

Four Decades of Efforts for Peace and Reconciliation in Afghanistan;

Analysis of the Impediments and
Barriers to Sustainable Peace

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Four Decades of Efforts for Peace and Reconciliation in Afghanistan

Authors: Dr. Mohammad Qasim Wafayezada

Ghulam Reza Ebrahimi, Husain Ali Karimi

& Safiullah Taha (Research Assistant)

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Add: Qale 9 Borja, Karte Parwan, Kabul, Afghanistan

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Introduction to the Afghan Institute for Strategic Studies (AISS)

The Afghan Institute for Strategic Studies (AISS) is an independent research institute whose research and studies focus on strategic issues. This institute was established in October 2012 with the aim of creating an intellectual space for addressing strategic issues pertaining to Afghanistan in the wider regional and international contexts. In order to take part in improvement and growth of democracy, security, peace, good governance, etc. in the society, the AISS is dedicated to conduct independent researches, translate and publish scientific and academic books and articles, and to hold national and international seminars and conferences.

Disclaimer

The contents of this research are not the views of the Afghan Institute of Strategic Studies (AISS) or of the donor institute, the National Endowment for Democracy (NED).

Summary

This research report is an effort to present a roadmap for achieving a well-deserved peace and successfully continuing Peace Talks with the armed opposition groups. The analysis is based on understanding the historic factors for Peace Talks and negotiations failure in the last four decades. The report has analyzed factors of disputes and war from April 27, 1978 Coup to date. Moreover, the report intends to identify challenges amid the peace negotiations. The report evaluates the presence of violence in social, economic and political levels in the last four decades. It also highlights the encouraging and helpful effects of the Peace Talks.

The report has been developed using Qualitative Research, Interview and Grounded Methodology. It let actual and peripheral players, the witnesses and the experts to speak out themselves in order to present a comprehensive solution for the negotiations based on Afghanistan's cultural and social aspects. Considering ethnic, lingual and religious diversity and gender balance, we interviewed 32 political leaders and intellectuals.

The researchers divided the four decades under consideration into analyzing periods and organized interview questions in accordance to the following four main topics: external factors or regional and global dynamism of conflict and peace; internal factors or social, economic, political and cultural dynamism in the country; efforts and obstacles in achieving peace; and fundamental mechanisms to cross conflict and achieve sustainable peace. However, the questionnaire was developed to cover the four decades: from April 27 Coup to National Reconciliation Call of Dr. Najibullah, civil war among Jihaddi leaders, and emergence of Taliban and failure of peace talks between Northern Alliance with Taliban, and the After Bon Conference period.

Key Findings

The war in Afghanistan is significantly affected by internal and external factors. These factors have affected disputes and resulted in the continuation of violence and conflict in the country for a long time. However, the effect of these factors varied in the past four decades due to the transition of dynamism in regional politics, competition between great powers, and social and political dynamism within Afghanistan and the process of evolution in the country. Continuation of war and internal problems knotted with external interests have caused internal and external complexity in the country. This has been considered one of the main reasons for continuation of violence and an obstacle in the way of restoring peace.

Additionally, weakness of some regional states and existence of non-state actors has been another main obstacle for restoring peace, resulting in the continuation of violence in the region, particularly in Afghanistan.

Some parts of challenges facing Peace is related to identity crisis and ethnical rivalries that have roots beyond boundaries within states' structures. The problem of identity and ethnicity leaves national foundations unstable and increases internal problems with regional disputes by highlighting shared historic values and supporting of ancestral cousins. Afghanistan is still fragile by this fact and has not overcome the problem of identity and ethnicity.

The report reveals that in addition to the ethnical leaders' politics, monopoly of power and the inability of the government for providing public basic needs have caused general dissatisfaction in the states. Increase of corruption in the governmental entities can lead to more distrust between people and government and persuade them to seek for local alternatives to solve their problems. The interviewees have also brought in the fact that one negative outcome of corruption and injustice was that local rivalries would increase and people would move away from the central government. This could significantly lead to spread of violence and could reduce the conception of rule of law.

According to the interviewees, underdevelopment and poverty were other major factors that thrust people toward violence and violent groups such as Taliban. Some people used such factors to foment insecurity and provide opportunity for illegal livelihood. During the conflict era in Afghanistan, the economy of war was tied with mafia and drug economy that resulted in a super income generation for some groups. Hence, the end of war was considered an end to the mafia business. For illegal and mafia economy, the spread of instability helped to expand territory of illegal business. This opened avenues for huge amount of illegal income without fear of prosecution. Therefore, narcotics and war economy are tied together and are considered major factors for continuation of violence.

Social and political fragmentation has been considered a major obstacle for achieving successful peace talks. Any disagreement on concept or difference in opinion amongst leaders of National Unity Government or political leaders of different movements would negatively affect the outcome of national reconciliation. Hence, this could reduce efforts to restore peace in the country. Therefore, the interviewees expressed that a national consensus and understanding of the outcomes of Peace Talks with armed oppositions and well-explained definitions of national expectations were required initially.

Once national consensus was achieved, regional consensus was required to change conflict and violence policy of regional countries by considering regional dimensions of conflict in Afghanistan. Such a regional consensus would take time and hard efforts and diplomatic measures were required to pursue it. According to the interviewees, activating the foreign policy by gaining support of the great powers was the need of the hour. A part of the problem was linked with conflict of interest of some of the regional powers and neighbors of Afghanistan

who had distinguished strategic vision into Afghanistan. Understanding righteous interests of regional countries and balanced relationships require comprehensive, active and strong diplomatic measures. However, in another view, security transitions in the region and the world and diversity of economic competitions require new frameworks on which new definitions on regional and economical relationship are expressed. Neglecting evolutions and metamorphosis which are undergoing in the world and inability of country's position in upcoming estimations can add to fragility of Afghanistan. Based on regional dimensions of conflict in Afghanistan, in case no success was gained in the consensus there would be no easy solution to achieve peace. If there was such a solution it would take a lot of effort and time to develop it.

According to the interviewees, two-sided negotiations were required for executing direct peace talks of the Afghan Government with the Taliban and understanding the role of Pakistan and other state actors in the region. On one hand, the government must make sure to use all diplomatic measures in engaging with Pakistan and other regional state-actors for achieving a comprehensive agreement and on another hand, there should be direct talks with the Taliban. Majority of the interviewees believed that Taliban's demands to engage in talks with the USA; the Afghan Government's with Pakistan or talks with Taliban through Pakistan were inconclusive. In addition to this were the Geneva Accords signed between Afghanistan and Pakistan during Dr. Najibullah's government and the Mujahidin session with Russia which resulted in Peace Talks failure at the time. Although some consider the peace agreement that was made with Hezbe Islami led by Gulbudin Hekmatyar which succeeded after 25 rounds of negotiations as a positive example of Afghan-led talks. Division of responsibilities amongst the peace negotiation entities including the High Peace Council (HPC), Ministry of Foreign Affairs and the National Security Directorate is required for a successful implementation of peace negotiations.

Based on internal and external complexity of conflict dimensions in Afghanistan, the majority believe that the High Peace Council can only operate technical or internal activities of the Peace Talks. The council cannot fulfill diplomatic aspects of the Peace Talks. Hence, it is necessary to clarify regional relations based on a comprehensive defined foreign policy. There is also a need to clarify responsibility boundaries between the High Peace Council and the Ministry of Foreign Affairs.

In conclusion, this research report reiterates that the peace talks must proceed in a win-win approach in order to include both sides' legitimate interests in the talks. A lose-win strategy or defeat-by-war and military pressure can be a short-term solution but cannot guarantee a final solution. Therefore, the report recommends the following suggestions:

To the government:

1. Given the failed experience of avoiding direct negotiations between the government and the armed opposition, efforts should be made with the focus on the direct talks between the government and the Taliban.
2. To restore peace and stability in the country, a military strategy alone is not enough, therefore the policy of “stick and carrot” should be strongly pursued to bring the opposition on the negotiation table. The government should seek a political solution to the conflicts within the framework of win-win strategy.
3. To ensure the unity of voices and domestic accordance, an agreement should be achieved over peace and war between the government leadership, political parties and influential social figures. The plurality of voices undermines the peace efforts and reduces the probability of success in the negotiations with the armed opposition.
4. The government should try to alternate the ethnic discourse of the current politic approaches in the country which one way or another interferes with the peace process with the armed opposition and prevent its success, with a national approach aims to reach a national consensus towards peace and having a fair cohabitation. As a result, the fears and doubts over the changes of the power balance in case of the success of negotiations with the armed opposition and their integration to the current political system will fade away.
5. The High Peace Council as an impartial and professional institution in charge of technical affairs of peace process must be restructured and must have the required transparency in all its financial affairs so it can attract the trusts of all sides including the armed opposition. The council should not be an obstacle to the peace attempts by the religious scholars, and civil and social institutions, but it should have the authority to make the ultimate decision about accepting or rejecting the plans and social initiatives of the religious and civil institutions which are about the direct negotiations with the armed opposition.
6. Given the requirements of the current regional and international policies, and the link between the internal problems and struggles of the country with the external factors, the government must put away the policy of inaction and seek a clear and active diplomacy in relation to the regional platform of peace and take the initiation in this matter which is the most substantial part of the country’s national interest. The most concerning issue is the emergence of much more extremist and violent groups such as the Islamic State (ISIS) in Afghanistan. It should not be allowed to the extremist and violent groups to use the disputes such and Eastern and Western divisions and revive the proxy war in Afghanistan between the regional and global powers, like it happened during the Cold War.
7. The government must take the initiative to enforce current plans with an explicit strategy for the developments of the power relations structures in the region towards

- Afghanistan and to change the policy of competitive political geography to the economic geography which connects the different potential economic zones in the region.
8. The government must start special programs and projects in relation to the reform of religious education system and preventing extreme views to spread in the country.
 9. By strengthening good governance and ensuring transparency and accountability in the administrative and judicial system, the government should improve public satisfaction in order to provide the social context of balanced development and eliminate the centrifugal tendencies and the desire to fight with official institutions.
 10. The government should take on special programs for young people and prevent them from selecting options of “leaving” or “violence”.

