funding for large-scale civic education was always process-driven (constitution, elections), not allowing for an ongoing engagement with civil society. This showed no long-term interest by international actors in strengthening civil society at the grassroots level. Instead they were merely treated as means to an end. Especially the 2005 parliamentary elections did not allow much for meaningful civic education, with UN representatives treating the process as a logistic exercise that necessitated technical voter education, not explanations of what democracy was all about. Unfortunately the 2009 presidential elections did not show that the international community had learned their lessons. Civic education again is marginal, initiated less than a year prior to elections and, as in the past, under-funded. This marks yet another lost opportunity to strengthen civil society in a meaningful way.

---

43. See, British Agencies Afghanistan Group, “Community Defence Initiatives in Afghanistan – Implications to Consider,” (London: BAAG, The Refugee Council, April 2008); Schmeidl and Karokhail, “The Role of Non-State Actors.”

44. See Andrew Wilder and Sarah Lister, “State-Building at the Subnational Level in Afghanistan: A Missed Opportunity,” in Danspeckgruber with Finn, eds., 85-102.

45. See, Schmeidl, “Civil Society and State-Building in Afghanistan,” and “The Emperor’s New Cloth: The Unravelling of Peace-building in Afghanistan,” *Friedens-Warte – Journal of International Peace and Organizations*, vol. 1-2 (2007): 69-86.

46. Personal experience of working on the 2004 presidential and 2005 parliamentary elections.

## THE BUDDHAS OF BAMIIYAN: PAST, PRESENT, AND FUTURE

Michael Jansen

Director, Department of Urban History, RWTH Aachen University

### INTRODUCTION

Since the March 2001 destruction of the seventh-century Giant Buddha statues of the Bamiyan Valley in Afghanistan, international agencies around the world have come together in an emergency effort to safeguard the remains of this invaluable Afghan and World heritage. Thanks to generous grants from the Japanese Funds-in-Trust for Cultural Heritage and funds from the Government of the Federal Republic of Germany, UNESCO has undertaken a project for the Safeguarding of the Cultural Landscape and Archaeological Remains of the Bamiyan Valley. Furthermore, the project is focusing on the long-term improvement of the state of conservation of this very important site, which was nominated on the World Heritage list in 2003. In this regard, the development of national capacity is fundamental for the sustainable and autonomous conservation and management of the cultural heritage in Afghanistan, and more specifically, at Bamiyan.

### THE PAST

Afghanistan, situated at an important junction of the ancient Silk Roads, has been a crossroads of cultures since antiquity. Its unique cultural heritage reflects a complex history marked by encounters with Acheminid Persia, Alexandrian Greece, Buddhism, Hinduism, and Islam. Among its many treasures are the monumental temples and statues of the Zoroastrian site of Surkh Kotal, the ninth-century exquisitely ornamented Nine Domes Mosque of Haji Piyada, the soaring 65 meter twelfth-century Minaret of Jam, the walled city of Herat which is home to the richly painted Friday Mosque and the Musallah Complex, and the Giant Buddha statues of the Bamiyan Valley which the Taliban regime destroyed in March 2001.

The Giant Buddhas belong to the Gandhara culture, a blend of a new eastern religion, Buddhism, and Western influences that first came to the territory of Gandhara through Alexander the Great, who reached the Indus in 324 BC, after the conquer of the Acheminid Empire. The Greco-Bactrian tradition with further Western influences through the newly established “Silk Roads” and the eastern (Indian) influence formed the Gandhara culture, which survived different political eras and challenges

Geographically speaking, this culture developed in the region of the Swat Valley and the territory around modern Peshawar. From there, it spread along the old route along the Kabul River up into today’s Afghanistan. The blossom of this culture took place under the Kushana dynasty, when for the first time in the history of Buddhism, Buddha was shown as a human figure. The Bamiyan Valley was the western-most outcrop of the Buddhist movements, represented by monasteries and, in the seventh century, by the Giant Buddhas.

One of the first written reports came in 430 AD from the Buddhist munch Faxian, who visited the valley and who gave a description in listing several convents. The first mention of the Giant Buddhas came from another munch, Xuanzang, who visited the Bamiyan Valley around 630 AD. He also reported about a more than 300-meters long lying Buddha figure in para-nirvana (“sleeping Buddha”) in the courtyard of one of

the largest monasteries. A renowned archaeologist, Professor Tarzi from Strasbourg University, is currently searching for the remains of this figure.

After political unrest under the “White Huns” and the Hindu Shahi, the influence of Buddhism disappeared in the territory of present Afghanistan. In the eleventh century, under Mahmood, Ghazni became an important cultural center of Islam. However, Mahmood was also known for cultural intolerance and for iconoclasm. It must have been in those days, when the first damage was done to the Giant Buddhas. Under Genghis Khan the population of the Bamiyan Valley was decimated and the Ghaznavid fortress, Shar-e Gholgola, destroyed.

J. Murray published one of the earliest depictions of the Giant Buddhas in 1834. This depiction, as well as other later ones, shows the Giant Buddhas already partly destroyed. The faces and arms were gone and parts of the legs destroyed. Some initial consolidation work was carried out by the French Archaeological Mission to Afghanistan (DAFA) in the 1950s. From 1969 to 1976 a group of conservation experts from the Archaeological Survey of India, under the directorship of the engineer Sengupta, carried out an extensive conservation program. The tragic blow up of the Giant Buddhas in March 2001 by the Taliban completed the full destruction of the monuments. What remains today is the valley with its irrigated fields and historic mud architecture, a cultural landscape mostly intact and going back to the first days of cultivation when Buddhist monks established a sophisticated irrigation system to water the fields and to create a paradise at an elevation of more than 2,500 meters.

## THE PRESENT

The immediate reaction of the world to the vandalism of the Taliban, who in 1999 had made a commitment to protect all cultural heritage in Afghanistan and especially the Giant Buddhas of Bamiyan, was an outcry of disgust. Yet immediate interaction was not possible. An even worse event, September 11, had to take place before Afghanistan could be finally liberated. As early as May 2002, UNESCO organized, in cooperation with the Afghan Ministry of Information and Culture, the first International Seminar on the Rehabilitation of Afghanistan’s Cultural Heritage, held in Kabul. Participants included 107 specialists in Afghan cultural heritage, as well as representatives from donor countries and institutions. During the seminar, concrete recommendations for future activities were adopted. Concerning Bamiyan, the seminar participants prioritized the emergency stabilization of the cliffs and niches, due to their serious state of deterioration. It was clearly stated, and agreed by the Afghan government, that the Bamiyan statues should not be reconstructed.

Shortly after, the author together with Professor Petzet, in those days world president of the International Council on Monuments and Sites (ICOMOS), along with representatives of UNESCO visited the Bamiyan Valley and the remains of the Giant Buddhas. After a first preliminary survey of the Buddha rock fragments it was clear that no remains had been taken away, as earlier stated. Besides the program for the stabilization of the cliffs and niches, an additional program was arranged focusing on the clearance of the Buddha niches and the detailed documentation of the rock fragments. In addition, a method was developed to identify the individual rock fragments within their original positions. Based on the well identifiable geological stratigraphy that could be documented, the hypothesis was formulated that the individual rock fragments would show the stratigraphic setting. Contacts with Cologne University (PD Dr. Urbat), not only



supported this idea but strengthened it through the potential of an additional geomagnetic survey of the niches and the rock fragments themselves. Later tests at the sites proved the hypothesis.

Based on these new scientific methods, securing the rock fragments made real sense, as not only “stones” would be saved, but also actual “Buddha” fragments of the figures, which in the future might be re-assembled again.

But this was only one part of the envisaged program for the destroyed Buddhas. The other part consisted of the three-dimensional reconstruction of the “envelope,” the outer surface of the Buddhas, as it appeared before the explosions and final destruction. Here, for the eastern (smaller) Buddha stereometric documentation by Japanese scientists from the 1970s allowed for an easy three-dimensional reconstruction. For the western (great) Buddha painstaking work was carried out at RWTH Aachen University of Technology, based on historic photos and other sources, which finally resulted in a three-dimensional model. In addition, the cliffs in which the Buddhas are hewn were documented by laser scan by the Japanese company PASCO.

Today, the eastern Buddha niche has been cleared, a scaffold has been erected reaching almost the top (34 meters), and stabilization of the back wall and the Buddha remains have been carried out successfully. The destroyed caves at the bottom of the figure have been laser scanned and the supporting walls have been reconstructed. Unfortunately, the full geomagnetic scanning of the niche has not been carried out. Interventions with steel anchors might falsify data. At least the rock fragments have been stored under provisional protective shelters. Most of them still have to be checked by magnetometer.

### Emergency Consolidation of the Giant Buddha Cliffs and Niches

An Italian company carried out three interventions for the emergency consolidation work at the Giant Buddha niches and cliffs, which prevented the collapse of both niches after the explosion in 2001. The sustainability of the results of the first two phases of the project needs to be ensured in a long-term perspective. The consolidation of the back walls of both Giant Buddha niches is one important element that still needs to be addressed. The consolidation interventions for the cliffs and niches should be followed by the installation of a permanent manual monitoring system to measure and monitor its stability.

### Conservation of the Mural Paintings

The National Research Institute for Cultural Properties (NRICP) made substantial advancements in the conservation of mural paintings in the Buddhist caves, documenting them in detail for the drafting and implementation of an in-depth conservation plan. With a view to the development of the national capacity for the conservation of cultural heritage, the NRICP organized several training workshops on the conservation of mural paintings for Afghan professionals.

### Preparation of Management Plan and Cultural Master Plan

A Cultural Master Plan defining protected zones was prepared by RWTH Aachen University and was adopted by the Afghan Ministry of Urban Planning in March 2006. It is based on satellite mapping documen-

tation, turned into maps of 1:5000. In absence of proper updated maps, these satellite images served as the primary source for the registration of elements of the “cultural landscape.” The final draft, which reflected the defined protected zones in the Cultural Master Plan, was completed and submitted to the authorities for review in December 2006.

### Finalization of Three-Dimension Model and Maps

The Japanese firm PASCO finalized the digital three-dimensional relief model and topographical mapping of the cliffs site and, in particular, within the three-dimensional model the precise locations of the Buddhist caves in the Bamiyan Valley. A complete inventory of the caves and their contents were made available, including extensive documentation on the conditions of the mural paintings.

Following the first three Expert Working Groups held in 2002, 2003, and 2004, the fourth and fifth Expert Working Groups were held in Kabul, Afghanistan from December 7-10, 2005, and in Aachen, Germany from December 14-16, 2006, respectively. Participants at both meetings included UNESCO staff, all directly involved international experts, and responsible Afghan officials of the Ministry of Culture and Information, the Ministry of Urban Planning, and of Bamiyan Province. Previous work was evaluated and future priorities identified for the conservation and management of the site.

The fifth Expert Working Group decided that further international cooperation would require substantial financial assistance, and in its recommendations, the group noted that they:

“Thank all the donors who have contributed to the conservation activities for the Bamiyan site, and ask UNESCO to make further efforts to raise and coordinate funds from existing and potential donors, in order to continue the international technical cooperation for the prioritized activities as identified by the Working Group. . . . Note that, in order to allow the completion of the important safeguarding activities at this World Heritage Property in Danger and to ensure their sustainability, further funds are required. The Working Group invites in particular the Governments of Japan and Germany to continue their support for the safeguarding of the Bamiyan site and to consider providing further funding.”

### THE FUTURE

As underlined by the fifth Expert Working Group, in order to ensure the sustainability of the achieved results, it is essential to undertake a fourth phase of the project. Phase four will build on the results of the first phases of emergency safeguarding activities and will aim for the long-term conservation of all sites of the World Heritage Property. The foreseen activities are fundamental for the sustainable and autonomous conservation and management of cultural heritage in Afghanistan, and specifically at Bamiyan, namely the development of national capacity and the increase of local awareness of the outstanding universal value of the site and the importance of its conservation.

Table 1. The Cultural Landscape and Archaeological Remains of the Bamiyan Valley (208)

Serial ID	Name and Location	Coordinates	Area	Date Inscribed
208-001	Bamiyan Cliff including niches of the 38 meter Buddha, seated Buddhas, 55 meter Buddha and surrounding caves, Bamiyan District, Bamiyan Province	N34 50 49 E67 49 30.9	Property: 105 Ha Buffer Zone: 225.25 Ha	2003
208-002	Kakrak Valley caves including the niche of the standing Buddha, Bamiyan District, Bamiyan Province	N34 48 59.6 E67 51 04.9	Property: 15 Ha Buffer zone: 33 Ha	2003
208-003	Qoul-I Akram Caves in the Fuladi Valley, Bamiyan District, Bamiyan Province	N34 49 25.3 E67 47 53.7	Property: 6 Ha Buffer Zone: 40.5 Ha	2003
208-004	Kalai Ghamai Caves in the Fuladi Valley, Bamiyan District, Bamiyan Province	N34 49 13.6 E67 47 14.5	5.5 Ha	2003
208-005	Shahr-i-Zuhak, Bamiyan District, Bamiyan Province	N34 49 34.4 E66 53 24.5	Property: 18 Ha Buffer Zone: 13 Ha	2003
208-006	Qallay Kaphari A, Bamiyan District, Bamiyan Province	N34 48 39.5 E66 50 36.7	0.0625 Ha	2003
208-007	Qallay Kaphari B, Bamiyan District, Bamiyan Province	N34 48 46.4 E66 51 00.1	Property: 0.064 Ha Buffer Zone: 17 Ha	2003
208-008	Shahr-i-Ghulghulah, Bamiyan District, Bamiyan Province	N34 49 57.6 E67 50 20.8	Property: 9.3 Ha Buffer Zone: 13.2 Ha	2003

At its thirty-first session held in New Zealand in July 2007, the World Heritage Committee has set several benchmarks, which if met, will indicate that the site no longer faces immediate threats to its conservation. These include:

- Ensured structural stability of the Giant Buddha niches;
- Adequate state of conservation of the archaeological remains and mural paintings; and
- Implemented Management Plan and Cultural Master Plan (the protective zoning plan).

Phase four of this project aims to implement activities to meet the above benchmarks. Following the time-frame proposed by the World Heritage Committee, the aim is to ensure an improved and secured state of conservation of the site by 2011.

Development Objectives:

- Substantial improvement of the state of conservation of the site;
- Development of national capacity for the conservation of cultural heritage;
- Overall understanding among the local habitants, Afghan citizens, and the international community of the Outstanding Universal Value of the site as well as the importance of its conservation;
- Increased local involvement and awareness in the protection of the site, development of cultural tourism, and promotion of heritage interpretation.

Immediate Objectives:

- Structural stability of the Giant Buddha niches ensured;
- Enhanced state of conservation of the archaeological remains and mural paintings;
- Implementation of the Management Plan and the Cultural Master Plan.

Inputs Necessary to Implement the Activities, Produce the Outputs, and Attain the Immediate Objectives:

- International institutions, such as NRICP and Aachen University, with a pool of conservators, restorers, archaeologists, architects, urban planners, and heritage management professionals, to work in cooperation with and provide training to the national/local authorities for the conservation of the mural paintings and archaeological remains, and for the identification of building regulations and implementation of cultural heritage management/protection plans;
- International experts to organize and provide training activities for the local authorities on the management of archaeological and cultural landscape heritage sites;
- Interdisciplinary group of conservation experts from ICOMOS to identify best operational methods to implement conservation activities of the Buddha fragments;
- Geophysical engineers to provide an analysis of the necessary operational work to be undertaken.

## REFERENCES

*Illustrated London News*, 13 November 1886.

M. Cotte, et al., "Applications of Synchrotron-Based Micro-Imaging Techniques to the Chemical Analysis of Ancient Paintings," *Journal of Analytical Atomic Spectrometry*, vol. 23 (2008): 820-828.

J. Hackin and R. Hackin, *Bamian: Führer zu den Buddhistischen Höhlenklostern und Kolossalstatuen* (Deutsche Fassung: Le site archéologique the Bâmiyân, 1939), Les Édition d'Art et d'Histoire, Paris.

International Council on Monuments and Sites, "Afghanistan: ICOMOS Actions in Afghanistan," in M. Truscott, M.

- Petzet, and J. Ziesemer, eds, *Heritage at Risk 2004/2005* (München: K.G. Saur, 2005), 26-31.
- M. Jansen, et al., "Laser Scan Measurement of the Niche and Virtual 3D Representation of the Small Buddha in Bamiyan," in Axel Posluschny, K. Lambers, and Irmela Herzog, "Layers of Perception." Proceedings of the 35th International Conference on Computer Applications and Quantitative Methods in Archaeology (CAA), Berlin, April 2-6, 2007.
- D. Klimburg-Salter, *The Kingdom of Bamiyan* (Naples: Istituto per il Medio ed Estremo Oriente, 1989).
- J. Murray, *Travels into Bokhara* (London: n.p. 1834).
- National Research Institute for Cultural Properties, "Protecting the World Heritage Site of Bamiyan: Key Issues for the Establishment of a Comprehensive Management Plan," (Tokyo: NRICP, 2004).
- M. Petzet, "Anastylosis or Reconstruction: The Conservation Concept for the Remains of the Buddhas of Bamiyan," in *Strategies for the World Heritage: Preservation in a Globalized World*, Proceedings of 13<sup>th</sup> General Assembly of ICOMOS, Madrid, December 2002, 189-192.
- M. Petzet, "Das Fragment als Denkmal: Die Buddhas von Bamiyan," in *Das Denkmal als Fragment – Das Fragment als Denkmal. Denkmale als Attraktionen: Jahrestagung der Vereinigung der Landesdenkmalpfleger*, June 10-13, 2007 in Esslingen a. N.

Part II  
Security, Insecurity, and  
Reconciliation

## SOME THOUGHTS ON SECURITY IN AFGHANISTAN

Joseph Mohr\*

The following thoughts assume that we define a “good security” situation for Afghanistan as a situation where the Government of Afghanistan is maintaining law and order and denies the use of its own territory as a secure base for Al-Qaeda and related organizations – like the Central Asian and South Asian fundamentalist networks – as well as their hosts consisting of the Afghan Taliban, HIG, and Haqqani networks. In my view achieving this objective requires Afghans “owning” this aim and the process to get there. I argue that the methods employed to deliver external assistance are limiting efforts by Afghans to achieve ownership of this process, thereby jeopardizing success. I look at certain internal constraints toward the creation of an Afghan-led and Afghan-owned process and in the third part of the paper, I summarize some thoughts on how both international actors and Afghans can address this situation.

### EXTERNAL FACTORS

The threat from Taliban, HIG, Haqqani, and other insurgent groups has stayed constant over the years. While increasing insurgent activities have overwhelmed the security forces in some areas, they stand no chance of decisively defeating the government backed by ISAF. The midterm outlook of Afghanistan’s security is influenced by external factors in three areas: building up institutions to establish and maintain security, international counter-insurgency operations, and international counter-terrorism operations. In these areas I feel that decision makers can improve the outlook by changing established practices.

### Building Afghan Security Forces (ANSF)

These are partially linked to ISAF (OMLTs, EUPOL) or OEF. In October 2009, this sector was in transition towards a newly designed NATO Training Mission. Since the establishment of the Afghan parliament, a constant request for the establishment of an independently operational ANSF has been made in plenary of the Lower and Upper Houses, as well as through the respective Defense and Internal Security Commissions.

Challenges in this domain include:

#### *Short-Term Trainers “Commuting” to Work*

The long-term training and mentoring of ANSF “on the job” can only be performed by dedicated personnel posted to the country for several consecutive years. In a contrasting example, the success of the US training mission for the police and gendarmerie in Iran (GENMISH), as well as for its army (ARMISH) was largely due to the long-term deployment of its personnel. Starting in 1943, the first GENMISH com-

---

\*Author’s real name withheld by the editor.

mander, US Colonel Schwarzkopf, stayed on for several years, outlasting eleven ministers of interior during his tour. The Afghan reality is the reverse: Afghan officials “count down” the days of their counterparts in the secure knowledge that they will have to readapt to a new foreign support element, on average every twelve months.

### *The ANSF Training Effort Is Top-Heavy, and Foreigner- and Kabul-Centric*

Both headquarters (CSTC-A and EUPOL) for training ANA and ANP are a maze characterized by bureaucratic turf battles. In both cases this means that the commanders spend more time in coordination meetings and office politics than in the field with the trainees. In no way I mean to distract from the excellent work done by the teams posted to the districts and provinces – indeed a lot has improved since the early days of EUPOL and CSTC-A – but overall numbers are still much too high and the number of Kabul-bound personnel versus those in the provinces is dominant. This clearly gives the international training effort an advantage in conceptualizing ANSF reform, fast-tracking central decision-making processes, and supporting central procurement. The smart and flawless power-point presentations of CSTC-A are feared for their persuasive powers. This focus, however, lacks contact with the field, and the brilliance of both EUPOL and CSTC-A’s planners overtakes the Afghans’ own decision-making process in leaps and bounds. Almost none of the documents exist in the local languages, nor are they developed with Afghan senior officers. At most, the plans made by expensive foreign consultants receive a translation into Dari once they have the backing of the foreign leaders. Commanders of EUPOL and CSTC-A both tend to develop brilliant schemes for ANSF, which later are fast-tracked over the heads of Afghan decision makers. There is no structural debate engaging the international trainers with the elected representatives of Afghanistan. While this process is left to the Afghan executive, it overburdens the ministerial decision makers, who are equally challenged by schemes presented to them by the supreme leaders of the foreign support organizations, which have in most cases not been discussed with the ministries’ staffs or legal advisors. Defending the foreigners’ highly effective and very smart ideas – but which happen to sometimes contravene Afghan laws and expectations – against critics in parliament is a burden too much for the shoulders of a single minister. It could be shouldered jointly and be coupled with a process of engagement with the elected leadership of Afghanistan. The current frustration with international advisors is high, and Afghan officials use their presence as a convenient scapegoat for their own under-performance. This is a fact rarely noticed by the same foreigners. Less foreigners and more talk with the parliamentarians could mean more Afghan ownership.

### *International Contractors*

There is a current over-reliance on contractors by international donors. While international contractors stay longer than the seconded army and police trainers, this creates a perverse effect. As long as essential functions in ministries and ANSF units are fulfilled by commercially motivated actors (key companies in this business being DynCorps, MPRI and Xe), corporate interests counter the declared aim of “working themselves out of their job.” Faced with short-term military and police personnel to oversee the implementation of their contracts, commercial trainers have out-waited even the most critical of their controllers. The resulting dependency of ANSF on international contractors blocks the establishment of whatever Afghan institution is created.



### *Afghan Private Sector Dominates Over the Creation of State Capacity*

Capacity building is studiously avoided in line with the general trend of privatizing support functions in ANSF. Afghan contractors, frequently linked to eminent politicians, are employed to construct barracks and other infrastructure, and to provide food and repair services. While in line with the US transformation of its own military, the outsourcing of support services leads to failing delivery in a tense security situation, forestalls the establishment of state-run support systems for the newly built ANSF, hides the true costs of maintaining the security forces, and encourages corruption. In the heads of the Afghan public, security forces are seen as a domain, which should be wholly in the hands of the state. This is even claimed by those Afghans in parliament, who normally are favorable of the free market system. Only by locating all support activities for the security forces in state-managed enterprises does the Afghan body politic feel reassured that they all own these forces, and no particular interests profit solely from the common nationwide effort.

### *Afghans Want to Return to a Conscript System*

Many Afghans are critical of the way in which the ANA and ANP function these days. In contrast to the former state-organized draft system, only volunteers serve now in ANSF. This opens up propaganda against ANSF as being the “mercenary forces of the foreigners” (*nirubayi ajir*), a theme played upon by the Taliban incessantly. Afghan parliamentarians frequently argue that not the number and quality of the training, equipment and remuneration packages keep people in ANSF, but only a nationalistic spirit which can only be mobilized by a countrywide draft system. This point has been constantly ignored by the supporting international actors, who keep insisting on ever more effective professional systems. Allowing the Afghan political class to go ahead in pilots with draft programs might show to the population that this is their fight, not the fight of those taking the foreigners’ money.

### *Conducting Counter-Insurgency Operations through ANSF and International Forces (ISAF or OEF)*

This activity, if carried out under a foreign lead, only buys time for the establishment of ANSF and supports its development. The elected Afghan leadership sees this activity as useful and recognizes a great deal. Increasingly since 2006, activities of the ever-growing international military involved in countering the Taliban-led insurgency have been questioned. Based on incidents in which poor targeting resulted in civilian casualties, an increasing part of both government and parliament/provincial councils have started to oppose the current setup and presence of international troops – including their counter-insurgency role. One can read on the walls of the ISAF headquarters the Dari and Pashto slogan, “the presence of international military forces needs to be legalized.” It is probably just another sign of ISAF’s and NATO’s contempt for Afghan public opinion that since it first appeared in May 2006, no one has bothered to paint over the slogan.

The pitfalls in this sector include:

### *The International Presence by Itself Limits Afghan Ownership of the Counterinsurgency*

The more international military is present in Afghanistan’s cities and on the roads, the less the military effort is perceived as Afghan. Strong modifications in ordinary Afghans’ lives have been made by the

presence of the international headquarters in the middle of Kabul, cutting the main arteries of traffic and attracting high profile attacks by insurgents. The population distances itself from the international military and blames civilian casualties caused by Taliban suicide bombings on the presence of international troops. Conversely attacks targeting ANSF in the city are seen as attacks on the population, and even for attacks on the civilian international presence (such as embassies,) the civilian population “owns” the victimization. Afghan parliamentarians have requested for years a redeployment of international forces to the outskirts of Afghan cities, but in the same period the presence of these same forces has become more visible and hardened in the city center of Kabul.

### *The International Doctrine Is Not Incorporated by Afghans*

International military seen in the front of innovation, or always stressing their involvement even in operations initially begun by Afghan forces, is perceived as a confirmation that the counter-insurgency is not the Afghans’ fight but rather an “imposed” war by the foreign military. The initial assessment of General McChrystal has provided a lucid framework for counter-insurgency. It is telling that while it has been discussed in depth in the English-language media, there is still no Dari, Persian, or Pashto translation available, therefore the ANSF officer corps must rely on what they receive via the Afghan press. The Counter-Insurgency Academy operated by CSTC-A in Kabul since 2006 remains in its infancy and relies on very basic translators and interpreters. Having myself participated in many sessions, Afghans in the courses were confused frequently by the abysmal translation. To date, no common Afghan translation exists for the word “insurgent.” Several words compete: *dabshat-afgan* (fear-stoker), *shurishi* (mutineer), *dushmanani Afghanistan* (enemies of Afghanistan), and so on. None cover the meaning of insurrection or insurgency (*baghawat* – closer to uprising; *qiyam* – revolt). The resistance stems mainly from an insecure Afghan leadership being acutely aware of the many reasons for which their compatriots can accuse them of *not* being a legitimate government. Using one of the terms closer to the true meaning would also include a discussion of how to fill the legitimacy gap leading to the uprising/revolt.

### **Counter-Terrorist Operations Aimed at the Taliban and Al-Qaeda Leadership in the Framework of OEF**

The denial of Afghanistan to terrorists for use as a staging ground for attacks on the donor countries’ home soil is at the core of their involvement. More and more of the elected leadership of Afghanistan has criticized this “war on terror” for various reasons. Whether the opposition is open or manifests itself in covert subversion (for example, a government freeing captured insurgents), this part of the mission is least understood and for several years Afghan leaders demand a shift of attention to Pakistan in this field. When in the fall of 2008 the focus indeed shifted toward Pakistan, the Afghan government was very quiet. Afghan analysts continue to point out that the lack of will of foreign stakeholders to confront Pakistan about sponsoring the terrorists’ presence is a sign of abandonment of Afghanistan and come close to using this pretext as justification for not implementing, or even subverting, counter-terrorist measures themselves. With the shift of attention to Pakistan, this convenient scapegoat has disappeared. Increasingly key Afghan officials accuse Western stakeholders of secretly colluding with the Taliban and even with Al-Qaeda. The reasons why the Afghan government is not more “supportive” or unequivocal are complex, but it is certainly influenced by a closer relationship between the current leadership and the insurgents than is understood by the West.

## International Definitions of Who Is a Terrorist Prove Inflexible

A reasonably easy explanation can be that “terrorism” is still being fought with the same tools (for example, the current counter-terrorism legislation dated 1986) that the communist regime and the Soviets used to fight the mujahideen, creating an identity conflict in much of Afghanistan’s current elite. International advice could assist in moving away from the patterns set in that period, and understand that among the highly diverse members of the current elite, the label of “terrorist supporter” was and is still being used at liberty in order to denigrate political adversaries. In order to assist the Afghans to own this war on terror, it would require from the international community a readiness to review the current setup of the principal Afghan suspects, enshrined in the list established by the Sanctions Committee established pursuant to UN Security Council Resolution 1267. A flexible approach to this list would show to the Afghans that the international community is ready to reevaluate the labeling of Afghan citizens as suspected terrorists, and demonstrate that a reintegration – even for the former leadership – is possible and can find international sanction.

Currently, Taliban dissenters, turncoats and other collaborators find themselves still in the “bad books” of the UNSC. Ultimately, the question of updating this part of the list became stalled by one member state seeking to gain leverage over the post-Taliban political setup. At the same time, the Afghan government also has only started to realize its obligations under the sanctions regime. Seeing “reconciliation” as an internal affair, the Afghan government has difficulties accepting the fact of the UNSC having authority over the issue. The expansion of the sanctions regime to narco-traffickers and those financially supporting the Taliban and Al-Qaeda through Resolution 1735 has also not been greeted by the Afghan government with proposals to add new names to the list. Strengthened engagement with the UNSC on this matter will be more productive for the Afghan government than attempting to sit it out.

Beyond the more symbolic sanctions, the detention of Afghans (but also of others) by international forces needs to be regulated in agreement with the elected Afghan leadership. Only if practical and humane solutions are found in conjunction with the Afghan judiciary, parliament, and executive can a targeted approach against the key leaders of the insurgency ensue. This over-abused textbook phrase (separating tiers one and two from tier three) needs to be put into practice, not least by closing Guantanamo, Bagram, and other detention facilities, and rerouting their population toward the Afghan-owned legal process.

Of course the international community should insist on and assist in building credible monitoring systems and deradicalization programs. The international community should insist on the Afghan government proposing both the current and recently emerged insurgent leadership, as well as their financial and ideological backers, for listing and, where applicable, for extradition. As long as salaries of Afghan civil servants are paid by international funding, such an insistence on Afghanistan honoring its international commitments is not only legitimate, but an exercise in basic accountability.

### INTERNAL FACTORS

In the mid-term (until the end of 2010), Afghanistan’s security will be influenced by internal factors. The extent to which the Afghan government achieves progress in motivation and building a credible ethos, as well as in tackling corruption inside ANSF, will decide its success.

Throughout 2007 and 2008, ways to enhance the motivation of the Afghan leadership to carry out their duties as stated in the constitution and international documents to which Afghanistan is a party was frequently described as building the “Common Vision/Integrated Approach.” The reform of the army, police, and intelligence services is supported massively financially by the international community, yet little “ownership” is felt – even less so by the political leadership, which sees appointments in the security sector as a means to distribute political spoils. The challenge of how to change the motivation of the Afghan government away from politicizing the security forces has so far always been answered with involving some sort of “appointment commission/board” sporting one or several international members. At most, such international “balancing” ended up in avoiding the worst excesses, but proved so far to be ineffective. As soon as the international member started to become a hindrance for the dominant political faction, it was easy for them to boot out the person in question under various other pretexts, which thrive in a xenophobic country like Afghanistan (see episodes of the Senior Appointments Board and the Police Reform Board in 2006 and 2007). Instead of insisting on having “their man” on board, international parties would be well advised to insist on having the Afghan elected opposition play a role. The Afghan government itself can only profit from maintaining a strong opposition, instead of relying on the unsustainable presence of foreigners. A common vision is less required between the international community and the Afghan government, but more so among the political partners in Afghanistan. While strong in the Bonn conference of December 2001, this common vision has since been eroded by day-to-day politics. The aftermath of the presidential elections in 2009 is a chance for the winner to revive the Afghan common vision.

A key element of the Bonn vision was a joint commitment by the Afghans and the international community opposing Al-Qaeda and the Taliban. This single lowest common denominator has however been eroded since the launch of Karzai’s talk of “reconciliation” in 2003. Increasingly the government empowers networks of fundamentalist commanders and clerics. While this is couched into terms of bringing back “estranged Pashtuns” or of reforging the coalition between “crown and turban” of the pre-revolutionary era, there has been considerable doubt as to its real motives – in particular given the close involvement of the Karzai family in the foundation phase of the Taliban. Suspicions are further roused by the “reconciliation” not having led to a reduction of the violence, rather to the contrary. Another reason why the “reconciliation” is not seen as an earnest attempt are examples of attempts by clerics to distance themselves from the Taliban (see the 2005 declaration by Kandahar’s clerics stripping Mulla Omar of his title), which demonstrated the inability – or lack of interest – of the government to guarantee the security of these clerics. The question left is whether or not “reconciliation” is a ploy by Karzai to revive his family’s alliance with the Taliban or HIG in order to create for himself an alternative powerbase against the anti-Taliban forces who won the day in 2001.

ANSF personnel is doubtful about the current government, all too often representing leanings towards pre-Bonn powers and criminal groups. This phenomenon is frequently described as nepotism, patron-client networks, or corruption. Structures are determined by internationals’ advice and readiness to strengthen or weaken them, but also by decisions of the Afghan elected government. As long as appointment decisions are made by the senior leadership and an individual’s political and/or economic-social solidarity group are more important than merit, the future mid-level leadership will always be dependent on skills and assets other than the ones they learn at the police academy.

The uncertainty over the government’s commitment to the common vision of Bonn, making a return to

the pre-Bonn political system a possibility, forces many political players to engage in reassurance strategies with the Taliban or other armed groups. Officers in the Afghan security forces are feeling that they risk their lives against an enemy who is already or can be (at least part of) their government.

So far, the Afghan government has yet to honor its heroes, those loyal and integer officers in ANSF who have made the difference in the fight against the Taliban and criminal groups. An investment in the officers and their families will reap instant rewards including better performance and fewer proclivities to engage in corruption. Beyond handing out medals, this would include family protection programs, scholarships for children, and protected housing opportunities.

#### PROPOSAL FOR ACTION: INTERNATIONAL AND AFGHAN

Both international and Afghan actors can contribute significantly to achieving Afghan ownership and effectiveness in the joint efforts to establish an Afghanistan “at peace with itself and the world.”

Key modifications to be made by international actors concern the way they support the building of ANSF, with less private involvement, a bigger role of the Afghan elected leadership and, in the process, the Afghan state. In counter-insurgency the internationals need to realize that these issues require Afghan ownership to succeed – with the exception of counter-terrorism, the war is essentially a local affair supported by global players. A game changer in this respect can be the symbolic delisting of reconciled Taliban from the Security Council’s sanctions list. While it would require international coordination, it would show the Afghans that their word counts in defining the enemy in what is largely their fight to win or lose.

On the Afghan side, the fading of a common vision for the Afghan political elite and the rise of corruption and a nihilistic ethos can partly be blamed on the lack of ownership, but largely points to the need for a fresh, Afghan-led effort. Reforging the common vision of the participants of Bonn and rewarding those who have fought for their country should be high on the agenda of the post-2009 presidential elections Afghan government.

## DIMENSIONS OF THE AFGHAN INSURGENCY: CAUSES AND ACTORS

Thomas Ruttig

Independent Analyst for Afghan Affairs; former Political Affairs Officer, UNSMA/UNAMA

The discussion about ending the insurgency in Afghanistan by relying more on political means has been ongoing for many years. Various channels and methods have been tried to come to a kind of “reconciliation” with the insurgents or parts of them, but not with much success. The new US administration’s search for a new strategy for Afghanistan and Pakistan has opened the door for a new, coordinated approach. However, this requires a better understanding of what the insurgency is, who its actors are, and what are their reasons for taking up arms. There is a need to clarify what we mean when saying that there needs to be talks with (the) “Taliban” or “reconciliation” with (the) “insurgents.” It is not sufficient to consider the insurgency exclusively – and even primarily – as a problem of terrorism. In its first part, this paper discusses the structures of the insurgency and its organized core, the Taliban, to expose the different pathways and ways to approach the insurgency. In its second part, it tries to clarify what the range of meanings can be when referring to “reconciliation” in the current Afghan context and to suggest a more useful language – in order to draw conclusions that might contribute to sharpening emerging strategies for a stabilization of Afghanistan by ending the insurgency through political means.

### CAUSES OF THE INSURGENCY

A discussion of the Afghan insurgency should start from its causes, not from who its actors are. A short historical review of its post-2001 development will be of help in this respect. The controversy about whether there are “moderate Taliban” or not does not cover the whole range of the issue.

The Taliban movement that ruled almost all of Afghanistan between 1996 and 2001 was not defeated in late 2001. Its leaders simply gave up power, facing the overwhelming power of the US military, knowing that they would face prosecution for their alliance with Al-Qaeda that had permitted the September 11 attacks. They went to Pakistan or underground. Meanwhile, most of the fighters dispersed into their home villages waiting to see how things would shape up. Some stuck together in remote areas like Shahikot (Paktia) and Baghran/Pasaband (at the Helmand/Ghor border). With its leadership surviving, the Taliban never ceased to exist as a movement. However the movement had lost its initial credibility – for ending the post-Soviet chaos created by mujahideen infighting – even among its own main constituency, the Pashtuns of the South, well before September 11.

In the first years after the fall of the Taliban’s Islamic Emirate of Afghanistan (IEA), the lacking political will of the international community to fill the power vacuum outside Kabul was one major contributing factor to the reemergence of an insurgency. By leaving it to the very warlords and commanders whose atrocities had made the Taliban a viable alternative in the first place, it created operational space for the Taliban remnants.

The second factor was the increasingly bad governance of the new Karzai administration in which so many Afghans had put their hope (and votes). In some areas, insurgents are motivated by their active rejection of corrupt local government – some call them “anti-corruption Taliban.” In more areas, in particular in most provinces in the South, initially broad tribal coalitions supported the new administration led by Hamid

Karzai, himself a southern Pashtun from the Popalzai tribe. Those were later broken by local strongmen that increasingly monopolized power in the name of certain tribes and pushed out others. Many of those strongmen are linked with Karzai's tribe and even family. In Kandahar, Helmand, and Farah this led to polarization within the Durrani tribal confederation, while in Uruzgan it initially created rifts between the Durrani and Ghilzai that later spread into the Durrani themselves. In Zabul, exceptionally, the alienation seems to have been caused by networks from a mujahideen *tanẓim* (Hezb-e Islami) establishing itself in the province's center but unable to reach out to local tribes. Those in political power increasingly tried to translate this into economic might by linking up with the drug trade, using drug money to expand into licit business (mainly trade monopolies), and by monopolizing reconstruction contracts. That, in turn, further limited access to resources for the ones pushed out. In order to quash resistance, these local strongmen often could rely on Western military support (whose mandate was to strengthen the central government and its local representatives), in particular when they were able to label their opponents as "Taliban." Being targeted, the latter saw themselves forced to join the insurgency. The local population calls these insurgents *majburi* (forced) Taliban, in contrast to the *maktabi* (school or ideological) ones.

In the political sphere, a distinct sense of occupation grew among Afghans because of the all but "light" external footprint. There is a long list of outside interference that took the institution-building process out of Afghan hands, dissolved their hopes in a self-determined development and discredited democracy as a political option: the ousting of the late King, the remote-control induction of Karzai in Bonn, arm-twisting in his favor during both Loya Jirgas as well as during the 2004 elections (with the tacit agreement to manipulations), the "justice is luxury" position that prevented a meaningful process of transitional justice being started, the unconditioned political integration of all but a few warlords that were allowed to keep most of their arms, and the sidelining and neglect of liberal, democratic, and civil society forces and political parties in general (still in favor of Karzai, allowing him to manipulate the legislative branch). In the case of many former mujahideen and some of their leaders, who are officially linked with the post-2001 Kabul set-up, there also is a perceived feeling of having been sidelined under the Karzai government caused by pressure of foreigners in the context of disarmament and administrative reform. This sense of occupation has developed into widespread anti-Westernism – not in the sense of the generally xenophobic "graveyard of empires" type but much more political. International engagement, both military and civilian, was clearly welcome amongst most Afghans in the first years after 2001 while by now they have added their own "conditionality" on it.

Anti-Westernism combines with the increasing manifestation of international Muslim solidarity. While issues like Palestine, Lebanon, or Iraq never before have caused widespread popular reactions in Afghanistan, now they lead to an increasing number of demonstrations and parliamentary resolutions. In parallel, there is a growing sense of Muslim superiority that stems from radical readings of Islam. For example, the term *kafir* – unbeliever – is increasingly used in the general public for non-Muslims, sometimes without the speaker being aware of its derogatory connotation.

The latest factor that feeds the insurgency is spreading popular anger about the counter-insurgency approach of US and other troops, mainly special forces. It is linked to what is perceived as "culturally insensitive" house searches, long-term incommunicado arrests of elders, and air raids with high numbers of civilian casualties. This anger is rapidly spreading to groups that traditionally support the central government, like a number of Pashtun tribes and pro-democratic elements that reject even notions of a compromise

with the Taliban.<sup>1</sup>

The growing popular disaffection and the sidelining of important tribal groups, combined with the increased anti-Westernism, provided the fertile ground for the insurgency's growth. Both factors fed the impression among the Taliban that history repeated itself and that they could get a second chance to establish the IEA. In the meantime, criminal networks and local bandits adopt the "Taliban" label to instill a higher degree of terror in their victims. Furthermore, symbiotic relations between those and the real insurgents have been created as visible in the "abduction industry."

Finally, there is the Pakistani factor. The Pakistani elite's political thinking vis-à-vis Afghanistan has been driven by its notion as "strategic depth" in its conflict with its "hereditary" foe, India. Although officially given up, it still dominates the thinking of many Pakistani policy makers.<sup>2</sup> This is fed by the unwillingness of Afghan governments to recognize the border status quo, the Durand Line – even though imposed by colonialism – and resulting irredentist claims to Pashtun and Baluch areas of Pakistan. Pakistan's role as major handler of Western and Arab supplies to the Afghan mujahideen after the Soviet occupation allowed Islamabad to try to establish a government in Kabul that would be friendly or even a client. For that reason, it has been instrumentalizing a succession of armed insurgencies, among them the current Taliban-led one. This support provides the lifeline for an insurgency in a land-locked country.

Significantly, anti-Westernism and feelings of (oppressed) Muslimhood are evolving into an ideological bridge that links the Taliban with parts of the current Kabul set-up and broader sections of the Afghan population, influenced by them: parts of the Islamic clergy, and politically organized former mujahideen and university students (and other young people) amongst whom there is intensive political mobilization by mujahideen *tanzim*. It also increasingly allows the insurgents to mobilize for protests in the name of "defending Islam." These factors, combined with a shared mujahideen past, also have provided common denominators for political contacts between the Taliban and the Northern Alliance, now National Front (NF), despite the fact that both sides have fought each other heavily, that the Taliban had denounced their adversaries as "anti-Islamic" at some point, and weapons sales from stocks kept in the North to insurgents. Many former mujahideen have a lot in common with the Taliban. What divided them was that they ended up on different sides of the frontline in the mid-1990s in a fight for power and that, post-2001, the mujahideen were included in the Bonn process while the Taliban movement as a whole – and even elements of it – were excluded.

While in hindsight former leading protagonists today call this a mistake, the option to bring in the Taliban leadership was not acceptable for major actors at the time. Meanwhile, the narrower plan to bring in parts of the movement, represented by Jalaluddin Haqqani, was mislead because it ignored the fact that he was the one within the Taliban most closely linked with Al-Qaeda and Arab financiers, and failed. At the same time, the only group that broke ranks with the Taliban, and that early on, was ignored. The Khuddam ul-Furqan, who reestablished themselves in late 2001 in Pakistan, attempted to join the political process and

---

1. This does not mean that there are no reasons for searches, arrests, etc. There are numerous cases where weapons were hidden in women's quarters, explosives found in madrassas, and contacts made with insurgents. At the same time, not every phone contact, in particular within the context of kin (tribe, family), constitutes an act of active support of the insurgency. Food and shelter often are provided under coercion or because of kinship ties.

2. See the latest reports on continuing ISI support for the Taliban that, according to US officials quoted in the *New York Times*, includes "money, military supplies and strategic planning guidance."



were rejected.<sup>3</sup> This inhibited the chance that this group could develop into a center of gravitation that would attract further Taliban elements into the political fray. In hindsight, it is difficult to prove that this option would have worked out. But it also cannot be discarded since, in Afghan society, political influence emanates from access to power and resources and the prestige linked with it. The same is true for the liberal, democratic, and civil society elements that are missing today as a counterbalance to the various Islamist groups that dominate both the insurgency and the political opposition within the country. With a bigger role given to them in the interim and transitional governments, it could have crystallized as a more coherent force.

As a first conclusion it can be stated that it is not the ideology of the Taliban or Al-Qaeda that attracts Afghans into the insurgency. International jihadism is far from being acceptable for an Afghan majority. Also the Taliban's exclusive Wahhabi/Deobandi reading of Islam is rejected by most Afghans: by the Hanafi Pashtuns, not to speak about non-Pashtuns, Shiites, women and – on the political side – the pro-democratic forces and even non-Islamist tribal conservatives.

The Taliban movement came back because it was not defeated when delegitimized and, when it reappeared, was relegitimized because more and more Afghans see its competitive advantages in security, justice and “Islamic” credentials when they compare it with its successor. The broad spectrum of causes of the insurgency is also the reason that the insurgency starts to have an appeal beyond the Pashtun ethnic group.

#### WHO ARE THE INSURGENTS?

It can be concluded from its multiple causes that the insurgency is broader than the Al-Qaeda/Taliban symbiosis and more than a conglomerate of terrorist groups.

The insurgency is heterogeneous and homogenous at the same time. Organizationally, it consists of seven groups: the Islamic Movement of the Taliban (De Talebano Islami Ghurdzang or Tahrik), the networks of the Haqqani and Mansur families in the Southeast, the Tora Bora Military Front (De Tore Bore Nizami Mahaz) led by Anwar-ul-Haq Mujahed in Nangrahar (eastern region), the Islamic Party of Afghanistan (Hezb-e Islami Afghanistan) led by Gulbuddin Hekmatyar (usually called HIG, for Hezb-e Islami of Gulbuddin), small Salafi groups in the eastern region and, as a new phenomenon, local ex-mujahideen groups that (or whose historical leaders) had been pushed out of power and started to adopt a “Talibanist” language.

While the Taliban and HIG pursue a countrywide agenda, the other groups operate more localized. The Haqqani and Mansur networks as well as the Tora Bora front, as remnants of former mujahideen *tanẓim*, historically precede the Taliban movement. The Haqqani network and the Tora Bora front succeed local branches of Hezb-e Islami's Kholes faction, the Mansur network continues the Khuddam ul-Furqan of the 1960s and its later incarnation, the Mansur faction of the Movement for an Islamic Revolution (Harakat-e Inqilab-e Islami).

---

3. “Servants of Providence” is an Islamist group that goes back to the 1950s and 1960s and later joined the Taliban but maintained some features of a district existence during their Emirate. One of its leaders, Maulawi Arsala Rahmani, was appointed a senator by President Karzai and even made it to head an influential commission in the Upper House but, apart from this, was largely left at the margins by everyone involved in reconciliation efforts.

At the core, there is the “Taliban universe.” Three groups are clearly linked to it: the “Kandahari-led”<sup>4</sup> Taliban movement, the Haqqani, and the Mansur networks. Perhaps, the Tora Bora front also belongs to it. The current leaders of both networks, Jalaluddin Haqqani and Abdullatif Mansur, are reported to be members of the Taliban’s leadership council (*rabbari shura*), while the same is not said about Mujahed. All these groups accept Mulla Omar (the *amir-ul-momenin*, or leader of the faithful) as their leader – which gives this part of the insurgency a relatively strong homogeneity. For the Haqqani, Mansur, and Khales groups, he is mainly a spiritual leader. In reality, they all operate under their own command and strategy and are not subjected to the Taliban practice of rotating parallel provincial governors and commanders. This makes them much more static than the Kandahari Taliban. While the Kandahari part of the Taliban, the Mansur network, and the Tora Bora front, de facto (indirectly, in most cases) control a series of districts, the Haqqani network has not been able to set up permanent fronts on Afghan territory and, apart from some insular bases, relies almost exclusively on fallback positions inside Pakistan.

It is mainly around those groups that the alienated tribal fighters cluster. They do not have a distinct organization of their own but possibly are the largest group numerically.

The major modus operandi of the Taliban and the associated networks is asymmetrical warfare. This includes terrorist tactics like the use of IEDs, mines, and suicide attacks. The Haqqani network – as the strongest among the three – has possibly cultivated this in a higher degree than the others, emphasizing spectacular operations that show its ability to “hit everywhere,” with special attention to the capital Kabul, and to catch media attention. Meanwhile, open military combat operations remain sporadic and an absolute exception. Its use of terrorist means, with an emphasis on suicide bombings and commando-style operations as a copy of Islamist militant tactics elsewhere puts the Haqqani network closer to Al-Qaeda than even most of the Kandahari Taliban leadership. The Mansur network is known for its close links with Kashmiri Jihadis and sectarian Punjabi groups.

The Haqqanis’ independent links to Arab financial sources, to Al-Qaeda, and to Pakistan’s ISI give it command of sufficient resources to operate autonomously of the Taliban supreme leadership. This makes it a serious competitor for the Kandahari Taliban. All these groups also compete on the ground, mainly over territorial control. In some provinces, structures of the Taliban and their associated networks overlap geographically as well as those of some of these networks among each other. For example, there is a Taliban commander-in-chief (“head of the zone”) for the eastern region, in competition with Mujahed. There are also overlapping Kandahari Taliban and Haqqani network structures in the prestigious region immediately south of Kabul, in Wardak and Logar provinces, as well as in the southeastern region. In the latter, the Haqqani and the Mansur networks also overlap. The Haqqani network also tries to establish a presence in the eastern region.

In general, these three networks/fronts could be characterized as “Taliban-associated networks” and its leaders as semi-independent warlords. Their symbiotic relationship with the Kandahari Taliban holds because it is mutually beneficial. It gives the associated networks access to the label of the Taliban, as the most popular insurgent organization, while the Taliban can show a presence in the Southeast and the East, regions that have never been core areas of their movement. It gives them the chance to present themselves

4. “Kandahari” stands for people from the southwestern region, with Kandahar as its center, which is also comprised of Helmand, Uruzgan, and Zabul Provinces. Many of the Kandahari Taliban leaders – like Mulla Omar, his current deputy Mulla Baradar, and Mulla Obaidullah, currently the Taliban’s number 3 – actually originate from Uruzgan.

as more than a purely Kandahari movement. These “tactical alliances” do not need to last forever.

The other three groups – HIG, the Salafis, and the ex-mujahideen – are organizationally distinct. HIG is a former mujahideen organization that initially, during the mid-1990s, confronted the Taliban and lost many fighters to it. Its leader, Gulbuddin Hekmatyar, might still harbor a grudge toward the Taliban but has put it aside in the current situation. Militarily, it is less strong on the ground, not least because it is deeply discredited in the population. Politically, however, it pursues a more sophisticated strategy than the Taliban. While the latter wholly concentrate on military confrontation and have not established a political wing, HIG follows a two-pronged approach: military pressure on one hand and an infiltration strategy of central and provincial political institutions on the other. The political part is undertaken by a wing that has been registered as a political party since October 2005, after it reluctantly and under heavy political pressure distanced itself from Hekmatyar. However, it still uses the organization’s old name (the same one, HIG still uses) and party emblem. While this strategy seems to indicate that HIG aims at political participation only, this, however, can be transitional. Hekmatyar is known for his unwillingness to share power with others on a permanent basis.

The Salafis of the East and the alienated mujahideen groups are mainly concerned with local interests. While the Salafis are isolated to their area because of their distinct religious beliefs, the latter category potentially is much wider. Although still limited in numbers, those groups could provide a bridge for the Taliban into the wider mujahideen camp. One example from this category is the group of commander Ghulam Yahya Akbari (a.k.a. Siawushan) in Herat Province, an ally of former Herat governor, self-declared Amer of western Afghanistan, and now a minister in the Karzai cabinet, Ismail Khan.

Beyond the organizational distinctions, there is some coordination between HIG and Taliban fighters locally. In the East (Kunar, Laghman, Nuristan) and the Northeast (Kunduz), the picture is even more blurred. Often it is impossible to find out whether operations have been conducted by the Taliban or HIG. It seems that a new generation of mullas and fighters are not concerned with old rivalries anymore. According to a recent report, the Taliban leadership has decreed that their fighters not actively confront HIG groups. There also seems to be an – at least tacit – agreement that HIG fighters are allowed to use the IEA signature for “night-letters.”

## THE TALIBAN MOVEMENT

The Taliban movement itself, as the strongest force among the insurgents and the crystallization point for many of the alienated non-Taliban tribal elements, can be described as a model of concentric circles. There are at least three of them around a core that mainly consists of the circle of commanders around Mulla Omar that joined the movement early on and mainly are from Kandahar, most of them ideologically motivated former mujahideen commanders with a basic religious education: (1) an inner ring of the fighters of those “Kandahari” and other commanders that are mainly recruited from their own tribes; (2) around that, a ring of indoctrinated madrassa students (the “original” taliban<sup>5</sup> that produce ever new generations of fighters) and foreign jihadis who are the rank-and-file fighters and often used as cannon fodder and suicide bombers; some of them have become local commanders after a number of “historical” Taliban commanders

---

5. *Taliban* or *taliban ul-ilm* (“students of [Islamic] science”), with a small “t,” are madrassa students in general, while Taliban, with a capital “T” are the members of the Taliban movement.

have been killed; and (3) an outer ring of marginalized Pashtun tribesmen with local grievances, loyalties, and interests (the *majburi* and “anti-corruption Taliban”), as well as of hired fighters who join because of unemployment and poverty.

The core and the two inner rings have developed historically and represent the continuity element between the Taliban movement and the regime of 1996-2001 and what sometimes is called the neo-Taliban of today. The outer ring is new, as a result of the divisive and predatory policies of Kabul and its local strongmen. There is low vertical mobility between the rings and the core. Neither the madrassa students nor the tribal elements have influence on the decision making of the core, and the ideological commitment of the individual fighter tends to diminish the further away he is located from it (both in terms of the model and physically/geographically). However, the widespread respect for Mulla Omar as the *amir-ul-momenin*, combined with an anti-Western ideology which constructs a dichotomy – the fight between “Muslims and unbelievers” – as well as the use of terror against dissidents<sup>6</sup> and real or perceived spies, creates a strong coherence between the core and the rings.

The *amir-ul-momenin*, who stands at the top of the movement, is advised by the *rahbari shura* (leadership council) composed of 10-12 members.<sup>7</sup> It is known that some of its twelve members have left or were killed but it is not clear whether and on the basis of which mechanism they have been replaced. As a result, its current composition is unknown. Most of the rahbari shura still is composed of Mulla Omar’s “Kandahari” – they simply don’t trust “outsiders;” non-Kandahari, like the associated networks from the Southeast and East, are not more than symbolically represented in their decision-making bodies. It is also unknown whether, in particular, this shura is a standing body that meets regularly or whether it is just a virtual group. Apart from the remaining founders of the movement, most likely the Taliban zonal (or regional) commanders, responsible for a number of clustered provinces, and perhaps the leaders of the associated networks are members of the rahbari shura. The zones correspond with the four regional military councils, those of Quetta (for southwestern and apparently also western Afghanistan), which perhaps is largely identical with the rahbari shura, of Peshawar (for eastern and perhaps northeastern Afghanistan), of Miramshah in North Waziristan (for southeastern Afghanistan), and of Gerdi Jangal, which seems to be a sub-council, responsible for Helmand only.

Mulla Omar seems to be isolated for security reasons and concentrates on strategic and moral issues. For example, he issued a *layha* (code of conduct) for Taliban fighters in late 2006.<sup>8</sup> The rahbari shura’s members also do not seem to have direct access to him. Reportedly, all contacts are established through Mulla Obaidullah and Mulla Baradar (real name: Abdul Ghani), the brother-in-law of Mulla Omar – the movement’s numbers 2 and 3 – and even those only through messengers and not directly. It is not clear who selects and instructs these messengers. Meanwhile, military, political, financial, and cultural (including propaganda) issues are dealt with by at least four committees with two to three members each. Those commissions are “reporting” to the rahbari shura, but the members are not necessarily members of it.

In most provinces they are operating in, with the exception of the northern parts of the central region around Kabul, the Taliban have established parallel “governmental” structures. Usually, there is a governor with two deputies – one operational, one the police chief – a chief judge, and a head of the vice and virtue

6. See the killing of the former IEA Deputy Minister of Interior, Mulla Khaksar, in January 2006.

7. There are also reports that give a higher number of members.

8. First published by the Swiss weekly, *Die Weltwoche*, on 16 November 2006.

department (the “morality police”). Of particular importance are Taliban courts, which in many areas are preferred by the population to the corrupt and slow governmental courts. In many provinces, however, the parallel governors are mainly of symbolic importance and even are “absentees.” The zonal commanders seem to have the last word in appointing the provincial officials.

The regional shuras, commanders, and commissions represent the Taliban movement’s relatively strong hierarchic element, with a functioning but not permanent command-and-control chain in some parts of the country. It seems that it is only used by the Taliban leadership in situations or issues they consider as important. The chain is stronger closer to the Pakistani border where the leadership has easier access and influence. In southern Afghanistan, there are strong indications that local commanders would not dare not to follow instructions from the leadership for fear of punitive action. The sporadic character of it leaves them day-to-day autonomy at the same time. This covers small-scale operations, including mine and IED planting.

Up to date, the Taliban were surprisingly unimpressed by the killings and arrests of leaders of their central or sub-national levels. Gaps have been filled relatively quickly, in many cases by (younger) brothers or other relatives (see the case of Mulla Dadullah in Kandahar). It can be assumed that these new commanders in many cases have less fighting and leadership experience but possibly are also more radical and less prone to reconciliation than their predecessors – not least because the deaths of the original commanders create the “necessity” for revenge.

The political thoughts of the dominant Taliban leaders spring from a “crude homemade Islam” (Bernt Glatzer) that mixes radical fundamentalist elements of Saudi and sub-continental Indian origin, i.e. of Wahhabism and the Deobandi school. Those ideas were already taught to the mujahideen during their training by the ISI and Deobandi mullas integrated into the Pakistani army during Zia-ul-Haq’s military regime that mainly came through Pakistani Islamist parties like Jamiat-i-Islami and the factions of Jamiat-i-Ulema-i-Islami. Making Islam their ideology, the Taliban never published a political program. Their understanding of politics and society only became manifest after their takeover of power, through the rejection of any pluralism, religious and political, and the exclusion of women from the public sphere. Details were to be decided after the end of the civil war by Islamic scholars (ulema). While those scholars theoretically played an important role during the Taliban Emirate, they have not been particularly proactive in influencing the decision making. In consequence, there only was a small circle of really influential advisors, among whom there might have been a small number of ulema, among them from Pakistan, as well as ISI advisors. The IEA’s ulema shura only had the role of a rubberstamp body.

Despite some Pakistani influence and foreign funding, the Taliban are an Afghan and Afghan-led movement. Afghan (anti-Pakistani) nationalism and even xenophobia vis-à-vis their Arab “guests” created further fault lines within the movement. At least during the IEA time, there was infighting, sometimes physical, between Afghan and Pakistani Taliban. Many Taliban commanders looked down on Arab fighters as cannon fodder “keen on martyrdom” that therefore could be sacrificed at the most dangerous frontlines. Although there are no recent reports of that kind, it can be assumed that the general mindset has not fundamentally changed. As a result, the relationship between Afghans and foreign elements can also be seen as ambivalent and pragmatic: external money and advice is happily received but does not automatically create feelings of brotherhood.

The Taliban leadership's political aim today is the reestablishment of their Islamic Emirate. As a main prerequisite for this, they see a withdrawal of all foreign military forces from the country. Since this is increasingly shared by the political opposition within the Kabul institutions (see the Senate's declaration of May 2007 demanding an end of all offensive operations and a timeframe for withdrawal), the Taliban have sent some conciliatory signals. On May 12, 2007, Mulla Omar appealed to the jihadi leaders to "jointly liberate Afghanistan from the hands of the unbelieving Americans" within a broader anti-US/Western front, perhaps indicating the willingness to give up claims to exclusive power. In his October 2006 "Eid message," Mulla Omar for the first time appealed to his own fighters not to tolerate any "sectarian hatred" while, during the IEA, the Taliban leadership had condoned anti-Shia sentiments that had resulted in massacres.

In order to reach its political aim, the Taliban challenge the Kabul government's and their international allies' access to an increasing part of the country's territory. But they do not strive for permanent territorial control. In rural areas, they force the weak government representatives to strike deals in order to survive and to hand over weapons and money. District centers are only taken over temporarily, to show presence and maintain uncertainty among locals. In areas still not under their influence, they spread propaganda in bazaars and mosques through unarmed activists, create small groups of unarmed sympathizers who report about government collaborators and finally of armed fighters. By these means, they effectively block the physical and institutional reconstruction process and create permanent instability.

Meanwhile, it can be assumed that the outer ring – the *majburi* and "anti-corruption Taliban" – would be satisfied with less: political reintegration on the local level, a just distribution of resources and freedom from (collective) persecution. Many of them perhaps would not like to see a remake of the IEA. Although this does not mean that their political outlook would be other than Islamic-conservative.

### "TALKS" AND "RECONCILIATION"

There seems to be a lot of different ideas about what is meant by "reconciliation" in the current Afghan context. In the light of the current insurgency, it is often thought of as solely or mainly directed at achieving an understanding with either the leadership of the insurgent organizations (mainly Taliban and HIG) or significant parts of them to stop their armed opposition to the current Kabul government and/or its international allies, either on the national or local level. Most current approaches to it aim at persuading insurgents to lay down their arms, accept the constitution, and integrate into the political process – i.e. to change to the "good side" and "join the government" in return for some form of political integration and "power sharing." Given the multiple causes of the insurgency, this is too much of a black-and-white concept and driven by particular political (currently electoral) interests. The Taliban and HIG leaderships as well as many individual insurgents perceive this as surrender and unacceptable, even more as they feel that they have the upper hand and can wait out the international military. Others who would indeed consider stopping to fight are deterred by the fact that there is no working mechanism in place that would accommodate their demands and fears.

In Afghanistan itself, however, and particularly in the Pashtun-dominated southern half of Afghanistan, reconciliation is seen in the first place as the need for such a process between alienated (tribal or other) groups and the national (and local) government. But there is also strong – however idealized – support for a political deal with the Taliban and HIG almost at any cost, just to stop the bloodshed, and their inclusion

in a future political arrangement.

The Afghan government is strictly – and legitimately – insisting that contacts with its opponents are its own prerogative. However it has not taken a lead in developing consistent policies in this field and has sent mixed signals. This is also true for relevant international actors. As a result, there is no institutional framework in place with regard to reconciliation. Instead, there are a number of parallel, uncoordinated, and poorly resourced strands of “reconciliation” activities.

The PTS was supposed to be the major channel through which government-led reconciliation is conducted. But it made no real breakthrough and had been judged as “financially and morally bankrupt” by late 2007. Consequently, it was all but officially dissolved and major authorities transferred to the IDLG. However, this institution lacks the necessary capacities and has developed no visibility on the issue on the provincial ground. It is also questionable whether it, as a government institution, is sufficiently perceived as a neutral body – apart from the fact that it is threatened by over-burdening, already having obtained responsibility for a number of relevant issues (from highway security to governor’s appointments) in its hands. Meanwhile, some provincial PTS structures survive representing a significant potential – human resources with knowledge and contacts – which could and should be utilized. Other institutions involved in reconciliation efforts are the NSC, NDS, and some provincial governors. Furthermore, some civil society organizations support and promote intra-tribal consolidation and inter-tribal self-organization, mainly in the southeastern and eastern regions. Much of it is sporadic, driven by individuals, marred by institutional rivalry (much of it over funding), and lacks coordination, including with the Presidential Office. The same seems to be the case with international efforts, among them the Saudi-sponsored initiative that started with the “Mecca meetings” in September 2008. Efforts in the framework of PAG and among a group of countries with troops in the South that had drafted a joint “statement of principles” that established criteria and “red lines” for contacts with insurgents during 2008 have petered out. The Taliban leadership tries its own best to use this cacophony to play different actors against each other.

A coordinated mechanism for “reconciliation” should cater to the two major target groups – the alienated local tribal groups and the leaders of insurgent organizations. For both, the major obstacle for any contact is the lack of guarantees for potential interlocutors, against possible arrest or killing, linked to the UN sanctions mechanism. Already, this has made “reconciled” Taliban cynical about their participation in the process and seriously limited their impact.

On the other hand, there are also significant internal structural obstacles for reconciliation with tribal groups. Primarily, a lack of intra-tribal cohesion has resulted from the disempowerment of the traditional leaders and structures during the past thirty years of conflict. Major tribal leaders have been eliminated by the PDPA regime, others lost their status to the nouveau riche and powerful (commanders, drug barons) during the jihad or simply died while their sons do not enjoy the same amount of authority as their fathers did. The Taliban are killing remaining elders and other influential community leaders. As a consequence, commanders dominate both on the side of the government as well as on the Taliban side. The jirga as the major conflict-mitigating mechanism has lost much of its authority. The most powerful of these newcomers are able to ignore jirga decisions with impunity. Commanders’ firepower and wealth put them effectively above the law (or they even “are” the law). In many tribes, there is no single undisputed leader – or even a small group of leaders – whose word would be accepted by everyone. Neither are there tribal shuras in

most of the cases that can truly claim to represent the whole tribes' will.

In general, a staggered process that could be described as “outreach, contact, and trust building” is needed for both target groups. It should be preceded by safety guarantees as part of wider confidence-building measures – possibly given, however, not as a blank check. This process could – but will not automatically – lead to a dialogue and finally to a political solution. There are plenty of “entry points” for such a process, from the fault lines both within the Taliban and the insurgency as a whole to multiple existing contacts between individuals and institutions in Afghanistan and insurgent groups and individuals based on kinship relations and the prevailing culture of constantly rearranging political relationships and alliances. This also suggests that even “final” agreements might be only temporary and will need continuous efforts to be held in place.

In addition to the described potential conflict lines within the insurgency – between different organizations and tribes, between Afghans and foreigners, between *maktabi* and *majburi* Taliban – there are also definitely conflicting political views within the Taliban that deserve attention. As early as 2006, there were reports that older generation Taliban were concerned about the rise of a generation of young, Pakistani madrassa-educated, post-jihad commanders who were extremely radicalized and politically less sophisticated and who, when getting further into command positions, would block any chance for a political settlement. There were indications in 2007 that a regionally based group, mainly from the Southeast, was ready to break ranks with the Taliban, given they be provided guarantees and even support. In spring of 2008, some leading Taliban, who were former political IEA officials, had reached the conclusion that there also will be no military victory for their side, that a prolonged war only will lead to further destruction of their country and more Afghans killed, and therefore that political contacts should be established with their opponents. Later that year, there was growing concern among so-called “pious” Taliban – significantly representing the older generation – about the rise of terrorist attacks that lead to mass Afghan civilian casualties which they see as “anti-Islamic.” They also objected to the growing role of paid fighters and criminals, which they deem “unprincipled” as well as the dependence on Al-Qaeda and the ISI. This development was accompanied with a tendency of re-tribalization within the Taliban, i.e. local Taliban taking over control in their original areas – at least in parts of Helmand, Zabul, and Uruzgan – from “out-of-area Taliban” again, possibly as a response to Mulla Omar’s *layha*. Some of these groups tried to reach out to the Afghan government or international actors. However, they seem to have fallen silent since, probably caused by the announced US troop surge, which had been taken as a declaration of war and is being instrumentalized by the hardcore Taliban to close ranks again. However, there are indications that internal disputes about the need for negotiations are going on.

This has given rise to the theory of “moderate” and “hardline” Taliban. Clearly, there are more “moderate” (or pragmatic) Taliban. But they do not constitute a partner for dialogue yet, simply because there is no visible faction or break-away group yet that can be addressed. The “reconciled” Taliban elements like the Khuddam ul-Furqan and individuals resident in Kabul (Mutawakkil, Zaeef, and others), although with a significant media presence, have neither (have been allowed to) become a distinct political force on their own nor a negotiating channel. Having been made part of the “Kabul” delegation for the “Mecca talks,” they even were visibly put into the government’s camp undermining what there was of their mediating potential.

If these differences are worked on, this could happen, however. This would constitute a “divide and talk”



option. It could contribute to the isolation of the intransigent, Al-Qaeda-linked elements in the Taliban. To combine this with heavy military pressure, as it seems to be the strategic choice of the new US administration, could possibly urge some “faction” to leave the sinking boat, but might prove counter-productive vis-à-vis the tribal groups of *majburi* Taliban.

For the time being however, the Taliban movement, as a whole, has proven much more cohesive than most other Afghan political movements. Under these circumstances, there is a second option: to deal with the Taliban as a whole. It even could be easier to talk with a coherent movement represented by a leadership that can speak for all (or most) of them than to a fragmented movement under pressure, the leadership of which could generate a paranoid “wagenburg” mentality. This assumed, efforts could be taken to move the Taliban mainstream more into moderate waters by influences from within. This seems to be suggested by some of the Kabul-based “reconciled” Taliban when they consider the relatively newly appointed head of the Taliban political commission, Mulla Agha Jan Mutassim, as “pro-talks.”

It also cannot be excluded that the Taliban leadership’s “hardline” positions like their public insistence on a complete withdrawal of all foreign military forces from Afghanistan as a precondition for any talks can be changed after “pre-talk” contacts are established. Apparently, there is some willingness to probe an agenda for possible talks by the Taliban leadership or parts of it. There are two lists of points to be discussed (a seven-point and an eleven-point list) but it is not clear whether they represent the positions of the Taliban leadership or only of the Kabul-based group of “reconciled” Taliban who claim that they speak in the formers’ name. This ambiguity also presents an opportunity to try out whether such channels are viable. Apparently, these lists include the following points, among others: de-blacklisting of some Taliban leaders (at least of those “reconciled” – but this also could be a unilateral move of the Kabul-based group to improve its own position), and the stop of attacks on schools or of attacks against civilians in general, in exchange for the release of prisoners or the termination of Western air attacks. Short-term Taliban cease-fires like those during UN immunization campaigns have shown that they possess the ability to implement them in wide although not all areas of the country.

When talking to the Taliban as a whole, it has to be taken into consideration that there are a series of legitimate concerns of considerable sections of Afghan society – which might even represent an all-out majority – that have to be accommodated. First, the democrats and liberals fear that constitutionally guaranteed civil rights will be put in question again under the influence of an accommodation with (the) insurgents. Second, women do not want a return to the situation during the Taliban rule when they were deprived of access to education, work, and health care. Third, former mujahideen fear a further political marginalization; some reject reconciliation with their further adversaries. Fourth, the non-Pashtun ethnic minorities, in particular the Hazaras, fear a Taliban comeback because this would put them back into a social and religious second-rank position and make them vulnerable to further atrocities. This can only be remedied by transparency and inclusiveness while preparing and conducting contacts with insurgents. The implementation of what is perceived by the Taliban (and HIG) leaders as “sharia law,” mainly in the fields of education, women’s rights, culture, and media, will definitely top their agenda when they enter talks from a position of strength. At the same time, possibly some more sense of necessary compromise can be expected by them.

In general, it has to be clearly understood that an accommodation between one, or possibly two, Islamist insurgent factions and a Kabul government could add further to the existing problems. Not least, it would

further change the balance of power in favor of armed Islamist forces that already have a strong influence in the existing institutions and that are linked to drug and other criminal networks. This necessitates that, at the same time as reconciliation and an end of the conflicts are set as aims, with the same emphasis, practical steps are taken to strengthen reformist forces.

## NEGOTIATION, RECONCILIATION, AND OUTREACH: WHAT ARE THE OPTIONS ON THE TABLE?

Joseph Mohr\*

### BACKGROUND OF THE CONFLICT

Several violent conflicts currently plague Afghanistan. Besides tribal and communal violence over resources (water, land, forests, drugs, etc.), two large political conflicts are discernible. The first of these is set among the participants of the Bonn talks of November 2001, who can look back at up to thirty years of fighting each other: royalists vs. communists vs. different factions of the mujahideen. Some of these groups continued to clash even after the Bonn Agreement put a formal end to the hostilities.<sup>1</sup> This conflict has successfully been contained under the watch of the United Nations through the Bonn process, using disarmament and demobilization programs (DDR and DIAG), the creation of the Afghan National Army and Police, and the countrywide expansion of ISAF. Its participants have gradually espoused institutional and democratic forms to settle their conflicts.<sup>2</sup> Though this change in behavior does not seem irreversible, the level of violence available to the parties has been reduced significantly and it will take at least twelve months of uninterrupted remilitarization for any one of the former commanders of the Northern Alliance to recreate military forces capable of operating above the village and district levels.

Understandably, their acceptance of the Bonn process' outcome has waned with the accompanying loss of their erstwhile monopoly on power, but all leaders and their networks are averse to revoking the whole deal. While posturing is detectable, its motivation is to attempt to modify the conditions, but not the deal itself.<sup>3</sup>

The second – much more violent – conflict takes place between the Bonn group and several estranged political and socio-ethnic groups, which are frequently lumped together under the signet of “the insurgency” – frequently mistaken by the press as “the Taliban.” Some of these groups, however, such as the Hezb-e Islami factions of Gulbuddin Hikmatyar and of the late Yunus Khalis, as well as the Salafists of Kunar under Hajji Rohullah, had initially been – albeit fringe – members of the Bonn process.

“The Taliban” form only the nucleus of the insurgency, both militarily and politically, in that they never participated in the peace process and kept insisting on the continuing legitimacy of their “emirate.”<sup>4</sup> Drawing their recruits from enterprising tribal youth, who have been spurned by those in power based on age-old tribal rivalries, they have allied with surviving radical networks that participated in the Bonn process but

\*Author's real name withheld by the editor.

1. Bigger clashes involving the participants of Bonn involved the battle over Gardez in late 2002, repeated clashes between Junbish and Jamiat in North Afghanistan up to October 2003, the various campaigns of Ismail Khan and Dr. Ibrahim in the West until the end of 2004 and 2005 respectively, skirmishing in Bamiyan and Day Kundi among Hazara factions and Jamiat groups, small skirmishes in Jalalabad and Kapisa.

2. While in some extreme cases violent, most parties have come to an arrangement and currently fall in two broad categories: government and the parliamentary opposition with the most important body of it being the United National Front. This parliamentary opposition is not limited to the legislative branch. It counts at least one-third of the cabinet amongst its members. Cabinet members with an open participation in the United National Front are first Vice-President Ahmad Ziya Masud and Minister Ismail Khan (Water and Power). Sympathetic members include second Vice-President Karim Khalili, Minister Zarar Ahmad Muqbil (Interior), NDS Director Amrullah Saleh, Minister Ubaydullah Ramin (Agriculture), and others.