To the political parties and civil society organizations

1. Given to the vulnerability and fragility of the political situation, political parties and civil society organizations as supervising institutions and regulators of the government actions and policies, must pursue a reforming policy and replace it instead of the fragmented, even though marginal, “attenuator” or “subversive” efforts. Because any possible power vacuum or anticipations for the change of government can bring hope to the armed oppositions for new opportunities and cause a problematic delay in the reconciliation process or even led to its failure.
2. Political parties and civil society organizations, especially religious and academic institutions must play a strong role in mobilizing public opinion towards peace and fair cohabitation and their role as the basis or assistant for the official government efforts for peace must be recognized.
3. Political parties and civil society organizations must play an innovative and active role in the process of peace and reconciliation and must not wait for the outcome of the government efforts through the High Peace Council or the diplomatic agency of the country.

To the international community

1. In addition to the current economic and political support of the political system of Afghanistan, the international community must support the government peace plans and impose the necessary pressures and sanctions on the states that sponsor terrorism and extremism in order to force them into participating in the peace and reconciliation process in Afghanistan.
2. Any decrease of support or diversion of policy of the necessary focus on the situation of Afghanistan could have disastrous consequences for the international community. Therefore, it is expected that the NATO countries and other partner countries, regard

Afghanistan as a regional center of new developments and intersection of emerging powers competition, and therefore, take on concrete and comprehensive programs through regional and international platforms to restore political stability and end the violence and extremism in Afghanistan and the region.

CHAPTER ONE

Overview

Since the coup of 27th April 1978 and the collapse of traditional political order, followed by Soviet invasion and armed Jihad and public resistance, Afghanistan has been on a violent and chaotic path over the past four decades. Massive violations of human rights, mass executions, immigration and displacement, extensive casualties and enormous financial damages, are those components of the country's history that have had profound psychological and social impacts. Today, after four decades, the people of Afghanistan still suffer from a continuing/protracted war and violence. Despite all the effort to achieve peace, this collective dream of people has not come true yet. Afghanistan, with millions of immigrants and internal displaced people hundreds of thousands of disabled left from the war, a society ravaged by poverty and violence is struggling with breathtaking problems and according to the World Bank, more than 40 percent of its people are incapable of providing food for themselves and live below the poverty line.¹

What gives this seemingly endless crisis and persistent violence and war in the country a more complex dimension, is the intertwining of internal and external factors which makes the management of the peace process and opening of new gates for peace talks and reconciliation extremely difficult for the government and political actors of the country.

Afghanistan, during the late eighties fell prey to Cold War politics turning it into a battlefield for the competing great powers of East and West. Following the Soviet withdrawal, Afghanistan slipped into devastating and disastrous civil wars and turned into an arena for the proxy wars of regional actors and neighboring countries. During this decade, since all geographical and social divisions and layers in Afghanistan had been unlatched to external forces and actors, and with the developments in communication and cultural interaction, a social and political change was witnessed in the country which eventually led to the mobilization of ethnic, religious, and linguistic identities. As a result of these changes and developments, regional politics of near and extended neighboring countries became more intertwined with the interests of identity groups and social cleavages resulting in intractable civil wars over the power structure and political participation of different ethnic and religious groups. The emergence of Taliban in the second half of the 20th century completely transformed the game of power and opened the route for the growth of religious extremism and the presence of terrorist groups such as al-Qaeda in Afghanistan. The attack of 9/11 which was organized by al-Qaeda once again gave a global aspect to the ongoing violence in Afghanistan and provided this country with a turnaround. By the fall of the Taliban regime, with the conclusion of the Bonn Agreement on 5 December 2001, and the formation of an interim but inclusive authority, the ground became ready for the people

¹. World Bank, Afghanistan profile, <http://povertydata.worldbank.org/poverty/country/AFG> (last visit: 15/11/2016)

of Afghanistan to pass through the crisis with the full-fledged support of the international community. The Bonn Agreement was a new beginning for Afghanistan and soon after, the processes of peace consolidation and building a democratic system was put in motion concurrently. However, despite all efforts by the Karzai's government, peace still remains an elusive dream.

Today, after 15 years of efforts to achieve a lasting peace, considering the less tangible effectiveness of these efforts, the main question the people of Afghanistan confront, is how to end this seemingly endless cycle of violence and antagonism and finally achieve peace and reconciliation?

This research tries to find an answer to the question; an answer which may be hidden among the past experiences and failed attempts towards peace and reconciliation. To learn from the past experiences, passed missed roads, rethinking and reconsidering all the bitter events of the past four decades, is the leading focus of this research. The result of this research could help in identifying a path for the existing process towards achieving peace and reconciliation between the government and its armed opposition. It could also provide new insights and lessons from the course of events during the period/span of time under study.

Importance and Necessity of Research

The significance of this research lies in the fact that although some academic work has been done on peace in Afghanistan, this research is the first which analytically presents the reasons for the failure or the probable success of the peace talks and efforts for reconciliation, by rethinking the ideas and prospects of actors involved in the peace and war in Afghanistan during the past four decades. By using the valuable research and work that has been done on this field, this research provides a more objective and more generalized picture from the causes, factors, and the historical dynamics of war and peace, based on the viewpoints of experts and actors of peace and war.

Purpose of Research

The purpose of this research is to identify and investigate the driving forces of war and conflict, and to provide practical and reasonable approaches to ensure peace in Afghanistan, and particularly for the ongoing process of peace talks between the government and the armed opposition. This research investigates all dynamics and driving forces involved in creating the conflicts in different periods of time after the coupe of 27 April 1978 until the present time. By analyzing the cultural, social, political and economic aspects of the violence during the period of nearly four decades (1978-2016) based on the experiences and views of the main actors, the research aims to identify the existing obstacles to achieve peace and also highlight and clarify the incentives that contribute to a lasting peace.

Fundamental Questions of Research

The research questions are based on the existing common but divided understanding of external and internal causes of war and the reasons for the failure of peace talks in the past four decades. The research questions also help in understanding to what extent identifying these causes and reviewing these experiences could help us to open a window to a constructive dialogue for ending the war and successfully accomplish the peace process. Therefore, this research is based on the following four questions:

- 1) What are the main causes and factors of failure of the peace process and what attempts have been made to find a political solution for the conflicts during the past four decades?
- 2) What are the main dynamics of war and peace in Afghanistan?
- 3) Do identifying and investigating these causes and factors help the ongoing peace talks to turn into a productive process?
- 4) How should the road map to achieve an equitable peace and to successfully work with the ongoing talks be designed?

There are also a set of secondary questions included in this research in the form of questionnaire or interview with the involved individuals and experts and observers about the specific events and processes in specific periods of time.

Scope of Research

This research studies the efforts made to restore peace and stability in Afghanistan from 1978 to 2016.

Methodology of Research

The methodology of this research is a combination of grounded theory method and qualitative research method based on the in-depth interviews of experts and analysts. The goal is to let the main and subsidiary actors and observers of these events and processes and also experts and analysts directly express their ideas and views during this study. Their statements will be organized and presented based on the methods of the grounded theory, so that the analysis presented by the involved players of war and peace in the political and social context of Afghanistan, could offer an explicit and comprehensible and at the same time practical and reliable framework for the current peace talks that have been going on for a long time without any fruitful outcome.

Since its introduction by Barney Glaser and Anselm Strauss in 1967, the grounded theory has been recognized as an efficient method of qualitative research in the field of social sciences. Glaser and Strauss believed that researchers need a method which enables them to use data to construct new theories. These theories are based on data they are extracted from, rather than

predetermined theories, analytical constructs and variables.² Therefore, this method has been designed to open the space for the development of new theories that are consistent with the different cultural and social circumstances and contexts. Extracting a theory from its data in this method does not necessarily mean to develop grand theories, but it also includes the creation of new concepts based on specific data in specific linguistic and cultural fields.