3. Such suggestions take the form of calls for constitutional change, the holding of a Loya Jirga, or accusations of the current government as being anti-Islamic, corrupt, and incompetent.

4. Antonio Giustozzi, *Koran, Kalashnikov, and Laptop: The Neo-Taliban Insurgency in Afghanistan* (New York: Columbia University Press, 2009).

then dropped out.

Added to this mixture is a smattering of foreign “consultants” coming from disaffected fundamentalist groups out of the Arabic world, South and Central Asia, or even further afield (Al-Qaeda, Libyan fighting group, Islamic Movement of Uzbekistan, Lashkar-i Tayyiba, Islamic Jihad Union, etc.), whose interests lie in either realizing their dream of becoming martyrs for the cause, see the utopian “Islamic Emirate,” and generally reestablishing a sanctuary for global jihad.

While empiric measurements of the level of violence are all to be taken with caveats regarding the methodologies used to gather data, the dataset compiled and maintained by the United Nations is probably the best approach. The continuity of the United Nations presence and the conservative data gathering methods all speak in favor of using this dataset. Datasets compiled by ISAF are not continuous nor do they cover the whole country due to frequent changes in ISAF staffing and geographical coverage. Only from mid-2006 onwards did ISAF encompass the whole of Afghanistan. Given that substantial operations are conducted by OEF forces outside of ISAF’s C2 structure, incidents involving them were frequently not recorded in the ISAF database, though widely covered by the media. Datasets compiled by the press, NGOs or research institutes frequently miss the small incidents and lack the geographic reach that both the UN and ISAF offer. Datasets compiled by the government, through the Policy Action Group (PAG) process frequently continue to suffer from issues of multiple reporting, lack of follow-up, and the absence of individual entries and a clearinghouse. The PAG activities also only started in mid-2006.

The UN dataset shows that the significant rise in violence took place over a period that was frequently considered to be the capstone of the Bonn process: the National Assembly and Provincial Council Elections (NAPCE) of September 2005. This election was supposed to give Afghanistan back the permanent political institution it had lacked ever since the coup d’etat of President Daud in 1973. Local observers had thought that the “spike” in violence recorded in September 2005 (when incidents doubled in the election month) was associated with violence caused by the different competitors and did not pertain mainly to actors “outside of the Bonn process.” The remaining high level of violence through the winter of 2005-2006, however, rapidly demonstrated that something else was afoot.

The new “coalition against the Bonn process” emerged between those who never stood and those who lost the elections. This coalition did not come into being only in 2005. But its constituents were those who held no part of the executive established in the Bonn process or were pushed out of the increasingly centralized system created around a strong presidency in early 2004. Still many of those disenfranchised had hopes in early 2005 that they might be rewarded with either winning a seat in the legislature in a reasonably fair electoral process or – if they lost – be integrated with a position in the new executive built after the predictable overall reconfirmation for Karzai and his team. Over the late summer of 2005, however, it became increasingly clear that the NAPCE would not be held on a level playing field. Out of a list of 1,100 candidates with identified links to illegal armed groups (including for example the president’s brother Ahmad Wali Karzai), only two hundred were provisionally disqualified. Whoever had a link into the Karzai court could avoid disqualification. In hindsight, this was a signal to those with a Taliban past that they were not welcome and would not be able to face the other parties in a fair contest.

Taliban who ran for office in 2005 included the former Minister of Foreign Affairs, Mawlawi Wakil Ahmad

Mutawakkil,<sup>5</sup> the former Deputy Minister of Interior, Mawlawi Khaksar, Mawlawi Qalamuddin Mohmand, a former justice official, and many others. While a total of six candidates in NAPCE were found to have been listed by the UN Security Council sanctions list against the Taliban and Al-Qaeda, the UN clarified that they did not exclude them from the political process. The exclusion was the work of local manipulation of the elections by government officials, in particular the secretary of the Joint Electoral Management Board, Faruq Wardak. Some of these examples, such as the disqualification of the Barech brothers from Shorabak in southeast Kandahar Province were described elsewhere by others and were promptly followed in their district by attacks on reconstruction projects and a general refusal of state authority. Another example was the disqualification of a former Taliban commander from the southeast of Kabul. Dindar (also known as Didar) Shalizay commanded a sizeable formation under the Taliban, and gave up without a fight in late 2001. He was of course allowed to maintain a local village-based network of armed supporters. This brought him on the list of 1,100 candidates with links to armed groups. He was one of the few who were disqualified, and took exception to the process. Hajji Dindar's local rivals, the Ahmadzay brothers – who were as well armed as he and his clan – were linked to Karzai's court via the powerful patronage of Professor Sayyaf. Both escaped censure and one of them was promptly elected. Dindar was later rewarded by Karzai upon intervention by UNAMA and former President Professor Mujadiddi, with a post as provincial governor in Kunar, but was gradually pushed out from here too, as Kabul bureaucrats – foremost again Faruq Wardak, in his new function as head of the Office of Administrative Affairs – allied with Hezb-e Islami and Afghan Millat background constantly sniped against him in his new function. Dindar therefore relocated to Pakistan and Dubai.

Beyond these numerous cases of insurgents trying to integrate themselves into the Bonn process, a clear minority never stopped fighting. This included the network headed by Jalaluddin Haqqani (former Hezb-e Islami of Yunus Khalis), the group of Lutfykkah Mansur, formerly led by Sayd ar-Rahman Mansur, son of the late Mawlawi Latif Mansur (former Harakati Inqilabi Islami of Mawlawi Muhammadi), and the groups led by core Taliban such as Mawlawi Ubaidullah Akhund and Mulla Dadullah Lang. To be remembered are the battles of Shahikot in March 2002, Atghar in June 2002, and Kandahar in March 2003.

Many other prominent insurgent groups maintained both political engagement and military confrontation. The cases of the Salafist followers of Hajji Rohullah and the essentially tribal groups under Rais Abdul Wahed Baghrani are much more complex, but also here periods of cooperation interchanged with periods of confrontation – Rais Abdul Wahed secured the presidential election to be held in North Helmand in 2004, formally reconciled in April 2005, but then lost the elections to parliament against a fraudulent clique entrenched in government. Hajji Rohullah was elected and participated in the 2002 Emergency Loya Jirga and voted for President Karzai, but then found himself in Guantanamo. His constituency continues to fight the government and US forces in Kunar despite his release in 2008.

In many cases the estrangement from the political process following the 2005 elections is mentioned as a “tipping point.” What comes across is not so much the frustration with the event itself – it was clear to everyone that there were limited seats available – but a feeling of remaining excluded after what appeared “the conclusion of the Bonn process.” The fears that this conclusion would also cement the exclusion of those who had not become part of the “system” by the end of 2005 was expressed repeatedly by Afghans

---

5. He even published a book in Pashto, which quickly sold two editions: Mawlawi Ahmad Wakil Mutawakkil, *Afghanistan and the Taliban* (2005).

to UNAMA and was one of the factors prompting a prolongation of the political mission of “extending the SG’s good offices” – but member states focused on the mandate being centered on further strengthening its state institutions.“ There was no political process to follow the Bonn process, and therefore the insurgency became a challenge for law enforcement and the military, who were asked to “dismantle terrorist structures that represent a common threat to the security of both Afghanistan and Pakistan.” In early 2006 the political nature of the insurgency was still not understood.<sup>6</sup>

There were elements of the Karzai government which tried to address the exclusion of such personalities, maintained contact in difficult circumstances, and even lobbied for international recognition of their reconciliation effort. This led, in November 2005, to the request by the Government of Afghanistan to delist several Taliban from the UN Security Council’s sanctions list (further referred to as the 1267 list). The first request centered on those who had put forward their candidacy for NAPCE: Abdul Wakil Ahmad Mutawakil, Jalaluddin Shinwari, Abdul Samad Khaksar, Qalamuddin Mohmand and Abdul Hakim Monib. In a similar attempt, as mentioned earlier in the example of Hajji Dindar Shaliyay, President Karzai even appointed Munib as governor of Uruzgan. Tellingly, these moves were not supported by justifications, many in Karzai’s court felt threatened and, in the case of Munib’s appointment to Uruzgan, the previous incumbent cleared out all buildings of furniture and sold them together with the vehicles and other equipment in the bazaar before leaving the office. Still, being on the UN sanctions list prevented donors from supporting Governor Munib directly and increased the impact of court intrigues inside the government against him. Like Dindar Shaliziay, he also abandoned the project after constant sniping from Kabul-based officials and a lack of support inside the Karzai administration to seriously take forward his case for delisting with the Security Council. Worse, neither the Karzai government nor the increasing international troops were able to protect the population or even those figures that wanted to reconcile.

Very early on, those against the process, (the hard core) of the insurgency, realized this danger to the cohesion, and started in mid-2005 to assassinate those deemed most dangerous: the Kandahar clerics council speaker Mawlawi Fayaz, which had stripped Mulla Omar of his title as *amir-ul-momenin* (commander of the faithful), Mawlawi Fayayaz, and over a dozen clerics were assassinated in 2005. In December 2009, the Taliban published a fatwa (Islamic legal opinion) threatening with death those who “morally or materially” support the government.<sup>7</sup> They also targeted members of the Taliban who were advocates and practitioners of reconciliation, the most prominent victim being the former Taliban Minister of Interior, Abdul Samad Khaksar, who was assassinated in an open street in Kandahar in January 2006.

---

6. Briefing of SRS Tom Koenigs to the Security Council on March 14, 2006 (S/PV.5385).

7. Taliban spokesman Qari Mohammad Yusuf in *Afghan Islamic Press* (Peshawar-based news outlet) of December 14, 2009: “In the light of verses of the Koran, hadith [sayings of the Prophet Muhammad] and books of Hanafi Fiqh [Hanafi school of thought], the religious scholars wrote a number of lines as introduction and said that the Americans came here not at the invitation of Afghans or for the reconstruction of the country. Instead they invaded Afghanistan as an aggressor. As a result, jihad against the Americans has become a [religious] duty. . . . people should have no sympathy for infidels, they should avoid friendship with them and should also avoid giving them any moral or material support. Anyone who supports them morally or materially should be killed. . . . Government servants are . . . to quit government service. Anyone who has a father working for the Americans should cut their relations with them and treat them as an enemy because they are favouring infidels. . . . signed by about 100 religious scholars in a form of a pamphlet and a poster. . . . This fatwa was issued recently but a similar fatwa was issued by the religious scholars at the time the Americans attacked Afghanistan. In this latest fatwa the scholars explain the religious requirements after considering the present situation. For instance, some people say that the Americans came to Afghanistan by permission of the UN or they say that Americans came here to help Afghans. In this decree both these reasons are considered false, baseless and against shari’ah [Islamic law]. In the fatwa, the Americans’ position in Afghanistan is described as that of an occupying force.”

Inside the “coalition against Bonn” a tension persists between those opposing solely the government(s) emanating from Bonn and those who are fundamentally opposed to the whole project. Some of these groups also do not consider recourse to violence as their own decision, but at least in their own perspective believe that they were under an obligation to fight. That obligation is commonly explained by accusing the other, and carries varying degrees of truth. Interlocutors inside that group maintain that there is no shortage of demand for peace with the government through reconciliation, but that the lack of a credible process of how to reconcile is the biggest stumbling block.

#### PROGRAM FOR STRENGTHENING PEACE

In the absence of a “New Bonn,” the only process currently on offer is the *Program-i Tabkim-i Sulh* (Program for Strengthening Peace), a reconciliation program charted in 2003-2004 and led by former president, Sibghatullah Mujadiddi.

Since 2005, the established program (PTS) was equipped with a secretariat and offices in provinces. This program requires the individual to renounce violence and to swear an oath on the Afghan constitution. In exchange, the government and international security forces pledge not to detain or kill the individual. By the end of September 2007 up to 4,600 Afghans availed themselves of this opportunity. The majority of these are individuals who were not actively opposing the government, but joined the program for a variety of other reasons such as avoiding being targeted by security forces. In sum, the PTS amounts to just an armistice program, but not a reconciliation nor a reintegration program. Those entering the program find it difficult to reintegrate as there is a complete absence of alternative livelihood mechanisms. Personal rivalries were also insufficiently checked by the government. In more than one case, reconciling individuals found themselves harassed, beaten, and jailed by their local (though supposedly former) enemies. The PTS program had no capacity to protect reconcilers from excesses of the state security apparatus – much less from revenge-bound former comrades in arms.

There were attempts to link the program to the disarmament programs affecting other armed groups – those “within the Bonn process” – but they have so far failed due to institutional blockades between the independent commission of Professor Mujadiddi and the government-owned disarmament commission of Vice President Khalili. President Karzai chose not to intervene, being content to assure both sides of his backing. Even the option to refer educated and qualified reconcilers by Mujadiddi’s commission for positions as teachers to the Ministry of Education or other government-provided jobs was not followed up. This, in the eyes of many joining the program, demonstrated clearly that the government was not interested in providing them with an opportunity to rejoin society.

The biggest shortcoming of the program was that it never developed a link to the 1267 Sanctions Committee for delisting the mid- and high-level reconcilers it attracted. Conceived for reintegrating low-level fighters and designed to regard “mass reconciliation,” the program failed to develop the special attention required by such candidates. Ambassadors of member states had repeatedly proposed the creation of a special program for those on the 1267 list. Motives to not develop such a program ranged from greed (small budgets and limited beneficiaries would have meant little possibilities to skim off money) to cynical calculations of self-protection. Such a program would have made the PTS a target by the Taliban assassination campaign, while herding low-level fighters through the program was not seen as a threat by the

Table 1. Assassinations Perpetrated by the Taliban May 20, 2005 – January 14, 2006

Recorded Date	Province	District	Incident
20 May 2005	Kandahar	Kandahar City	Mawlawi Abdullah Fayyaz was killed by two men riding motor-cycles when leaving his office in Kandahar; just one week before he had denied the religious authority of <i>amir-ul-momenin</i> to Mulla Omar.
10 July 2005	Paktika	Sharan	At night time, Mullah Agha Jan was assassinated with his wife in their house by a group of seven men.
13 July 2005	Helmand	Lashkergah City	Mawlawi Saleh Mohammad, the Head of the Religious Council of Helmand Province, was assassinated in Lashkergah City at 0500 hrs, whilst returning to his home from the mosque following morning prayers. He was shot and he died instantly, with the gunmen escaping from the area on a motorbike.
19 July 2005	Ghor	Passaband District	During the night, Mullah Muhammad (a former Wolesi Jirga candidate) was killed by assassins when opening his gate.
6 August 2005	Helmand	Marja	Mulla Zarif, Director of the Justice Department, was shot and injured in Marja District of Helmand on 3 August. He was transferred to the hospital in Lashkergah where he died on 4 August.
22 August 2005	Kandahar	Panjway	Mulla Abdullah Malang assassinated together with another man in Panjway mosque - he was the head of Panjway religious council.



Recorded Date	Province	District	Incident
1 September 2005	Helmand	Girishk	Mulla Amir Akhund was stabbed to death “because he was a candidate.”
16 October 2005	Kunar	Ghaziabad	Mawlawi Nur Ahmad Jan was killed by unidentified individuals while leaving the mosque in Nishagam village. He was the head of the Ghaziabad religious council and frequently delivered pro-government speeches. Prior to his death, he received written night letters instructing him to cease his public pro-governmental position. Taliban spokesman claimed that the murder was committed by the Taliban.
17 October 2005	Helmand	Lashkargah	Mullah Mohammad Gul, a member of the Provincial Religious Shora, was assassinated early this morning as he was traveling to his mosque.
14 November 2005	Kandahar	Maiwand	A hand grenade was thrown into the house of Mullah Khairullah, a government supporter.
12 December 2005	Kandahar	Kandahar City	Mullaq Ahmad Shah was shot dead in District 6 of the city; he was a member of the ulema council of Kandahar City.
14 January 2006	Kandahar	Kandahar City	Mulla Khaksar killed at 1540 hours in Kariz Bazaar District 6 of the city; shot by two men on a motorbike while walking with his children.

insurgent leadership.

In several provinces, moreover, the program's reach is limited through the choice of personnel, which frequently includes local former mujahideen commanders with a long list of local disputes and rivalries, and incredible cases of lack of oversight, follow-up, or corruption. Also, the hard core of the insurgency targeted those few effective and committed outreach figures the program counts within its ranks.

A positive aspect of the program shall not be undervalued: while rather preventive in character, it is a singularly transparent form of outreach by the government and does not include a criminal amnesty, maintaining standards of criminal and transitional justice requirements. Those entering the program have in many cases at least had exposure to circles now prevalent in the insurgency. What is lacking is a vision of how to proceed with these people once they enter the program. Shall they be reintegrated into the power structure where many of them held office before? Shall they be tried for crimes against humanity they committed while in power? Would reconciliation not mean that they have at least to apologize to the relatives of their victims?

### Parliament and United National Council/Front

Through December 2006 and early 2007, critics of the PTS in parliament mounted their own attempts for reconciliation and "talks with the Taliban" through parliamentary groups, an amnesty law, and contacts through a Senate-sponsored group in order to complement the PTS. These attempts have all stalled, revealing the intended audience of their originators being primarily other members of the Bonn group.<sup>8</sup>

### Possibility to Negotiate with Mulla Omar or Hikmatyar

Starting with the celebrations of Afghanistan's Independence Day on August 18, President Karzai has made repeated offers to negotiate with "the Taliban" and other insurgents. This scenario has found wide

---

8. Passed on January 31 by the lower house, and later on May 27 by the upper house in a modified version, adding a clause that opens the way for criminal prosecution, the "amnesty bill" reads:

1. Jihad and resistance of the people of Afghanistan should be honored and the leaders of Jihad and resistance should be praised and be immune from any kind of objection.
2. All those who have been involved in the conflict of the past two decades shall be given amnesty and should not be trialed.
3. The wrong reports of the International Human Rights Watch Commission on the Jehadi leaders and national personalities are provided based on their suspicious intentions therefore the National Assembly assumed them as invalid.
4. All those who are still fighting against the government and want to join the peace process can be included the second article of this Charter.
5. None of the political groups should be excluded from this Charter.
6. The WJ shall form an extra ordinary commission to deal with the armed forces that are still fighting against the government.
7. All laws and international conventions should be reviewed by the National Assembly for their compliance with the constitution and only those laws and conventions would be applicable for the government that have been approved by the National Assembly.
8. The WJ shall invite all armed groups that are fighting against the government to join the peace process.
9. The WJ opposes the plan for fencing and mining of the border between Afghanistan and Pakistan.
10. The WJ shall give priority for having good relations with the neighboring countries.
11. The Media shall comply with the provisions of this Charter and work for peace and national reconciliation.
12. This Charter has been prepared into 11 articles and shall be implemented by the concerning institutions.

reception in the media and has led to significant speculation. Both the leaders of the Taliban and Hezb-e Islami so far refused negotiations on this level.<sup>9</sup>

Even without acceptance by these insurgency leaders several points speak against this approach. Neither Hikmatyar nor Mulla Omar has sufficient control over the violence providers on the ground to warrant talking to them with the objective of ending the conflict. While the negotiated support by some Taliban leaders based in Quetta for the September and October 2007 polio vaccination campaigns conveyed a picture of power across the South, it also demonstrated the very limits of this power. The negotiated agreement was a cessation of attacks, not a guarantee of security, and other Taliban groups felt free to interpret the support in their own ways. Empowering certain Taliban interlocutors further as “official representatives” or “negotiation partners” would probably not help them in achieving control over events. And providing a capacity-building program to those who claim to be in control so they become worthwhile partners would not only violate the UN sanctions, but would also call into question the position that “these people matter.”

It is also highly doubtful that there could be any end-state imagined which would conform both to the minimum requirements spelled out by the democratically elected Afghan government (parliament and executive alike) and the insurgents. The aims of both Hikmatyar and Mulla Omar are unlikely to deviate from a continued prolongation of the conflict until ultimate victory. The decade ahead, until foreign backing for the government wanes away, is seen as one among their exiles, and will be tolerated. Sacrifices in lives on the insurgent side are seen as successes in creating martyrs, at least by the leaders safely ensconced in exile in neighboring countries. And even if an agreement were reached, both demonstrated during the 1990s in countless cease-fires and numerous peace accords subsequently broken by them that there can be no lasting compromise with them.

Given that both individuals are worldwide terrorist sponsors, negotiations with them would pose a global moral dilemma of rewarding the worst spoilers and breaching a global anti-terrorist concern. Negotiations probably cannot even include talks with most of the individuals listed by the UNSC 1267 Committee – it would less be the technical breach of the sanctions (allowing for example for them to travel or receive funds and military equipment for security) than openly breaking a worldwide consensus that will forestall this option.

### Mid-Level Local Solutions

Returning from the self-declared exile leadership of the insurgency to the more practical theater inside Afghanistan, we can have a look at who would be the real “customers” of a renewed peace process. At the lower levels within the Taliban and HIG, as well as in other political and communal groups briefly outlined above, field commanders want a way out. In particular, ISAF’s operations since mid-2006 have left many field commanders more aware of their own mortality. Tribal chiefs and field commanders alike take the initiative and sometimes convincingly plead that they were forced into a fight. This is the clientele for reconciliation through a negotiated settlement and subsequent reintegration.

---

9. A recent proposal allegedly made by Mulla Omar through Zaeef and Mutawakkil (control over ten provinces, etc.) seems to have been a maverick initiative of these two individuals in order to bring themselves back into the good graces of the Taliban themselves.

The ways to reach this clientele are manifold; the players in Afghanistan have regularly bridged ethnic or political boundaries. The difficult element is to define what will be the end-state. Will such contacts lead to more than tactical benefits for both parties?

### UNAMA Outreach in 2006 and 2007

2007 was for UNAMA a year of spectacular growth. Seven new field offices were opened by SRSK Koenigs, bringing a permanent presence of UNAMA in places that since early 2006 had mostly been inaccessible. The mission has been in indirect contact with several mid-ranking figures inside the insurgency that professed their readiness for peace. The absence of a comprehensive program to achieve peace with and reintegrate those fighters is currently glaring and has forced all of them to return back to a position of the status quo ante. These contacts, however, revealed again that the insurgency is torn between pragmatic but estranged local elements carrying out the main part of the fighting and an ideologically firm and ruthlessly efficient leadership resident outside of Afghanistan.

UNAMA is currently facilitating contacts of the Afghan government with mid-level commanders of the Taliban in the provinces of Kandahar, Helmand, Farah, Herat, Ghazni, Faryab, and Badghis, and to HIG, Salafist, and HIYK contacts in the eastern provinces of Kunar and Nangarhar. These contacts are being followed up by the Afghan government after UNAMA had built confidence in the first place.

The incipient UNAMA initiatives floundered in the crisis of December 2007, when the Afghan government declared “persona non grata” Michael Semple, the deputy of the EU’s Senior Representative, and a senior UNAMA official under the pretext that they had engaged in unauthorized contacts with the Taliban. Nothing of this contained any truth. Semple had kept the DSRSG of UNAMA, Chris Alexander, as well as several deputy ministers, directly informed of the initiative. Down from President Karzai, the Minister of Interior, Zarrar, the Minister for Defense, Rahim Wardak, the National Security Advisor, Zalmay Rasul, and the Director General of NDS, Amrullah Saleh, were fully aware of the issues surrounding this project. At the reconciliation of Taliban leaders Basir and Qasim, and the reintegration of their two hundred men in September 2007 into a local security force, Ministry of Interior deputies, Ahbdul Hadi Khalid and Munir Mangal, as well as Deputy Director General Abdullah Laghmani, attended with the deputy governor of Helmand a public ceremony with Semple standing in the middle. The UN, which had been following different tracks than Semple, pulled back from its own initiative in the face of opposition from the Afghan government. The reasons for the Afghan government’s unease were manifold and merit consideration.

First, the government believed its sovereignty was under threat from several sides. The discussions in Western capitals on installing a UK politician as a “viceroy” had severely shaken President Karzai. At the same time, the palace was confirmed in its apprehensions against the appointment of Lord Ashdown by rival Western politicians. The palace was looking for a way to regain control and ensure that only the Afghan government would make deals with insurgents. Second, on a more local level, the reconciliation of certain groups was hurting the profits of the ruling narco-cartel in South Afghanistan. Reconcilers also had to be brought back into the economy, which was hurting profits. If left unchecked, the reconciliation might have diversified the tightly controlled monopoly over the main roads as major trafficking routes. Third, other local interests were at stake: Governor Wafa wanted a share of the expected aid money, as he had just seen the Helmand provincial manager of the PTS program enrich himself with \$50,000, and Wafa

was not prepared to tolerate a cash cow working for someone else. Fourth, many members of the central government, as well as several member states, had doubts over the desirability of reconciliation in principle. On a more ideological level, the introduction of former insurgents into the police – which unsurprisingly turned out to be the preferred reintegration option – was also frowned upon by those Afghans who were in favor of reconciliation and reintegration as it threatened to undermine police reform efforts and in the long term might have created a “fifth column” of insurgents inside the Afghan security forces. Beyond the local impact (which was seen as positive), this was seen in light of the negative experiences made during 2006-2007 with the Afghan National Auxiliary Police (ANAP). The Helmand experiment freed up official forces by substituting the former Taliban commanders Basir and Qasim for the ANA in performing local guard duties. This freed up enough ANA to be sent to Musa Qala, which was recaptured on December 12, 2007. But the attempt to scale up the project provoked resistance from the government and led to the arrest of Qasim and Basir, the expulsion of Semple, and the removal of NDS Deputy Director General Nurzay and First Deputy Minister of Interior Khalid. Also, several dozen low-level proponents of the experiment disappeared into Afghan jails for an extended period.

UNAMA's new mandate passed in March 2008 specified clearly that reconciliation efforts should only be undertaken upon formal request by the Afghan government – aiming to clarify what had been insufficiently documented up to that point by both actors in the mission and the government.

But what can be learned from this experience is not lost and remains relevant. Demands made by those insurgents encountered in this exercise frequently center on the need to rebalance local governance and curtail abusive behavior of government officials. This raises among others the questions:

- How can a reconciliation and reintegration program be provided with spiritual leadership in order to ward off political sabotage at the highest levels and counter the Taliban fatwas?
- How can the government balance the need to make concessions in order to integrate its opponents with the need to maintain the integrity of the recently built political institutions?
- How can President Karzai maintain his core constituency among the Zerak Durrani but reach out to the other Pashtun tribes, which indeed voted also for him in the 2004 election, but subsequently in the 2005 elections and the administrative reforms were marginalized?
- How should relocation and security be provided to those who reconcile given that core elements in the insurgency and possibly spoilers within government increased the frequency of insurgent-directed assassinations to close to a dozen per week?
- How can the government simultaneously build institutions and offer economic reintegration packages other than jobs in the security sector, so that reconcilers are not sliding off into criminality or become a ‘fifth column’ in the security forces?

Answering these questions will largely determine the possibilities for the government of Afghanistan.

## OUTLOOK

The Bonn process successfully reestablished permanent political institutions, but it was concluded too early. While participation in the 2009 elections was reasonable in northern, western, and eastern areas of Afghanistan, the South and Southeast experienced massive fraud and large segments of the population abstaining. The way out would be a reopening of the Bonn process, recreating a political process which draws

in those who in 2005 found themselves on the outside. The approach of the jirga process to empower Afghans to take their own decisions at the mantiqa and district level was unstoppable, as long as it was effectively mentored by competent UNAMA personnel. The hand over to electioneering technocrats, who in coalition with Afghan bureaucrats successively faked election results in 2004, 2005, and 2009, was a major failure. The only process that delivered results was a negotiated political process led by competent people on both Afghan and international political teams. Such a process is still possible and has the potential to remobilize communities. Anyone fighting against this process has lost before they started their fight, and the Taliban understand this. There is no indication that a majority of Afghans would want to back away from a prolonged Bonn process. Still, the current political system lives off the dividends generated in 2001-2004.

This powerful shift away from the practice of doomed negotiations on the conference table of the 1990s has contained the bigger part of the Afghan civil war reaching back to the 1970s. When attempting to address the challenge posed by the insurgency, negotiations need to be used judiciously in order not to delegitimize the capital achievements of the Bonn process. The Afghan people do not want peace at any price, but peace plus a state structure which presides over and shapes a peacetime economy, delivers basic social services and the rule of law, and also respects the human rights of the population. The international donors, both from the region and further afield, want peace plus a state able to avoid the use of Afghanistan as a sanctuary for international terrorism.

In this respect, negotiations with the most senior leaders of the Taliban and Hezb-e Islami are not desirable, not effective, and will not succeed even if pressed. On the other hand, outreach to peaceful reintegrated mid-level leaders and leaders of co-opted networks who had joined the insurgency out of frustration with a premature closure of the Bonn process looks promising, but will need to be accompanied by relentless and public hammering of the terrorist-linked leadership in exile.

Seen from the other side, therefore, joining this process has no appeal whatsoever for “those who matter most.” The current government cannot make what would count for the Taliban leadership as “serious or attractive offers.” In the power-sharing agreement of Bonn, the South was given to those now affiliated with holding the top posts in a centralized government. They cannot be expected to sacrifice their preeminent position in their own backyard. Nor can the Taliban senior leadership hope to regain a prominent position in that same area. Their expectation is that with time they can survive until the withdrawal of foreign supporters to the Bonn process and the government, both civil like the UN or military like ISAF. Alliances with international terrorists will make them achieve this withdrawal faster, as they can be relied upon to cause more damage to the foreign supporters. The process of adjusting the Taliban and Hezb-e Islami’s senior leadership’s expectations has not even started.

Aside from reconciliation with the senior Taliban leadership, there is hope for improvement and avoiding further bloodshed through reintegration. A widening of the PTS program, through enlarging the board by government security agencies and the UN, involving a wider mix of Muslim clerics, sending out mobile teams composed of former combatants delivering aid projects or other options should be given serious consideration. In particular, the ability of the Afghan government to follow up on their side of any deal with mid-level insurgents has to be strengthened. Each deal will require a socio-economic, security, and transitional justice components and will require a judicious knowledge of the ground realities – one valley at a time.

With regard to such guarantees, the economic reintegration package is the most difficult piece to plan, as it will call for substantial resources administered centrally in a demobilization program. The DDR process had earlier shown the difficulties of reintegrating people who never had a career path or profession in non-existing economies.

Security guarantee mechanisms are not difficult to plan, but enforcement will be the biggest stumbling block. Every week in 2007 the insurgents performed up to a dozen assassinations of those deemed not sufficiently supportive of the insurgency. Reconcilers will certainly be on the top of these death lists. Not every reconciler will like to head his own army and administration like Mulla Salam Kajakiwal in the reconquered town of Musa Qala.

The spiritual and transitional justice element is important. Local communities need to be persuaded that it is possible for former enemies to put aside old grudges and break away from a cycle of revenge and retribution. Such measures also need a spiritual justification grounded in Islam. The current refusal by Islamic scholars and the human rights community to join hands needs to be overcome. If reconciliation and reintegration shall be a success, the Afghan society will have to go beyond the Transitional Justice Action Plan of December 2005 and create local “truth committees,” in which villagers and militants on the ground level reconcile – probably with the assistance of Islamic clerics. Conversely, this also means that those who fought the Taliban and are now in power thanks to the Coalition’s guns and money need to admit the facts and apologize publicly to clean up the mess they created. Senior religious authorities need to be organized in a network in order to withstand the predictable reaction from the Taliban and HIG hardliners, as their leadership will identify a spiritual challenge as threatening their own legitimacy the strongest. This will require not many resources or organization, but much political will to cross boundaries previously edged into the minds of those who direct international efforts in Afghanistan. It remains the most important component of any reconciliation initiative. Without truth and honesty there will be no reconciliation.

Part III  
Economic and  
Human Development



## AID INVESTMENT IN HUMAN DEVELOPMENT IN AFGHANISTAN AND MEASURING PROGRESS IN BUILDING SOCIAL AND INSTITUTIONAL CAPITAL

Nipa Banerjee

Professor of International Development and Global Studies, University of Ottawa

Development, whatever way it is defined, is about people and human well-being. Human development and associated elements are believed to have the power to break the web of deprivation and perpetual poverty through human and social capital development, with the provision of education opportunities, access to health services, employment and income, relatively equal status for and participation of women in society, and promotion of a vibrant civil society with NGOs serving as civil society stimulants. The concomitant factors – aid effectiveness principles (as adopted in Paris by Development Assistance Committee members in 2005) and capacity building of national partner institutions which are critical for addressing human well-being – are transversal in nature covering various facets of development. These factors basically focus on institutional capital development and are meant to strengthen supportive policies and actions necessary to break the web of deprivation. Research focused on investment in human and social capital development and institutional development in Afghanistan led to the conclusion that assessment of the impact of development investment in these areas remains incomplete given serious deficiencies in program design, planning, implementation, management, and monitoring processes.

### HUMAN AND SOCIAL CAPITAL DEVELOPMENT

A brief review of a selected number of programs in the human and social development category in Afghanistan reveals that the balance sheet of achievements is largely based on quantitative target achievements.

The health program proves to be an exception. A sound results framework allows performance measurement of health sector programs and ongoing collection of information on the health status of the population. This sector sets an example of good planning and results-monitoring practices, which allow tracking progress in the provision of basic health services that make a significant contribution to human development and well-being. It is known (based on statistics available in 2008) that Afghan health programs have allowed access to 85% of the population to basic health services. Health outcomes improved, with household surveys indicating a 26% decline in under-five mortality. But are the health gains being monitored for sustainability? Some of the positive trends do not appear sustainable according to most recent statistics that register a rise in child mortality. Several reasons, including insecurity and preventing delivery of services, are cited.

According to statistics collected for the education sector, over 9 million children are enrolled in schools. Hundreds of new schools are built and teachers trained. But are these statistics and quantifiable measures shallow numbers? In the absence of an appropriate results-monitoring system, any claim to sustainable human capital development remains unsubstantiated. It cannot be determined how many children stay enrolled and graduate from primary schools, one of the millennium development goal (MDG) indicators. Are the trained teachers teaching in schools? How many of the schools are fully operational, with students, teachers, books, and supplies? How many schools are secure for children

to attend – closure of several hundred schools is reported. Without in-depth research and data collection on these critical factors, an assessment of the impact of investments in basic education on human capital development remains inconclusive.

With respect to micro finance as an income generating tool, is the national micro credit program contributing to poverty reduction? Are the micro credit clients investing the loans in micro enterprises that generate a modest income? Or does the end objective of this flagship program remain confined to collection of statistics on the number of provinces and clients covered, amount of loan disbursed, and loan recovered? The benchmarks designed for micro-finance programs continue to focus on such meaningless numbers, without a scrutiny of the impact of the credit disbursed on the economic and social conditions of the creditors, women creditors in particular. Statistics on number of clients, number of provinces wherein the programs are operational, and the amount of loans recovered are not indicators of income generation; nor are occasional anecdotes about a few selected creditors making some income. Do we know of the income amount, the percentage change in income, and if there is any evidence that the change (if any) resulted from use of the loan? Is the micro-credit program contributing to overall poverty reduction by generating income? Without a credible answer to these questions, any claim of the micro-credit program's contribution to poverty reduction lacks a valid foundation.

Inequality between men and women is one of the structural inequalities that erode human development. Several types of inequalities characterize unequal sharing of the burden of adversities between women and men, which should be monitored with indicators. Some of these are covered by MDG monitoring basic health and education – for instance, mortality inequality and access to basic facilities. But for many other forms of inequality no systematic monitoring indicators had been used in Afghanistan. The Gender Cross Cutting component of the Afghanistan National Development Strategy (ANDS) holds promises of monitoring and recording gender disaggregated data in all sectors. But there is no evidence of application of systematic monitoring with clearly conceived indicators.

Some of the significant indicators to monitor gender inequality are: special opportunity inequality (differential access to tertiary education and training); professional inequality (differential access to employment opportunities); ownership inequality (lack of or limited control over assets and other resources); and household inequality (basic inequalities within the family). Based on an analysis of the Islamic values and sharia law, the Ministry of Women's Affairs should determine which of these indicators are realistic or practicable for use in Afghanistan. But determining and monitoring a list of indicators it a must if human development objectives are to be attained.

Donors are currently ducking these issues, hiding behind the rhetoric of gender as a cross-cutting theme and mainstreaming of gender. Many donors fulfill their obligations by filling a standard checklist for project approval, without analyzing the basic factors that engender inequality. It is time for the donors and the government to acknowledge that "gender equality" is not a mere cross-cutting theme; it is a factor that promotes or retards human well-being. Thus, analysis of the impact of some of the structural inequalities and programming accordingly, are first priority needs. Gender-specific programming to strike the base of the structural inequalities will be required rather than unrealistic integration of gender into every program. In this context, efforts are required to develop large national gender-specific programs rather than routine so-called "gender funds" that frizzle out limited resources on small and often rather unstrategically planned

projects, with little sustainable results or large-scale impact at the societal level

While planning gender-specific projects, donors must work in close collaboration with the Ministry of Women's Affairs. Otherwise, unrealistic programming will result in wasteful investments. An analysis of an instance of a programming concept being pursued by one of the donors to invest close to \$2 million in sending seventy Kandahari women to study in Malaysia for bachelor degrees would be interesting in this context. The analysis of this concept done by an Afghan gender specialist include the following:

- The need for university education for women is not questioned. But an investment in a bachelor's degree program abroad can only produce results in the very long term. Could investment in establishing community colleges in Kandahar be more pragmatic?
- It appears doubtful that the Kandahari families would feel comfortable sending away young female members of their family abroad. Community colleges at Kandahar's doorsteps might be a more attractive option.
- Why would women need to be sent abroad at a higher cost, when universities do exist in Afghanistan? With affirmative action quotas established for women's admission, Afghan women could earn a degree at a lower cost.