Given the need for localization of the issue of reconciliation and peace in Afghanistan and building a conceptual framework consistent with the circumstances and social context, based on the objective data and experiences of the main players of peace and war during the past four decades, this method was identified as the proper method for the research. Although the authors held to this qualitative research method to adhere to the two principles of identification of categories and included them as a method and reproduced them as a theory in the form of a specific conceptual framework, as to the details, due to the requirements of this research, they did not consider all the unnecessary elements in analysis of interviews' transcripts and produced this research by combining elements of the in-depth interview method. The authors analyzed the junctures and processes in a comparative framework by identifying the involved elements and factors of the failure or success of peace processes, and present the outcomes based on these findings.

In this study, authors first divided the time period of past four decades into analyzable periods and then organized the research questions in respect to four main areas of the subject (impacts of external factors or the regional and global dynamics of war and peace; impacts of domestic factors or social, political, cultural, and economic dynamics; main measures and challenges toward achieving peace; elemental and substantive solutions to end the war and ensure a sustainable peace). But, the questions were also designed to include four analyzable periods of time (from the coup of 27th April 1978 to Dr. Najibullah's reconciliation policy; the period of civil war between jihadi political factions; the rise of Taliban and the failure of attempts to achieve peace between the Northern Alliance and the Taliban; and the Bonn Agreement and beyond). But in terms of type and depth, the questions were organized in two sections based on the expectation from the interviewees' ability to analyze and response. The first part of questions with descriptive nature and structure were designed for the first group of interviewees (leaders and main actors of war and peace) and the second part of question with a more analytical structure were set for the second group (experts and intellectuals).

². See: Bryant, A. and Charmaz, K. (eds), *The Sage Handbook of Grounded Theory*, London: Sage Publications, 2007; Strauss A. L. and Corbin, J., *Basics of Qualitative Research: Grounded Theory Procedures and Techniques*, 2nd Edition, London: Sage Publications, 1998

The previous AISS research entitled “Afghan People’s Attitudes and Perceptions towards Peace Talks between the Government and the Taliban”³ was carried out in fifteen provinces using a survey of public opinion. The authors of the present research, however, focused mainly on perceptions, viewpoints and experiences of the main actors of war and peace in order to present a complementary analysis for the previous research by using and citing the viewpoints and ideas of prominent and influential individuals. One of the fundamental issues for the researchers, was to make a preliminary list of political and cultural figures, to ensure balance and include all parties and all political, ethnic and gender trends that would make it representative and generalizable. Therefore, a list of 70 of political and cultural figures including political parties’ leaders and different trends was prepared with consideration of ethnic, linguistic, and religious diversity. Then, 35 individuals were randomly selected given the capacity and the necessity of the research. The selected list was thoroughly reviewed to ensure the required diversity and inclusiveness.

After this, the necessary coordination was done to determine the time of the interviews. To prevent misunderstanding and falsification, the interviews were documented on the paper and voice recorder. Then the interviews’ transcripts were carefully written down. A number of interviewees had some considerations about their interviews and in order to respect the integrity of the research, transcripts were sent to them for review and authentication. Some interviewees did not consider it necessary to see the transcripts. Writing the transcripts was important to avoid any arbitrary omission. Thus, all interviews were fully written down and then used in this study.

As to the analysis of the interviews transcripts, the authors tried to use an approach which was less perceptive and more citational and well-grounded based on the categorization and explanation of the views. Although, using this method led to bringing longer quotes and also a rational deviation from the grounded theory method, but it resulted in a more objective reflection of the theoretical groups’ views and creating concurrency, association, and a more rational relationship between the evidence. In other words, the researchers have taken distance from Glaser’s recommendations for inference based on a set of encodings, and relied more on Strauss theory to make a conceptual axis in order to inference theoretical concepts and as such, it highlighted the similarities of this research to detailed and in-depth interview method.⁴ In this methodology, Bradford metrics were also used selectively.⁵

³. The research can be downloaded from the following link: <http://www.aiss.af/publications/papers>

⁴. Kelle, Udo, “‘Emergence’ vs. ‘Forcing’ of Empirical Data? A Crucial Problem of ‘Grounded Theory’ Reconsidered”, *Forum: Qualitative Social Research*, Vol. 6, No. 2, Art. 27 (May 2005)

⁵. For more information and an introduction to Bradford measures in this methodology, see:

Open Coding

Interviews transcripts, on average between 15 to 20 pages, were reviewed carefully three times and then organized into eight categories by the “open coding” method. These eight categories, in addition to the four main topics of the study and the four specific periods of time, also include secondary categories that were organized as secondary categories after a thorough comparison and reviewing the consistency of collected data. In the next stage, theories and concepts presented by interviews which were selected from the interviews’ transcripts, were structured in a layout based on the main groups and categories so that to create a meaningful relationship between the main and secondary categories. It provided the possibility of analysis, comparison and confrontation of ideas. In the grounded theory, using selective coding can simplify writing and organizing congruent or symmetric ideas and create a consistent narrative of a particular subject. In this research, however, selective coding has not been used as the authors have used the complete and sometimes lengthy quotes in order to clearly convey the ideas of the interviewees and also the diversity of ideas about specific subjects. In addition, the related views which were out of the main and secondary categories, were organized in a separate group and were used in summarizing and concluding the study, in presenting recommendations and solutions and in explaining the challenges of the path towards achieving peace. Using this approach, added to the richness of the research and its outcome, and was also greatly useful to complete the determined ideas of the above mentioned categorized groups So that the outcomes could be well-grounded.

Challenges of Research

Conducting this research was also associated with some challenges and difficulties such as contacting political party leaders and important figures who are considered as the main actors of war and peace. Due to security concerns and in some cases ignoring the importance of this research, it was not easy to make an appointment with the political figures. The interviewees at times delayed or changed the appointed time. In addition, it was completely impossible to contact the Taliban leaders who were the other party in the peace process. Therefore, researchers tried to interview a number of former Taliban leaders and members in Kabul so that they could reflect their ideas in a way and make the research more comprehensive. Among the selected individuals in the list, some of them did not participate for different reasons and were replaced by other people from a second list. The diversity of ethnicity and political approaches were considered during the process of selection and interviews. Some of the political figures such as Abdul Rasul Sayyaf, Mohammad Younus Qanooni, Faizullah Zaki, and

Hill, Austin Bradford, "The Environment and Disease: Association or Causation", *Proceedings of the Royal Society of Medicine*, Vol. 5, No. 58, (1965), pp 295-300

Corbin, Juliet & Anselm Strauss, *Grounded Theory Research: Procedures, Canons and Evaluation Procedures*, *Qualitative Sociology*, Vol. 13, No. 1, (1990), pp 3-21

Omar Daud Zai, despite their agreement to do the interviews, changed the time of the interviews several times, and because of these delays and the hope to conduct the interviews till the last days, researchers lost the opportunity to replace these figures with other ones from the secondary list. Consequently, the total number of the interviewees was limited to 32 people.

The second challenge was the numerous and sometimes different versions of narratives to explain factors and causes of the violence and political and social dynamics of its continuation. Part of the challenge lay in the fact that all narrators were confident about their account. Creating a more harmonious and analyzable narratives by combining different narratives and interpretations provided by various political leaders and social and political figures with quite different trends and approaches, made it difficult for the authors to have an impartial and unbiased view. To solve this problem, the authors tried to use the viewpoints and reflections presented during the interviews rather than the available texts. They put the interviews together in order to analyze them in an impartial framework. To analyze the context, the authors noticed the difference and disparities between the elements of “concurrency” and “concomitance” with “interference of causes and effects” in explaining the connection of the evidences and data, therefore the required precautions has been considered.

Structure of Research

This research is designed in three parts and seven chapters:

The first part includes the overview, introduction, methodology, purposes, and fundamental questions of the research.

The second part analyzes the peace attempts and the reason for their success or failure in different periods of time during the past four decades. This chapter includes five sections. The first section, “Beginning of the War: The 27 April 1978 Coup, Invasion of the Red Army, and Efforts for Peace and Reconciliation”, include a time period between the years of 1978 to 1994 which means the beginning of the war after the 27th April coup and invasion of the Red Army to Afghanistan till the Geneva Treaty and withdrawal of the Red Army and the failure of the peace process of Dr. Najibullah and the efforts of the United Nation towards peace. In this chapter, the factors and agents of war and then the falsehoods and flaws of the offered plans to end the war and formation of an inclusive central government are discussed and analyzed according to the viewpoints of the interviewees.

The second section, “Jihadi Parties and Efforts to Form a Government and Ensuring Peace and Stability”, is focused on analyzing the efforts made to form a government after Jihad and analyzing the reason for the failure of these plans and the fall of Afghanistan into a breathtaking and devastating civil war. In this section, the viewpoints and opinions of the interviewees are explained with respect to differences of the perceptions and disagreements.

The third section, “The Emergence of Taliban and Peace Efforts with the Northern Alliance” in continuation with previous chapters, explores the repeated failure of the peace efforts and the extension of conflict in the country and analyzes the interviewees’ point of views in the specified time frame of this period.

The fourth section, “Bonn Agreement and Post-Bonn Peace and Reconciliation Efforts”, elucidates transformation of the situation in the country with respect to the new opportunities to change the path towards the future according to the interviewees’ viewpoints. It also examines the dark and bright spots of the new approach which was started after the Bonn Agreement to found a modern Afghanistan.

The fifth section, “A Review of the Efforts towards Reconciliation with the Government Armed Opposition During the Last 15 Years”, is mostly focused on the flaws, difficulties and also the strengths of the government efforts during this time to negotiate with the armed opposition, including the Taliban and Hezb-e Islami led by Gulbuddin Hekmatyar.

Chapter three analyzes the opinions of the interviewees in relation to the common and long-term challenges (over the past four decades) and general strategies to end the war and conflict, with regard to the existing needs and developments or the emerging and probable developments. It consists of the two final sections of the research.

The sixth section, “The Overall Challenges in Front of Peace Process in Afghanistan”, discusses the elements, factors and variables involved in the failure of efforts to end the cycle of war and violence and turnovers of the conflicts during the past 15 years, by a more generalized point of view. In other words, this section discusses the challenges of peace process on Afghanistan in two external and internal levels due to the similar context in different eras.

The seventh section, “The Guidelines and Recommendations to Achieve Peace”, is the final section of the research. In this chapter, the interviewees’ ideas and views are summarized, categorized and analyzed. Also, it presents the recommendations and solutions which were emphasized on by the interviewees. These are some general solutions to end the conflict and achieve a sustainable peace in the country in the form of specific and understandable recommendations.

In the end, the authors represent specific recommendations for the success of the peace process and the ongoing negotiations with the government opposition, based on the research findings.

CHAPTER TWO

Analysis of the Research Findings

Section One

The Settings of War: The 27th April 1978 coup, The Soviet Invasion, and Efforts for Peace and Reconciliation

The coup of 27 April 1978, which led to the fall of the government of Sardar Daoud Khan, precipitated full-fledged armed conflict and resistance and subsequently caused escalation and expansion of violence in Afghanistan. As a result, the country became involved in the Cold War which in turn was followed by the invasion of Red Army on 20 December 1979. The interviewees presented different accounts that could be categorized in different groups in relation to the reasons why this coup did not bring about any positive changes and did not ensure political stability in the country. However, most of the respondents were in consensus that the post-coup government did not have a clear understanding of the cultural and social structure from the mostly rural population of Afghanistan. The government pursued plans and measures which were considered as anti-religious and consequently faced resistance and people's uprising. Mohammad Akbari, the leader of the National Islamic Unity Party of Afghanistan believes that, "people were tired of the monotonous governance of one family and wanted it to be changed. As a result, ordinary people either supported the rebels at first or they were indifferent to what was going on... when the new commands/decrees came one after another, people found these commands against their traditions and culture, so a growing wave of dissatisfaction and opposition ended in Jihad and a full-scale war."⁶

Increase in discontent and opposition and resistance against the communist government made the political parties' leaders reach out to countries such as Iran and Pakistan for help/support. As a consequence, these countries and other distant powers of the world found strongholds in Afghanistan to intervene and fight the threat of communism. Kabul government's weakness in managing the situation provoked Moscow to send the Red Army to Afghanistan to rescue the leftist government of Kabul. The Soviet military intervention which was an obvious offense and a violation of international law, neither helped to consolidate the government nor ensure the political stability of Afghanistan. On the contrary, the Afghanistan issue found an international dimension and became a central topic in the bipolar system of international politics. Although after the invasion of the former Soviet army, war in Afghanistan became an international issue, there was not enough measure and efforts to end the occupation and contain the violence. The first attempt of the United Nation Security Council to condemn the Soviet invasion of

⁶. Interview with Mohammad Akbari

Afghanistan and reflect the Council's stand to this offense, was vetoed by the Soviet Union. After that, the United Nation only condemned the occupation of Afghanistan by various resolutions through the General Assembly and demanded an immediate withdrawal of Soviet army from Afghanistan. The policies of the international community at the time was rather the subject of the Cold War politics which based on that, countries which were supporting Mujahidin, such as the United States of America, were mainly focused on defeating communism in Afghanistan not the future of stability and peace in this country. Sima Samar, head of the "Afghanistan Independent Human Rights Commission" says: "When Russians invaded Afghanistan, western countries with the help of Saudi Arabia and Pakistan... began to build a green belt to prevent the infiltration of communism."

However, the central operator of the this green belt in the region, was Pakistan that on one hand played the role of liaison between the donor countries and Mujahidin and on the other hand had its ambitious management agenda to bring a new order to the region through the spread of political Islam and the creation of an Islamic confederation led by Pakistan. But behind this scene of support and help from Pakistan to the Mujahidin, according to the interviewees, Pakistan also determined a post-Soviet plan for Afghanistan.

Some interviewees believed that Pakistan as a supporter of Mujahidin was mostly following its plans to revenge and change the table against Afghanistan and was waiting for a chance which was provided by the Soviet invasion to Afghanistan and the immigration of the people of Afghanistan to this country. According to Wahid Mojda, "In the past, some of the leaders of Pashtun and Baluch oppositions of the Pakistan government came to the other side of Durand border to Afghanistan and had taken refuge in this country. The government of Afghanistan was supportive of the idea of Pashtunistan. At that time Pakistan criticized Afghanistan for interfering in the internal affairs of Pakistan and harboring the opponents of the Pakistan government... During the decade of democracy, the ruling government backed the leftist parties which led to the increase of Islamist dissatisfaction that in turn brought even more pressure to young Muslim advocates. They were forced to flee to Pakistan and therefore provided the opportunity for the rulers of Pakistan to support the political opponents of the Afghanistan government." But, whatever motives were behind the war scenario, the lasting war in Afghanistan caused the death of more than one million people and disabled hundreds of thousands and also forced more than a third of the country's population to emigrate to the distant and near countries, especially Iran and Pakistan. Political order, the structure of traditional social relations and the inter-ethnic relations fell apart or experienced a profound and massive transformation. Afghanistan's economic infrastructure was destroyed, the nascent foundations of development in the country were collapsed, and there was chaos and turmoil everywhere.

Geneva Treaty and the Lack of Political Agenda for Afghanistan

After 7 years of efforts to find a political solution for the Afghanistan issue, the Geneva Treaty was signed between the governments of Afghanistan and Pakistan and also Soviet Union and the United States of America on 14 April 1988 in Geneva. Although the Geneva Treaty resulted in the withdrawal of Soviet army from Afghanistan, it could not help to end the war and violence in Afghanistan. In the shadow of the Cold War, America and other international supporters of the Mujahidin were principally focused on the Soviet withdrawal from Afghanistan and there was no any particular plan for Afghanistan after this withdrawal. According to the majority of interviewees, it was the main reason for the continuance of war and violence in Afghanistan. Dr. Zakia Adeli believes that, “one of the most important flaws of the Geneva Talks plan was the issue of not predicting the future of the government of Afghanistan. It means that we could not only consider ending the war and then we left it and just watch what happens and who takes the power. If there was a similar plan as we experienced in Bonn, obviously we would not have to face many problems that we have today.” On the other hand, some interviewees think that as the treaty was signed between the government of Pakistan and Dr. Najibullah’s government on behalf of Afghanistan, the mujahidin and jihadi parties had no role. Although they were one side of the issue they did not feel obliged to comply with its terms and conditions. In addition, the withdrawal of the Soviet army from Afghanistan urged many neighboring countries of Afghanistan, particularly Pakistan, to plan strategies with the goal to expand their influence and dominance on the politics of Afghanistan after the withdrawal. Gen. Abdul Hadi Khalid says: “Pakistanis believed that following the withdrawal of Soviet troops from Afghanistan, the Afghan government would face an imminent collapse and Pakistanis could fill the vacuum. They thought that next step might be the collapse of the Soviet Union itself and Pakistan could have the full control of the Middle East. Zia al Haq raised the claim of Islamic confederation at that time, and based on that, the Middle East states would form a union under the shadow of an ideology in favor of Islamists and the leadership of Pakistan.”

However Habibullah Rafi, historian and writer, believes that from the beginning of jihad, neighboring countries, especially Iran and Pakistan, had divisive plans to prevent the formation of a united and aligned political force in Afghanistan because, in their view, the unity of jihadist political groups was seen as an obstacle for their political influence and interests. According to Mr. Rafi, “Pakistan created seven parties for us and Iran created eight, and then generated tension among them. All these parties tried to satisfy their wardens and that is why the dispute and conflict arose among the jihadist groups. It happened several times that the members of one party killed the members of other parties. You remember that Jamiat party and Islamic Party fought repeatedly and lost the best of their cadres in these wars. And like these, jihad becomes divided and we did not achieve the result that we should, but the world did; the socialist camp ended, Eastern Europe was released, Middle East was released, half of the world

got free of the curse of communism, and us, instead of being free, still remain in the chains of our neighbors and America.”