In the generation of opportunities and entitlements through community development initiatives, the flagship National Solidarity Program (NSP), designed to promote social capital development through community empowerment and service provision through participatory means, has reached the country's 34 provinces and more than twenty million villagers. Numbers again – very little information is available on how the NSP activities are impacting on the well-being of the vulnerable. Will the projects completed provide sustainable benefits? The claim that NSP is increasing public faith in the system of government is strong because evidence to account for this exists. But little data is collected on social and economic benefits of NSP, contributing to human well-being. Efforts are on the way to systematically monitor some of these aspects. Reports were not available when research was undertaken for this paper.

### PLANNING AND DESIGN DEFICIENCIES

What we face in many of these instances are planning and design deficiencies, with inadequate attention paid to monitoring needs to help determine the effectiveness of our investment on people's lives. The fact is that no systematic knowledge base exists about what is happening beyond the implementation of the funded activities. The activities are being implemented and mostly completed. But since the projects are often not planned with concrete results and indicators, ongoing monitoring based on incomplete and faulty planning involves activities monitoring only. With no indicators established at the outset to measure progress toward qualitative results impacting on people's lives, systematic collection and recording of such results information has simply not been undertaken. A review of a number of evaluation reports of international projects and programs reveals that evaluators often acknowledge the difficulty of project evaluation, in the absence of any results frameworks developed at the project design and planning stages, no indicators identified with which to monitor progress and no recording of qualitative data that matters. The scenario is chaotic at best within many of the large programs. With millions spent in local and expatriate staff at various levels, and national and international technical assistance, planning and results monitoring deficiencies prevent donors and the Afghan government alike from going beyond the statistics to search

for the human face behind the figures.

### INSTITUTIONAL CAPITAL AND HUMAN RESOURCES DEVELOPMENT

Having reviewed the disappointing scenario for assessment of the effectiveness of investments in human development and well-being, attention is now turned to institutional capital development and human resources development, both central to making development investments (specifically aid investments) effective. Institutional and human resources development involve capacity enhancement. Since foreign aid is known to play a significant role in capacity enhancement, this section is focused on effectiveness of aid investment in institutional capital and human resources development.

Institutional capital development necessitates primary focus on capacity enhancement of state or government institutions to deliver services to the citizens. Expanding the capacities of a post-conflict state, constrained with extremely limited human resources, requires capacity building with externally financed technical assistance and expertise. This track constitutes a practical and balanced approach in a fragile situation. Initially the belief was that filling the need for trained human resources with external expertise until Afghan civil servants are trained would last not more than two to three years, if the short-term external consultants actually transferred the required skills to Afghans, with the intent to replace the expatriates. However, the reality today is that after eight years of gap filling practices pursued, many functions that an effective state government should perform are seemingly being performed by international experts or high salaried Afghans financed by the international community; and this continues, without any retention of capacity and with no exit strategy in view.

The capacity of the Afghan civil service has not been built adequately. It remains weak, with inadequate capacity to deliver public services, without help from enormous imported expertise. This, of course, continues to undermine local ownership and leadership principles which are critical for making aid and development effective. With an expenditure of over \$2 billion in eight years, little capacity building in government institutions is visible in Afghanistan. This clearly shows that aid effectiveness and capacity building do not necessarily result from large dollar investments or random deployment of expatriate technical assistants. Aid effectiveness and capacity building require reforms, both in substance and channels of delivery.

### FOREIGN AID AND DEVELOPMENT EFFECTIVENESS

Foreign aid is undeniably an important variable in promoting the process of development – human and social capital, institutional and human resources development – because of the finances it supplies. But the receiving state's capacity to spend the aid effectively to address the state identified, instead of donor identified, development results is of equal importance. This demands that aid be delivered in ways that strengthen the capacity of the state institutions to produce demonstrable development outcomes to serve the people.

Research findings show that in many fragile states donor interventions have undermined states' efforts to transit from fragility to stability. This is because donor aid policies, delivery mechanisms, channels, and programs can decapitate and weaken the partner states. Donors often deliberately bypass the state and create non-state operated parallel mechanisms of aid delivery which deprive the partner state of the required

control over its development program and budget. Such aid policies and programs not only incapacitate the state, but as a natural corollary, they risk increasing aid dependency by disallowing the state to learn to plan, deliver, and be accountable.

Extraordinarily ineffective aid delivery mechanisms have been used in Afghanistan for years, with donors paying insufficient attention to these deficiencies. The strongest recommendation for donors to Afghanistan is to reform aid delivery mechanisms and channels and follow “correct” financing methods, reflecting national ownership in planning, budgeting, and implementation management that bear greater potentials of generating effective development. The question is whether or not it might be too late to change the course. Instances of resistance encountered from donors not responding to calls for aligning aid financing and development activities with government initiated, designed, and state-owned programs continue to be many.

It is relevant to make a brief reference to the role of NGOs in making aid effective. NGOs have traditionally played a significant role in delivering humanitarian and relief services in war torn Afghanistan and also provided support for longer-term human development – in health, education, micro-finance, and community development. Their contributions would be more beneficial if they deliver on the government’s behalf and not through non-state mechanisms parallel to those used by the government. As argued earlier, parallel mechanisms of project development, design, and implementation undermine the concepts of government ownership and leadership of development programs, especially critical in fragile state contexts, where establishment of government’s legitimacy and authority is a priority for stabilization purposes. Although the NGO role will remain important – particularly with respect to the continuing need for humanitarian assistance – it must be accepted that the reconstruction agenda must be led by a legitimate Afghan government. This requires a change in the NGOs’ outlooks. They have to be prepared to relinquish some of their sovereignty and profile. They have to engage with the government at all levels – center, provinces, and districts – rather than attempting to go it alone. They will have to make the shift from direct, independent, and isolated interventions to capacity building in local institutions.

## AN ASSESSMENT

Ultimately, effectiveness of human development and social and institutional capacity development in Afghanistan will have to be judged not by the total volume of funds disbursed, enhancement of donors’ profiles, and quantities of donor investment in various activities, but by qualitative impact of such aid investments on Afghan state institutions and people’s lives. Lack of concrete evidence of outcome results achieved in these areas is of considerable concern.

Such lack of concrete evidence weakens donor accountability to its own public and the partner country because the benchmarks set by donors and the Afghan government for measuring program performance are not appropriately focused to account for needful results. As the central thesis of this paper argues, a host of existing benchmarks for social capital development are essentially input and output rather than outcome oriented. Such benchmarks rather focus on activities completion and use of numerical measures, without any reference to qualitative impact of the activities on the lives of the Afghan population. For instance, in the basic services sectors the benchmarks include numbers of infrastructure completed – kilometers of roads constructed, number of schools built and teachers trained, number of community groups identifying

and implementing infrastructure projects, and the number of micro-credit clients served. The activities are not inappropriate, as such. But planning efforts are devoid of setting appropriate outcome results expected and indicators to allow measurement of achievements. Randomly selected indicators make it impossible to assess if aid investments had made a difference in the lives of common Afghans. How many of the schools built were fully operational, with students enrolled, teachers deployed, and books and supplies provided? And, thus, to what extent had funds investment in the education sector helped realize universal primary education in Afghanistan? Nor would it be possible to determine if micro credit effectively generated income for the poor and contributed to poverty reduction; or to what extent the roads constructed successfully promoted safe and secure marketing access. Similarly, in the security sector reform area, counting of the number of army, police, corrections, and justice officials trained will not confirm if a “free and fair” justice system and an “uncorrupt” police force prevailed, providing the services required for protecting human security.

A selected group of programs only cursorily reviewed reflect the availability of inadequate information to show performance in building human, social, and institutional capital. Poor design and lack of planning for results monitoring prevent a fair impact assessment in these instances. The problem of neglecting results monitoring is a serious one, plaguing many of the large donor programs, including programs managed by multilateral organizations. Despite the millions spent in staff deployment at various levels of projects and programs, and in the provision of national and international technical assistance, planning and results-based monitoring deficiencies prevent partner governments and donors from going beyond activities monitoring.

It is clear that due to design deficiencies and inadequate attention to appropriate methodologies for planning and monitoring of results, projects that are conceptually strong are losing ground. These projects are unable to provide evidence of results, which is limiting their ability to gain public support in Afghanistan or among donor states and agencies. Furthermore, little time has been devoted to building the capacity of Afghan institutions to address the challenges of measuring results and setting indicators. Urgent attention must be paid by donor agencies and the Afghan government in addressing these weaknesses on an immediate basis in order to ensure and sustain effectiveness of aid investment.

The issues raised, as related to aid effectiveness and capacity building and those indicating deficient planning, use of skewed monitoring principles and indicators, and thus promoting collection of quantitative data and ignoring qualitative impact on human lives or state institution building, are serious but not irresolvable. These challenges must be met by basing planning and monitoring of human and institutional capital development on well identified results.

#### CONCLUSION: AN UPDATE

This concluding section provides an update of policy (yet to be fully applied in practise) since 2008, as related to results monitoring and thus potentials of generating data as evidence of effective use of aid resources.

Certain positive developments in the Afghan government’s recent policy changes in implementing the sector strategies of the ANDS are expected to bring about reforms in the process of planning and monitoring which will help overcome a number of the issues hampering appropriate tracking of results, as identified

in this paper. For making the ANDS sector strategies implementable, the tool of Managing for Results has been introduced to the line ministries. Results Frameworks have been developed for planning results and tracking them with indicators for monitoring progress in sectors. If used appropriately, these indicators will provide the monitoring base that was weak earlier.

Acknowledgement is taking roots that project/program activities are designed to address the identified needs and aim to improve life conditions of people and, thus, each project must produce evidence of positively impacting on people's lives and reduce poverty. The concomitant realization in the government is that mere implementation of activities and reporting on completion of these activities are not equivalent to tracking of and reporting on "development results."

It is gradually being recognized that appropriate monitoring for and reporting on development results would require the application of the Managing for Results approach throughout the life cycle of the ANDS, its sector strategies, and the programs/projects designed to meet the strategic objectives and results. The message that it will be difficult to implement, monitor and report on results if the sector strategies and projects/programs under them are not planned for results is gradually spreading across the ministries.

Managing for results, of course, starts with identification and establishment of results and indicators at the planning stage. Because the government has already moved past the planning stage in many programming areas, some retrofitting will be necessary. This is being done, with the help of training workshops in managing for results and formulating Results Frameworks for sectors and programs and projects under them. For successful implementation of Managing for Results, strictest discipline and coordination will be necessary for the use of one approach, one methodology, and one format for Results Frameworks by all government ministries and donors.

In 2008, at the time of the preparation and presentation of the first version of this paper, the change process the government is currently undergoing was not in the horizon. In 2009, a new era has been ushered in by the Government of Afghanistan, for results planning and monitoring to go beyond the implementation of activities and quantifiable measures in order to identify impact on human lives. The update in this concluding paragraph is a fair representation of the change that the Government of Afghanistan is planning to adopt. Only the future can say if, in effect, the real results on human development could be appraised and evaluated as a result of these recently introduced government-led reforms.

## BEYOND ARMED STABILIZATION IN AFGHANISTAN: POVERTY AND UNEMPLOYMENT

Nematullah Bizhan

Afghanistan Compact Monitoring Manager, ANDS Secretariat

There is a famous proverb that ordinary Afghans believe in: “we cannot wash blood with blood.” This takes us to see what the other side of stabilization means in Afghanistan. Historically, it is evident that the military-focused strategy by the state or any occupying power in the country has not made headway or reached the intended goal. The key questions are how and by which means the growing instability should be addressed in Afghanistan, and, will the new leading military strategy improve the situation and restore the minimum stability required for development programs in the field?

After eight years of international engagement in Afghanistan, many have doubts about the future of the war against terror and state-building efforts in Afghanistan. Both the government and the international community have created a perception of lack of legitimacy among the public and lack of interest for long-term investments in Afghanistan. Afghans feel that they are not part of the calculation in the development process, as the identified targets are narrowed down to the war against terror or, more recently, to a counter-insurgency focus.

### AFGHANISTAN NATIONAL DEVELOPMENT STRATEGY (ANDS)

The ANDS was developed for 2008-2013, with a longer aim to reduce poverty and generate employment, focusing on the three priority areas of security, governance, and socio-economic development. It was expected that this strategy would lay the groundwork for aid coordination and improved implementation of the projects and programs. In over a year of its implementation there is little that has materialized as it lacks both political and financial support. Some sectors were inadequately prioritized, while other sectors' strategies were not translated into proper projects and programs. Nevertheless, this strategy has established a comprehensive framework for the realization of the development objectives of the country. The ANDS needs to be reprioritized and sequenced based on the realities on the ground, as well as demand results for the stabilization of the country.

Historically, it is evident that development in real terms has been given less attention in the country. According to Maxwell Fry (1974)<sup>1</sup> from 1926-1973, there was little support for Afghanistan's development programs and the commitment by the leaders for economic development appears to have decreased in the past decades. The lack of support was due to the absence of any significant benefit by the majority of people from development projects, and the lack of commitment to economic development was seen due to the unwillingness of the leadership to respond to the demands for institutional change, which had been a prerequisite for economic development in the country. This situation, lack of commitment, and lack of support for development, still exist in different forms.

### SOCIO-ECONOMIC DIMENSION OF INSTABILITY

There are two approaches to tackle the instability of the country: first, to address its main source and, sec-

---

1. Maxwell J. Fry, *The Afghan Economy: Money, Finance and the Critical Constraints to Economic Development* (Leiden: E. J. Brill, 1974), 3.



ond, to address its production. The latter one so far has been taking place as part of the counter-insurgency strategy. Has this been enough? Of course the evidence indicates not! This takes us to think beyond armed stabilization in Afghanistan. A country with 42% of its people under poverty line, 40% of its working force unemployed<sup>2</sup> with a hardly damaged agriculture sector, and where the legacy of decades of conflict exist, is more likely to be unstable. During its modern history, the country has been among the poorest countries of the world. Moreover, the more than two decades of conflicts intensified the poverty and increased the unemployment rate. The most recent data from the National Risk and Vulnerability Assessment (NRVA) 2007/8 indicates that nearly every other Afghan citizen is less than 15 years of age – 12 million or 49% of the population. Also, more than one out of three Afghans – some 9 million people or 36 percent of the population – lives in absolute poverty and cannot meet his or her basic needs.<sup>3</sup>

The poverty level has put the population in the most insecure areas in a disadvantaged position with no means of income and without future hope to take part in peace building and the active process of development. When such numbers of people are not economically productive or socially active, they are vulnerable to the threats from insurgents. In such a situation, there is no incentive for them to cooperate in the stabilization process or to act against insurgents in the long term as social players. The public in this situation should be empowered and be given the capacity of being part of the process and engaged in stabilization efforts. This can happen by looking at the social and economic dimension of stabilization in Afghanistan.

How can the poverty be reduced in real terms and employment generated in a sustainable manner? The short, quick impact projects have provided short-term jobs for some Afghans, but these have left many unemployed people behind after projects have been terminated. According to Nipa Banerjee,<sup>4</sup> the former head of the Canadian International Development Agency (CIDA) in Afghanistan, these quick impact projects have resulted in no-impact projects in Afghanistan.

Lack of income as an outcome of unemployment has a different face. On the one hand, it contributes to the poverty levels. On the other hand it gives the insurgency/Taliban easy access to local labor in the communities. The typology of the market in the country is such that the war economy challenges the formal sector. Drug income, insurgent demands, and the supply shortage of the formal sector in providing employment has remained a continuous challenge for the stabilization efforts.

Afghanistan is among the youngest countries in the world. This young generation has been given the charge to provide food for their families. This leads to the next question: Can stability be exported? This process needs a domestic capacity to address the problems and maintain the stability, which cannot happen overnight.

It is important to notice that post-war reconstruction is fundamentally a development challenge. It should be achieved by creating hope through tangible benefits to individuals and their communities.<sup>5</sup> The realization of development objectives requires time, resources, and commitment. Balanced security, political, and

---

2. Afghanistan National Development Strategy (ANDS), 40. <http://www.ands.gov.af/>.

3. National Risk and Vulnerable Assessment Survey (NRVA), Summary, 2007/8. <http://nrva.cso.gov.af/Brochure%20English-Final.pdf>.

4. Nipa Banerjee, "Afghanistan: No Security, No Governance," Policy Option Paper, November 2009, 3.

5. Sultan Barakat, "Post War Reconstruction and Development," in Sultan Barakat, ed., *After the Conflict: Reconstruction and Development in the Aftermath of War* (London: I. B. Tauris, 2005), 12.

development strategies are necessary and need to be supported by an integrated approach in the country. In the last few years, the country has experienced growing insecurity, governance crises, and a lack of progress in development programs in many sectors, along with the political instability of the recent presidential election on August 20, 2009.<sup>6</sup>

Despite some key progress made since 2001 in education, health, roads, and the establishment of democratic institutions, the agriculture sector, which accounted for 65% of GDP in 1978 and 27% (excluding opium) in 2007 and which employs roughly 75% of the workforce, has been neglected. According to the ANDS, in the 1970s some 3.6 million hectares were irrigated using different methods. At present, because of civil conflict and drought, only about 1.6 million hectares of land are being irrigated. Although the population has nearly doubled since, less than half of the land which was cultivated in the 1970s is cultivated today. This is just one of many examples of a prominent sector that has high job creation potential, but is severely underdeveloped and underinvested. Energy is another sector that can make a substantial impact, but has remained underdeveloped. It was only last year that most of Kabul City received access to 24 hours of electricity.

Ordinary Afghans should feel that the stabilization process helps them empower themselves to become productive members of society. The security strategy is only half of the strategy. It single-handedly cannot bring viability in the development process unless it is coupled with the economic empowering approach. When jobs are created in communities, people have access to a reliable source of income and feel valued and included in the process. Moreover, when they have the means and the strength to stand for their voice economically and politically, they are able to challenge bad governance and instability.

Socio-economic development is a long-term political process. It cannot happen with a narrow plan in the absence of political commitment, financial support, and a secure environment. The strategy shift in Afghanistan remains key. The following are some recommendations that can help to address some socio-economic dimensions of stabilization in Afghanistan.

### Strategy Shift

The political economy of the country has been given little attention. The political strife among the elites and the fragmentation among the donors have contributed to a poor implementation of the development programs and a perception of anarchy in the country. As has been said, a new strategy for Afghanistan should be holistic in manner and pragmatic in content. This should lay the groundwork for improved coordination, efficient allocation of resources, and military response to growing instability.

The United States' new strategy, with the US being a major donor with a high military presence in Afghani-

---

6. The August 2009 presidential election in Afghanistan was characterized by lack of security, low voter turnout, and widespread fraud allegation. The vote, along with elections for 420 provincial council seats, took place on August 20, 2009, but remained unresolved during a lengthy period of vote counting and fraud investigation. Two months later, under heavy US and ally pressure, a second round run-off vote between incumbent Hamid Karzai and his main rival Abdullah Abdullah was announced for November 7, 2009. On November 1, however, Abdullah announced that he would no longer be participating in the run-off because his demands for changes in the electoral commission had not been met, and a "transparent election is not possible." A day later, on November 2, 2009, officials of the election commission cancelled the run-off and declared Hamid Karzai as President of Afghanistan for another five year term.

stan, is key but this strategy must include an “Afghanistan strategy,” which will further help the international community and the Government of Afghanistan to better respond to the situation. The historical evidence does not support militarization of the country through local or international forces, but the right approaches are necessary to end the conflict in the country.

The new strategy for Afghanistan should balance the focus to strengthen the security, improve good governance, and enhance the economic and social development. Neglecting any of these pillars will create a gap in favor of conflict and instability.

### Reenergizing the Development Agenda

The achievement of development objectives requires time, resources, and commitment. Balanced security, political, and development strategies are necessary to be supported by an integrated approach in the country. Poverty reduction and economic growth are the two sides of a coin, where a parallel investment is a must.

Agriculture and energy as two prominent sectors, which have the high potential for poverty reduction and economic growth, are the key investments. These have remained underinvested and underdeveloped in almost a decade of intervention. Through the revitalization of the agriculture sector it is possible to empower a large majority of the population.

Strengthening the private sector is another key area through which services can reach the local communities as a complement to the public sector. This will require sound governance and a secure environment.

The role of civil society remains another key area. Civil society should be given the right and opportunity to be engaged in the process. They should monitor the development process, contribute to the political debate, and impact the stabilization agenda of the country. Only in this way can better accountability be ensured between the state and society.

The young generations should feel ownership of the process. A greater investment should take place to spare them from suffering unemployment and misuse for conflict means. Instead, the youth should be given preparation to become better and responsible citizens ready to engage in the development of the country.

The relation between development and insecurity needs to fundamentally be reassessed. Instead of letting the insecure areas spoil over the secure areas, it should go the other way around. The environment in secure provinces should be seen as an opportunity for investment in development programs in a way that can generate results and extend the opportunities over the insecure areas through social networks of the people and with the development impact being seen as positive externalities. This will also give the local population the flexibility of adjusting themselves for economic opportunities in neighboring provinces, rather than leaving the country for the same purposes.

Finally, the development agenda will not succeed unless it is accompanied with toughness and discipline. Corruption and poor governance in any form or shape must be tackled. Otherwise it will take Afghanistan

to a worse hell.

The broader strategy for Afghanistan has to be result oriented and implementable. There is a desperate need for an accountability mechanism that provides respect and mutual responsibility in Afghanistan, which needs to be monitored continuously.

## RAILROADS: AFGHANISTAN'S CENTURY PROJECT

Wolfgang Danspeckgruber, et al.<sup>1</sup>

Director, Liechtenstein Institute on Self-Determination

Afghanistan is currently facing not only a security challenge but also a significant socio-economic one. With one of the lowest incomes per capita in the world, 50% of its population under the age of 15, levels of unemployment estimated anywhere between 40% to 60%, and no full functioning industry other than opium production, the country is in dire need of initiatives that will address these issues and provide an alternative livelihood for many Afghans. Furthermore, considering Afghanistan's position in Central Asia and the strategic games at play in the region, any successful initiative will have to involve and foster the interest of a number of regional players.

In this context, the construction of an Afghan railway network offers a significant opportunity for Afghanistan and its allies. Like Switzerland, Afghanistan is a land-locked mountainous country with potentially adverse climatic conditions, and lies at the center of what could become significant east-west and north-south transit. The development of its railways – alongside ongoing road projects like the projected 3,000 kilometer ring road linking the major cities of Herat, Kabul, and Kandahar – could catalyze trade within the region and between Europe and Central and Southeast Asia. Within Afghanistan, swift and affordable sustainable transportation would promote sustainable economic development and employment, improve the connections to Afghanistan's neighbors – thus offering access to international markets and facilitating the delivery of foreign assistance – as well as possibly diminishing the relevance of radical forces among local communities by:

- Providing a significant and sustainable new source of jobs, income, and local and national pride;
- Permitting the transport of bulk and heavy loads such as petroleum, coal, stone, and other mining products for relatively low cost and under most climatic conditions;
- Creating an internal market and stimulating regional trade by improving the terms of trade;
- Facilitating international assistance;
- Facilitating a private-public partnership between international investors and local Afghan labor and security.

### CURRENT RAILROADS AND CONSTRUCTION PROJECTS

Despite its geographic location and the advantages of a train system considering Afghanistan's geography, to date Afghanistan only has two short railroad lines across its northern borders with Uzbekistan and Turkmenistan. This is in part a legacy of history, with Afghanistan's leaders (one can argue with good reason) projecting railroads as a means for foreign powers to invade the country. These two lines were developed by the Soviet Union during its military involvement in Afghanistan. The first one links Termez in Uzbekistan to Kheyraabad and extends for 15 kilometers. From Termez, the line provides access east to Tajikistan and west to Turkmenistan. The second one is 9.6 kilometers long and connects Kushka in Turkmenistan to Towraghondi. This line was closed by the Turkmen government in 1997 during the Taliban period and underwent work to be reopened in 2007. It is run by the Turkmen Railroads and links Afghanistan to Central Asian, Iranian, and Russian railways.

---

1. Daniel Nikbakht, Carol Wang, and Frederik Tretin contributed to this paper.

In addition to these lines, a third line, which is currently out of use, runs right up to the Afghan border from Pakistan. Built during the 1920s, the “Khyber Pass” line connects Jamrud to Landi Khana on the border. The connection to Landi Khana has been closed since 1932 but a connection to Landi Kotal (2 kilometers away) has been used on and off since construction but is currently closed due to flood damage.

The Liechtenstein Institute on Self-Determination (LISD) has been promoting the idea of investing in a railroads project as a catalyst for stability and economic development in Afghanistan since 2004, when the idea was first presented at a workshop of experts and practitioners held in Vienna, Austria. This idea has been discussed at several subsequent LISD events and, in 2008, at the “Review Conference on Afghanistan” held in Bonn/Petersberg, Germany, the issue was given center stage and promoted with some of the leading figures in Afghanistan.

The importance of railroads has been partially understood by a number of actors and there are currently a few projects underway and in planning stages. Especially among the regional players, there is significant interest in creating a wider rail network linking major Afghan cities to one another and to the greater region for several of the reasons mentioned above.

#### PROJECTS UNDERWAY

To date, Afghanistan has two railroad lines under construction (or about to be started), which connect the country to Uzbekistan and Iran. These projects are being undertaken independently and largely without coordination with the Afghan government.

Construction of a rail line connecting Uzbekistan with Afghanistan will begin December 2009 and is based on a Memorandum of Understanding (MOU) to expand trade and economic opportunities that was signed in August by Afghanistan, Uzbekistan, and the Asian Development Bank (ADB). This will be an extension of the rail line from Termez, which connects Galab and Hairaton, two towns in the border region, to Mazar-i Sharif in Afghanistan’s northern Balkh Province. The length of the railroad is approximately 75 kilometers and construction is expected to be finished by 2010-2011. The ADB will finance \$165 million of the project, which forms part of the Central Asia Regional Economic Cooperation (CAREC) program. That connection with Uzbekistan will be single line and have 1520 mm gauge.

The Iranian government is undertaking the construction of the first portion of a railway across the Iran-Afghanistan border to connect Herat via Sangan to the Mashad-Bafq railroad in Iran. Initial completion of the route was expected before the end of 2009 but actual dates are being continuously pushed back and no concrete completion date has been released.

#### FUTURE PROJECTS

The Afghan government has identified three major routes for a comprehensive railway development program (approximately 2,067 kilometers in length) to link Afghanistan to neighboring countries:

- North: Sherkhan Bandar, Tajikistan to Herat via Kunduz, Mazar-i Sharif (1246 km)
- Northeast: Mazar-i Sharif to Kabul and Torkham at the border with Pakistan (718 km)
- South: Kandahar to Chaman, Pakistan through Spin Boldak (103 km)

- West: link to connect Herat via Sangan to the Mashad-Bafq railroad in Iran. The first part of this link is already under construction by Iran.

In June 2006, the presidents of Afghanistan, Iran, and Uzbekistan signed a tripartite agreement for a Trans-Afghan Transport Corridor. The main feature of the agreement is the construction of a railway network, connecting the Commonwealth of Independent States (CIS) countries with the Persian Gulf through Afghanistan. No further developments have advanced with this project.

One of the most promising future plans includes Iran's regional initiatives. Iran's "five year economic development plan" aims to establish rail connections to all neighboring countries by 2010 and this could include further links to Afghanistan. Exact details of the plan are not available.

After the reopening of the line linking Turkmenistan and Afghanistan in 2007, an additional proposal was created by Turkmenistan to develop a railway from Atamyrat in Turkmenistan to Afghanistan, but the project is still under consideration. Similarly, the ADB project for Uzbekistan currently underway also details plans to extend the railway line to Herat (from Mazar-i Sharif in northern Afghanistan), linking it with Iran's connection. Concrete plans or construction dates have not been released however.

In 2007, the China Metallurgical Group won a thirty-year lease to develop the Afghan Aynak Copper mine south of Kabul. The contract includes building a freight railroad from Dushanbe to China via Kashi, Tajikistan. There is discussion of developing a line that would connect the region to the port of Gwadar in Pakistan, which is managed by the Chinese. This line would pass through Peshawar in Pakistan and Jalalabad in Afghanistan before continuing on to Kabul.

In addition to all trans-Afghan railroad projects, a Czech study of a southern railroad link has been conducted including connections between Herat, Shindand, Farah, Lashkar Gah, Kandahar, Qalat, Ghazni, and Kabul. The study, commissioned by the Czech Ministry of Transport, consists of three parts: 1) opportunities and options, 2) technical study, and 3) preliminary feasibility study. The study will be released in early 2010 and the results are still undisclosed. According to a representative, the Czech Ministry of Transport does not envisage any other initiative regarding railroad development in Afghanistan, at least in the forthcoming three years.

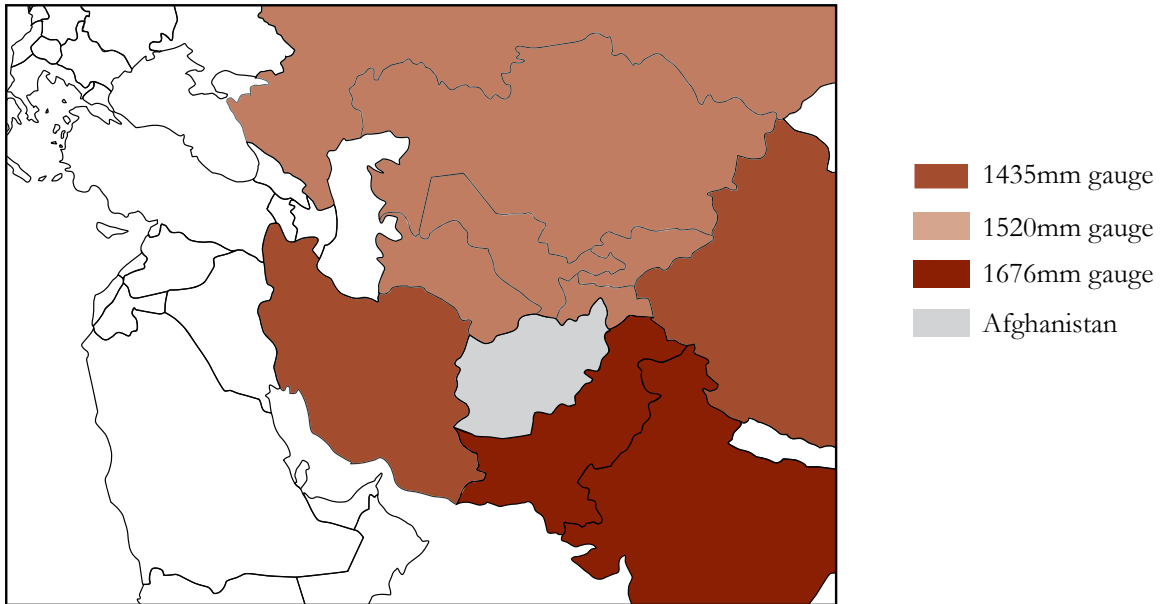
Table 1. Summary of International Activities and Plans for Railroad Development in Afghanistan and the Region

Country/Organization	Activities/Plans
Asian Development Bank	Project underway from Termez to Mazar-i Sharif, MOU signed between Afghanistan, Uzbekistan, and ADB in November 2008; construction due to begin December 2009.
China	China Metallurgical Group won the bid in 2007 to develop a copper field in Aynak, part of the deal is the construction of a freight railway, plan is from Dushanbe to western China.
Czech Ministry of Transport	Commissioned a study within the framework of the Czech Republic's development assistance. At the moment the Czech Ministry of Transport does not envisage any other initiative.
Iran	Railroad tracks have been laid from Mashhad-Bafq to Herat. The Nasr Institute in Tehran has played an important construction planning role. Iran's "five year economic development plan" aims to establish rail connections to all neighboring countries by 2010.
Tajikistan	Part of efforts of China Metallurgical Group to transport minerals to western China. A second proposal is to link Tajikistan, Afghanistan, and Iran. There is no official plan announced.
Uzbekistan	Railroad linking Termez, Uzbekistan to Hayratan, Afghanistan was built by the Soviet Union to supply its troops during the Soviet-Afghan War. This cross-border railway links Termez, Uzbekistan to the transshipment point on the south bank of the Amu-Darya river in Afghanistan (roughly 15 km and operated by Uzbek Railways).
Turkmenistan	Kushka in Turkmenistan to Towraghondi, 9.4 kilometers long, this is the sole railway between Turkmenistan and Afghanistan. It is operated by Turkmen Railroads and links Afghanistan to the Central Asian, Iranian, and Russian railways. Work was done to reopen this connection in 2007. A second proposal is for a railway from Atamyrat, Turkmenistan to Afghanistan. This project is still under consideration.



## TRACK GAUGE QUESTION

One of the key challenges facing the development of railway connections in Afghanistan is that of track gauge, the width of the train tracks. The issue of track gauge in Afghanistan is problematic due to the fact that its neighboring countries use three different track gauges. Iran and China use the standard gauge (1,435 mm), as do approximately 60% of the world's existing railway lines. The Central Asian countries in the North (Turkmenistan, Uzbekistan, Tajikistan, Russia, and the whole of the former Soviet Union) use the second most widely used gauge in the world – 1,520 mm – while Pakistan (as well as India and Bangladesh) uses a third wide gauge size of 1,676 mm.



It is an imperative to ensure the compatibility of the different railroad projects. An alternative solution, a dual-gauge railway consisting of three rails, will be prohibitively expensive and technically not all gauge sizes are compatible with each other. Only the standard gauge (1,435 mm) used in Iran and China, and the Pakistani gauge size (1,676 mm) are possibly compatible. The broad gauge (1,520 mm) used by the neighbors in the North is too close to the other two to support a three-rail solution. In fact, in most other cases worldwide where this has been an issue (with the rail connections between Poland and Russia or for the proposed Slovakia-Vienna line), the option adopted has been to lay parallel lines. Considering the role of the railway connection as a regional link, the integration with the regional players is of paramount importance.

As the primary intended use of the Afghan railway system will be, at least initially, the transport of goods, it is useful to look at the gauge question in terms of freight flows with neighboring countries and their respective gauge sizes. Currently, the Iran-Herat line is being built as a 1,435 mm line as it will be an extension of the Iranian railway network. The extension of existing lines from Turkmenistan and Uzbekistan

are of 1,520 mm. If and when they meet a 1,435 mm line it would make sense to put the break-of-gauge at a point like Herat, so that traffic from Herat north to Turkmenistan does not need to change gauge, and traffic from Herat to Iran does not need to change gauge either.

The gauge for the line connecting Herat with Mazar-i Sharif is still undetermined, but a 1,435 mm line would offer the long-term prospect of a route connecting China with Europe, avoiding countries with a 1,520 mm line. The gauge size for the southern link between Herat and Kandahar is undetermined. A study commissioned by the Czech Ministry of Transport suggests that the gauge will be 1,435 mm. The southern line linking Pakistan to Kandahar will be presumably a 1,676 mm line as an extension of the rail network in Pakistan.

This is a critical issue, which has not been addressed so far and if there is no clear decision soon, split in Afghan rail transport may soon become a reality. The North could presumably be dominated by the Russian gauge, while the South and the East of Afghanistan may see the widest India/Pakistan gauge. For national and regional rail connection, efficiency, and cost savings this issue must be addressed.

#### CONCLUSION AND FURTHER DEVELOPMENTS

A national railway infrastructure has the potential to deliver tangible results in the stabilization and development processes in Afghanistan. So far, little has happened in the form of developing a railroad system and the efforts that have been undertaken have been mostly uncoordinated and lacking a long-term integrated planning system. This situation is further complicated by the issue of sitting between three different track gauge systems. Afghanistan risks ending up with a web of railways that cannot be connected to each other.

The development of a national railroad system should become part of a combined Afghan-international effort. It needs to be a coordinated effort that will be directed for and by the Afghans with international support, mostly in terms of establishing accountability and monitoring mechanisms to avoid corruption and increase effectiveness. Only this approach can deliver Afghanistan and the region with a system that will provide for the integration of the region, which will allow for an easier transport of goods and services throughout the region – including much sought after natural resources – and provide Afghans with a viable source of employment.

Moreover, the international community involved in Afghanistan should be the main supporter of such efforts and promote coordination between all the involved players. In late 2008, Russia, Kazakhstan, and Uzbekistan agreed to allow the transit of non-military NATO supplies to Afghanistan through their borders by rail (estimated to be some thirty times cheaper than airlift). An Afghan railway system would represent a significant decrease in the funding currently used by the allied forces to maintain their operations in the region. There has also been some speculation of Germany considering the use of Russian and Iranian railroad connections to Afghanistan to deliver military equipment. No confirmed reports have yet been released. Of course the stability of the other regimes in the region will also be an issue to take into consideration in this discussion.

Finally, these projects provide an opening for US and NATO cooperation with three critical regional players, whose participation in economic development in Afghanistan will endure long past the US military

presence: China, Russia, and Iran. Afghan buy-in to such a “century project” will be the most critical. A top-down, international-managed approach is likely to fail, while a bottom-up, Afghan-ownership strategy could mitigate security concerns and facilitate continued construction and development. However, this will take time, patience and the ability to convince the Afghans – from the clans and local administrations to governors and the national authorities – that this is their century project.

#### REFERENCES

- Asia Development Bank, *Islamic Republic of Afghanistan: Railway Development Study*, Technical Assistance Report, Asia Development Bank, 2009.
- Magdalena Faltýsková, “Study of Construction of a New Railway Line from Iranian Border to Kabul,” Czech Ministry of Transportation, 2009.
- Andrew Grantham, *Railways of Afghanistan*. <http://www.AndrewGrantham.co.uk>.
- David McCombs. “Afghanistan’s First Railroad Aims to Undercut Taliban,” Bloomberg.com., October 28, 2009. <http://www.bloomberg.com/apps/news?pid=20601109&sid=adidKfjptIH0>.
- Nigora Yadgarova. “New Rail Line Between Uzbekistan, Afghanistan to Serve Strategic Purpose,” Central Asia Online, August 29, 2009. [http://centralasiaonline.com/cocoon/caii/xhtml/en\\_GB/features/caii/features/2009/08/29/feature-04](http://centralasiaonline.com/cocoon/caii/xhtml/en_GB/features/caii/features/2009/08/29/feature-04).
- Wolfgang Danspeckgruber with Robert Finn, eds., *Building State and Security in Afghanistan* (Princeton, NJ: Woodrow Wilson School of Public and International Affairs, 2007).

Part IV  
Afghanistan and the Region

## AFGHANISTAN AND THE REGION

Zahir Tanin

Permanent Representative of Afghanistan to the UN

The futures of Afghanistan and of the region are tightly linked. Terrorism, insecurity, drugs, refugees, and human trafficking are all shared regional challenges that cannot be solved by any individual country on its own. In order to overcome these human and security challenges, we must change the tone in the region from one of historical mistrust to one of positive cooperation. The most effective motivation for this change is to understand the economic rewards of cooperation.

Historical mistrust in the region has deep roots. Geography has played a substantial role in the history and political transformations of Afghanistan. For generations, Afghans have paid with our blood for our location at such a strategic crossroad; armies of empires have passed through Afghanistan southwards, northwards, westwards, and eastwards.

In the nineteenth century, colonial empires fighting for the expansion of their spheres of influence famously defined Afghanistan, within the framework of the *Politische Geographie*, as a “buffer zone.” This “great game” continued into the twentieth century when imperial powers were replaced by new superpowers. Despite changing balances of power in the region, between the end of the world wars and the beginning of the Cold War, Afghanistan remained caught between powers seeking domination in the region. In the 1980s, with a southward Soviet thrust, Afghanistan became the final battlefield of the Cold War, resulting in an almost complete devastation of the country and the loss of millions of lives.

At the end of that war, when the Soviet forces left Afghanistan and the Soviet Union began to disintegrate, Afghanistan became a playground for ambitious regional mini-powers that, in the absence of the great power rivalries of the past, sought to seize new opportunities in the region through controlling the politics of Afghanistan. In particular, tensions between Pakistan and India entangled Afghanistan. Pakistan used its “strategic depth” policy within the framework of its rivalry with India to justify its attempts to become the dominant power in Afghanistan by funding and supporting extremist groups, including those currently comprising the Taliban. This brief and catastrophic adventure resulted in a fundamental destabilization of Afghanistan that has lasted ever since.

Recent years have seen few strategic changes in the region. In the 1990s, extremism and terrorism were fostered in regional madrassas and training centers. The problem of cross-border drug trafficking was exacerbated. When the Taliban were driven out of Afghanistan in 2001, international forces turned a blind eye to their regrouping and restrengthening in neighboring Pakistan. Certain institutions in Pakistan continued to play a direct role in supporting ongoing terrorist activities with training, arming, and sanctuaries. By 2006, the Taliban had become noticeably stronger and able to once again pose an obstacle to peace and stability in Afghanistan and the region.

Given the historical entrenchment of negative regional trends, it may seem a Herculean feat to reverse these trends into positive and constructive relationships. Nonetheless, Afghanistan’s current political challenges are in fact regional challenges that require cooperation with all countries in the region. The terrorist campaign in Afghanistan is still supported in regional sanctuaries. Militant extremists including the Taliban

are still wreaking violence region-wide. Also, markets for the cross-border drug trade exist across the world, and represent a major challenge, particularly for Iran and Russia. In addition, refugees continue to be a regional issue, as evidenced by the millions of Afghan refugees still living in Pakistan and Iran, and more recently by the large number of Pakistani refugees displaced by the Pakistan government's military action against the Taliban in Swat and Waziristan. Without regional cooperation, these challenges cannot be conquered; and so, countries in the region will continue to be unable to fully profit from their natural riches.

South Asia as a whole, and India and Pakistan in particular, would greatly benefit from trade and pipeline routes through Afghanistan to Central Asia, and especially to Turkmenistan, Kazakhstan, and Uzbekistan. In turn, increased trade with Afghanistan, Pakistan, and India would allow Central Asian nations to diversify their markets in different geographic regions. As a former Uzbek official once said, Afghanistan is the "key to Central Asia."

For Afghanistan in particular, regional cooperation could create richer trading zones with Central and South Asia. For the region as a whole, increased trade can generate more government income from taxes and tariffs, which can then help support security forces, basic human services, and education. In addition, cooperation will allow the region to better address energy needs, including the use of electricity, water, natural gas and minerals. In these fragile economic times, more reliable energy access would be a great reassurance for the region.

To facilitate the opening of regional trade and markets, regional actors should develop regional transit systems such as railroads and roads. Through such economic forums as the Economic Cooperation Organization (ECO) and the South Asian Association for Regional Cooperation (SAARC), Afghanistan and the region can synchronize their investments in transportation and transit infrastructure to enhance access to goods and energy. There has already been important progress. A 7,000 kilometer natural gas pipeline leading all the way from Turkmenistan through Uzbekistan, Kyrgyzstan, and Kazakhstan to China is currently being developed. In addition, China plans to develop railroads in order to take full advantage of its development contracts for the rich copper fields of Aynak in Afghanistan. These infrastructure projects also promise to create many jobs for the young and the unemployed of the region.

These are the true rewards of economic cooperation. Such rewards, if properly recognized and utilized, can form the necessary motivation to usher in a new atmosphere of trust, an element vital to more effective diplomacy. This diplomacy could in turn create a collective security system that would allow for a better-coordinated fight against the region's terrorism and security challenges.

Bilateral diplomacy is the first step to strong regional relations, and these relations can be greatly facilitated with the use of economic incentives and common national goals to stimulate cooperation. The 2002 Kabul Declaration on Good Neighborly Relations laid a framework within which Afghanistan should conduct bilateral relations with its neighbors. It includes the principles of territorial integrity, mutual respect, friendly relations, cooperation, and non-interference – all of which would benefit both the Afghan state as well as its bilateral partners.

Trilateral relations can then help to cement good relations forged bilaterally. For example, trilateral cooperation between Turkey, Afghanistan, and Pakistan has been consistent and ongoing, while Iran-Afghan-

istan-Pakistan trilateral meetings are newer but also promising. In addition, Afghans are hopeful that the US-Afghanistan-Pakistan trilateral summits will help foster a closer relationship between Afghanistan and Pakistan.

Led by the United States, many governments have now recognized the regional origins of the insurgency in Afghanistan, and have created special envoys to both Pakistan and Afghanistan to address common issues comprehensively. Afghanistan and Pakistan themselves have begun to create a new positive momentum through a bilateral partnership between Afghanistan and the new civilian government of President Zardari. Afghanistan has also welcomed recent Pakistani military action against terrorist sanctuaries in Swat and Waziristan.

Multilateral political cooperation is also crucial to the formation of a long-term regional collective security system. NATO is a key security partner for Afghanistan. NATO, the EU, and countries such as the US and Japan have contributed significantly to rebuilding and restrengthening Afghanistan so that the country can play a more constructive and dynamic role in the region. In addition to NATO, Afghanistan has recognized the burgeoning importance of other groups such as the Shanghai Cooperation Organization (SCO), and belongs to the SCO's contact group.

Bilateral, trilateral, and multilateral cooperation is crucial in the fight to overcome the many human and security challenges of Afghanistan and the region. Diplomacy, however, is most effective when it is based on trust, not fear; on cooperation, not suspicion. This trust can best be established through a regional focus on the many economic rewards of cooperation: increased trade, increased revenues, and a more secure energy supply. With a new era of cooperation, Afghanistan and the region can look forward to a future of peace and prosperity.

## AFGHANISTAN AND CURRENT REGIONAL TENSIONS

Mahmoud Saikal

Former Deputy Minister of Foreign Affairs, Islamic Republic of Afghanistan

### GREAT GAME, COLD WAR, NEW CHALLENGES

In the past few years, several factors have brought together mixed elements of the nineteenth-century's Great Game and the twentieth-century's Cold War into the twenty-first-century of Afghanistan and its surrounding regions, with a much larger number of power players. These factors include Pakistan ISI's recent suspected bombing of the Indian Embassy in Kabul, the nuclear stand-off between Iran and the Western powers, the confrontation between the Russian Federation and Western-backed Georgia, Pakistan's Federally Administered Tribal Areas (FATA) turning into the solid bedrock of terrorism, and rivalry among the Western forces in Afghanistan.

The tensions involve old players, namely, the United Kingdom, Russia, Iran, and the United States, assuming slightly modified positions, and new players such as India, Pakistan, China, and the Central Asian republics. They signify the fragility of Afghanistan's inner and outer regions. They also indicate that once again Afghanistan's geostrategic location, after a brief period of being an asset for all, might have already turned back into a liability.

### CURRENT REGIONAL TENSIONS

The Russian Federation, the main inheritor of the Soviet legacy, after a period of political restructuring, economic recovery, and military build-up, is now coming out of its historical "masterly inactivity" cocoon and wishes to regain its traditional place in regional and global games. It had reluctantly tolerated the NATO advances in its Central Asian backyard and feels that now is the time to sharply react to the regional motives of Western forces in Afghanistan. It wishes to clearly express its deep concerns over the turning of Central Asian republics into NATO "partners of peace" and the transfer of their excess energy to South Asia, and the aspirations of former satellite states, Ukraine and Georgia, to become new members of NATO.

While Tajikistan, Kazakhstan, and Kyrgyzstan have shown some tendency toward the West, Uzbekistan and Turkmenistan still remain firm in their allegiances with the Russian Federation and appear shy on regional platforms.

China and Iran, who have had their own deep-rooted grievances with Western powers, have indirectly welcomed the Russian moves to Western advances in the region. After reasserting its dominant role in world affairs, through hosting a highly successful Olympic Games, China will slowly but surely continue to challenge the superiority and regional agenda of the Western powers. Western pressures, designed to prevent Iran from developing a military-nuclear capability, led Tehran to coordinate its efforts with almost all forces hostile to the US and NATO military presence in the region.

The United Kingdom, the former colonial master of South Asia which faced three major military defeats in Afghanistan between 1839-1919, has regained its foothold on the Afghan side of the now disputed Durand Line that it drew as the southeastern border between British India and Afghanistan in 1893. Since the start



of the war on terror, despite the loss of over 117 soldiers and the dedication of massive development aid to Afghanistan, the UK has continued to call the Taliban a home grown movement of Afghanistan and has been a lot less vocal (compared to the US) about their Pakistani links. On occasions, and in agreement with ISI justification, British officials have classified the Taliban as a genuine side of Afghan politics, which must be taken seriously and accommodated through power-sharing arrangements.

The lack of trust between India and Pakistan over the last sixty years, with no prospect of a resolution in the near future, has had its own catastrophic regional impact. Islamabad continues to look at Afghanistan through its lenses of mistrust and tension with New Delhi. Since late 2001, India has been the biggest regional contributor toward the reconstruction and development of Afghanistan. Pakistan's ISI has been viewing this as Indian dominance in the region, which must be stopped at all costs. Pakistan denies a land transit corridor between India and Afghanistan. By doing this it wants to monopolize its own access to the highly profitable Afghan and Central Asian markets. Also, it stops India from developing closer trade ties with the wider region. Some radical groups, which were initially nurtured by the ISI, are now out of control. Ongoing tensions between Pakistani military and civilian politicians have made the matter worse.

Afghanistan itself, after taking some regional initiatives in 2002-2006, has failed to pursue the outcomes of these initiatives and develop consistent proactive regional diplomacy. The third Afghan-led Regional Economic Cooperation Conference (RECC), which was supposed to be held in Islamabad in November 2007, at the time of writing was late by ten months and it is still not known when it will be held. The Regional Cooperation component of the Afghanistan National Development Strategy (ANDS), which was supposed to go through the phase of its implementation after the Paris Conference, has already been overshadowed by a new set of contradictory and personalized foreign policy guidelines, announced in Kabul. Afghanistan has also been unable to develop an independent image of itself beyond Western influences and emerge as a trusted regional partner. Its presence on regional platforms has had more form than substance.

#### VICTIMS OF REGIONAL TENSIONS

The war on terror, which once enjoyed the overwhelming support of regional and international actors, has now become the first victim of escalating tensions and rivalry among these actors. The ISI, Al-Qaeda, and the Taliban have emerged as key beneficiaries, turning the tribal belt between Pakistan and Afghanistan into an independent terrorist state. The United States, preoccupied by its busy regional agenda, coupled with engagement in Iraq and an upcoming election, found little time and not many genuine partners willing to fight the war on terror.

The second victim of the rising regional tension is the political, security, social, and economic gains of Afghanistan in the past seven years, which has also benefited its neighbors and the world community at large. Hundreds of newly built schools have already been torched in southern Afghanistan. The loss of the peace dividend of Afghanistan and the return to chaos will have international consequences of great magnitude, threatening the standing of NATO and enhancing the spread of terror in Western cities.

The third victim is the current and future development programs of Afghanistan and regional economic cooperation and integration. The upsurge of insecurity has already frozen the development of some of those regional infrastructure projects, which could have improved the security situation significantly.

## WHAT SHOULD BE DONE?

Given the complexity of regional issues, multi-pronged initiatives need to be taken at unilateral, bilateral, and multilateral levels.

On the part of Western powers (US and its allies):

- In close consultation and coordination with the UN and the Government of Pakistan, they should refocus on the war on terror and seek a fresh mandate from the Security Council on shifting the geography of the war to the FATA area, where the terrorist leadership, recruitment, training, and logistic support are located. At the same time they should come up with a restructuring program for the ISI of Pakistan.
- They need to take a number of confidence-building measures to reassure Afghanistan and its neighbors that their military presence in the region is solely for the purpose of the war on terror and the stabilization of Afghanistan and no other motive is on the agenda. They should come up with an indicative timeline for this endeavor.
- They need to genuinely promote and support the regional cooperation efforts of Afghanistan and its neighbors and try to coordinate their legitimate interests with them, within a legal dialogue framework. Major regional economic cooperation and integration projects, which will ultimately improve security, need the technical and financial support of the G8.

On the part of the regional countries:

- Initiatives need to be taken to keep the impact of inter-regional conflicts away from Afghanistan, e.g., India-Pakistan, Iran-USA, Russia-NATO, etc. Perhaps Afghanistan could be declared a neutral country, similar to Switzerland. This requires its own set of policies and strategies.

On the part of Afghanistan:

- Through the implementation of the Regional Cooperation Strategy of the ANDS, it should increase its regional cooperation technical, administrative and coordination capacity and chalk out a proactive and creative regional diplomacy program, incorporating clear strategies for resolving outstanding regional problems, such as the Durand Line and riparian waters, among other, with short-, medium- and long-term benchmarks.
- Vigorously pursue the Kabul and Delhi Declarations of the RECC Process. If holding the third RECC in Islamabad faces further uncertainty, initiate early consultations with Pakistan and other regional countries on the possibility of holding it either in Kabul or another regional capital.
- Appoint an authoritative, trusted, decision-making, vibrant, and professional ambassador-at-large for the promotion of regional cooperation. The ambassador shall work within the framework of Afghanistan's membership and affiliation in the ECO, SAARC, CAREC, SCO, and the RECC process, and enjoy the full trust of the Afghan government, parliament, and judiciary. He/she should be familiar with the regional issues and make sure that Afghanistan contributes to regional stability and prosperity. He/she should enhance the conditions for Afghanistan to resume its central role as a land bridge between Central Asia, South Asia, the Middle East, and the Far East, as the best way of benefiting from increased trade and export opportunities.
- Make specific efforts to stop the infiltration of neighboring spy agents in the state institutions of Afghanistan and strengthen its own counter-intelligence works.

## AFGHANISTAN'S NEIGHBORS: UNDERSTANDING IRANIAN, CHINESE, PAKISTANI AND INDIAN INTERESTS IN AFGHANISTAN

Rani D. Mullen

Assistant Professor of Government, College of William and Mary

At a time when the US strategy towards Afghanistan, and thereby its relationship with Afghanistan, is under discussion, it is also becoming increasingly clear that any longer-term hopes of stability and peace in Afghanistan hinges on the role played by Afghanistan's neighbors. Afghanistan has been at the crossroads of regional empires and interests for centuries and the situation today is no different. As a poor and landlocked country with six immediate neighbors, the fate of Afghanistan is in large measure dependent on the willingness of these neighbors and other important regional actors to allow, for example, the use of land routes for export and import of goods to and from Afghanistan. Since regional actors play such a vital role in determining Afghanistan's prospects, it is important to understand the factors determining their individual relationships with Afghanistan, as well as the relationships between these actors and the possible influence of those interactions on their relations with Afghanistan.

Among Afghanistan's neighbors and regional actors, Afghanistan's relationship with Iran, China, Pakistan, and India are of particular note. These countries have historically played a role in different political factions in Afghanistan and continue to play important roles in both positive and negative ways by providing aid, trade, and foreign investment. This analysis provides a brief overview of the relationship between Afghanistan and Iran, China, Pakistan, and India. The main thrust of this paper's finding is that a coherent international policy towards supporting security and development in Afghanistan should be cognizant not only of the motivations behind regional actors' foreign policies toward Afghanistan, but also how the interactions between these regional actors in Southwestern Asia drive their foreign policies toward Afghanistan.

### IRANIAN INTERESTS IN AFGHANISTAN

Iran has historically had close cultural and economic ties with Afghanistan, particularly its Muslim Shia minority, which it seeks to maintain. The two countries share a long common history with past Persian empires. They are also bound by linguistic ties – Dari, the dominant language spoken by non-Pashtun Afghans, is an eastern dialect of Persian – and cultural ties, particularly in Afghanistan's western and central region where most of the minority Shia live.

Iran's amicable relations with Afghanistan during the respective rule of monarchies in both countries changed in 1978-1979 when the Soviet-backed regime was set up in Afghanistan and the Iranian revolution toppled the monarchy. Both Afghanistan and Iran closed some consulates in each other's countries and Iran started supporting Afghan resistance groups or mujahideen (freedom fighters) that supported the Iranian vision of Islamic revolution. However, during the 1980s struggle of the mujahideen against the Soviet-backed Afghan troops, Iran opened its borders and took in millions of Afghan refugees, about one million of whom remain there today. Iran continued to support the mujahideen groups aligned with its Islamic vision at the end of the Cold War when both the US and the Soviet Union withdrew their support for Afghanistan and through the civil war. When the Taliban rose to power in the early 1990s, their mistreatment of the Shia minority led to increased support by Iran for the anti-Taliban mujahideen, later known as the Northern Alliance. Relations between Iran and the increasingly Taliban-controlled Afghani-

stan deteriorated further when the Taliban seized Mazar-i Sharif, took over the Iranian consulate there, and killed Iranian diplomats. These actions led to a new low in Iranian-Afghan relations and nearly triggered a war by Iran against Taliban-controlled Afghanistan. It was only interventions by regional actors and the United Nations in particular that averted war between the two countries.

The antipathy between the Iranian and Taliban governments led the Iranian and US envoys to cooperate during the 2001 US war against the Taliban. Despite officially strained relations between Iran and the US, Iran also supported the subsequent Bonn conference in December 2001 which set the basis for a broad-based government. However, the January 2002 State of the Union speech by US President George W. Bush labeling Iran and other countries as part of the “axis of evil” was viewed as a betrayal of Iran by the US. Henceforth cooperation on Afghanistan between the two countries was limited. European countries have mediated and, after the election of Barack Obama, have increasingly tried to include Iran in strategizing on Afghanistan. President Obama has also reached out to Iran and supported their inclusion in a contact group on Afghanistan. A March 2009 meeting in Moscow of the Shanghai Cooperation Organization (SCO), which Iran attended as a SCO observer, included the first encounter of the Obama administration with officials from Iran. Relations between Iran and the US, however, remain mutually distrustful, including on the support of the Afghan government. While it remains in both the US and Iranian governments interests to prevent the return of a Taliban government in Afghanistan, the US has repeatedly voiced concerns about evidence of the Iranian government providing support to the Islamic militants in the regions, including the Taliban in Afghanistan.

Some American analysts have leveled charges against Iran of wanting to keep a destabilized Afghanistan in order to bolster Iran’s regional power. While there might be elements in the Iranian government that would like to see the current insurgency in Afghanistan continue, thereby weakening the Afghan government and tying the US and coalition forces down in Afghanistan, Iran stands to gain much economically and politically from a stable Afghanistan and has therefore, officially, maintained a close relationship with Afghanistan. It has donated at least half a billion dollars in aid to Afghanistan<sup>1</sup> and Iranians are currently also one of the largest private investors in Afghanistan. Iranian aid has ranged from teacher training and humanitarian aid to investments in infrastructure projects such as roads. Iranians have paid for new roads linking the western Afghan city of Herat to the North and West to the Iranian border and for railroads between Herat and cities on Iran’s eastern border.<sup>2</sup> Once these railroad connections are completed, they will link the Iranian port of Chabahar, which is being expanded with Indian support, to Herat. Iranian, Afghan and Indian government officials have signed an agreement that Indian goods entering the port of Chabahar for Afghanistan will be taxed at a reduced rate. Afghan businessmen can also use the Chabahar port at concessional rates, thereby decreasing Afghanistan’s dependence on import routes through Pakistan.<sup>3</sup> Meanwhile on the Pakistani side of the border, the Pakistanis, with significant financing from China, have developed Gwadar port.<sup>4</sup> Iran might be hedging its bets politically in Afghanistan, but the economic sup-

1. Estimates by the Congressional Research Service, as quoted in: Greg Bruno, “Iran and the Future of Afghanistan”, Background, (Washington DC: Council on Foreign Relations), 30 March 2009. [http://www.cfr.org/publication/13578/iran\\_and\\_the\\_future\\_of\\_afghanistan.html](http://www.cfr.org/publication/13578/iran_and_the_future_of_afghanistan.html) (accessed 3 December 2009).

2. Bill Varner, “Iran Building Influence in Afghanistan,” *Seattle Times*, 19 July 2008. [http://seattletimes.nwsourc.com/html/nationworld/2008060747\\_iranafghan19.html?syndication=rss](http://seattletimes.nwsourc.com/html/nationworld/2008060747_iranafghan19.html?syndication=rss) (accessed 6 December 2009).

3. “Iran Opens Port to Afghan Business,” Ministry of Commerce and Industry, Export Promotion Agency of Afghanistan, 22 June 2008. [http://www.epaa.org.af/index.php?page=en\\_Iran](http://www.epaa.org.af/index.php?page=en_Iran) (accessed 3 December 2009).

4. Sudha Ramachandran, “China’s Pearl in Pakistan’s Waters,” *Asia Times*, 4 March 2005. [http://www.atimes.com/atimes/South\\_Asia/GC04DF06.html](http://www.atimes.com/atimes/South_Asia/GC04DF06.html) (accessed 3 December 2009).

port it is providing particularly to western Afghanistan is significant and has led to better relations between Iran and Afghanistan compared to Afghan relations with its eastern neighbor, Pakistan.

### INDIAN INTERESTS IN AFGHANISTAN

Current Indian interests in Afghanistan have been outlined in an accompanying paper. However, it is important to also understand the historical basis of this relationship and recent changes to that relationship. India's rise as a global actor has altered its relationship with the other regional actors such as Iran, impacting their foreign policies toward Afghanistan. Interactions between these regional actors and other global powers thus influence policies toward Afghanistan in complex and varied ways as visible from the Indian case.

The relationship between Afghanistan and India goes back centuries, predating the creation of independent India in 1947. Historically, Afghanistan acted in effect as a land bridge between Central Asia and the Indian subcontinent, and several empires over the past centuries encompassed the areas of not only present day Afghanistan and Pakistan, but also India. There was great support in the western border areas of British India and Afghanistan for the Indian Congress Party-led movement for independence and those ties between Afghanistan and India carried over after independence.

However, while the relationship between Afghanistan and India strengthened in the post-independence period, regional and geostrategic considerations increasingly played a role. The bitter India-Pakistan rivalry led to opposing Cold War superpowers supporting India and Pakistan by the mid-1950s. The Soviet Union backed India, while the United States backed Pakistan, thereby determining the nature of Indian and Pakistani support for different factions in Afghan politics. While India and Afghanistan formally remained "non-aligned" countries, in reality both received significant assistance from the Soviet Union. When the Soviet-backed Democratic Republic of Afghanistan was established in 1978, India was the only South Asian country to recognize it, while Pakistan, with covert US and Saudi Arabian funds, supported the mujahideen groups based in Pakistan. When the Soviets withdrew troops and funding from Afghanistan in 1988-1989, India continued to support the Afghan government. It was only when the Taliban government took power in Afghanistan in 1992 that India withdrew its support for the Afghan government and started funding the anti-Taliban coalition, the Northern Alliance. The close relationship between the Taliban and the Pakistani government led India to view the Taliban as a regime funded by radical military and political Pakistani interests. When the US-led coalition invaded Afghanistan in 2001 and fought to oust the Taliban, India provided intelligence and other forms of support to the coalition to help oust the extremist Islamic regime.

Since the defeat of the Taliban regime and the establishment of the Western-based Islamic Republic of Afghanistan, Indian support to Afghanistan and its influence in the country has once again expanded. India has pledged \$1.2 billion in aid to the Karzai government to help rebuild Afghanistan, making it the largest donor to Afghanistan in the region – Pakistan does not even rank among the top ten – and the fifth largest donor overall.<sup>5</sup> Indian aid to Afghanistan has ranged from training of police, civil servants, and medical students and the rebuilding of infrastructure, to the more politically visible rebuilding of the parliament building. There is also a strong cultural relationship between the two countries, since several members of the Afghanistan government, including President Hamid Karzai, were educated in India and most mem-

---

5. Peter Wonacott, "India Befriends Afghanistan, Irking Pakistan: With \$1.2 Billion in Pledged Aid, New Delhi Hopes to Help Build a Country That Is 'Stable, Democratic, Multiethnic,'" *Wall Street Journal*, 19 August 2009.

bers of the government were members of the Indian-backed Northern Alliance.

Indian support of the government in Afghanistan today is driven by economic and political considerations, but also by how India views itself in the changing global environment. The economic impetus for supporting the Afghan government is that the country is viewed by India as the gateway to the oil- and gas-rich Central Asian republics. India has the world's second largest population and one of the world's fastest growing economies. In order to continue its rate of growth, India, like China, needs increasing sources of energy. Moreover, the rapidly growing Indian middle class' voracious appetite for fuel for cars and growing usage of electricity means that Indian demand for energy is unlikely to decrease any time soon.

Afghanistan thus represents India's access to energy sources, since any pipelines bringing natural gas from Central Asian countries such as Turkmenistan would have to go through Afghanistan. They would also need to go through Pakistan, which means that building of these pipelines are dependent not only on political negotiations with and security in Afghanistan, but also in Pakistan. For example, the Trans-Afghanistan Pipeline (TAPI), a proposed pipeline still under discussion for being developed by the Asian Development Bank, would transport natural gas from Turkmenistan through Afghanistan and Pakistan to India. Such a pipeline would provide India with a much-needed energy source, as well as providing the Afghan government with 8% of the project's revenue. Yet the security situation in both Afghanistan and Pakistan has continued to be a major impediment to such a pipeline.

The massive reconstruction efforts in Afghanistan also offer opportunities for Indian companies, which are significantly cheaper than Western subcontractors. Indeed, some Indian companies are taking advantage of some of these opportunities by getting involved in road construction and hotel building efforts. General trade with Afghanistan also impacts the economic calculus of Indian relations with Afghanistan. Afghanistan now exports the majority of its goods to India at a 0% import tax, though Pakistani objections to export of Indian goods via the land route to Afghanistan have meant that only few Indian goods reach the Afghan market via Pakistan. To counter the problem of accessing oil and gas and exporting to Afghanistan, India is currently supporting the building of the Iranian port of Chabahar. With Russian support, India has also secured an air base in Tajikistan, ostensibly for security purposes, but also with potential economic implications. Furthermore, India continues to maintain close relations with Russia and recently signed an agreement to increase its civilian nuclear energy cooperation between the two countries. India's close relations with Russia also bolsters India's access to the resource-rich Central Asian republics, who in turn maintain close links with Russia. India is therefore seeking ways to access the much-needed energy sources.

Politically, India sees common cause with Iran, Russia (who were both not-so-coincidentally also backers of the Northern Alliance), and also the United States in wanting to promote a close relationship with Afghanistan and thereby prevent a return of the Taliban. India views a strong Afghanistan as a better check on Pakistan, especially a Pakistan that today faces its own Taliban insurgency and internal political crisis. After all, the rise in extremism, Taliban, and other anti-state forces could lead to less democratic and more hostile regimes in both Pakistan and Afghanistan – which is not in India's interest. Indian political motives in seeking a closer relationship with Afghanistan is driven by wanting to prevent the recurrence of a non-democratic, extremist Islamic regime like the Taliban. India fears that an extremist regime in Afghanistan might lead to a similar regime in Pakistan – a country that India views as the source of past terrorist attacks against India, including the recent October 2009 attack on the Indian embassy in Kabul.

Similar political considerations drive India's self-perception and ambition as a regional, and increasingly, as a global power. With the world's twelfth largest economy, one which is second only to China and Japan in the Asia region,<sup>6</sup> and the increasing leadership role it has taken in the region – most notably through large assistance for Afghanistan – India has regional and indeed global power ambitions. Moreover, as the only consolidated democracy in the region, India would like to be seen as a regional role model for development and receive global credit for its increasing global and economic status by playing a larger role in international and multilateral organizations such as the United Nations and the World Bank.

Indian interests in supporting a democratic and peaceful Afghanistan are therefore not only driven by socio-cultural affinity and economic interests. Last year's terrorist attacks in Mumbai weigh heavy in the calculus of Indian policy makers. From India's perspective, there is unlikely to be any improvement in the India-Pakistan relationship until Pakistan holds accountable those Pakistani citizens and groups which Indian sources have identified as being behind the Mumbai attacks. Pakistani prosecution of these individuals and terrorist groups, but also severing of support for these groups from within Pakistan's political and military establishment, is seen by India as the first step needed to be taken by Pakistan in order to have any talk of negotiation on the long-standing Kashmir dispute between Pakistan and India. Pakistan has argued that decreased tensions with India, including on the Kashmir issue, are a prerequisite for Pakistan shifting troops from its eastern border with India to its western border with Afghanistan in order to root out Al-Qaeda and insurgent safe-havens in western Pakistan. India, on the other hand, has pointed to the global threat posed by terrorists based in Pakistan. The joint statement by President Obama and Prime Minister Dr. Manmohan Singh during the latter's recent visit to Washington DC referred to "defeating terrorist safe havens in Pakistan and Afghanistan."<sup>7</sup> The Indian prime minister even went a step further in other comments made during his visit, denouncing Pakistan for being selective in its fighting of terrorist organizations within Pakistan. The US and China are keen to nudge discussions between India and Pakistan on the Kashmir issue, but India will not accept what it views as outside interference in a domestic matter as Indian policy makers have also repeatedly made clear to US policy makers. Indian interests in helping rebuild Afghanistan are thus aimed at countering Pakistan's influence in Afghanistan, halting the spread of Islamic extremism, building greater regional stability, and thereby solidifying India's ascending role as a global power.

#### PAKISTANI INTERESTS IN AFGHANISTAN AND PAKISTAN'S SANDWICH PROBLEM

Of all the relationships between Afghanistan and its regional neighbors, its relationship with Pakistan is the most complete. Like Iran, Pakistan shares a long border with Afghanistan with people from the ethnic Pashtun and Baluch tribes living on both sides of the Afghanistan-Pakistan border. Both countries also have close historic, cultural, linguistic and religious ties dating back centuries. The establishment of the Durand Line border between Afghanistan and British India in 1893 is not recognized by the tribes living on both sides of the border to this day. After Pakistan gained its independence in 1947, cross-border raids took place between Afghanistan and Pakistan, leading to the bombing of an Afghan village and the subsequent passage of a resolution by the Afghan parliament that repudiated the validity of all Afghan-British treaties – which included the Durand Line agreement. Since then, the border between the two countries has not

6. "Background Note: India," Bureau of South and Central Asian Affairs, US Department of State, November 2009. <http://www.state.gov/r/pa/ei/bgn/3454.htm> (accessed 27 November 2009).

7. "Joint Statement between Prime Minister Dr. Singh and President Obama: India and the United States – Partnership for a Better World," 24 November 2009. <http://www.whitehouse.gov/the-press-office/joint-statement-between-prime-minister-dr-singh-and-president-obama> (accessed 30 November 2009).

officially been recognized by any Afghan government, leading necessarily to tensions in the Afghanistan-Pakistan relationship.

These early tensions between independent Pakistan and Afghanistan carried on. With the advent of the Cold War, Pakistan aligned itself with the US, while Afghanistan, particularly after the 1978 establishment of the Soviet-backed Democratic Republic of Afghanistan, was closely aligned with the Soviet Union. The turning of Afghans increasingly towards the Soviet Union in the 1950s can in fact be seen as a maneuver by Afghanistan, a land-locked country, to try to access other trading routes in order to break its dependency on Pakistani ports. The Soviet Union, knowing that Afghan requests for assistance to the United States had gone unanswered, no doubt saw this as an opportunity to gain a foothold in Afghanistan and provided access to trade routes through Central Asia. This led to the establishment of the Cold War battlefront along the border between Afghanistan and Pakistan. However Soviet assistance to Afghanistan and India was viewed as a potential policy of encirclement by China, leading China to seek a closer relationship with Pakistan.

Pakistani-Afghan relations thawed during the 1960s, only to freeze again after the leftist coup by Daoud Khan in 1973. After the Soviet invasion of Afghanistan in 1979, Pakistan increasingly funded Afghan mujahideen groups and acted as a conduit for covert US and Saudi Arabian funding of these groups. With its rival India on its eastern border, a country with whom it had fought several wars, Pakistan was clearly not interested in being sandwiched between two unfriendly states. It thus sought to establish a client government in Afghanistan to further its own interests and did so by playing different mujahideen factions off against each other. Pakistani policy makers saw a weak Afghan state as providing “strategic depth” on Pakistan’s western border in case of a war along Pakistan’s eastern border with India.

In the decade of Soviet occupation, relations between Pakistan and Afghanistan also took on a humanitarian dimension. Millions of Afghans fled not only to Iran, but also to Pakistan. The Pakistani government provided shelter, food and in some cases jobs to approximately three million Afghan refugees. And when the Soviets withdrew their forces from Afghanistan in 1989 and Afghanistan descended into civil war, Pakistan continued to shelter and support the Afghan refugees with funding from the United Nations. The end of the Cold War and subsequent withdrawal of superpower financing from both Afghanistan and Pakistan left a power vacuum particularly in Afghanistan. The ensuing Afghan civil war during the 1990s saw Pakistan seek to support different Afghan factions in order to maintain their influence in Afghanistan. When the Taliban rose to power, Pakistan was the main country to lend it financial support and political recognition. The Pakistani military and intelligence apparatus backed the rising Taliban as a way of regaining leverage in Afghanistan. Pakistan remained one of only four countries that officially recognized the Taliban government in Afghanistan, while India and Iran backed the opposition Northern Alliance.

It was only under coaxing and pressure from the US that Pakistan reluctantly agreed to support the US during its 2001 war against the Taliban and the subsequent war on terror. However, despite ostensibly peaceful relations between Afghanistan and Pakistan since 2001, relations between the two countries have remained strained. Pakistan, from the onset, was wary of President Karzai, a president whose father was assassinated in Pakistan in 1999 and a president who was a graduate of an Indian university. The increased international aid going to Afghanistan and Afghanistan’s renewed independence was viewed by some in Pakistani military and political circles with suspicion, since it once again brought up the specter of the sand-



wich problem – a Pakistan wedged between two unfriendly governments. Afghanistan, for its part, repeated accusations of Pakistani government and military support for insurgent groups within Afghanistan.

To this day, despite the rhetoric, Pakistani relations with Afghanistan are haunted by the worries of unfriendly governments as neighbors on both of Pakistan's western and eastern borders and international abandoning of Pakistan. To assure Pakistan of the US commitment to it, the Obama administration has committed \$7.5 billion over the next five years for civilian reconstruction to Pakistan's troubled north-western areas and has assured other forms of aid. Through the giving of assurances to Pakistan, the US is walking the tightrope of assuring Pakistan that it will continue to support a democratic government in Pakistan, while at the same time fostering its relationship with India, Afghanistan, and China. The recently announced increase of US troops being sent to Afghanistan, for example, has raised concerns in Pakistan that the increased targeting of Al-Qaeda and other insurgent groups in Afghanistan would push these groups across the border into Pakistan.

Pakistan might therefore well be hedging its bets by ostensibly following the US line to pursue Al-Qaeda and insurgents in its western areas, while at the same time not severing all links with these groups. In addition, Pakistan has maintained troops on its eastern border with India. This has been both as a result of continuing tensions with India, but also because it provides Pakistani military and politicians with leverage in discussions with the US regarding the need to put pressure on India to diffuse tensions with Pakistan, so that Pakistan in turn can focus troops along Pakistan's western border with Afghanistan. Many US policy makers have appeared to share this line of thinking. Recently US policy makers have been arguing that a decrease in tensions between Pakistan and India is key to obtaining Pakistani cooperation in pursuing Al-Qaeda and other insurgent groups within Pakistan and along the Pakistani-Afghan border.