Dr. Najibullah’s National Reconciliation Plan

When the fate of the Geneva Talks became more obvious despite its slow progress under the influence of bargaining powers, Dr. Najibullah spoke of a national reconciliation plan, after the declaration of a range of reforms in the twenty-first plenum of the People’s Democratic Party on 30 December 1986 presented more details about this plan in the 1978 Loya Jirga. The essence of Dr. Najibullah’s reconciliation plan was to form an inclusive government by inclusion of the opposition in the political system and creating new key position at the ministerial level and assigning them to political parties and jihadi figures and also an agreement on a transitional process and then holding an election. In Dr. Najibullah own words, the problem was to be solved by “compromise” not by “sidestep”. During the following years, the government of Kabul began extensive efforts for the success of the plan with creating reconciliation commissions in most provinces. It is said that 3370 reconciliation commissions were created, consisting of 31 provincial commissions, 45 city commissions, 142 district commissions, and 3151 commissions at rural areas and villages and 30000 volunteers, including members of opposition who joined the government, were working in them. Besides these internal measures, Dr. Najibullah sent representatives to negotiate with the members of former king circle and moderate parties to Peshawar and started extensive efforts to recruit jihadist commanders in the country. However, during the six years before the fall of Dr. Najibullah government, his national reconciliation program did not succeed to win the support of the national forces and jihadist groups did not show any interest to join this program or accept its terms. So the national reconciliation plan did not find its way to success. The question remained that whether this plan had the necessary extensiveness to bring peace to the country? And why it could not win the trust and interest of opposition groups for the government of Dr. Najibullah after the Soviet withdrawal?

In relation to the Dr. Najibullah national reconciliation plan, a third of the interviewees believed it was not a real plan to achieve peace, but it was an outlet for the government of Dr. Najibullah whose idea was to save his party and government after the Soviet withdrawal. Nevertheless, the majority claimed that the national reconciliation plan was a lost historic opportunity which could be a realistic political solution to end the war in the country and prevent subsequent violence.

To answer the question “what were the causes of failure for Dr. Najibullah’s national reconciliation plan”, the interviewees had different and more diffuse perspectives and they looked at the issue from variety of angles. According to the interviewees’, the following reasons played the most effective role in the failure of the plan:

1. Jihadist groups believed the compromise with the government of Dr. Najibullah brought a sense of shame and stigma and the interest of these groups to form an Islamic government without Dr. Najibullah and his government.
2. The probability of failure of the national reconciliation plan that would result for the joined jihadist groups and individuals to be removed from the political project of Pakistan and other jihadi parties.
3. Intense suspicion and rivalry between the leaders and members of jihadi groups who were afraid of a sudden formation of a coalition government between rival factions with the government of Dr. Najibullah.
4. Internal divisions of Hezb-e-watan and lack of support from the leadership of the party for the national reconciliation plan.
5. Interference of neighboring countries, especially Pakistan.
6. Disagreements in Moscow, Soviet policy changes and its deprivation of support for the national reconciliation plan.
7. Mujahidin's hopes to win the war that would make it unnecessary to accept the national reconciliation plan
8. Mujahidin's mistrust of the sincerity of Dr. Najubullah in the national reconciliation plan.
9. The emergence of ethnic issues among both sides of Mujahidin and the government of Kabul which led the alignments to the ethnicity and identity.
10. The possibility that a collective negotiation does not start and formation of an individual approach and referring to the jihadi leaders.
11. The weak and passive role of the United Nations that its behavior towards Afghanistan was greatly subject to the policies of the great powers.

One-third of interviewees believed that the leaders of jihadi parties had an emotional approach towards the national reconciliation plan and after a decade of jihad assumed any compromise with the government of Dr. Najibullah was a betrayal to jihad. According to this group of interviewees, with the circumstances at that time, any compromise with the government in Kabul was considered as a political suicide. As an example, Mohammad Karim Khalili, leader of Hezb-e-wahdat stated that: "Although I agree that the ruling government's efforts were serious and the government established relations with some jihadi commanders, but among the leadership of jihad, any compromise and cooperation with the communist leadership would be considered as an unforgivable crime. No one wanted to create scandal and shame for jihad and people's resistance."⁷

⁷. Interview with Mohammad Karim Khalili

Wahidullah Sabawoon, a member of Hezb-e-Islami (Islamic Party) also indicated that: “Because Dr. Najibullah was notorious in the eyes of people of Afghanistan, so no one came forward. Everyone was avoiding becoming notorious.” Considering that the Islamic Party was one of the main opponents of the Dr. Najibullah national reconciliation plan, Mr. Sabawoon believed that one of the reasons that Mr. Hekmatyar disagreed with the plan was also the fear of becoming disreputable among the jihadist groups: “Najib was so insistent that we should be united and both parties of Hezb-e-watan and Hezb-e-Islami should join and become one force. Hekmatyar did not want to be his partner. He was afraid that the stigma will destroy the dignity of our jihad and it may bring us harm.”⁸

Another group of the interviewees believed that due to the political sphere in the region and the country, the success of this plan seemed impossible for most of jihadi leaders and groups in Pakistan and Iran, therefore, they thought standing by the government of Dr. Najibullah is not in their advantage and so they did not support the national reconciliation plan. According to this group of interviewees, jihadi parties’ calculation was mostly based on the following assumptions:

- With the withdrawal of the Red Army and the cut in Soviet aid, the Dr. Najibullah government could not last against Mujahidin.
- People’s emotion was against the government of Dr. Najibullah, and it was probable that in case of compromise with the government of Kabul, jihadi groups would lose most of their commanders and allies.
- Pakistan’s government was against any reconciliation or establishment of a joint government with the government of Dr. Najibullah, so many jihadists thought that by pioneering in this program, in case of the failure of the national reconciliation plan and the fall of the Kabul government, they might be put out of any political plan by the Pakistani government and jihadi parties.

By these calculations, most of the political parties including Hezb-e-Islami led by Hekmatyar who was one the most serious opponents of any compromise with the government of Dr. Najibullah, were acting cautiously and made their contacts with Dr. Najibullah’s government secretly and less publicly. They were waiting for the situation to become clearer. For example, Sulaiman Layeq, a senior member of Hezb-e-Watan stated that: “When Najib came, he tried hard to open gates to the political parties and alignments. I personally accompanied a small committee that met with Hezb-e-Islami through the mediation of Yasser Arafat and Saddam Hussain. I was the head of the committee and took the Minister of Defense and the head of the Afghanistan Security along. Yasser Arafat was sentimentally against us and was an advocate of

⁸. interview with Wahidullah Sabawoon

Hezb-e-Islami. We accepted his arbitration but at the end, the representatives of Hezb-e-Islami only insisted on dismissal of Najib, so we did not come to any agreement.”⁹

These talks took place with most of the political jihadi parties. As Gen. Abdul Hadi Khalid stated: “People at the base of the pyramid, immigrants, Hezb-e-Wahdat and Shiite parties in general, and some other parties, wanted peace. So they responded. Negotiation took place in Libya, Iraq. Even the political leaders went to Iraq. Also immigrants who lived in Europe and America were advocating for peace. Dr. Jalil Shams was the unofficial peace ambassador of Dr. Najibullah in Europe. Many technocrats came to Kabul.”¹⁰ According to him, the more intensive negotiations took place with Ahmad Shah Massoud and there was a lot of optimism towards some of nationalist parties and moderate leaders like Hazrat Sibghatullah Mojaddadi, Pir Sayed Gilani, and Maulawi Mohammad Nabi Mohammadi. In this regard, Kabir Ranjbar stated: “The policy of national reconciliation had a great achievement which was that almost 99 percent of commanders inside the country settled or joined the government. Among alignments, the negotiations with three of them went very successfully, including with the Mr. Hazrat, Mr. Gilani, and Maulavi Mohammad.”¹¹

Moreover a number of respondents believed that there was a strong suspicion among rival jihadist groups in Pakistan regarding one another. They were somewhat worried about the settlements and power-sharing deals of rival government with the government of Dr. Najibullah. Therefore, they were trying to prevent the formation of any coalition between the government and rival parties and alignments. These efforts led to the failure of the national reconciliation plan to use the existing ground to get the satisfaction of the Mujahidin. For example, Nazar Mohammad Motmaen believed that: “Mr Hekmatyar asked Dr. Najibullah to surrender the state to him and this was the condition that Mr. Hekmatyar would come to Kabul. In my idea it was a great mistake of Mr. Hekmatyar which led to the Jabaluseraj Agreement. Parcham Party allied with Massoud. Finally, they all came together. Massoud arrived in Kabul with the Parcham collation. Khalq Party allied with Islamic Party. The pursuit of power led to the start of the war.”¹²

Farooq Azam also believed that: “The people who were present inside the country were actually in power, since at that time the government was allied with a number of Jamiat Party and others, such as the militias of Soltanali Keshtmand, militias of Jonbish party, members of communist system, members of Jamiat party and Shura-i-Nezar. They all became the power because they were part of Jihad and were also associated with the communist government. At that time, Iran

⁹. Interview with Sulaiman Layeq

¹⁰. Interview with Gen. Abdul Hadi Khalid

¹¹. Interview with Kabir Ranjbar

¹². Interview with Nazar Mohammad Motmaen

and Russia, recently released republics of the Middle East which were not well-known, were supporting them.”¹³

Two-third of the respondents believed that the Mujahidin thought they could defeat the government of Kabul in a war, so they did not consider it necessary to accept the peace settlements and form a joint, interim or coalition government with Dr. Najibullah. Shah Mahmood Miakhel believed that in the viewpoint of mujahidin, the problem could be solved with the withdrawal of Soviet troops and therefore they should be the only force who controlled the state.¹⁴ This idea led to the emergence of a kind of rigidity among the Mujahidin, so that their only desire was that Najibullah and Watan party step aside from power. According to Abdul Hamid Mubariz, “during a negotiation both sides should practice flexibility. There is no other way. The only thing the Mujahidin wanted was for the People’s Democratic Party to be out of power circle. Najib wanted to somehow bring the party into the power and was suggesting a kind of a coalition government.”¹⁵ Asadullah Welwalji stated in this regard that: “It was only after the defeat of the Mujahidin in Jalalabad that they become flexible because they have lost their hope, so they would come one after another to negotiate with the government of Dr. Najibullah about peace. But the ‘Shahnawaz Tanai’ coup and the rise in inner party clashes gave them a new spirit so they went back on their premier stand.”¹⁶ But, Saleh Mohammad Registani believed: “At that time, the Mujahidin did not accept anything less than victory. Because it was a national uprising and it was against an invasion and the ruling government was the remaining of that invasion. So mujahidin only thought of victory and it was not possible for them to come to the Kabul’s gate picturing anything other than victory. So if it (national reconciliation plan) was a good idea, it was raised at a bad time.”¹⁷

Another group of respondents thought the problem which made many ignore the reconciliation plan was the lack of trust regarding the sincerity of Dr. Najibullah’s promises and peace programs. “When the national reconciliation plan was introduced, people thought that Najib was lying, because he was creating and reinforcing militia groups at the same time and he was talking about national reconciliation plan. Given the history of Najib, the Mujahidin believed that Najib was not sincere in his words.”¹⁸

Some other interviewees, mostly from the former members of Watan Party, believed that one of the reasons for the failure of the peace plan was the emergence of internal conflicts in the

¹³. Interview with Farooq Azam

¹⁴. Interview with Shah Mahmood Miakhel

¹⁵. Interview with Abdul Hamid Mubariz

¹⁶. Interview with Asadullah Welwalji

¹⁷. Interview with Saleh Mohammad Registani

¹⁸. Interview with Farooq Azam

party and objection of extremists inside the party against the national reconciliation plan which undermined the ability of Dr. Najibullah's government to successfully advancing the reconciliation and peace plan. According to Gen. Abdul Hadi Khalid, "First of all, the ruling party was not like-minded with Dr. Najibullah. Even a number of the government leadership members staged a coup against Dr. Najibullah. Secondly, even in the Parcham fraction, led by Dr. Najibullah, there were people under the leadership of Babrak Karam who did not want their revolution to go wrong. They did not want a revolution they launched with the ideals of socialism to be deviated from the rout. So they were sabotaging Dr. Najibullah."¹⁹

According to these interviewees, conflicts within the party were the result of the gap between the leaders of the Kremlin in Moscow and the change of Russian policy after the withdrawal. Two main groups who were relatively different from each other about the Afghanistan situation had been formed in Moscow: One group persisted in complete support of Dr. Najubullah's Government and the other group looked for less costly alternatives given the uncertain outlook for the government in Kabul. Asadullah Welwalji believed, "In Moscow, there was a classical front which included Brezhnev, Ustinov, the Russian Foreign Minister and others, and the other side , including Gorbachev which was represented by Andropov. One of Brezhnev's own relatives was the Russian Interior Minister and some fractures were provoked between the interior ministry and KGB that was led by Andropov. The same fractures were formed inside the government of Kremlin and then become worse during the government of Najibullah."²⁰ Russia thought that given the financial problems it faced at the time, the cost of supporting and protecting the government of Dr. Najibullah was too high so it tried to find an alternative among the jihadi leaders. This group of interviewees thought that Russia came to an agreement with the Jamiat party and Mr. Rabbani and it was at this time that it reduced the support for the government of Dr. Najibullah. As it happened later, during the visit of the Mujhidin delegation led by Professor Rabbani to Moscow, the Soviet Government signed an eight article agreement with the Mujahidin on 15 November 1991. According to the agreement, this government assured to end its military aid to Dr. Najibullah's government and transfer the power to an Islamic government in Afghanistan.

In addition, as Gen. Khalid explained: "The Russians thought that if the regime falls triumphantly to the Mujahidin, they will demand compensation from Russia and if they successfully arrive in Kabul, Middle East and Muslim countries become more inclined to

¹⁹. Interview with Gen. Abdul Hadi Khalid

²⁰. Interview with Asadullah Welwalji

them.”²¹ Therefore, Russians decided if protecting the government became difficult, they would lead Afghanistan into the second stage of crisis.

Regarding the role of Pakistan in destroying the national reconciliation process and creating grounds for the rise of oppositions against the peace plan, the majority of interviewees were in consensus, but there were disagreements among the interviewees about how Pakistan intervened in the process. Some interviewees believed that in fact the Mujahidin did not control anything and as Dr. Sayed Askar Mousavi explained, “the government of Dr. Najibullah was facing the shadows of hands not real hands and the Mujahidin were only a destructive machine which had no understanding of peace and had no permission or capacity to make peace, and today it is the same with Taliban who do not have this capacity and permit to reconcile with the government of Afghanistan.”²² But, there was another group that believed that although the early efforts for national reconciliation plan did not succeed due to the jihad sphere and the determination of the Mujahidin to completely defeat the communist government, later there was a desire for peace among jihadist groups that could have provided the grounds for an agreement. Abdul Hamid Mubariz believed that it was Pakistan’s intervention and Soviet Union’s interference which caused the failure of the reconciliation process, otherwise, people of Afghanistan would have reached an agreement.²³

The majority of interviewees thought that Pakistan had its own specific agenda to fill the void after the withdrawal of Soviet for Afghanistan and even for the Middle East and had been trying to accomplish that. Formation of a coalition and joint government with interim arrangements for the transfer or a government based on permanent agreements, could fail the ambitious agenda of Pakistan for the establishment of an Islamic confederation in the Middle East which included Afghanistan, so this country stood against the national reconciliation plan. According to Abdul Hamid Mubariz, “Pakistan had a goal. Hamid Gul, ISI chief, suggested to Zia-al-Haq in the late days of jihad that now that jihad war is over and Russians are leaving the country, there will be a vacuum and we are entitled to fill it. Based on this idea, they directed all Pakistan’s military agents in the world to shape a global ground and mindset for the Pakistan’s plan to fill the vacuum after the Soviet withdrawal.”²⁴

To the idea of this group of interviewees, at that time, it was a very complex question - who should be on the other side and who was in charge? This question was the reason for the failure of the national reconciliation plan of the government of the Dr. Najibullah and the plans after. According to absolute majority of interviewees, the political solution to the Afghanistan

²¹. Interview with Gen. Khalid

²². interview with Sayed Askar Mousavi

²³. interview with Abdul Hamid Mubariz

²⁴. Ibid.

problem (Geneva Treaty) went wrong from the very beginning. Asadullah Welwalji explained: “In the national reconciliation plan of Dr. Najibullah, the Mujahidin had no stand for themselves, and the government of Pakistan was representing them. When we see the Geneva Conference, we observe that Afghanistan’s Foreign Minister spoke on behalf of Dr. Najibullah’s Government and Pakistan’s Foreign Minister spoke on behalf of the Mujahidin. Later in the Benin Sivan Process, situation turned in a way that the Mujahidin sat down with the government of Moscow and not with Dr. Najibullah. It was decided there that if the Mujahidin took power, no violation should happen at the borders of Middle East. They reached an agreement. It was there that Moscow gradually cut off its support from the government of Dr. Najibullah. In this period we have seen that the Russian intelligence service worked within the Najibullah Government. Ethnic gaps started to appear and the grounds for the reconciliation were destabilized. Later a movement began, led by General Dostum, Ablul Ali Mazari and Ahmad Shah Massoud, which provided the circumstances that brought down the government of Najibullah.”²⁵

As the issues of identity and ethnicity escalated and historical problems between ethnic groups reappeared, to the idea of most of interviewees, ideological binds on both sides, the Mujahidin and the Watan Party, gave their place to alignments and loyalties based on ethnicity. Therefore, generals and junior and senior government officials went to different parties which were representing Hazara, Pashtun, Tajik and Uzbek ethnicities.