Despite political overtures by both Pakistani and Afghan leaders, the relations between the two countries also remain strained. Pakistani commitment to supporting the building of a stable and prosperous Afghanistan remains questionable given the low levels of economic aid and investments in Afghanistan by the Pakistani government, especially when these are compared to investments and relations between India, Iran, and Afghanistan. Pakistan, however, remains the primary trade partner for Afghanistan. Afghanistan has tried to curtail its dependence on Pakistan for food and other imports by searching for other trade routes such as Chabahar in Iran. This in turn heightened worries in Pakistan, which was used to Afghanistan being a captive market for its goods for the last couple of decades. Pakistani interests in rebuilding Afghanistan are thus aimed at countering the spread of Indian (as well as Iranian) influence in Afghanistan, trying to maintain a stable border with Afghanistan, and leveraging its relationship with the US and China in order to ensure that Pakistan will not be sandwiched between two unfriendly countries.

#### UNCOVERING CHINESE INTERESTS IN AFGHANISTAN

Of the four Asian countries covered in this article, Chinese interests in Afghanistan are perhaps the least well understood.<sup>8</sup> Like India, China's involvement in Afghanistan is driven by economic but also political and geostrategic concerns. China's historically close relations with the Pakistani government and its competitive and at times antagonistic relationship with India make its relationship with Afghanistan complex.

---

8. D. Dalton Bennett, "The Sleeping Dragon's Game," Unpublished Senior Seminar Paper, Seminar on "State-Building in Afghanistan," College of William and Mary, Fall 2009, 2.

During the Cold War, China maintained relations with Afghanistan and opposed external intervention in the country. When the Soviets invaded Afghanistan, China opposed this move, even boycotting the Moscow Olympic Games, and turned to arming the mujahideen. When the Soviets and the US withdrew their support for Afghanistan at the end of the Cold War, Chinese support for the various mujahideen factions also decreased. During the ensuing civil war in Afghanistan and the rise of the Taliban, Chinese relations with Afghanistan remained officially distant with China not officially recognizing the Taliban government in Afghanistan. After all, China has a Muslim minority in its western border province of Xinjiang and they have, particularly over the past decade, been worried about outside training and funding of Islamic separatists in China. However there are some reports that China hedged its bets in Afghanistan, by maintaining secret links with the Taliban through their Pakistani interlocutors and perhaps even providing military training and hardware for the Taliban.

Following the overthrow of the Taliban government at the end of 2001, China formally established diplomatic relations with the Afghan government and when Hamid Karzai was elected president of Afghanistan he made an official visit to the communist leadership in China. Despite being the largest regional economic power, China has not been a large contributor of development aid to Afghanistan. Moreover, despite the fact that the Chinese would not want a return of a Taliban government in Afghanistan, China has not played a role in helping to establish security in Afghanistan. While a stable Afghanistan serves Chinese commercial and political interests, they distrust the involvement of outside regional and international powers in Afghanistan and remain cautious of any cooperation with them.

Since 2001, China has significantly increased its commercial interests in Afghanistan. Like India, China has a large and growing economy and the need to secure access to energy sources to feed that growing demand of its population of one billion. Afghanistan represents access to as yet unexplored oil and gas reserves. The Chinese have provided aid for the building of irrigation projects, implementing of digital phone switches, and reconstruction of public hospitals. But it is the larger commercial enterprise where the Chinese Metallurgical Group Corporation recently won a \$3 billion bid to develop the Aynak copper deposits in Afghanistan that has received a lot of attention. The promised investments are the largest amount of foreign direct investment in Afghanistan's history and could potentially provide a huge income source for the Afghan government. Moreover, there have also been reports that the Chinese might invest in constructing a railroad connection between the Aynak mine and the Pakistani port of Gwadar, and perhaps from the Aynak mines north to Central Asia.<sup>9</sup>

The active Chinese approach to foreign investment in Afghanistan is, however, not only pursued for pure commercial interest; it is also a tool for building and extending China's geostrategic influence in Afghanistan.<sup>10</sup> Foreign investments, trade agreements, and economic incentives are seen by China as a way to gain a stronger foothold in Afghanistan, one that will last beyond international actors military presence in the country.<sup>11</sup> Moreover, as one has seen from China's policy toward Pakistan over the past decades, China's approach to making political inroads and extending political influence has often led it to adopt a pragmatic approach of building economic relations which, through building-up of eventual economic strength, leads to increased political influence. The warming up of Indo-US relations and the significant presence of both

9. John Fox and Daniel Korski. "Can China Save Afghanistan?," The European Council on Foreign Relations, 29 September 2008. [http://www.ecfr.eu/content/entry/can\\_china\\_save\\_afghanistan](http://www.ecfr.eu/content/entry/can_china_save_afghanistan), accessed 7 December 2009.

10. Mahmud Tariq Ashraf, "Afghanistan in Chinese Strategy Toward South and Central Asia," China Brief, 8.10 (2008).

11. Bennett, "The Sleeping Dragon's Game," 8.

of these countries in Afghanistan today, is viewed by Chinese with suspicion and as a threat to the Chinese preeminence in South and Central Asia.<sup>12</sup> In addition, the increased presence of India in Afghanistan has upset China's South Asian partner, Pakistan. The increased tensions between India and Pakistan about Pakistan's alleged support for terrorist strikes in India and the perennial conflict over Kashmir has heightened Chinese fear of regional insecurity and the possibility of encirclement by unfriendly and increasingly powerful neighbors. To display its preeminence, China has offered to help discussions between India and Pakistan on Kashmir. In a November 2009 joint statement by the US and China, which was issued at the end of talks between President Obama and Chinese leader Hu Jintao in Beijing, they stated that the two countries "support the efforts of Afghanistan and Pakistan to fight terrorism, maintain domestic stability and achieve sustainable economic and social development, and support the improvement and growth of relations between India and Pakistan."<sup>13</sup> This statement, however, was seen in India as outside interference in a domestic matter, with India sending clear signals to China and the US that the Kashmir issue was not up for discussion with outside states. Chinese efforts at flexing their geostrategic muscle will therefore likely continue to rely on expanding their economic influence in Afghanistan and maintaining their influence in Pakistan as a pathway to accessing the natural resources of the region and thereby also gaining political influence.

#### SUMMARY THOUGHTS

Iran, Pakistan, India, and China all have significant interests in seeing Afghanistan remain stable. However, in what has been dubbed by several as the "New Great Game," all four countries have sought to make different alliances in order to access the potential energy sources in Afghanistan and to use the country as a gateway to the proven oil reserves of the Middle East and Central Asia. Some countries have sought to accomplish this longer term goal by providing significant development assistance to Afghanistan, while others have focused on foreign investments, and yet others have provided little of either. While all four of the countries discussed here have a closer ideological preference for the current government in Kabul over the former Taliban government, this has not prevented some from hedging their bets to ensure longevity of their political leverage within Afghanistan. The key to Afghanistan's political future will be to harness these differing motivations for contributing toward the securing and rebuilding of Afghanistan, and channel them over the longer term into relationships that will benefit Afghanistan and the greater western Asia region.

---

12. Zhang Guihong, "US Security Policy Towards South Asia After September 11th and Its Implications for China: A Chinese Perspective." Henry L. Stimpson Center (2003): 4-20.

13. "US-China Joint Statement," The White House, Office of the Press Secretary, 17 November 2009. <http://www.whitehouse.gov/the-press-office/us-china-joint-statement>, accessed 2 December 2009.

## INDIA IN AFGHANISTAN: WHAT, WHY, WHAT IF, AND WHY NOT

Varun Sahni

Professor in International Politics, Jawaharlal Nehru University

This short paper is about the Indian presence in Afghanistan since 2002, and about whether it makes sense for India to remain in Afghanistan. It seeks to answer four critical questions: What is India doing to assist Afghanistan's reconstruction and redevelopment? Why is India interested in Afghanistan's reconstruction and redevelopment? What if Pakistan continues to attack the Indian presence in Afghanistan with impunity? Why not shift the Indian effort in Afghanistan from the construction of hard infrastructure to the provision of soft infrastructure? The paper will examine each of these questions sequentially.

### WHAT IS INDIA DOING TO ASSIST AFGHANISTAN'S RECONSTRUCTION AND REDEVELOPMENT?

In a singularly understated manner, a brief (and outdated) document on the website of the Indian Embassy in Kabul<sup>1</sup> lays out India's assistance program for Afghanistan's reconstruction. India is the fifth largest bilateral donor in Afghanistan, after the US, UK, Japan, and Germany. India's total pledge for 2002-2009 was \$750 million. The fully committed amount now stands at \$1.6 billion. There are several noteworthy features about the Indian development and reconstruction projects in Afghanistan:

- In spatial terms, they have been undertaken across Afghanistan;
- In sectoral terms, they have involved a wide range of sectors including hydroelectricity, power transmission lines, road construction, agriculture and industry, telecommunications, information and broadcasting, education and health;
- They are in sectors and regions which have been identified by the Afghan government as priority areas for development;
- They are undertaken in total alignment with the Afghanistan National Development Strategy (ANDS) and with a focus on local ownership of assets;
- They have emphasized aid-effectiveness, local government priorities, coordination with other donors, and the use of local subcontractors and materials;
- They have involved a miniscule proportion of budget for security and salaries.

The major Indian projects in Afghanistan, completed and ongoing, include:

- Completion of the 220 KV Double Circuit Transmission Line from Pul-e-Khumri to Kabul, along with a 220/110/20 KV sub-station at Kabul under the North-East Power System project, the aim being to bring power from Uzbekistan to Kabul (\$111 million);
- Successful completion in September 2008 of a 218 kilometer (135 mile) road in Nimroz Province from Zaranj to Delaram, to facilitate movement of goods and commodities from Afghanistan to the Iranian border and on to Chabahar port (\$266 million);
- Reconstruction and completion of the 42 MW Salma Dam Power Project in Herat Province (\$152 million);
- Construction of the Afghan National Assembly building in Kabul to house the Wolesi Jirga and the Meshrano Jirga (\$83 million);
- Humanitarian food assistance of one million tons of wheat in the form of high protein biscuits, distributed to 1.4 million school kids daily under the School Feeding Program in Afghanistan ad-

---

1. <http://meakabul.nic.in>.

- ministered through the World Food Program (\$100 million);
- Reconstruction of the Indira Gandhi Institute for Child Health, which was set up in Kabul in 1972, including the restoration and modernization of the surgical wards, polyclinic, and diagnostic center (\$6.7 million);
- Reconstruction of the Habibia School (\$5.1 million);
- Digging of 26 tube wells in northwest Afghanistan (\$1.2 million);
- Gifting of 400 buses, 200 mini-buses, 105 municipality and 285 army vehicles (\$25 million);
- Setting up of five toilet-cum-public sanitation complexes in Kabul (\$0.9 million);
- Telephone exchanges in 11 provinces connecting to Kabul (\$11.1 million); and
- Expansion of the national television network by providing an uplink from Kabul and downlinks in all 34 provincial capitals (\$6.8 million).

While these projects are all government-to-government, the Indian private and voluntary sectors have also been involved in Afghanistan's reconstruction. For instance, several Indian medical institutions organized a number of free health camps in Afghanistan. Max Healthcare Institute, for example, organized such camps from April 29-May 2, 2006 in Kabul, and in May 4-5, 2006 in Mazar-i Sharif. Similarly, Escorts Heart Institute held free camps from May 4-6, 2006 in Kabul and from June 21-24, 2006 in Herat. Some of this private sector activity has involved heavy manufacturing: for example, the towers for the Hairatan - Mazar-i Sharif - Phul e Khumri - Kabul power line were constructed by the Indian private firm KEC International at the Pul-e-Charkhi Pole plant constructed on the outskirts of Kabul.

There are approximately 4,000 Indian personnel involved in infrastructure development and security provision in Afghanistan today. India has paid for Afghanistan's reconstruction and development not just in treasure but also in blood. For instance, ten personnel of India's Border Roads Organization and Indo-Tibetan Border Police have been killed during the construction of the Zarang-Delaram road. Attacks on Indians in Afghanistan have targeted not only developmental activity in the provinces, but also the Indian presence in Kabul itself. A suicide bomb attack on the Indian embassy in Kabul on July 7, 2008 killed two senior Indian diplomats, two Indian security personnel, and 54 Afghans, while a second bombing of the Indian Embassy on October 9, 2009, killed 17 people including an Indian diplomat.

### WHY IS INDIA INTERESTED IN AFGHANISTAN'S RECONSTRUCTION AND REDEVELOPMENT?

Why is India in Afghanistan? Why should India care about the news, lots of it bad, coming out of Afghanistan? These battles are not being fought on Indian soil and involve no Indian soldiers. Nevertheless, most informed Indians recognize that what happens in Afghanistan affects India deeply. India has a vested interest in one side winning the battles that are being fought 250 kilometers to the West of it. The eventual outcome of the Afghan war will have a huge impact on India's national security. There are three compelling reasons why India cares about developments in Afghanistan and has invested so much in its reconstruction.

The first reason that Afghanistan matters to India is geostrategic. Ever since 1947, India has sought friendly relations with the regime in Kabul. Amity with Afghanistan helps India to outflank Pakistan to a certain extent, denying Pakistan strategic depth in moments of tension or conflict with India. Until 1996-2001, when the Taliban came to rule most of Afghanistan, Indian diplomacy successfully maintained friendship with Afghanistan. It is precisely for this reason that the Taliban years were the highpoint of Pakistan's asym-

metric war against India. The December 1999 hijacking of an Indian commercial aircraft to Kandahar is a constant reminder to Indians, if one were needed, of what could happen when a regime hostile to India controls Afghanistan. Thus, the success of the Karzai government in Afghanistan is in India's national interest. The enemies of ISAF are also India's enemies. If the Taliban were to win in Afghanistan, many Indians – including not only Indian security analysts – feel that their next target would surely be India itself.

The second reason that Afghanistan matters to India is socio-political. The Taliban and Al-Qaeda represent the most virulent and extreme tendencies within contemporary Islam. Instead of a clash of civilizations, we are witnessing a clash within civilizations. The turmoil within the Muslim world today is, first and foremost, a civil war. The battle lines are drawn not between different civilizations, countries or communities but rather within families and between the generations. The problem is not just the use of violence and terror by retrograde forces like the Taliban, but also their vision of how society would be organized in the new Caliphate. The gory days of the Taliban are a reminder of what is at stake in Afghanistan. The world might well have woken up to what the Taliban represents when, in an extreme act of cultural vandalism, they destroyed the Giant Buddha images at Bamiyan in 2001. The barbaric brutality of the treatment meted out to Afghan women during Taliban rule is, however, a more germane reminder of the consequences of a Taliban revival.

India, whose Muslim citizens constitute the second largest national grouping within the *Ummah*, simply cannot afford to sit back and let the pernicious ideology of Al-Qaeda-Taliban take hold. Of the many factors upon which India's domestic social peace depends, a critical one is the victory of enlightened and moderate interpretations within Islam. Afghanistan is therefore also an ideological frontline for India. To the extent that the current regime in Afghanistan succeeds, the Taliban ideology gets discredited and defeated.

The third reason why Afghanistan matters to India is humanitarian. Few countries have suffered as much as Afghanistan has over the last three decades. While many of Afghanistan's problems are internal and enduring, it is undeniable that Afghanistan's current plight is a direct consequence of a series of external interventions, each worse than the one before, into that country: the Soviet invasion, the CIA's mujahideen counterattack, and Pakistan's creation of the Taliban. If Afghanistan were over time to stabilize, the positive spillover benefits for the South Asian and Central Asian regions would be massive.

#### WHAT IF PAKISTAN CONTINUES TO ATTACK THE INDIAN PRESENCE IN AFGHANISTAN WITH IMPUNITY?

If there is so much at stake for India in Afghanistan, why is it not playing a more active role there? Unfortunately, one geographical constraint and one policy choice have together conspired to ensure that India remains in the wings as a bit player in the Afghan drama. Geography intrudes in the form of Pakistan, a major plank of whose regional policy is to keep India out of Afghanistan. When India reopened its consulates in Jalalabad, Kandahar, Herat, and Mazar-i Sharif in 2002 after the overthrow of the Taliban, Pakistan protested vociferously. The policy choice has been exercised by the US. After September 11, India had offered all manner of assistance to the US. The Americans, however, found Pakistan to be the better bet for a whole range of reasons. Since Pakistan was anointed as the frontline state, its sensitivities regarding India have found a ready echo in American and Western policy.

In recent months, a discourse has been emerging that suggests that India and Pakistan are engaged in a

“proxy war” in Afghanistan. A variation of this theme is to suggest that the Karzai government is the most pro-Indian government in Afghanistan’s history. From an Indian perspective, the tag “proxy war” is harsh and unfair. There is absolutely no evidence that India is using its presence in Afghanistan to attack Pakistan or its interests – although there admittedly is considerable Pakistani paranoia on this issue. On the other hand, no serious analyst doubts that Pakistan has been attacking the Indian presence in Afghanistan since 2002, and has become increasingly brazen in doing so. It is instructive to note the two high-profile attacks on the Indian embassy in Kabul were closely correlated to the achievement of successful milestones in Indian developmental activity. The July 7, 2008 bombing took place only weeks before the handing over of the Zarang-Delaram road to the Afghan government in September 2008, while the October 9, 2009 bombing was set off a few days before the Hairatan - Phul-e-Khumri - Kabul electricity transmission line started providing 150 MW to Kabul. It is noteworthy that while the Afghan government has made strong statements against these Pakistani activities, and has sacrificed the lives of over a hundred of its security personnel to protect Indian reconstruction workers, the international community has been on the whole a mute spectator.

Even some seasoned observers of Afghanistan and its neighborhood appear to be getting this aspect of the analysis wrong: they seem to suggest that Pakistan’s unhappiness with an Indian presence in Afghanistan is somehow understandable. India’s presence in Afghanistan is, as they would see it, a red rag to the Pakistani bull. Nothing brings this out more clearly than the international community’s attitude toward the Indian consulates in Afghanistan, which are seen as an unnecessary Indian provocation. It therefore bears emphasis that India did not “open” consulates in Herat, Jalalabad, Kandahar, and Mazar-i Sharif in 2002; it reopened them. These consulates are tiny operations that fulfill distinct consular needs. The consulate at Jalalabad, for instance, provides visa services to the large but declining population of Afghani Sikhs who want to travel to their many pilgrimage sites in India. Pakistan would like the Taliban period, when India had no diplomatic or consular presence in Afghanistan, to be the norm. For India, the Taliban period is the aberration, not the norm, in the history of Afghanistan and Afghan-Indian relations.

What’s missing in much of the analysis is the obvious fact that ought to be staring all of us in the face: that Pakistan now wants a determining voice in Afghanistan’s political evolution, particularly with regard to the Pashtun areas. There would be little reason for Pakistan to object to an Indian presence in Afghanistan, and indeed to a slight increase in India’s influence there, were it not for its doctrine of strategic depth. In its essence, strategic depth is as pernicious a geopolitical doctrine as lebensraum of the Third Reich because it explicitly targets the territory of a neighboring state to serve its own policy preferences. However, strategic depth traditionally was less destabilizing than lebensraum: while the latter was clearly used by Nazi Germany as an offensive doctrine, the Pakistani doctrine of strategic depth prior to the Soviet invasion of Afghanistan was essentially defensive in nature. Today, after overt nuclearization by India and Pakistan, strategic depth is an obsolete and unnecessary doctrine from a defensive perspective. Pakistan’s overt nuclear capability gives it strategic parity with India and hence security in perpetuity.

The problem is that Pakistan no longer interprets strategic depth defensively. To understand why would require us to examine the transformation of the Pakistan army after the Soviet invasion of Afghanistan. During the Zia ul-Haq years, the Pakistani military underwent a strategic revolution. Imbued with a powerful new Islamist mission, the Pakistan army gained considerable expertise and self-confidence waging asymmetric warfare against the Soviet forces in Afghanistan. Indeed, the legacy of the Afghanistan struggle

lasts until today. Few countries in the world have had such a revisionist foreign and security policy for such a long time as has Pakistan. There was a moment in the early 1990s when Pakistan was simultaneously engaged in three asymmetric conflicts: Afghanistan, Punjab, and Kashmir. Pakistan's approach towards Afghanistan remains offensive and revisionist. That is why it will not countenance any dispensation in Kabul, or any external presence in Afghanistan, with which it is not at ease.

In the Af-Pak strategy of the Obama administration there are subtle suggestions of a linkage between Pakistan's disruptive activities in Afghanistan and the Kashmir issue. The logic goes like this: Pakistan is destabilizing Afghanistan because of its insecurity vis-à-vis India, which in turn can be attributed to its dispute with India over Kashmir. The notion that resolving the Kashmir issue will reconcile Pakistan and India is gravely misplaced. If the India-Pakistan relationship were troubled only by the Kashmir issue, Pakistan's Inter-Service Intelligence Directorate (ISI) would not be working hand-in-glove with Bangladesh's Directorate General of Field Intelligence (DGFI) to destabilize northeastern India. No Indian government is likely to accept third-party involvement in the Kashmir issue. As long as India remains a united political entity, there will not be a change in the territorial status quo in Kashmir. As a wise Pakistani once observed about the Kashmir issue, "Kashmir is with India, the issue is with Pakistan." There is plenty that India needs to do to set its internal house in order, but there is not much doubt in India that it is India's house.

#### WHY NOT SHIFT THE INDIAN EFFORT IN AFGHANISTAN FROM THE CONSTRUCTION OF HARD INFRASTRUCTURE TO THE PROVISION OF SOFT INFRASTRUCTURE?

India is determined that the people and the Government of Afghanistan, not Pakistan, will decide whether an Indian presence in Afghanistan is welcome or not. The political uncertainty in Afghanistan following the presidential elections has left several loose ends that need to be urgently tied up for the sake of Afghanistan and the international players within Afghanistan. It is imperative that Indian policy makers are willing to think out of the box, for instance, by continuing the Indian developmental presence in Afghanistan not in isolation but rather as a part of a new multinational regional activity under the SAARC banner. Nevertheless, no matter how India packages it, a large Indian presence in Afghanistan would inevitably become a tempting target for Pakistani disruption. India is also finding that it is difficult to carry out reconstruction activity in Afghanistan if it is not allowed to use the land route through Pakistan. For instance, India was forced to airlift three 40 MVA transformers, weighing 64 tons each, and two 160 MVA transformers, weighing 90 tons each, to the sub-station that it is constructing in Kabul, which was an incredibly hazardous operation.

From building hard infrastructure, perhaps the time has come to focus on providing soft infrastructure to Afghanistan. India should consider giving thousands of scholarships each year to Afghan students to study on Indian campuses. In 2006 and 2007, 402 and 453 Afghan students were respectively given scholarships to study in Indian universities. As India winds up its reconstruction projects in Afghanistan, it should consider redeploying its efforts into soft infrastructure support for Afghanistan. Having not hundreds but thousands of Afghan students on Indian campuses would be an excellent way to proceed.



## CHINA IN AFGHANISTAN: SAME OBJECTIVE, DIFFERENT MEANS

Carol Wang

International Executive Intern, Afghan Ministry of Rural Rehabilitation and Development; former Adviser to the Afghan Mission to the UN

The role of China in the rebuilding of Afghanistan is increasingly scrutinized. As strategic reviews and renewed international attention reveal the necessity of more resources and more troops to stabilize the situation in Afghanistan, China's 1.7 billion ground troops and \$4.4 trillion nominal GDP could do much to fill the remaining resource/troop gap.<sup>1</sup> China also increasingly has a stake in a stable Afghanistan. Regional instability, such as the recent Pakistan offensive against the Taliban in South Waziristan, brings a growing extremist and narcotics threat to China's western borders, especially in the form of the Uighur unrest in Xinjiang. Moreover, Afghanistan has key copper, mineral, and energy deposits that the resource-hungry China could use to fuel its economic growth.

In Afghanistan, China has provided emergency humanitarian assistance and provided equipment for and training of the Afghan police force. The Chinese have also built irrigation canals and hospitals and provided financial assistance for the 2004 and 2009 Afghan elections.<sup>2</sup> In 2007, China won the rights to develop one of the "world's most valuable copper deposits" in Aynak. Today, with this \$3 billion Aynak contract, China is the largest investor in Afghanistan.<sup>3</sup>

However, China has not contributed peacekeeping ground troops of its own to the NATO-led ISAF peacekeeping force in Afghanistan. Consequently, American military forces are providing the security for the Chinese workers on the Aynak copper deposit. This arrangement is coming under growing Western criticism. Robert Kaplan recently wrote in the *New York Times*, "The problem is that while America is sacrificing its blood and treasure, the Chinese will reap the benefits. . . . The whole direction of America's military and diplomatic effort is toward an exit strategy, whereas the Chinese hope to stay and profit."<sup>4</sup>

The international tone is condemnatory of China, but instead of pressuring China to send military troops, Afghanistan may actually benefit more by pushing for substantial improvements in China's policy of economic assistance. The Chinese are unlikely to contribute military troops to Afghanistan in the near future for an enormity of reasons not fully appreciated by the West. They are more likely to improve their economic assistance that will bring meaningful contribution to the rebuilding of Afghanistan.

China is unlikely to contribute military peacekeeping troops because the situation in Afghanistan does not meet its legal or practical principles. China legally requires a UNSC-issued mandate to send peacekeeping forces.<sup>5</sup> But the peacekeeping ISAF force in Afghanistan is led by NATO, not the UN. In March of 2009, China's foreign ministry spokesman Qin Gang said, "We have clarified our stance on sending troops to Afghanistan. Except for peacekeeping operations with UN Security Council mandates, China will not send

---

1. South Asia Analysis Group, "Chinese Aid to Pakistan in Counter-Terrorism: Response to US Request?," Paper no. 3281.

2. Parwan Irrigation Project, Kabul Republic Hospital Project, Statement by the H.E. Ambassador Wang Yingfan. Permanent Representative of China to the UN at the Meeting of the Security Council on the Question of Afghanistan. 17 June 2003.

3. Parag Khanna, "The Road to Kabul Runs through Beijing and Tehran," *Foreign Policy* (February 2009).

4. Robert Kaplan, "Beijing's Afghan Gamble," *New York Times*, 6 October 2009.

5. Guoji GuanCha: guoji guanxi zhongguo jujue chubing ahfuhan.de beihou, *Tianya Shiqu*, 19 November 2008.

a single soldier abroad.”<sup>6</sup> Even if the UN’s support for, instead of command of, the ISAF troops were enough to convince the Chinese to contribute to ISAF, the first Chinese principle for sending peacekeeping forces is not satisfied in Afghanistan. This principle requires an invitation from the country before carrying out peacekeeping operations. In Afghanistan, the government has not explicitly invited China to contribute troops. China’s official position is to support the NATO forces that are deployed in Afghanistan.<sup>7</sup>

Beyond peacekeeping requirements, the Chinese are practically unlikely to send troops to Afghanistan because of their own thousand-year history in the region, their current foreign policy principles, domestic constraints, current Afghan and Chinese perceptions, and regional complexities.

## HISTORY

China’s own historical experience with the region informs its current policy decisions. Military efforts have met with failure in Afghanistan. Genghis Khan occupied Afghanistan in the 1200s but was not successful in holding the territory. The Chinese have a historically consistent position against military engagement in Afghanistan. China boycotted the 1980 Moscow Summer Olympics in protest of the 1979 Soviet intervention in Afghanistan. And today, while China expresses support for ISAF efforts, there is still a tacit disapproval of military force in Afghanistan.

China also has had historical border contentions separately with India, Afghanistan, and Pakistan. Because its own disputes have not been fully resolved, China is reluctant to be involved in efforts to convince India and Pakistan to resolve their own problems with Kashmir.

## CURRENT FOREIGN POLICY

China’s foreign policy doctrine emphasizes non-intervention, respect for other’s “territorial integrity and sovereignty,” as well as non-interference in the “internal affairs” of other countries.<sup>8</sup> While history shows that China’s foreign policy has been able to change quickly and unpredictably – from its “one-line” strategy in the 1970s to the “turning to one side” strategy in the 1980s<sup>9</sup> – China’s “new security concept” today is aimed at assuring the world that its economic development and military growth is not a threat.<sup>10</sup>

China’s first-ever deployment of military forces to overseas territories occurred only recently on December 26, 2008 in the Gulf of Aden.<sup>11</sup> It is true that China’s peacekeeping role has increased notably – today, it is the second largest provider of peacekeepers among the five permanent members of the UNSC. However, this provision does not include combat troops – China provides only civilian police, military observers, engineering battalions, and medical units.<sup>12</sup> When the British prime minister announced that Chinese forces may possibly join the coalition in Afghanistan last November, the Chinese foreign minister spokesman Qin

---

6. “China Not Sending Soldiers to Afghanistan,” 25 March 2009. <http://english.people.com.cn/90001/90776/90786/6621393.html>.

7. Zahir Tanin. Phone conversation. October 2009.

8. Heping gongchu wuxiang yuanze, Xinhua, 9 June 2004.

9. Kerry Dumbaugh, “China’s Foreign Policy: What Does It Mean for US Global Interests?,” CRS Report for Congress, July 2008.

10. Liu Huaqiu, Director of the State Council Foreign Affairs Office, Liu Huaqiu on China’s Foreign Policy, September 2004.

11. [http://eng.chinamil.com.cn/news-channels/china-military-news/2009-10/03/content\\_4055378.htm](http://eng.chinamil.com.cn/news-channels/china-military-news/2009-10/03/content_4055378.htm).

12. “China’s Growing Role in UN Peacekeeping,” Asia Report, International Crisis Group, No.166, 17 April 2009.

Gang swiftly rebutted that, “Media reports about China sending troops to participate in Afghanistan are groundless.”<sup>13</sup>

## REGIONAL COMPLEXITIES AND THE CURRENT STATE OF THE SCO

In the region, sending troops to Afghanistan may be too complicated to arrange to meet China’s foreign policy goal of mutual non-aggression and peaceful coexistence. China’s need for oil and energy in the region means that it is less willing to pose as threats to these countries.<sup>14</sup> A Chinese military presence in Afghanistan would likely have to involve Russia, a country China depends on for arms purchases and the first country with which China established national security consultations (in 2005).<sup>15</sup> But Russia may still perceive Afghanistan within its “own exclusive sphere of influence.”<sup>16</sup> Even if Russia did support China’s military intervention, Russian-sponsored action in Afghanistan will meet powerful resistance from Afghans, who still smart from the Soviet intervention in their country in the 1980s.<sup>17</sup>

In addition, any Chinese military effort in Afghanistan will encounter strong Pakistani opposition. If China only sends troops to Afghanistan, Pakistan may argue that the terrorist threat is greater in Pakistan and thus needs China’s military assistance more than Afghanistan. Both Afghanistan and Pakistan have sent envoys to China to ask for China’s help in their fight against militants.<sup>18</sup> It is unlikely that China will turn a deaf ear to Pakistan’s concerns. Chinese and Pakistani relations are so strong they are called “All-Weather” allies; they share a free trade agreement, have had over \$6 billion in bilateral trade last year and are aiming for \$15 billion in the coming years.<sup>19</sup> Moreover, China and Pakistan have collaborated in anti-terrorism efforts.<sup>20</sup> In short, if China sends troops to Afghanistan, it may also have to commit more military support to Pakistan, increasing its military burden. And a Chinese military presence in Pakistan would threaten India, whose relationship with China continues to balance tenuously between cooperation and competition.<sup>21</sup>

Any military arrangement thus seems to require a combined regional mandate and effort. The Shanghai Cooperation Organization (SCO), a regional security organization founded in 2001, is the most obvious answer.<sup>22</sup> But the SCO’s agreements and work to date has not developed to the extent to be a “counterpoint” to NATO. Internal divisions, especially between Russia and China, may “preclude a strong, unified” organization.<sup>23</sup> Moreover, SCO’s work has mostly focused on economic issues, trade, and counter-narcotics. While the SCO has developed increased military cooperation, intelligence sharing, and counterterrorism drills, the group has yet to deploy a peacekeeping force.<sup>24</sup> Its security role still remains undefined.

13. “Reports of Sending Troops to Afghanistan Groundless,” Xinhua, 17 November 2008.

14. “The Oil that Troubles US-China Waters,” *Asia Times*.

15. Dumbaugh, “China’s Foreign Policy.”

16. Andrew Scheineson, “The Shanghai Cooperation Organization,” Center for Foreign Relations, 24 March 2009. <http://www.cfr.org/publication/10883/>.

17. Robert Finn; also, Liu Huaqiu on China’s foreign policy, September 2004. <http://www.china-embassy.org/eng/zmgx/zgwjzc/t35078.htm> September 2004.

18. South Asia Analysis Group, “Chinese Aid to Pakistan.”

19. Kevin Slaten, “China’s Bigger Role in Pakistan, Afghanistan,” *South China Morning Post*, 12 February 2009.

20. [http://www.chinadaily.com.cn/china/masoodkhan2009/2009-07/17/content\\_8438691.htm](http://www.chinadaily.com.cn/china/masoodkhan2009/2009-07/17/content_8438691.htm).

21. “Balancing India and China,” Council on Foreign Relations, 6 August 2009. [http://www.cfr.org/publication/19979/balancing\\_india\\_and\\_china.html](http://www.cfr.org/publication/19979/balancing_india_and_china.html).

22. <http://www.sectsc.org/CN/>.

23. Scheineson, “The Shanghai Cooperation Organization.”

24. Central Asia-Caucasus Institute, “New Developments in the Shanghai Cooperation Organization,” 22 May 2008.

## DOMESTIC DEMANDS

China itself may not be able to afford a military engagement abroad. Its domestic troubles are substantive: the problems of pollution, energy shortages, growing income inequality, ineffective banking sector, and a huge balance of payments surplus have been the accompanying thorns to its economic growth.<sup>25</sup> And China's troubles with separatist forces in Tibet, Xinjiang, and Taiwan (though easing in recent months) require substantive Chinese military engagement.

## CURRENT AFGHAN AND CHINESE PERCEPTIONS

Afghans seem satisfied with the status quo of relations with China. The IRI Afghanistan Index, based on polls conducted from July 16-26, 2009 indicates that of neighboring countries, Tajikistan (39%) and China (33%) are viewed most favorably.<sup>26</sup> If China is perceived so well in Afghanistan, the Chinese have little reason to change their policy, which could threaten this status quo. In addition, the Chinese public has expressed a strong disapproval of sending troops to Afghanistan. In a November 2008 poll, 72.5% of respondents responded that keeping Chinese troops out of Afghanistan was a good decision.<sup>27</sup> Another consideration is the Chinese perception of the strength of the insurgency. In a recent NPR article, Jin Canrong, an international affairs expert at People's University in Beijing, was quoted saying that "China perceives that the Taliban have coalesced with the ethnic Pashtun majority, and therefore hesitates to act against it."<sup>28</sup>

## FACTORS IN FLUX

Chinese decisions to send troops may be affected by certain important factors in the upcoming months. If the US pulls out military forces, the UN Security Council may have to call on other countries to commit troops. While a recent Chinese editorial by the deputy secretary-general of the China Council for National Security Policy Studies called for a withdrawal of US troops from Afghanistan, the writer asserted that "an international peacekeeping mission" is needed in the absence of US troops. Perhaps China will consider contributing peacekeeping troops to a United Nations peacekeeping mission.<sup>29</sup> We should also continue to watch the development of the SCO, in particular, its growing security role.

Perhaps the most important reason why China will not send military troops to Afghanistan is the strong

---

25. "As China Roars, Pollution Reaches Deadly Extremes," *New York Times*, 26 August 2007.

26. IRI Afghanistan Index, June 2009.

27. "Zhongguo Shifou gai chubing ah fu han," 20 November 2008. [http://www.zdiao.com/pk\\_show.asp?pkid=9781](http://www.zdiao.com/pk_show.asp?pkid=9781).

28. <http://www.npr.org/templates/story/story.php?storyId=113967842>.

29. "Afghan Peace Needs a Map," 28 September 2009. <http://www.chinaview.cn>.

belief that economic means are more effective in stabilizing Afghanistan.<sup>30</sup> China shares the same objective of the West: the stabilization of Afghanistan. Simply because it is not contributing troops does not mean China does not aim to help in the stabilization of Afghanistan. China's experience with economic investment already shows distinctive potential and can be even more effective in Afghanistan with international encouragement.

#### CHINA'S DISTINCTIVE ECONOMIC INVESTMENT CAN BE PARTICULARLY MEANINGFUL IN AFGHANISTAN.

China's overseas loans and investments are more attractive to foreign governments wanting swifter, more efficient, and less intrusive solutions to their development problems than Western lenders will offer.<sup>31</sup> Its investment style is associated with steelier nerves and fewer requirements. Senegal President Abdoulaye Wade has said that, "I have found that a contract that would take five years to discuss, negotiate and sign with the World Bank takes three months when we have dealt with Chinese authorities. I am a firm believer in good governance and the rule of law. But when bureaucracy and senseless red tape impede our ability to act – and when poverty persists when international functionaries drag their feet – African leaders have an obligation to opt for swifter solutions."<sup>32</sup>

While this style of investment is questionable to many human rights advocates, the particular "steely" investment style may be useful in post-conflict/conflict settings such as Afghanistan. In 2004, eleven Chinese construction workers were killed by terrorist attacks, but reconstruction companies are undeterred.<sup>33</sup> China Metallurgical Group recently launched work on their Aynak copper project.<sup>34</sup>

In addition, the Chinese can use their knowledge of rural development as part of their domestic policy of "harmonious development" in Afghanistan's rural development. Since 2000, China's government has started an in-depth program of rural development reforming the agricultural tax system, subsidizing agricultural products, and developing the rural economy.<sup>35</sup> Rural development has become a key concern of the Chinese government, as the ever-deepening urban-rural income inequality gap threatens societal unrest. In Afghanistan, rural development is also important to the country's stability. An estimated 75% of the

---

30. See Guoji Guancha: guoji guanxi zhongguo jujue chubing ahfuhan.de beihou., *Tianya Shiqu*, 19 November 2008. In addition, an examination of China's statements to the Security Council meetings on the situation in Afghanistan indicates that China is more likely to shoulder responsibility in the sphere of economic aid. China's statements to the UNSC show a commitment to "humanitarian assistance" and "economic reconstruction" as the chief means to provide security and stability for the country. As examples of China's commitment to Afghanistan's peace and reconstruction process, China raises the examples of economic and technological aid: "\$150 million reconstruction aid," "preparing the Parwan Irrigation Project," "the reconstruction of the Republic Hospital," "[supporting] the endeavour to help Afghanistan enforce the drug control strategy and develop an alternative economy under the auspices of the UN" (2003); "work with regional countries to implement the Declaration on Counter-Narcotics," "\$1 million in assistance for the elections," (2004). In fact, China declares that the most important component to lasting peace and stability in Afghanistan lies in "speeding up economic development and social reconstruction and improving people's living standards" (2007). In contrast, when addressing disarmament and training for the Afghan army and police, China defers responsibility to the "troop-contributing countries" (2003), or "calls on the international community to...provide adequate security assistance to Afghanistan" or "hopes the international community will invest more resources to help Afghanistan speed up development of its own armed and police forces." (2004)

31. Dumbaugh, "China's Foreign Policy."

32. Time for the West to Practise [sic] What It Preaches," *Financial Times*, 24 January 2008.

33. Zhang yi shan dashi zai anlihui ahfuhan wenti gongkaihuishangde fayan, 25 August 2004.

34. "Copper-Hungry China Launches Aynak Project in Afghanistan," *The Northern Miner*, 29 September 2009.