UN Peace Plan and Benin Sivan Efforts

Given the severity of the prevailing politics of the Cold War during the eighties, the United Nations could not play a role beyond the condemnation of the Soviet invasion of Afghanistan and did not provide any plan for the Afghanistan after the occupation. The Geneva Treaty only included agreement for the withdrawal of Soviet troops and termination of the support by Soviet and Western troops led by America from both sides (Dr. Najibullah’s government, and jihadist groups), not a peace plan for Afghanistan after the Soviet withdrawal. United Nation Good Offices Mission in Afghanistan (UNGOMAP) were only limited to overseeing the withdrawal of Soviet troops and besides, the United Nation adjusted some programs to protect and support the returned refugees, but it did not have any comprehensive political plan to solve Afghanistan problem and to provide the arrangements for the power transition or reconciliation between the forces involved in the war of Afghanistan. On 7 November 1990, the UN General Assembly passed resolution No. 45/12 based upon which, Javier Perez, the Secretary-General of the United Nations, issued a five-point declaration to fundamentally solve the problem of Afghanistan. The declaration comprised:

1. Recognition of the national sovereignty of Afghanistan;

²⁵. Interview with Asadullah Welwalji

2. The right of the people of Afghanistan to choose their own government and political system;
3. During an interim period, the creation of an independent, credible and authorized mechanism to oversee a fair and free election to a broad-based government;
4. A UN monitored ceasefire;
5. Financial aid to facilitate the return of refugees and economic and social reconstruction.²⁶

However, United Nations efforts were limited to Shuttle Diplomacy and there was no detailed plan with practical terms based on the declaration of the UN Secretary-General before the Sivan Benin Plan came up. According to the Sivan Benin Plan, a list of 150 persons would be provided comprising representatives from different ethnic and political parties and trends, including King Zahir. These people were to meet in Vienna and choose 35 delegates from among themselves. The responsibility of these delegates was to provide the required situation to hold a Loya Jirga. They had one month to do so after consultation with a wide spectrum of people. The Loya Jirga was going to decide about the structure and composition of a transitional government that leads to an election for a new government. But, despite the broad recognition of this peace plan, it could not succeed as well.²⁷

The majority of the respondents believe that the peace plan of Benin Sivan was a realistic and efficient plan, but it did not have enough support from the international community. Also, there was no consensus for supporting this plan among the world great powers and even at the leadership of the United Nations. According to Nazar Mohammad Motmaen, "Neither the countries across the world, nor the countries in the region backed the plan that was prepared by the UN. So in the end, the system collapsed through an operation similar to a coup."²⁸ Sarwar Mamund stated that: "The five-point peace plan was the one which could have saved Afghanistan but received no support from the Mujahidin due to the influence of regional conspiracies and also because of the global indifference to the issue and ignorance of America. They rejected the plan and it led Afghanistan into the civil wars."²⁹ According to this group of respondents, this plan could not attain the trust of the involved forces and groups from the very beginning. Therefore, several different and opposite strategies were going on beside this project which led that to failure. In this regard, Asadullah Welwalji stated that: "On one side, Russian conservatives believed that the Benin Sivan Plan was designed by American, westerners and NATO, so they were sabotaging the plan. On the other side, there was Pakistan

²⁶. Resolution 45/12 of 7 November 1990

²⁷. Gargan, Edward A., Whisper of Hope is Echoing in War-Scarred Afghan Hills, New York Times, March 13, 1992

²⁸. Interview with Nazar Mohammad Motmaen

²⁹. Interview with Sarwar Mamund

which was trying to damage the plan because this country wanted to put the Mujahidin in power through militancy. And also Pakistani's strategy was to disarm Afghanistan."³⁰ In addition, some respondents believed that that the reason the Yeltsin government opposed the peace plan of the United Nations was that according to this plan the power would be distributed in a way that it could reduce or completely eliminate the influence and dominance of the Soviet by bringing technocrats who mostly were living in the West.

Some people including Shah Mahmoud Miakhel believed that internal circumstances were also important: "In 1992, the UN wanted to play the same part (as in Bonn Agreement in 2001) with the Benin Sivan Peace Plan but because the grounds were not ready in the country, and there was no support from outside, the UN failed."³¹ However, the respondents who were mostly advocates of jihadi groups, believed that the Benin Sivan Plan was partly similar to the peace plan of Dr. Najibullah according to which, the remnants of the communist regime would remain in power. But, the Mujahidin would not accept anything more than amnesty for them and it was their red line. Another group of respondents, mostly the members of the Islamic Party, like Mr. Sabawoon believed that: "Dr. Najib and the Islamic Party (Hezb-e-Islami) agreed to this plan. The first step was for Najib to resign and for his forces to stop fighting and they would be included in the amnesty. The Islamic Party and other parties accepted this process but Massoud, Mazari and Dostum did not. They made an agreement on Jabalseraj. Dostum was the reason for the fall of the North. Center (Bamian and Daikundi) had fallen before because of Mazari. Mazari allied with Dostum and Moamen and Fahim Khan to win Kabul. The government of Kabul and the group of Babrak and Baryalai and Wakil are with us. Mazari talked about ethnicity and said he will accept the opinion of Hazrat. Hazrat's son came to Jabalseraj from Peshawar. The Foreign Minister of Najib also joined them from Kabul. Nabi Azimi went there from Kabul. General Moamen and Dostum and Mr. Mazari went there from Mazar and Bamian. They came to an agreement in Jabalseraj; Defense Minister of Massoud and Hazrat, interim president."³² Supporters of Ahmad Shah Massoud, quoted him that although the Jabalseraj meeting took place, but they rejected signing any treaty to form a government of any agreement on power-sharing and sabotaging the peace process of the United Nations.³³

³⁰. Interview with Asadullah Welwalji

³¹. Shah Mahmoud Miakhel

³². interview with Wahidullah Sabawoon

³³. Andishmand, Mohammad Akram (2016), Ahmad shah Massoun and national unity, Jawedan website (last seen on September 28, 2016)

<http://jawedan.com/2016/11026/>

Section Two

Jihadi Parties and Attempts to Form a Government and Ensuring Peace and Stability

After the failure of Dr. Najibullah's reconciliation plan and his attempts to form a joint and coalition government based on power sharing between his government and the Mujahidin and with the failure of the UN peace plan, Dr. Najibullah resigned. On 28 April 1992, in a ceremony in the Hall of the Foreign Ministry, the power was transferred to the Qyady Council under the leadership of Hazrat Sibghatullah Mojaddedi by Fazlul Haq Khaliqyar, the Chief Justice of Dr. Najibullah's government. Despite the victory of the Mujahidin and the fall of Dr. Najibullah's government, the Mujahidin did not succeed in creating an inclusive government whose authority was acknowledged by all political parties and figures. A rocket attack on the plane carrying Mr. Mojaddedi on his arrival day, was a sign of the ongoing conflict in a new form and dissatisfaction with the composition and structure of the political system and anticipated arrangements during the transition. Therefore, the disagreements between the jihadist parties and political leaders on the power were upraised and only the parties involved in the conflict changed and violence in the country continued.

Why were all the attempts made to create an effective and efficient government after the victory of the Mujahidin did not succeed and the Mujahidin failed to secure peace and stability in the country? The interviewees recognized various internal and external factors for the failure of the Mujahidin in forming a political system after they won the war. The interviewees mostly agreed on the following factors:

- Lack of a practical plan for the formation of the government which could meet the needs and requirements of the people of the country.
- Mujahidin's inexperience in governance and management of post-war challenges.
- Monopoly of power and greediness of a number of jihadi leaders and parties.
- Dispersion and serious internal disagreements among jihadi parties
- The involvement and interference of Pakistan, Iran, and Arab countries.
- The passive role of the United Nation in Afghanistan, compared to its plan for Yugoslavia and Cambodia.
- Lack of interest among the great powers, especially America in this matter, as they neither saw a communist government on their benefit, nor and strengthening fundamental Islamist government.
- Wrong and impractical interim and transitional arrangements after the formation of Qyady Council and the victory of the Mujahidin.
- Lack of intellectual and managerial capacities for the management of social changes which happened during Jihad and also being unprepared to sensibly encounter the change of ethnic balance.

- Emphasis on forming a government based on ethnic precedence which was inspired by the historical record of governance in the country.
- Inflation of the issues of ethnic and religious identity and lack of the necessary capacity to manage it.