35. Guowuyuan zhengfu gongzuo baogao. [http://www.gov.cn/test/2006-02/16/content\\_201173.htm](http://www.gov.cn/test/2006-02/16/content_201173.htm).

population lives in rural regions where agriculture is the principle means of livelihood.<sup>36</sup> The international community has recently acknowledged the importance of agricultural reform to generate jobs and develop Afghanistan's economy.<sup>37</sup> China's experience with rural development can be directly beneficial to Afghanistan's agricultural reform.

The Chinese State Council's policies for rural development in 2005 and the "Number 1 Document" in 2006 include helping farmers use better technology and better methods of farming (improve methods of production, methods of preserving quality of land, methods for output mix); training farmers to make them well-educated and technologically literate with basic knowledge in management; reducing the corruption and misbehavior of local government officials; establishing a market mechanism for the distribution and marketing of grain by allowing more distribution channels, including collectives, and by the promotion of farm products; building infrastructure for rural areas, including water supplies, roads, and electricity in poor areas; and facilitating rural financial reform for community financial institutions to provide agricultural insurance and easily accessible loans to rural households and small and medium enterprises.<sup>38</sup> This knowledge is directly applicable to Afghanistan's national agricultural strategy launched this past April. The strategy's objectives include increasing agricultural production, developing marketing capabilities, and enhancing rural employment.<sup>39</sup> Already, China's leadership at the Asian Development Bank has invested loans to Afghanistan's rural sector. But China's lessons of rural development are largely still an untapped resource for Afghanistan.<sup>40</sup>

#### CHINESE ECONOMIC INVESTMENT CAN BE FURTHER IMPROVED IN AFGHANISTAN.

Improving China's economic aid requires substantial commitment on the part of the Chinese government. But the Chinese seem to recognize that they can do more in economic assistance; Chinese media frequently cite that Afghanistan hopes China will shoulder more of its responsibility.<sup>41</sup> "Compared to India or Pakistan, China's investment is still far behind."<sup>42</sup>

Chinese investment needs to improve coordination and transparency with the UN and can focus more on developing Afghanistan's transportation infrastructure. At present, Chinese economic aid arrives in Afghanistan from many disparate NGOs. There is no development agency in China that coordinates Chinese donor aid. China also does not consistently nor thoroughly record or report its aid to Afghanistan. The opaqueness of their donor aid makes their contributions difficult to monitor. Fortunately, the UN in Afghanistan has in recent months assumed a very strong coordination role that China appears to respect.<sup>43</sup> China should seek to coordinate its aid through and report its contributions to UNAMA.

Further, "improving" Chinese economic aid in Afghanistan should address what the Chinese most likely

36. Greg Bruno, "Nourishing Afghanistan's Agricultural Sector," Council on Foreign Relations, 26 May 2009.

37. "Buy Afghan Goods First," United Nations Assistance Mission in Afghanistan, 10 June 2009.

38. Gregory Chow, *China's Economic Transformation*, second ed., (Wiley-Blackwell, 2007).

39. UNAMA Statement, 19 March 2009. Security Council Debate on the Situation in Afghanistan.

40. Kai Eide said the same at the 19 March 2009, Security Council Debate on the Situation in Afghanistan. "Agricultural experts from neighboring countries know Afghanistan, they speak the languages and they are familiar with the climate. And they are certainly less expensive than western experts. They represent significant untapped resources in the region that should be mobilized."

41. One example: Ahfuhanshi: zhongguo guanxi bu cunzai renhe wenti, 31 December 2006.

42. Huanqiu shibao. Meimechaozuo zhongguo "tingjing" ahfuhanshi chengmeiguo dazhang zhongguo huoyi, 16 October 2009.

43. See Chinese statements on Security Council Reform: 2001, in particular March 2009.

would want to improve themselves. The Chinese would benefit from transportation infrastructure that facilitates returns on their work to develop Afghanistan's mineral and energy resources. For example, their contract to develop the Aynak copper deposit includes clauses on the development of railroads. In addition, there is talk that Chinese communist leaders have designed plans to build separate railroads to connect to Afghanistan and to Pakistan. These plans should be further encouraged to become fully realized.

Today, China shares the same overall objective of the West: the stabilization of Afghanistan. The Chinese have chosen to focus on economic means to meet this objective as a result of China's peacekeeping principles, history, and the current situation: the stated foreign policy, regional complexities, domestic demands, as well as Afghan and Chinese popular opinion. For these reasons, China is not inclined to believe military means is supported by good reasoning. And without good reasoning, the doing will not be successful: *min-gbuzheng, zeyanbushun, yanbushun, zeshibucheng*.<sup>44</sup>

Nevertheless, the international community still has much to gain from Chinese economic investment, especially due to its particular investment style, knowledge of rural development, and potential for improving coordination/transparency and increasing investment in transportation infrastructure. China's engagement can greatly contribute to the stabilization of Afghanistan. At this time of Afghanistan's strategic importance to global security, the West may be most productive strategizing China's involvement in China's language of economic development, not in the West's terms of military engagement.

---

44. Roughly translated, if the reason is not right, the explanation is not strong; if the explanation is not strong, the doing cannot be successful. *Zhongguo gugue chubing ahfuhan de beihou neirong*, 23 November 2008. <http://blog.ifeng.com/article/1871319.html>.

## CENTRAL ASIA AND AFGHANISTAN

Robert Finn

Senior Research Associate, Liechtenstein Institute on Self-Determination

Central Asia has been for many people the blank space on the map. In the years since the dissolution of the Soviet Union little more than unclear images of vast distances and endless energy deposits, authoritarian governments, and threats of fundamentalist Islam have appeared to fill in the void. Central Asia remains for most an enigma, but one that is assuming greater importance as the issues of power, influence, and resources that will shape this century become more defined. China and Russia stand on either side of this vast inland sea, both cooperating and competing for influence and access. From Sinkiang in western China to the oil-rich Caspian Sea and the Caucasus, Central Asia presents an array of possibilities and problems that are perhaps unmatched. The European Union and the United States are also involved in the intertwined questions of politics, security, and development whose players, goals, and outcomes are all in flux. The new nations in the region inherited parameters of history, ethnicity, and religion that shape, but do not determine how they will develop, and the area is both stage and player for the drama of the upcoming century.

If one stands in Central Asia and looks southward, Afghanistan provides the break in a wall of mountains and deserts that is the route south to warm lands and the sea. For the people of Central Asia, Afghanistan has historically been a key and a lodestone through which the courses of empire and history have passed. Starting with the prehistoric Aryan invaders of India, followed by the armies of Alexander the Great, the Moguls and on down to those of the Soviet Union, Afghanistan has been the highway. For the new nations of Central Asia, it holds both the promise of access while it raises the sword of political strife.

Afghanistan provided two seminal shocks that have been primary determinants of the current political atmosphere in Central Asia. The defeat of the Soviet Union in Afghanistan was shattering to a nation whose whole dynamic was based on the legend of the heroic resistance and victory of the Second World War. In addition, the movement into Afghanistan for the Soviets was a step forward in the path they had followed in the nineteenth century. The Great Game ended in a draw with the British Empire, but the empire ended after 1945 and the agreements made with it seemed no longer effectively binding to the Soviets. The peoples of Afghanistan were the same peoples as those of the Soviet Republics to the North, which had only been finally sovietized in the 1930s. As the Russian and then the Soviet Empire pushed into Central Asia, waves of people fled in front of them. The subsequent rise of Islamic fundamentalism in Afghanistan only underlined the disaster and provided an active threat for Central Asia as well. The hundreds of fighters of the Islamic movement of Uzbekistan who fled south to Afghanistan and then to Pakistan as well were following routes that were centuries old. Both Tajikistan and Uzbekistan faced armed Islamic groups that were both indigenous and linked to groups to the South.

Looking farther back in history, the centuries-long Mongol rule of Russia remains as a formative element in the Russian psyche, and physically expressed in a Russia that is today 20% Muslim. The bitter wars in Chechnya can be read as part of the Russian reaction to the perceived twin threats of Islamic fundamentalism and nationalism in Russia itself, where a string of Muslim groups inhabit the Volga River Valley and there are no definitive geographic boundaries between Muslims and Christians. At the same time as Chechnya declared its independence, the far larger and more important republic of Tatarstan was moving in the same direction. The defeat in Afghanistan had caused ripples that spread throughout Eurasia.



The second shock for Central Asia was the invasion of Afghanistan by international forces after the attacks on September 11, 2001. Initial cooperation from the Central Asian countries led to the establishment of US bases in Uzbekistan and Kyrgyzstan, a German base in Uzbekistan as well, and French forces operating in Tajikistan. Failure to achieve a swift complete victory by the international coalition and growing concern about the ongoing presence of the former enemy on the territory of the ex-Soviet Union led to a call by the Shanghai Cooperation Organization meeting in Astana, Kazakhstan in 2005 for a timetable to withdraw troops from the region.

Prior to 2001, the states of Central Asia had justifiably feared that the model of Afghanistan would spread to their countries. This contributed to the end of the Tajik civil war, as the parties agreed to an imperfectly implemented compromise solution rather than see their country copy Afghanistan's ongoing civil wars in the 1990s. To the North, Islam Karimov used the specter of Islamic fundamentalism to establish a police state well known for its human rights abuses. In addition, the Islamic threat made the states of Central Asia renew the ties with Russia that had slackened in the first years after the end of the Soviet Union. Similarly, the Shanghai Cooperation Organization, started by China as a vehicle for having a voice in the region, grew to become more substantive as Russia and Uzbekistan joined the organization. It extended its areas of interest to security and narcotics issues, as well as providing a forum for concern about the US presence in the region, particularly as the US and European countries began to push for action on human rights and democracy. Russia has accused the US of fomenting the revolutions in Ukraine, Georgia, and Kyrgyzstan, and the other countries in the region have taken strong steps in curbing civil liberties to make sure the same does not happen to them.

Most of what Central Asian countries know about democracy and the West they learned from their colonial experience with imperial and then communist Russia. With the exception of Kazakhstan, the experience came late, at the end of the nineteenth century or well into the twentieth century. The resistance to the Soviets in Kyrgyzstan lasted until the 1930s and then moved across the border into Afghanistan and China, joining their ethnic kinsmen in large numbers. For the citizens of the Soviet Union, Russia was the West and Russian the language of Western civilization. The Soviets changed the alphabets of the Central Asian countries twice to keep them from learning from one another and from their modernizing Turkish cousins to the West. The propaganda, aided by economic realities in Asia, worked. A villager living amid the rusting waste of ex-Soviet Tajikistan told of visiting relatives across the river in Afghanistan in the 1990s, "They're living a hundred years in the past, without electricity and water."

The Central Asian countries did not want to leave the Soviet Union; it dissolved and left them behind. For months if not years they hoped it would come back together again, sharing then-President Putin's feeling that its end was a tragedy. The social and economic collapse that ensued broke down a system that had been erected over generations with great difficulty, often startling economic and logistical incompetence, and great cost in human life. In Kazakhstan alone, an estimated 1.5 million had died in collectivization drives in the 1930s, making Kazakhs a minority in their own country. With the end of the Soviet Union, the proportion reversed as millions of Russians "returned" to a homeland many had never seen. Another 1.5 million Volga Germans, deported to the East during World War II, moved to Germany. The complex ethnic web of Central Asia, as varied in its way as that of the United States, unraveled and began to reweave itself.

The newly independent states quickly replaced Soviet iconography with new nationalist imagery. Most

infamous was Turkmenistan's Saparmurad Niyazov, renamed "Turkmenbashi," literally "Head of the Turkmen," who erected a golden statue of himself atop a monument that rotated to face the sun. Tajikistan erected monuments and pictures of the ninth-century Tajik ruler Saman that resembled Tajikistan's president, Imamali Rahman, and Uzbekistan chose Tamerlane as its national hero. Russian lost ground to national languages, and English became the foreign language of choice for the young and upwardly mobile. Azerbaijan, Turkmenistan, and Uzbekistan all began to replace the Cyrillic alphabet with Latin letters, although only Azerbaijan has so far successfully made the transition. More importantly, the social safety net of the Soviet Union collapsed along with the political structures. Hospitals, schools, public safety, and pension schemes became dysfunctional as funding disappeared and inflation ran rampant. Russia, suffering from the same collapse, initially could do little to mitigate the changes.

The two valences of the boom in energy prices and the spread of Islamic fundamentalism led to a basic shift in the power relationships within Central Asia. Russia suddenly had the money to pay off its debts and promise largesse to Central Asia. Tajikistan, which had received 40% of its budget from Moscow in Soviet times and was the poorest state of the former USSR, received promises of a \$2 billion dollar aid package from Moscow. Russia has offered to pay market level prices for energy from the Central Asian states to ensure its monopoly on exports to the West. The goal is to maintain Russia's hold on energy exports in the face of US and American competition and to prevent US-promoted alternate supply routes such as the Nabucco gas pipeline from being realized, but it also has the spillover effect of pitting Russia eventually against China and India as energy users. A gas pipeline from Turkmenistan through Afghanistan to Pakistan and India is another alternative which would undermine the Russian monopoly, but Russia's recent dramatic increase in pricing to Turkmenistan may, in the end, contribute to undermining that scheme, which has its own problems of supply and security that must be solved.

Russia has taken several steps to reassert itself in Central Asia in terms of security. After initially being standoffish and attempting to breathe life into its own post-Soviet Collective Security Treaty Organization, it joined the Shanghai Cooperation Organization. After the US obtained basing rights for the coalition adjoining the Manas airport in Bishkek, Kyrgyzstan, Russia set up its own base a few miles away at Kant. In Tajikistan, the resident Russian general reacted to coalition overtures for use of the Dushanbe airport by announcing, to the surprise of the Tajiks, that the base was a Russian-Tajik dual use facility. In the end, the French were given rights to use the airport and the coalition rejected Tajik offers to use another base at Aini because of infrastructure problems. Russia's on-again off-again relations with Uzbekistan have occasionally resulted in military cooperation between the two nations that see themselves as the rightful heirs to the Soviet Union's dominant position in Central Asia.

China has taken an increasingly active role in the region for both economic and political regions. China's westernmost province, Sinkiang, is home to a Turkic people who have ethnic, religious, and cultural affiliations with their cousins to the West as far as Turkey. The Uygur language they speak is at least partially comprehensible to other speakers of Turkic languages. A Turkish woman who takes groups of businessmen to shop in China's burgeoning entrepôts in the region said of their shared language, "Some days, it's twenty percent, some days it's eighty percent, but there's always a percentage." In addition to the Uygurs, groups of Kyrgyz and Kazakhs also live on the Chinese side of the border, with a mirror population of Uygurs in the countries to the West, Kazakhstan and Kyrgyzstan.

Sinkiang is also home to an economic and population boom, as China develops industry and builds new cities in the area, bringing in millions of ethnic Han Chinese who now are the majority ethnic group in the region. Uygur resistance to the process has resulted in some violence and the labeling of one Uygur group as an international terrorist organization by the United States. Some Uygur fighters have joined Al-Qaeda in Pakistan and Afghanistan. Uygurs maintain that their resistance, akin to that of the Tibetans, is against ethnic assimilation and economic development policies of Beijing that ignore them and their values.

China has taken active steps to develop its relations with Central Asian states, and not just because of concern over the US presence in the region, although the location of a US military base in Kyrgyzstan less than two hundred miles from the Chinese border and the continuing US presence in Afghanistan is undoubtedly a cause of heartburn. Border adjustments have been made with Russia, Kazakhstan, and Kyrgyzstan. In the case of the latter, the surrender of several hundred thousand acres of territory to China by the Kyrgyz president was one reason why he was overthrown in 2005. China claims 10% of eastern Tajikistan as well, and has opened the first road connecting its border to the Tajik capital. Chinese traders are omnipresent in Central Asia, as are local merchants who go to China and purchase cheap goods for their markets.

Energy issues are one of the main determinants of national interests in this century. China has moved briskly forward to advance itself in Central Asia in a whole range of economic fronts, dominated by energy. It has purchased an oil field in Kazakhstan and is planning to build the world's longest pipeline to bring that oil to China, even as it has signed oil purchase agreements with Russia to multiply by several times the oil Russia supplies to western China. China has also become the prime trading partner with both Kazakhstan and Iran. With the latter, it has signed deals worth \$100 billion to develop the gas and oil fields at North Pars and Yadavaran and purchase liquefied natural gas, is extending the Tehran metro, and has a wide range of other projects underway. There is also speculation that it will obtain docking rights on the Iranian Gulf shore, further to the large commercial port it is building in Pakistan at Gwadar. China has nearly \$1 billion in investments in Turkmenistan, has obtained an interest in a Turkmen gas field in the Caspian Sea, and is moving forward on building a pipeline to bring that gas to China, scheduled to go online in 2010.

Closer to home, China has signed a \$3.4 billion deal to develop the Aynak copper mine in northeast Afghanistan, one of the world's largest undeveloped deposits. The amount, roughly equal to the total development assistance the US has expended in Afghanistan to date, will include building a railroad – Afghanistan's first – that will connect the field through Tajikistan with Chinese markets. The estimated worth of the copper is nearly \$90 billion dollars. In addition to the road with Tajikistan, China is also upgrading the transport infrastructure on its side of the border including the Karakorum highway that leads to Islamabad, and eventually the new port at Gwadar.

In security issues, China has registered its concern about the US presence in Central Asia both unilaterally and through the Shanghai Cooperation Organization. Russia and China have taken a common stance that basically shows concern and a sense of proprietorship over Central Asia. US-Chinese military relations are a separate topic in flux, but several naval incidents such as the last-minute cancellation of US ship visits to Hong Kong in 2007 indicate that China is uncomfortable with the status quo, something underlined by the increase in Chinese defense spending. In this regard, Central Asia is one significant part of a complex picture. Joint Chinese-Russian troop maneuvers have taken place for the first time, and China's military chief visited Afghanistan in the fall of 2007 to discuss mutual security issues. China is building a road

which would connect the two countries through the narrow finger of the Wakhan Corridor which separates Tajikistan from Pakistan.

The most volatile element for Central Asia is the ongoing war in Afghanistan. Afghanistan presents two immediate threats to its northern neighbors. The first, the threat of fundamentalist Islam, however manipulated it may be by Uzbekistan's President Karimov and, arguably, Russia's Putin, is nevertheless a real one. The failure of the Central Asian successor governments to achieve any real reforms in either political or, with the partial exception of Kazakhstan, economic terms, means that the messages of social justice and freedom put forth by the Islamists remain resonant. In addition, the successful conflation of radical terrorism with avowedly non-violent groups has led to an overall crackdown on observant Islam in Central Asia, most dramatically in Uzbekistan. Militants fleeing those governments have taken refuge with their counterparts in Afghanistan and Pakistan. Tahir Yoldashev, leader of the Islamic movement of Uzbekistan, has called on his followers to postpone the jihad in Central Asia and concentrate on Afghanistan, but the message is clear that Central Asia is still on the list. Thus, in spite of their trepidations about ultimate US intentions in the region, the Central Asian countries still cooperate both facilitatively and, in some cases, actively in the war in Afghanistan.

Narcotics is the second threat to Central Asia from Afghanistan. Both usage and traffic have increased as the Afghan drug production outstripped world capacity. One factor in the decreasing life expectancy in Russia is the growth in AIDS from drug users sharing needles. Afghanistan has been called a narco-state by some, and the traffickers in Afghanistan, often connected to or part of the government, have close connections with partners in all of their neighbors. Narcotics transit Tajikistan and Uzbekistan to Russia and on to Europe. A program that stopped drug production in Afghanistan might have the effect of moving production north to Tajikistan and Kyrgyzstan, both of which have a history of weak, corrupt governance and abiding poverty.

Tajikistan, the most fragile state in Central Asia, is also the poorest. The United States government estimated GDP at a purchasing power parity of \$1,500 in 2007. Tajikistan was created by the Soviet Union out of and over the objections of Uzbekistan. Tajiks speak a Persian dialect, and Tajikistan is the only Central Asian state not to speak a Turkic language, but its cultural centers of Bokhara and Samarkand remain firmly part of Uzbekistan, which also controls rail and much of the road access to Tajikistan. The relationship between the two remains troubled, as Uzbekistan sponsored the ethnic Uzbek minority in the North that ran the country during Soviet times, and continues to treat Tajikistan roughly, closing the border at will. The Tajik civil war of the 1990s resulted in over fifty thousand killed and the departure of much of Tajikistan's Russian community, as well as the destruction of Tajikistan's inferior infrastructure. The example of Afghanistan led the Tajiks to accept a negotiated peace that allowed inclusion of the Islamic Party in the Tajik parliament, the only country in Central Asia where such representation exists. Relative to its neighbors, Tajikistan has allowed a measure of political freedom and space for civic activities, while at the same time arresting individuals it claims to be members of Hizb ut-Tahrir.

Tajikistan's economy depends largely on a huge Soviet-era aluminum plant on the Uzbek border and the production of cotton in the South. In 2006, Russia, newly flush with energy profits, offered Tajikistan a \$2 billion aid package to enlarge the plant and complete another Soviet legacy project, a hydroelectric dam and generator at Rogun, in an earthquake prone zone. In return, Tajikistan converted into a sovereign Russian

base the Russian-run base (nominally a joint Central Asian base) located in mid-Dushanbe that it had been trying to shut down since the end of the civil war. In addition, it allowed the Russians to build a military airport. The Russians have so far later failed to fulfill their pledges of support for the Rogun dam and other hydroelectric projects, but the troops remain. Tajikistan also allowed the Indian government to start up its first base outside India on Tajik territory. Finally Iran, which had been distanced by the Dushanbe government for being too helpful to the Islamic side during the Tajik civil war – even though the Islamists in Tajikistan were Sunni and not Shia – returned in force with large grants. Iran is completing the tunnel through the 11,000-foot Anzob pass linking north and south Tajikistan for the first time with an all-year-round road, at the small cost of \$40 million. The road will save 600 kilometers (360 miles) in driving and bring a large public relations dividend for Iran. Iran is also planning to build electric lines that will pass through Afghanistan to Iran, tapping Tajikistan's generative capacity. Thus, all of the nations, which together supported the Tajik-dominated Northern Alliance in Afghanistan through Tajikistan, have placed themselves in prominent positions in this geographically pivotal state.

Additionally, China has taken an active role in Tajikistan. In addition to the rail route to Afghanistan projected to pass through Tajikistan, China has invested upwards of \$1 billion in Tajikistan in the last two years in dams, hydroelectric plants, and highway reconstruction. The two nations held joint antiterrorist military exercises in Kulyab in Tajikistan in 2006. Kulyab is the home and power center of Tajikistan's president, Imamali Rahman.

Uzbekistan, to the North of Tajikistan, is the most populous country of Central Asia with 27 million people. It sees itself as the inheritor of the ancient civilizations, which once dominated the world. Islam Karimov, its authoritarian ruler, has maintained a strict rule since independence and is widely criticized for human rights violations including the Andijon massacre in 2005, where several hundred people were killed by government troops. Karimov has jailed thousands of people claiming they were Islamic terrorists. The densely populated Ferghana Valley, mostly in eastern Uzbekistan, remains a center of Islamic foment and ethnic politics. Unlike Kazakhstan to the North, Uzbekistan, and especially the Ferghana Valley, has been a center of Islam since the eighth century.

Uzbekistan has traditionally taken a high-handed approach to its neighbors, particularly Tajikistan, which it regards as both a conduit and a source of Islamic terrorism and drugs. Several attacks launched from Tajikistan by the Islamic Movement of Uzbekistan in 1999 and 2000 underlined the issue. After the attacks in the US on September 11, 2001, Uzbekistan granted the US-led coalition use of a base at Karsi Khanabad in the southern part of the country and another facility to the Germans at Termez directly on the Afghan border. After the State Department failed to recertify Uzbekistan for progress on human rights and economic development in 2004, Uzbekistan made the US give up its base, even though the US Department of defense had increased its funding to Uzbekistan. Both Russia and China had expressed concern about the US presence at the base.

Karimov's relations with Russia have waxed and waned as he attempts to chart an autonomous course for Uzbekistan. After the Andijon events, Karimov visited both Moscow and Beijing where he did not hear criticism of his acts. Since then, relations with Russia have cooled somewhat. China, on the other hand, continues to maintain good trade and political relations with Uzbekistan, including support for Uzbekistan to join the WTO and joint ventures in oil production.

Uzbekistan's problems are economic as well as political. Falling cotton production, market policies designed to benefit a small group of supporters and a clampdown on NGOs and civil society have created a society that is troubled and held in check only by a very strong hand. Succession issues are also a concern, as Karimov has health problems. Access to water resources will continue to play an important role in Uzbekistan's relations with all of its neighbors.

Kyrgyzstan, Tajikistan's other northern neighbor, has belied its early promise as a state making a quick transition to a market economy. Traditional ethnic rivalries, connections with organized crime, and misuse of power led to the deposition and resignation of President Asker Akayev in the Tulip revolution of 2005. His replacement, Kurmanbek Bakiyev, has since evinced the same tendencies. Kyrgyzstan's mineral and water resources, as well as its spectacular mountain scenery, hold promise for the future but lack of investment has held it back. Kyrgyzstan has taken active steps to try to hold on to its minority Russian population, but has faced ethnic strife in the western city of Osh between ethnic Uzbeks and Kyrgyz. In addition, it was twice invaded by Islamic fundamentalists, in 1999 and 2000, trying to capture an Uzbek exclave in Kyrgyzstan and declare it a liberated Islamic entity. Kyrgyzstan has developed fairly close ties with China, which has improved the physical connections between the two countries as an avenue towards access to Central Asia. The US base at the Manas airport provides several hundred million dollars in rent to the Kyrgyz government, in addition to creating security concerns for other states in the region.

Kazakhstan, larger than Europe and sparsely populated, has the greatest possibilities of any of the Central Asian states. Rich in energy resources and with a strong agricultural sector, Kazakhstan maintains good relations with both Russia and China. Russian President Medvedev significantly chose Kazakhstan as the first foreign country he visited after inauguration in May 2009. Although diminished by out-migration, Kazakhstan's Russian population is still nearly 40% and its northern regions, settled by Russians in the eighteenth century were historically considered part of Russia itself. Kazakhstan has set 2030 as a target date for achieving economic parity with developed countries, but democracy may well trail behind, as President Nazarbayev continues to stifle opposition and treat the country as his private economic fiefdom.

Both China and Russia have significant and growing economic ties in Kazakhstan, not limited only to the energy sector. They see Kazakhstan as a limited but viable commercial retail market, and both countries have demographic connections with Kazakhstan. China has leased thousands of acres of agricultural land in Kazakhstan's East and intends to send up to ten thousand Chinese farmers to work there. All three nations have claims to the water resources of the Ili River, which starts in China and flows through Kazakhstan on to Russia's Lake Baikal, the world's largest body of freshwater. Environmental concerns over a pipeline designed to bring Russian oil to its Far East and China that would pass close to the lake were resolved in favor of the pipeline by then-President Putin.

US oil companies became heavily involved in developing Kazakhstan's Caspian Sea deposits in the 1990s. US involvement, still strong, has been mitigated by Kazakhstan's growing assertiveness in profiting on its deposits as well as legal issues surrounding the granting of contracts that are still under litigation in the US. Other questions of US economic ties with the Kazakh government and President Nazarbayev have appeared in the US press, including some involving ex-President Clinton.

Historically, Kazakhstan's huge expanse has been an arena in which both China and Russia sought influ-

ence. Kazakh tribes initially sought Russian alliances centuries ago to keep the Chinese at bay. A symbiotic relationship between nomadic Kazakh herders and Russian farmers lasted until the Soviet collectivization campaign and forced settlement of the Kazakhs in the 1930s, which resulted in the destruction of some 80% of the Kazakh flocks and the death of an estimated 1.5 million Kazakhs. The result is a country that was highly sovietized and Russified. Today, Russia and China, equally willing to ignore questions of human rights and democratic expression, are again jockeying for influence in a country that is quickly modernizing and developing an affluent middle class.

Turkmenistan, once considered the most hopeless case in Central Asia, has begun to emerge as the classic case of the new Great Game as Russia and Western countries vie to obtain access to its abundant gas resources. Turkmenistan has commitments to supply gas to Russia, China, and Iran, but has also promised to provide gas for a pipeline to be built through Afghanistan to Pakistan and India. This year it also spoke of supplying gas directly to Europe through one of three alternate means that would bypass the existing pipeline through Russia and Ukraine. One of these, the Trans-Caspian pipeline would link up with the proposed Nabucco pipeline in Azerbaijan and transport gas across Turkey to Europe. The Russians have been more successful in signing up partners for their alternative, the South Stream pipeline, which would go through Russia and across the Black Sea to Bulgaria. Russian concern to maintain its near-monopoly on exports of Turkmen gas led it to increase the price it pays by 50% since the end of 2007, with ongoing negotiations for a further increase underway in June 2008. Due to a lack of transparency, it is unclear whether Turkmenistan will in fact be able to meet the new commitments under discussion. Since the death of Niyazov, Turkmenistan has slowly begun to move away from his legacy of personality cult but the country still has severe limits on the basic freedoms of its citizens, both political and religious.

Iran casts a security and ideological shadow over the region as well. The question of the division of the Caspian Sea and its security necessarily involves Iran. The Tehran Declaration on the Caspian Sea in 2006 states that the littoral states guarantee not to attack one another and that the Caspian Sea cannot be used for the purposes of war. One pointed audience for this declaration would be the United States. Iran has maintained close relations with both Russia and China. In his 1998 book, *The Grand Chessboard*, Zbigniew Brzezinski predicates that one of the worst outcomes for the US would be if these three nations united against it. Russia's involvement with the construction of Iran's nuclear power plant at Bushehr is well known, as is the nuanced nature of the relations between the two countries. Iran's Shia theocracy has largely kept silent about Russia's behavior towards the Chechens, and concerns over Azeri nationalism has led Iran to be relatively more supportive of Armenia than Azerbaijan in the unresolved conflict over Nagorno-Karabakh.

The United States has had a catalytic effect on Central Asia, but has not assumed a primary position of involvement in the region. Unsure at first what to make of the dissolution of the Soviet Union, the United States opened embassies in all of the post-Soviet states but continued to view the region as within the Russian sphere of influence. Its programs aimed at fostering civil rights and democracy were not heavily funded and often took a distinct second place to highly visible commercial deals and military visits. Nevertheless, they had an effect, both unilaterally and in cooperation with the Organization on Security and Cooperation in Europe (OSCE) and EU efforts in making some movement forward in the Central Asian states. The Color Revolutions in Georgia, Ukraine, and Kyrgyzstan, rightly or wrongly, have been ascribed to these influences and the rulers of the other regional states have drawn the appropriate lessons and tightened the rules in their countries. Ironically, Kazakhstan's President Nurbayev persists in his bid to become head of

the OSCE as part of the process of Kazakhstan's taking its place on the world stage. The US budget for programs related to civil rights and democracy decreased in 2008, with the exception of Turkmenistan.

For the countries of Central Asia, and particularly for Russia and China, the question is one of the nature and extent of the US presence in the region. As the Afghanistan war continues with only an increasing commitment of troops, the initial enthusiasm of the Central Asia states has become mitigated by concerns over American intentions. The concept of the US as a citadel of democracy and freedom, never widely accepted in the former Soviet Union, has become even more beleaguered in recent years. High profile US contacts and profitable business deals with Central Asian oligarchs reinforce distrust of the former enemy, abetted by domestic government propaganda questioning US motives. Russia and China see the US as a security, political, and economic rival in an area they consider their own.

The European Union is also looking toward Central Asia, which promises to be a region of growth and potential for the next century. EU energy needs and security concerns are intertwined in a world of diminishing possibilities, with Central Asia serving as a platform for the development of resource potential as well as other economic relationships. Through the EU and the OSCE as well as bilaterally, European countries have begun to explore the possibilities that exist, although questions of democracy and basic freedom necessarily are part of the dialogue. The EU has already been criticized in some fora for not approaching the latter with the same dynamic as it seeks out energy relationships.

Little is known about Central Asia in the West. The languages, culture and history of the people there were subsumed into the overall fabric of Russia and then the USSR. A fresh approach is needed to understand these countries as partners and cooperators, one that includes an appreciation of their individual histories, languages and cultures. One size does not fit all. Much has to be learned on all sides, and much has to be unlearned as well. Misconceptions and ignorance abound. A concerted effort starting now can have lasting positive effects as economic and political stability develop. The approach should be multilateral, multi-linguistic, and inclusive. If the United States and the EU leave it to the popular media to instruct Central Asians as to how they live and what they think, the results will largely reinforce negative preconceptions. The peoples of Central Asia, for their part, grew up with the psychology of being citizens of a world leader, and expect recognition as equals.

#### SPECIFIC AREAS OF CONCERN

Russia and China both seek economic and political influence. Russia has been signing up the energy resources of the region but China has tried to do the same. The SCO is a venue where they meet and cooperate along with the other Central Asian states. The organization has held its first joint military exercises. The possibility of growth of this organization should be studied. Anti-terrorism is a major concern of the SCO. An invitation for it to cooperate militarily with the coalition in Afghanistan and Central Asia could bring major benefits to both sides, help to alleviate worries about the US presence in Central Asia, and relieve some of the pressure with regard to manpower and materiel that faces the effort in Afghanistan. The Central Asian states will be primary beneficiaries of security and peace in Afghanistan, so there is no reason why they should not substantially contribute to bringing it about.

Oil and gas are what everyone wants from the region. The race for resources can result in the ongoing



triumph of oligarchies or it can evolve into something better. Responsible growth can bring present sustenance lasting benefits for local populations. Kazakhstan has set up an investment for the future. The other Central Asian countries and their purchasing partners need to move forward to do the same. In Turkmenistan, for example, the nominal per capita income is \$8,000, but any observer can see that the standard of living is far below that. As more resources come online, real incomes should rise across the board.

Water is the lasting problem of Central Asia. Insufficient supply and conflicting needs dictate better management policies, especially when a developing Afghanistan starts to demand its share of limited resources. Salinization of land, the need to develop increasing hydroelectric power, and management of supply on an annual basis are problems that need covalent and comprehensive structuring on a regional basis.

Transportation also must be dealt with regionally. The countries of the region have called for further development of the rail lines from Istanbul to Almaty, and regional cooperation to supply war materiel via the Central Asian rail lines to Afghanistan is underway, but a larger discussion involving connecting Central Asian lines through Afghanistan to Pakistan and India and lines to China is also necessary for the new century.

Succession issues will face the nations of the region. Dynastic tendencies exist, and democratic ones are weak. Kyrgyzstan's revolution did not result in a net gain for democracy in the region. The careful nurturing of democratic organs and civic society is a prerequisite for improvement of conditions. Local needs and attitudes need to be an informed part of the process, and democratic states need to take an active role in presenting their values.

Economic change is essential. Free market economies are severely limited in most of Central Asia, with governments and oligarchs working hand in hand to exploit and shape commerce. Uzbekistan may be the most outstanding example, but all of the countries of Central Asia have paradigms and control and taxation that discourage investment and growth. Rule of law is essential for democracy, but it is even more essential for a successful economy.

Islam as a political and even more as a social factor is both a leitmotif and an active factor in the region. It informs, to a greater or lesser extent depending on the circumstances, daily life and sociological attitudes. The end of the Soviet Union led many people to look back to the Islamic states that existed before. Fundamentalists, and some terrorists, took advantage of that. Government repression exacerbated the problem. Moderate Islam has been and mostly still is the norm in Central Asia, but politicization of religion and reactive repression wear away at its fabric. The West needs to understand the complexity of Islam and work with its moderate majority.

The US does not seem to have a holistic and coherent policy for Central Asia. These new nations with ancient roots present, in many ways, a physical and sociological ambience familiar to residents of the US, with their vast spaces, lack of class structure, and vibrant mix of ethnic groups. To observers in the region, US interest has been expressed until now mainly in business deals that have produced tangible benefits mainly for the leadership or military activities that are unclear in their ultimate intent and unsettling in their propinquity. From both the Russian and Chinese point of view, a growing ring of US military emplacements surrounds them. They are understandably anxious. Conversely, the Central Asian partnership these

two countries manage raises questions as well.

Central Asia is almost another New World, with vast resources, huge territory and peoples and cultures that in many ways are unfamiliar. At the same time, there are many aspects of life, particularly in its cities, that are quite recognizable, and Westerners easily adapt. Partnerships with Central Asian states and their peoples could result in mutually beneficial growth and development. The process will be long and sometimes difficult. The development of democracy is not guaranteed, nor is economic prosperity. Central Asia has the potential for both, however.

## APPENDIX I: COLLOQUIUM SUMMARY

Considerations of “perception and misperception” were high on the agenda throughout the meeting. Misperception is focused on the problems of security and criminality, and ignores major improvements in education, health, infrastructure, and the economy that have been made since 2002. But participants felt a sense of urgency about the situation in Afghanistan and in the region. Afghanistan cannot be won only militarily or politically, but instead demands a combined civil-military approach, a change of strategic culture, and a new regional compact including both the neighborhood - especially Pakistan, Iran, and China - and the macro-region including Russia, Saudi Arabia, India, and Turkey, as well as the EU and the US. Conference participants therefore outlined specific recommendations for the Afghan government, the international community, and the US government with the goal of crafting an agenda for moving Afghanistan toward a stable, peaceful, and prosperous future.

### RECOMMENDATIONS

#### Security

The international community should reinforce donor and military commitment by reviewing current strategies, developing more effective ones that will regain the trust of the Afghan people, and garnering increased national domestic support. The Afghan government, with international support and buy-in, must build upon the Paris Conference and the London Compact and should draft and make available an overarching political and security plan that will provide the basis of a unified vision for Afghanistan’s future. Any strategic rethinking of how to move forward however must take into account possible changes in national and regional strategy by the new US presidential administration as well as new limitations that may result from the global financial crisis and the widespread economic downturn currently impacting key donor countries. The management of the India-Pakistan and US-Iran relationships will be of critical relevance for security and stability in Afghanistan.

#### *For the Afghan Government*

- The Afghan government has failed to convey its authority throughout the country. A strategic political and security plan must be developed by the Afghan government. This plan must marshal clear support from the United Nations, NATO, and the US, EU, and other leading donors. This plan should include:
  - An assessment of the roles, missions, and relationships between Afghan security institutions.
  - A plan for all assets on the ground to be identified, deployed, and directed towards the military, development, reconstruction, social, and economic objectives of this plan. International and national force numbers and PRTs should be included.
  - A unified vision of the development of an Afghan police force that bridges paramilitary and civil policing requirements, and the possible expansion of ANP numbers.
  - A strategy for an increase in the numbers of ANA forces, set in the context of the overarching national security policy that is sustainable for the Afghans.
  - A plan for the development of comprehensive Afghan intelligence capabilities which are essential to the successful prosecution of counter-terrorist and counterinsurgency campaigns.

- In view of the Afghan frustration with civilian casualties and international forces, Afghan security forces must assume a larger role in bringing security to the country.
- Attention must be given to growing criminality that often has direct links to the Afghan police and the Taliban.
- There can be no purely military victory in Afghanistan today, given Taliban strength and inadequate international troop numbers. Many consider a deal with certain elements of the Taliban as an important way to move forward. This needs to be discussed more, by and with Afghans, and should address the questions:
  - How should the Taliban be defined?
  - Who can and cannot be dealt with?
  - What is the best strategy to move the Taliban from a current position of strength to a position where it is compelled to compromise?
  - Given the Taliban's stated agenda of bringing down the government and forcing out international forces, and the movement's documented history of human rights abuse, what are the issues on which there can be compromise?
- Internally, police reform must be the most important security priority. Police reform efforts must be strengthened, and intervention at the district level is required. Specifically:
  - The police need to be educated, better equipped, and police positions must be hardened.
  - Improving the existing police force is more important than increasing numbers at this point. The retrained local police lack effective oversight and gains may prove to be short-lived. There is an inherent risk that deputizing local militia groups will continue to fragment the authority of the central government.
  - Every effort should be made to secure and patrol existing lines of transportation, mostly highways, in order to ensure an unobstructed flow of commerce. Subsequent focus should fall on population centers and areas of communication, as well as breaking the linkage between mid-level commanders and their men. This will require evaluating the Disarmament of Illegally Armed Groups (DIAG) program, as well as strengthening oversight provisions for Focused District Development (FDD) and considering rotating commanders across districts and provinces.
  - Consideration should be given to broadening EUPol's mandate to contribute at the district level rather than just the provincial level.
  - A reform-minded leadership within the Ministry of Interior is required to enact these changes.

#### *For the International Community*

- The international community must strengthen its determination through adequate resources and a long-term commitment. Domestic constituencies of donor and NATO states need to understand that there are no quick fixes.
- It is time for the international community to start perceiving security threats through Afghan eyes and through the prism of human security, rather than seeing security as being all about international access. Afghans are experiencing a growing level of fear. It is time to engage local communities, including local leaders and tribal elders who are increasingly under attack by insurgents.
- The top Taliban leadership should be targeted via UN Sanctions Committee (1267) action, rather than hunting mid-level Taliban. The current list must be updated and used to publicly ostracize

these individuals. Efforts should be made to urge some neighboring states to apply these sanctions. Finally, as part of UN Security Council Resolutions 1735 and 1822, narco-traffickers should be proposed for inclusion on this list.

- The international community should not only attempt to bridge the gap between the fragmented elite and the Taliban, but broaden the base to include democratic, secular reformists who have largely been left out of the process to date.
- Because foreign forces are increasingly resented, their continued and increased presence must be part of a broader security strategy and accompanied by an effective public relations strategy.
- Islam has been the theoretical common thread in Afghanistan but recently there has been a fragmentation within the urban elite between those, many from the diaspora, who favor a secular approach, and those who are skeptical of Western-led secular changes and favor a more indigenous and Islamic approach. Afghans are often confused and torn between the internationally led secular reformers and the indigenous Islamists. A bridge is needed to link these groups and will require a new strategy, if the Afghan elite and the international community are prepared to rise to the challenge.
- It will be important to discuss increases in troop levels and how they should be deployed with the Afghan government.

#### *For the US Government*

- Any increase of US forces will require a careful strategic communications strategy, in order to prevent armed insurgents from exploiting an impression that an increase in international troops amounts to an occupation force in the southern, largely Pashtun region of the country.
- Any increase in US troops is likely to focus on the South, East, and border regions, and other NATO countries will need to be prepared to strengthen their focus in the North and West of the country which also face complex security challenges.
- It will be important to discuss increases in troop levels and how they should be deployed with the Afghan government.

#### *The Region*

A regional strategy is necessary to make progress toward improving Afghanistan's internal security. Multi-party talks under the auspices of the UN are needed, including the US, EU, Russia, China, Iran, Pakistan, India, Turkey, Saudi Arabia, and some of the northern Afghan border states. Importantly, the West, especially the United States, must acknowledge that Iran has legitimate national interests in Afghanistan, and recognize the constructive role it has played in the past and can play in the future. Pakistan plays a crucial role in the regional dynamic, and the insurgency within Pakistan's tribal belt is a major cause of regional instability and a key contributor to the insurgency within Afghanistan. The relationship of Pakistan with India is critical for the future of Afghanistan as is the relationship between these states with the US.

#### *For the Afghan Government*

- Afghanistan must develop a proactive regional diplomacy agenda that focuses on outstanding regional issues with short-, medium- and long-term benchmarks. A third Regional Economic Co-

- operation Conference should be on the agenda and include Pakistan and all other regional players.
- Progress toward resolving the Durand Line border dispute between Afghanistan and Pakistan is essential to the realization of cooperation on regional security issues.
- Afghans must take responsibility for other factors contributing to the insurgency beyond Pakistan's involvement.

### *For the International Community*

- The international community, and particularly regional powers, must unite to support the efforts of Pakistan's new government to control the Taliban insurgency in the Northwest. The highly sensitive internal politics of Pakistan must be acknowledged and reliable partners must be identified.
- International pressure, including well-targeted US sanctions, may be required to gain greater cooperation from Pakistan in counterterrorism. Any new pressures should take into account the role of the "deep state" in Pakistan, which is composed of an entrenched network of high-ranking military representatives and intelligence officers.
- Resolution of Kashmir would have a strong, positive impact on Afghanistan and bilateral relations between India and Pakistan. India-Pakistan disputes, particularly over Kashmir, continue to feed Afghanistan's problems and color regional relationships.
- Any new US strategy vis-à-vis Iran has to be aware of the potential ramifications for the situation in Afghanistan and the relationship with Pakistan and India.
- The international community needs to do more to encourage Central Asian involvement in Afghanistan's reconstruction, particularly in areas where Central Asian nations have comparative advantage and/or national interest, especially power and energy, trade, border control, and security.
- China must be encouraged to not only invest financially but politically in Afghanistan, including through using its leverage with Pakistan.
- Saudi Arabia, Qatar, and the UAE must be more closely engaged and their interests and roles in Afghanistan and Pakistan acknowledged.

### *For the US Government*

- Regardless of bilateral tensions with Iran, states involved in Afghanistan – the US in particular – should seek Iran's cooperation in the fields of security and stability, development and promotion, and fighting against drugs and terrorism.
- Confidence building measures must be adopted to assure regional neighbors that the international military presence has no other objective than stabilization of Afghanistan and that it seeks no strategic advantages.

### **Elections**

Important questions shape any discussion about Afghan elections: Can elections actually be conducted in the context of current security conditions? Is consensus better than a contested election? Should elections go ahead even in inadequate conditions to ensure the faith of the people in the process? Related to election legitimacy, three additional questions must be considered: Is there still domestic support for elections as a vehicle for bringing reform? Will elites accept election results as legitimate? Will the Taliban attempt to undermine the election process?

### *For the Afghan Government*

- Turnout problems in past elections indicate the need for effective outreach. Turnout declined from 70% to 50% from presidential to parliamentary elections, and likely will be less in 2009 and 2010.
- To try and rebuild some kind of national consensus before holding the next elections, a Loya Jirga could be hosted first, thus supporting the elections process but also allowing more time to regain control of the security environment.
- Civil society groups need more support and security as they are more likely to be targeted at this time.
- There should be some consideration of seeking a ruling by the Supreme Court on postponing the provincial council elections.
- The Single Non-Transferable Vote (SNTV) electoral system has proven to be inappropriate for a country like Afghanistan and should be revised through the adoption of either a first-past-the-post or a proportional system.
- The constitutional calendar for elections should be revisited. According to the constitution, Afghanistan must hold 109 elections over the next 60 years. This is unsustainable, unnecessary, unaffordable, and could lead to voter fatigue.

### *For the International Community*

- “Elections” must be decoupled from “democracy” in the sense that the first does not equate with the second, but is only one element of enhancing democracy in Afghanistan. Elections without rule of law institutions and genuine vetting procedures are merely a playground for those with money, power, and guns.
- The international community needs to consider the possible need for a “Plan B” in the event that the elections cannot be held as scheduled for security reasons. In the event that logistics and security interfere with the timetable for the conduct of elections, caretaker arrangements for the conduct of government should be considered as a way of ensuring a level playing field for electoral competition.
- Elections were difficult in 2004 and 2005, and they will certainly be much more difficult in 2009 and 2010, not the least due to reduced security and due to reduced standing of the Afghan administration. Despite best efforts, if elections are held as scheduled they will be imperfect to a greater or lesser extent. The best an election can achieve is to produce as legitimate a leader as possible. Planning for elections should keep this in mind.
- The international community should be prepared for a second-round of voting due to the likelihood that no candidate clears the 50% hurdle. The second round is likely to be considerably more tense.
- The international community’s focus on elections must be on the process, including between electoral cycles, rather than only on the event. As a process, the international community must support it consistently over time.
- The international community should take the opportunity provided by the newly legislated media law to encourage responsible reporting ahead of the election that can mobilize voters and create a sense of national interest and cohesion. The media should be encouraged to reflect in their reporting the diverse opinions and positions of the candidates.

- The recent decision by the Afghan government not to hold registration and voting for Afghans in Pakistan and Iran should be reinforced through a clear signal by the international community that funding for out-of-country voting is not available.
- Recognizing both coordination already in place and the commitment from ISAF to assist Afghan security forces in securing voter registration, the importance of the upcoming registration should be emphasized by ISAF and troop contributors. Difficulties in providing security, including potential troop losses, should not detract from a commitment to voter registration.

#### *For the US Government*

- Upcoming Afghan elections need a “security surge” that US troops should be equipped to provide to allow them to be implemented effectively and ensure maximum access.
- The upcoming elections will also need a “political surge” including US, international, and Afghan consensus on the process, security, vetting, removal of Pakistan and/or Taliban influence, civic outreach, and cooperation with civil society.

#### **Governance and Rule of Law**

Good governance is the key to restoring Afghan self-determination. The only solutions that have worked in Afghanistan have been institutional ones – these were absent in the Bonn Agreement but were present in the Afghanistan Compact and the Paris Conference. In 2002 the international community traded peace for ministries, so now there is an overblown bureaucracy in Kabul. For the government, there is an urgent need for a “roots and branch” review of bureaucratic structures based on needs and to assess whether or not Afghanistan needs all of the ministries that have been created. For the international community, a general principle of involvement in the rule of law, governance, human rights, and transitional justice is that international actors must make themselves more accountable and provide consistent support to initiatives instead of paying lip service to these principles when it is politically expedient to do so and undermining the new structures it has helped create when they become inconvenient.

#### *For the Afghan Government*

- It is time for a periodic review of the Afghan Constitution to determine how well it is serving the Afghan people and whether it is able to be effectively implemented, to determine whether the balance of responsibilities between the executive and the legislature is appropriate for Afghanistan, and whether the role of the president is sufficiently resourced or overburdened.
- The constitutional structure of Afghanistan must be addressed, especially the imbalance between executive and legislature, and a parliamentary system should be given consideration. The president has too many responsibilities and not enough institutional support. This model is premised on the assumption of a strong bureaucracy like that of France or Turkey.
- The holding of a credible census is essential to holding elections, drawing accurate provincial and district boundaries, and determining aid priorities and gauging progress toward human development indicators. Support should be given to realizing the Paris Conference goal of holding a census by the end of 2009, in time for the parliamentary elections.
- The issue of property rights, complicated though it is after years of conflict, needs to be urgently



addressed through the development of a land titling system.

- There must be an increase in the priority of building state institutions in relation to other apparent priorities. Capacity building, particularly of the civil service, is essential as is the development of an effective civil service academy.
- The emergence of a new class of Afghans, enriched by corruption, is a serious problem that must be addressed.
- There should be a government focus on decentralization by building central, provincial, and district institutions. The district should be the unit of stabilization.
- The Afghan government, with the support of the international community, needs to pursue urgent reforms to the legal system and to try to define what role and function the formal and informal systems should play, through a process of broad and representative consultation. A draft model for developing a hybrid legal system might form the basis for further development of a new model.
- An Afghan Legal Institute should be established to undertake research and collect data on the current functioning of the Afghan legal system.
- The creation of a strong system of administrative law, beyond the current formal legal system, that would make officials accountable, such as an Ombudsman's Office or an independent administrative complaint mechanism like a tribunal for police abuse and misconduct, should be created.

### *For the International Community*

- Afghanistan has a clearly defined, well researched, and appropriate National Action Plan for Peace, Justice, and Reconciliation, adopted in 2006 and supported by the international community through a lengthy consultation process with ordinary Afghans. The international community needs to provide real support for this plan and the government's implementation of it. Any discussion of reconciliation with the Taliban must be developed within this framework.
- Civil society groups need to be supported to reach policy makers and have an impact on the policy directions of reform. Civil society can act as a crucial "bridge" between people at the remote district level and the capital.

### *Economy and Human Development*

The initial development of the Afghan National Development Strategy (ANDS) was well coordinated, but now lacks sound coordination and support in its implementation. The ANDS now has too many competing objectives and needs to be better prioritized by Afghans, through more community consultation. Human development and culture should also be considered in any overarching reconstruction and development strategy.

### *Economy*

- As acknowledged in the Paris Conference, coordination efforts of the international community under UNAMA's leadership needs to be strengthened.
- Of the \$40-50 billion in aid allocated to Afghanistan at the various international donor conferences, only \$13 billion has been spent through the Government of Afghanistan. As a result this extra-budgetary spending has not been accountable to the parliament. Despite the difficulties of

funding donor projects through the central government, an increased transfer of responsibility to the Government of Afghanistan is essential to increase the legitimacy of the state and to build capacity.

- There is a national and regional necessity for a railroad infrastructure project. It could provide 24 hour, 7 day a week transport of goods and materials under any climate conditions and would address unemployment issues and energy needs. It also would connect the region and make Afghanistan a regional transit country connecting the West-East and North-South.
- As agreed in Paris, a major priority must be the agricultural sector. Greater capacity building through agricultural colleges and vocational training centers is required. There should be a refocus of agricultural strategy onto subsistence agriculture instead of commercial agriculture.
- Funding must be available for agricultural development. It should be ensured that loans are available to subsistence farmers and small- to medium-sized investors. If funds are available, low-interest loans should be provided.
- A reevaluation of the geographic allocation of development aid is needed. Focus should not only be paid to unstable regions. Instead, successful regions should also reap benefits and receive effective financial support from the international donor community, to ensure there is no distortion of incentives.

### *Human Development*

- In terms of aid funds, whether they are spent through the Government of Afghanistan or directly through NGOs or private contractors – as is more often the case today – spending should be allocated through consultation with, or made accountable to the Afghan parliament, to increase Afghan ownership of the development process. This will increase aid effectiveness and accountability.
- Some PRT “quick impact” projects have had little impact and PRT funding needs to be reevaluated with input from and support of the Afghan local governments and people.
- The role of women in Afghanistan’s reconstruction cannot be underestimated for improving the situation in Afghanistan and for the sustainability of development. The international community should continue to support the Afghan government’s efforts to improve the situation of women and empower them to play a greater role in Afghanistan’s future.
- A comprehensive approach to addressing the specific needs of Afghan widows and their children must be crafted so that they have the resources necessary for sustainable livelihoods and to lessen the possibility of the radicalization of a generation of impoverished Afghan youth.
- Cultural programs between Afghanistan and Pakistan should be created and supported. Cultural programs between Afghanistan and Iran should also be accepted. Those that currently exist should be intensified. Additional initiatives should be created that work to bridge language and cultural differences between Afghans and international actors for the purpose of facilitating increased understanding and meaningful cooperation.
- Food security, as a result of drought and rising food prices, has become a time-critical issue. Five percent of the population is in the high-risk category and many more are now border line.
- Increasing attacks against aid workers are inevitably impacting the delivery of service and programs and must be addressed. This is being used effectively by the Taliban to scare off internationals and show that neither Afghan nor international forces are able to guarantee security, even in

- districts in and around Kabul. There is the danger of Kabul's encirclement, at least in perception.
- The degeneration in security and the resulting reduction of open and free contact actually compounds the problem of lack of interaction and cooperation between international actors, NGOs, and Afghans at a time when increased contact and cooperation is necessary. New strategies have to deal with this aggravation and reduced interaction.
  - Job creation has to be emphasized, and the focus should not just be on training, but on jobs as a long-term source of income.
  - The creation of educational institutions, curricula, and training programs in cooperation with Afghan authorities must be prioritized, focusing not only on Afghan children and youth but also considering the generation of Afghan adults who had few or no educational opportunities during the years from 1980-2002.

## APPENDIX II: COLLOQUIUM PARTICIPANTS

**Prince Hans Adam II of Liechtenstein**

**Prince Stefan of Liechtenstein**, Ambassador; Ambassador of the Principality of Liechtenstein to Germany

**Mohammad Zia Afshar**, Acting Deputy Minister for Culture, Afghan Ministry of Information and Culture

**Christopher Alexander**, Ambassador; Deputy Special Representative to UN Secretary-General for Afghanistan; former Ambassador of Canada to Afghanistan

**Mohsen Aminzadeh**, Member of the Scientific Board of the Institute for Humanities and Cultural Studies; Advisor to President Mohammad Khatami; former Deputy Foreign Minister of Iran

**Richard Atwood**, Senior Electoral Advisor, UNDP, Afghanistan

**Reginald Austin**, Chief Electoral Advisor, JEMB, 2003-2004; former Professor of Public Law, University of Zimbabwe

\***Nipa Banerjee**, Professor of International Development and Global Studies, Faculty of Social Sciences, University of Ottawa; former Head of Canada's Aid Program in Kabul

**Cheryl Benard**, Senior Political Scientist, RAND Corporation

**Nematullah Bizhan**, Afghanistan Compact Monitoring Manager, ANDS Secretariat, Kabul; Secretariat Manager, JCMB

**Tina Blohm**, Department for Asia and the Pacific, Friedrich-Ebert-Stiftung (FES), Bonn

**Paul Bucherer-Dietschi**, Director, Afghanistan Institute, Liesthal, Switzerland

**Geralyn Busnardo**, Chief of Party, International Development Law Organization, Kabul

\***Thomas Christensen**, Professor of Public and International Affairs, Woodrow Wilson School, Princeton University; former US Deputy Assistant Secretary of State for Asia

**Raymond H. Close**, Independent Foreign Affairs Analyst, Princeton

\***Wolfgang Danspeckgruber**, Director, Liechtenstein Institute on Self-Determination; Chair, Liechtenstein Colloquium

**Stephen J. Del Rosso**, International Peace and Security Program Director, Carnegie Corporation of New York

\***Karl Eikenberry**, Lieutenant-General; Deputy Chairman, NATO Military Committee; former Commander, Combined Forces Command, Afghanistan

**Reinhard Erös**, MD; Afghanistan Medical Expert

\***Christine Fair**, Senior Political Scientist, RAND Corporation

\***Robert P. Finn**, Ambassador; Senior Research Associate, Liechtenstein Institute on Self-Determination; former US Ambassador to Afghanistan

**James Gow**, Director, Security Studies, Kings College, London

**Knut Hammerskjöld**, Director, Oxiana Ltd.

**George Hodgson**, First Secretary, Political, British High Commission to Pakistan

**Elke Hoff**, Member of the Defense Committee of the German Bundestag, MOP

\* Member of LISD Afghanistan Study Group

\***Ali Jalali**, Distinguished Professor, Near East South Asia Center for Strategic Studies; Distinguished Visiting Fellow, Institute for National Strategic Studies; former Interior Minister of Afghanistan

**Bahar Jalali**, Assistant Professor, American University of Kabul

**Michael Jansen**, Director, Department of Urban History, RWTH Aachen University

**Masood Karokhail**, Deputy Director, Tribal Liaison Office, Kabul

**Hekmat Karzai**, Director, Conflict and Peace Studies in Kabul

**Rita Kieber-Beck**, Foreign Minister of the Principality of Liechtenstein

**Thomas Koenigs**, Ambassador; former UN Special Representative to the Secretary-General for Afghanistan

**Rüdiger König**, Ambassador; Deputy Director-General for Asian Affairs and Director, Special Task Force for Afghanistan, German Federal Foreign Office

\***Fawzia Koofi**, Deputy Speaker, Wolesi Jirga of Afghanistan

**Martin Lau**, Law Department of the School of Oriental and African Studies, University of London

**Sayed Zabihullah Majidi**, Head of Architecture, Turquoise Mountain, Afghanistan

\***William Maley**, Director, Asia-Pacific College of Diplomacy, Australian National University

**Baqer Moin**, Director, Jadid Media, London; former Head, BBC World Persia/Pashto Service

\***Rani Mullen**, Assistant Professor of Government, College of William and Mary

**Ahmad Nader Nadery**, Commissioner, Afghan Independent Human Rights Commission; Chairperson, Fair and Free Election Foundation of Afghanistan

\***Joanna Nathan**, Afghanistan Senior Analyst, International Crisis Group

**Neamatollah Nojumi**, Consultant on Afghanistan, USAID

**Mohammad Asif Rahimi**, Deputy Minister for Programs, Afghan Ministry of Rural Rehabilitation and Development

\***Thomas Ruttig**, Independent Analyst for Afghan Affairs; former Political Affairs Officer, UNSMA/UNAMA

**Aimal Safi**, MD; Hand and Reconstructive Surgeon, Johanniter-Hospital, Bonn

**Varun Sahni**, Professor in International Politics, Jawaharlal Nehru University; Editor, *South Asian Survey*

\***Amin Saikal**, Director, Center for Arab and Islamic Studies (Middle East and Central Asia), and Professor of Political Science, Australian National University

**Mahmoud Saikal**, former Afghan Deputy Minister for Foreign Affairs

**Said Musa Samimy**, Head of Afghanistan Department, Deutsche Welle

\***Eckart Schiewek**, Political Advisor to the Special Representative of the UN Secretary-General, UNAMA

**Ulrich Schlie**, Chief of Planning, Ministry of Defense, Germany

\***Susanne Schmeidl**, Advisor, Tribal Liaison Office, Afghanistan; Senior Research Fellow, Key Centre for Ethics, Law, Justice and Governance, Griffith University

**Michael von der Schulenburg**, Assistant Secretary-General, UN Department for Political Affairs

\***Hans-Ulrich Seidt**, Ambassador; Ambassador of Germany to Afghanistan

**Shoaib Sharifi**, Journalist and Co-Editor, *Kabul Times*

**Shirazuddin Siddiqi**, Afghanistan Country Director, BBC World Service Trust

\*Member of LISD Afghanistan Study Group

**Abdulkader Sinno**, Assistant Professor of Political Science, University of Indiana at Bloomington  
**Chris Beusch**, Associate, LCM/SiBiL Foundation, Vaduz, Liechtenstein  
**Jon Gandomi**, Woodrow Wilson School, Princeton University, MPA '08  
**Soraya Sobharang**, Human Rights Commissioner, Kabul  
**Rangin Spanta**, Afghan Minister of Foreign Affairs  
**Bernhard Spies**, Chair, KAH-Bonn, Art and Exhibition Hall of the Federal Republic of Germany  
**M. Masoom Stanekzai**, Advisor to the President of the Islamic Republic of Afghanistan; Vice-Chair of D&R/ DIAG Commission  
**Volker Stanzel**, Director General, Political Affairs, Foreign Office, Federal Republic of Germany  
**\*Barbara Stapleton**, Deputy to the EU Special Representative for Afghanistan  
**Zahir Tanin**, Ambassador; Permanent Representative of Afghanistan to the UN  
**Martina Timmermann**, Vice President, Managing Director, International and Capacity Building Projects, TIMA International GmbH  
**Ehsan Turabaz**, President, Netherlands-Afghanistan Business Council; Honorary Consul of Afghanistan  
**\*Francesc Vendrell**, Ambassador; former EU Special Representative for Afghanistan  
**Ali Wardak**, Senior Researcher, Centre for Policy and Human Development, Kabul University; Principal Author, Afghanistan Human Development Report on the Rule of Law (2007)  
**\*Marvin Weinbaum**, Scholar-in-Residence, Middle East Institute; Professor Emeritus, University of Illinois  
**Susanne Wichert**, Head of Exhibition Management, KAH, Bonn, Art and Exhibition Hall of the Federal Republic of Germany  
**Abdul Razaq Yaqoob**, Consul General, Consulate General of Afghanistan in Bonn  
**\*Daoud Yaqub**, Research Scholar, Australian National University; On Leave from Afghanistan National Security Council  
**Momena Yari**, Independent Electoral Commissioner  
**Ahmed Javaid Zeerak**, Coordinator, Afghanistan Rural Enterprise Development Program, Ministry of Rural Rehabilitation and Development (MRRD)  
**Bernhard Zimburg**, Ambassador; Head of Asia Department, Ministry for European and International Affairs, Vienna  
**Maliha Zulfacar**, Ambassador; Ambassador of Afghanistan to Germany

#### LISD Conference Team

**\*Carol Wang**, Conference Administrator; currently International Executive Intern, Afghan Ministry of Rural Rehabilitation and Development  
**Christian Beusch**, LCM Associate, LCM/SiBiL Foundation, Vaduz, Liechtenstein  
**Jon Gandomi**, Woodrow Wilson School, Princeton University, MPP '08  
**Alison Laporte-Oshiro**, Undergraduate Student, Woodrow Wilson School, Princeton University

\*Member of LISD Afghanistan Study Group

- \***Daniel Nikbakht**, Undergraduate Student, Woodrow Wilson School, Princeton University
- Till Papenfuss**, Visiting Fellow, Liechtenstein Institute in Vienna, Austria (LIVA)
- Miriam Schive**, Resident Director, Liechtenstein Institute in Vienna, Austria (LIVA)
- \***Leanne Smith**, Woodrow Wilson School, Princeton University, MPP '08; former Deputy Chief, Peacekeeping Situation Centre, United Nations
- \***Constance Wilhelm**, Undergraduate Student, McGill University; currently Special Assistant to the Director, Liechtenstein Institute on Self-Determination

\*Member of LISD Afghanistan Study Group

## **APPENDIX III: LISD PUBLICATIONS ON AFGHANISTAN**

### **A “New” Strategy for Afghanistan and the Region**

Triesenberg, Liechtenstein  
Summary Report, June 2009

### **A New Vision for Afghanistan**

Bonn/Petersberg, Germany  
Summary Report, December 2008

### **State, Security and Economy in Afghanistan: Current Challenges, Possible Solutions**

Brussels, Belgium  
Liechtenstein Colloquium Report - Volume III, September 2008  
Policy Brief, November 2007

### **Building State and Security in Afghanistan**

Wolfgang Danspeckgruber with Robert P. Finn, editors  
LISD-WWS Study Series Edited Volume, November 2007

### **Creating Stability and Prosperity in Afghanistan and the Region**

Vienna, Austria  
Summary Report, January 2007  
Policy Brief, December 2006

### **The Drug Trade and the Future of Afghanistan**

Working Paper, Fall 2006

### **Building State and Security in Afghanistan and the Region**

Istanbul, Turkey  
Summary Report, August 2005

### **State Building and Security in Afghanistan and the Region**

Bonn/Petersberg, Germany  
Policy Brief, October 2003

### **Stability and Viability in Afghanistan**

Triesenberg, Liechtenstein  
Policy Brief, April 2003



## APPENDIX IV: ADDITIONAL REFERENCES

- Afghanistan Central Statistic Office. *National Risk and Vulnerable Assessment Survey (NRVA)*, 2008. <http://nrva.cso.gov.af/Brochure%20English-Final.pdf>.
- Bhatia, Michael and Mark Sedra. *Afghanistan, Arms and Conflict: Armed Groups, Disarmament and Security in a Post-War Society*. New York: Routledge, 2008.
- Chayes, Sarah. *The Punishment of Virtue: Inside Afghanistan after the Taliban*. New York: Penguin Books, 2006.
- Christia, Fotini and Michael Semple, “Flipping the Taliban: How to Win in Afghanistan,” *Foreign Affairs*, volume 88, number 4 (July/August 2009):
- Coll, Steve. *Ghost Wars: The Secret History of the CIA, Afghanistan and Bin Laden, from the Soviet Invasion to September 10, 2001*. London: Penguin Books, 2005.
- Crews, Robert D. and Amin Tarzi, editors. *The Taliban and the Crisis of Afghanistan*. Cambridge: Harvard University Press, 2009.
- Danspeckgruber, Wolfgang with Robert Finn, editors. *Building State and Security in Afghanistan*. Princeton, NJ: Woodrow Wilson School of Public and International Affairs, 2007.
- Dobbins, James. *After The Taliban: Nation-Building in Afghanistan*. Washington, DC: Potomac Books, 2008.
- Dorransoro, Gilles. *The Taliban’s Winning Strategy in Afghanistan*. Washington, DC: Carnegie Endowment for International Peace, 2009.
- Dreazen, Y. J. and Spiegel, P. “Taliban Now Winning: U.S. Commander Warns of Rising Casualties,” *Wall Street Journal*, 10 August 2009.
- Edwards, David B. *Before Taliban: Genealogies of the Afghan Jihad*. Berkeley and Los Angeles: University of California Press, 2002.
- Giustozzi, Antonio. *Empires of Mud: War and Warlordism in Afghanistan*. London: C. Hurst and Co., 2009.
- \_\_\_\_\_, editor. *Decoding the New Taliban*. New York: Columbia University Press, 2009.
- Grare, Frédéric. *Rethinking Western Strategies Toward Pakistan: An Action Agenda for the United States and Europe*. Washington, DC: Carnegie Endowment for International Peace, 2007.
- Gutman, Roy. *How We Missed the Story: Osama Bin Laden, the Taliban, and the Hijacking of Afghanistan*. Washington, DC: United States Institute of Peace, 2008.
- Hafventsein, Joel. *Opium Season: A Year on the Afghan Frontier*. Guilford: The Lyons Press, 2007.

- Hayes, Geoffrey and Mark Sedra, editors. *Afghanistan: Transition Under Threat*. Waterloo: Wilfrid Laurier University Press, 2008.
- Hussain, Rizwan. *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Aldershot: Ashgate, 2005.
- International Crisis Group. *Taliban Propaganda: Winning the War of Words?*. Kabul and Brussels: International Crisis Group, 2008.
- Johnson, Chris and Jolyon Leslie. *Afghanistan: The Mirage of Peace*. London: Zed Books, 2008.
- Jones, Ann. *Kabul in Winter: Life without Peace in Afghanistan*. New York: Metropolitan Books, 2006.
- Jones, Seth G. *In the Graveyard of Empires: America's War in Afghanistan*. New York: W. W. Norton, 2009.
- Kilcullen, David J. *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One*. New York: Oxford University Press, 2009.
- Kippen, Grant. *Elections in 2009 and 2010: Technical and Contextual Challenges to Building Democracy in Afghanistan*. Kabul: Afghanistan Research and Evaluation Unit, 2008.
- Maley, William. *The Afghanistan Wars*. London: Palgrave Macmillan, 2009.
- Pain Adam, and Jacky Sutton, editors. *Reconstructing Agriculture in Afghanistan*. Rigby: FAO and Practical Action Publishing, 2007.
- Peters, Gretchen. *Seeds of Terror: How Heroin is Bankrolling the Taliban and al Qaeda*. New York: Thomas Dunne Books, 2009.
- Rashid, Ahmed. *Descent into Chaos: The United States and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*. New York: Viking Press, 2008.
- Rubin, Barnett R. *Afghanistan's Uncertain Transition from Turmoil to Normalcy*. New York: Council on Foreign Relations, 2006.
- \_\_\_\_\_. *The Fragmentation of Afghanistan: State Formation and Collapse in the International System*. New Haven: Yale University Press, 2002.
- Rubin, Barnett R. and Ahmed Rashid, "From Great Game to Grand Bargain: Ending Chaos in Afghanistan and Pakistan," *Foreign Affairs*, volume 87, number 6 (November/December 2008).
- Ruttig, Thomas. *Afghanistans Wahlkrise: Die gefälschte Präsidentschaftswahl und Strategien für "danach."* Berlin: Stiftung Wissenschaft und Politik (SWP-Aktuell 2009/A 56), 2009.
- Saikal, Amin, "The Dimensions of State Disruption." In William Maley, C. J. G. Sampford, and R. C. Thakur, editors. *From Civil Strife to Civil Society: Civil and Military Responsibilities in Disrupted States*. Tokyo:

- The United Nations University Press, 2003.
- \_\_\_\_\_. *Modern Afghanistan: A History of Struggle and Survival*. London: I. B. Tauris, 2004.
- \_\_\_\_\_. "Stability Is the Key to End Double Crisis," *The AGE*, 23 September 2008.
- Semple, Michael. *Reconciliation in Afghanistan*. Washington, DC: United States Institute of Peace, 2009.
- Sinno, Abdulkader H. *Organizations at War in Afghanistan and Beyond*. Ithaca: Cornell University Press, 2008.
- Suhrke, Astri. *When More is Less: Aiding Statebuilding in Afghanistan*. Madrid: Fundación par alas Relaciones Internacionales y el Diálogo Exterior, 2006.
- Tellis, Ashley J. *Reconciling with the Taliban? Toward an Alternative Grand Strategy in Afghanistan*. Washington, DC: Carnegie Endowment for International Peace, 2009.
- Thier, J Alexander, editor. *The Future of Afghanistan*. Washington, DC: United States Institute of Peace, 2009.
- Wilder, Andrew. "Cops or Robbers?: The Struggle to Reform the Afghan National Police," Kabul: Afghanistan Research and Evaluation Unit, 2007.







LIECHTENSTEIN INSTITUTE  
ON SELF-DETERMINATION  
AT PRINCETON UNIVERSITY

The Liechtenstein Institute on Self-Determination at Princeton University (LISD) supports teaching, research, and publication about issues related to and emerging from self-determination, especially pertaining to the state, self-governance, sovereignty, security, and boundaries with particular consideration of socio-cultural, ethnic and religious issues involving state and well as non-state actors. The Institute was founded in 2000 through the generosity of H.S.H. Prince Hans Adam II of Liechtenstein, and is directed by Wolfgang Danspeckgruber, Lecturer in Public and International Affairs at Princeton University's Woodrow Wilson School of Public and International Affairs.

LISD seeks to enhance global peace and stability by bringing together academic experts, practitioners, representatives of the public and private sectors, and decision makers to explore key events and conflicts from geostrategic, economic, and cultural-religious perspectives in order to find new solutions to current and traditional problems. In addition to conferences convened as part of specific LISD projects, the Institute regularly sponsors public lectures and special meetings that bring a diverse group of experts and policy makers from around the world to Princeton University to share their work with students and members of the wider University and local communities.

Each year since the Institute's founding, LISD faculty have taught courses that are part of Princeton University's graduate and undergraduate curricula on topics including international crisis diplomacy, self-determination, Central Asia and Afghanistan. Princeton University graduate and undergraduate students are also involved with all aspects of LISD projects, from planning meetings and conferences to participating in diplomatic discussions and serving as rapporteurs. Student involvement in Institute projects as well as courses taught at Princeton University by LISD faculty are central to the Institute's commitment to prepare the students of today to be the leaders of tomorrow.

ISBN: 978-0-9843974-0-2



9 780984 397402