The Post-Jihad Political Plan: From Rawalpindi Council to Peshawar Agreement

The absolute majority of respondents including the leaders and members of the jihadist parties believed that the Mujahidin mostly deliberated on the victory of jihad and expelling the occupying forces of the Soviet Union. Due to the prevailing political climate and the jihadi alignment's inexperience in governance, they had no specific plan to form a government. According to Mohammad Akbari, "The real Mujahidin had two goals out of the war in Afghanistan. First goal was the fall of the illegitimate communist regime and second goal was to create an Islamic government. The first goal was achieved but they did not succeed in the second which was the establishment of an Islamic government."³⁴ Although the Mujahidin had this goal in mind, they had neither the necessary coordination to achieve it, nor the required planning for the formation of this government. At the same time, Mohammad Mohaqeq believed that all parties had their own political agenda, but there was no comprehensive plan: "When the Mujahidin won the war, they did not organize inclusive gathering that would include all ethnic groups and consider the reality of the ethnicity and religion in Afghanistan and also all the numerous groups that participated in jihad. There was never the idea of having an inclusive discussion and establishing a government which could represent all the people of Afghanistan. Everyone who was trying to take power, wanted to put his party first and such government were supposed to be an Islamic government."³⁵

According to Sima Samar, the head of Afghanistan independent Human Rights Commission, "Unfortunately the Mujahidin were militia groups which did not really have the organization or the structure that even made them able to manage their own members. At the other hand, they did not have the political commitment to bring peace as well."³⁶ Maulavi Abdul Salam Zaef believed: "The primary aim of the Mujahidin was to take power, but they did not have a specific political plan to bring peace and stability in the country."³⁷

A number of interviewees believed that if there was a plan to form a government as a base to bring the political order after the withdrawal of the Soviet, the Mujahidin could create a government in exile during the initial days of jihad and then try to achieve the internal and international legitimacy for that. However, the first time the Mujahidin thought of creating a

³⁴. Interview with Mohammad Akbari

³⁵. interview with Mohammad Mohaqeq

³⁶. interview with Sima Samar

³⁷. interview with Abdul Salam Zaef

government, it was at the time of the Red Army withdrawal from Afghanistan on February 1989, when the Peshawar-based jihadi leaders gathered in the Rawalpindi Advisory Council. The purpose of this council was the establishment of a transitional government. With a very optimistic prospect, an interim government was supposed to be formed and then transferred to Kabul. Later, during a period of six months to one year, this government was supposed to hold the election so the new government takes the power and the plans for bringing refugees back and the resettlement programs could begin. But in practice, this plan did not achieve any desirable and tangible results till 1992. One reason that some interviewees emphasize on, is the simultaneity of various peace plans and the lack of coordination and consistency of these plans which each one of them would present different options. And it was clear that all political jihadi parties were considering their own interest in these various options.

After three and half years of failed attempts and the hope of winning the war, despite the ongoing competition for power among the Mujahidin, they formed the Qyady Council with 51 members on the 21 April 1992, in Peshawar. With the anticipated arrangements, this council was transferred to Kabul after the fall of Dr. Najibullah and it took over on April 28. According to the majority of interviewees, the predicated arrangements for the Qyady Council were flawed and impractical ones. Mohammad Akbari believed: "The heads of Mujahidin who gathered at Peshawar, gave this right to themselves to decide for the future of Afghanistan without considering the ideas of other Mujahidin who fought for the freedom of this country. That is why their plan for the future government was not a comprehensive plan in which all the aspects of creating an Islamic government were considered. For example, it was not defined in this plan how this government should confront with the ethnic issues which were the origin of part of the conflicts in the country. Also, the method of satisfying the existing armed group in the country was not defined. In total, the Peshawar plan was weak and incomplete."³⁸

One of the current criticisms on the decision of the Peshawar councils is the lack of consideration for the Shia jihadist parties. Mohammad Karim Khalili who participated in the Peshawar meetings, stated that, "The main problem emerged after a meeting in a consulate of one of the Arabic countries. It was said that we would talk about Hazaras and Shia later."³⁹ According to Asadullah Welwalji, "Both in the government of Kabul and in the government they formed in Peshawar under the leadership of Mr. Mojadedi, the ethnic issues become more serious. Even the Uzbeks did not get any seat to participate in the government. The Hazaras also did not get any stake. Gradually, the ethnicity was affecting everything in the country. I

³⁸. interview with Mohammad Akbari

³⁹.

think that Russians have this idea that by intensification of ethnic issues in Afghanistan which meant more conflicts among different ethnics, the Russians will have more time.”⁴⁰

A number of respondents believe that the role of ethnic alignments in the failure of the peace process during the Mujahidin government was not very important and according to them, the war was not about ethnicity before the rise of the Taliban, but the main problem was the monopoly of power. Shah Mahmoud Miakhel stated that, “When the power belongs only to a specific group it makes it impossible to find a political solution for the problem.”⁴¹ This group of respondents mostly mentioned parties such as Hezb-e-Wahdat or Hezb-e-Islami and General Malek and Ettehad-e-Islami or Hezb-e-Jamiat as case in point. But about half of the interviewees believed the role of ethnicity in the failure of the peace and reconciliation process and in the establishment of a stable government was significant. According to Mohammad Karim Khalili, “The ethnic issue was highlighted after the Mujahidin’s victory. Before, it was not that much serious. The government was not willing to deal with ethnic groups in a fair manner. Hazara people gathered around Mr. Mazari because they were left out of the circle of power. Uzbeks had the same fate. Those who were the members of Hezb-e-Islami, has the same view that they have been left of power. Civil war escalated the ethnic feelings in Afghanistan. The government of Mujahidin under the leadership of Mr. Rabbani and Mr. Masoud, also were in favor of one ethnicity.”⁴² It caused a kind of competition between ethnic groups over power control in the country. Mohammad Mohaqeq believed that the government of Rabbani did not have any plans to include Hezb-e-Islami which was representing ethnic Pashtuns, at least not in a way that was acceptable to Mr. Hekmatyar. He said, “By the view of Pashtun nationalism, Professor Rabbani’s takeover was a ‘second saghavi’ and they would never recognize it. They wanted by any way possible, peace or war, Professor Rabbani to be removed from the power and someone from the ethnic Pashtun to take control. For Hazaras and Shias, the prospect was to have a real participation in the power structure.”⁴³ According to Wahid Mojda, “Issues such as ethnic divisions and other social disruptions which were submerged during the Jihad, raised as a significant challenge when the Mujahidin took the power. These issues in general led to Mujahidin’s failure to establish a stable political system in the country. The Mujahidin’s leaders, who at the time of Jihad were talking of ambitious plans such as the freedom of Middle East and Palestine, turned to tribal and ethnic leaders after they arrived at Kabul.”⁴⁴ Another point which the majority of the interviewees agreed upon was the role of impractical and erroneous transitional arrangements which were supposed to prepare the grounds for political stability

⁴⁰. interview with Asadullah Welwalji

⁴¹. interview with Shah Mahmoud Miakhel

⁴². interview with Mohammad Khalili

⁴³. interview with Mohammad Mohaqeq

⁴⁴. Interview with Wahid Mojda

and election. The respondents mostly agree that these arrangements took the country towards political instability. According to Abdul Hamid Mubariz, “It was agreed among Mujahidin in Pakistan that Mr. Hazrat would go to Kabul to run the government for two months and Mr. Rabbani would run the country for four month. But no one can go to a house and be familiar with everything during a two months period. How is it possible for someone to handle the affairs of a country in two months?”⁴⁵ Mohammad Karim Khalili also stated that in a country which had been in war for 13 or 14 years, it was absolutely unrealistic to form governments for two and four months. According to Saleh Mohammad Registani, “Now that we have the experience of holding elections, if we look from the practical point of view, the government of Mr. Rabbani could not hold a government in four months, even if the war would not happened.”⁴⁶

Islamabad Agreement and the Peace Efforts Restoration

Due to the occurrence and perpetuation of the conflict between jihadist parties which was mostly linked to the ethnic identity, one year after the Peshawar Agreement, reconciliation efforts among the involved parties at war was restored to achieve an agreement on the formation of a “broad-based” government and to bring back peace, stability and security to Afghanistan. The new round of negotiation was initiated by Saudi Arabia and Pakistan. The Islamabad Summit that was established at the invitation of King Fahd bin Abdul Aziz (Saudi Arabia King) and hosted by Nawaz Sharif (Pakistan Prime Minister) in March 1993 was the result of these efforts. The representatives of the major political parties including representatives of Shiite parties which were ignored in Peshawar agreement attended in this summit. After a lot of lobbying and mediation of Saudi Arabia and Pakistan on the fundamental issues to end the war and form a government, this meeting reached to an agreement. They signed a treaty on 7 March 1993 in Islamabad. After that, the jihadi leader who participated in this summit went to Mecca for Haj by the invitation of Saudi Arabia King. According to this agreement, it was anticipated that an 18-month transitional government would be formed under the presidency of Burhanuddin Rabbani and Gulbuddin Hekmatyar or anyone who he introduced, as the Prime Minister. They were supposed to work according to the division of competencies and responsibilities which were specified in the agreement. The agreement included 18-month transitional arrangements until the presidential election and also predicated the following steps and procedures:

- The immediate establishment of an independent electoral commission on behalf of all political parties.
- Parliamentary elections within eight months from the date of signing the agreement.

⁴⁵. interview with Abdul Hamid Mubariz

⁴⁶. interview with Saleh Mohammad Registani

- Drafting of the new constitution by the Constituent Assembly, according to which the presidential and parliamentary elections to be held within the period foreseen in the arrangement.
- Establishment of a Defense Council attended by two representatives from all political factions to provide the requirements of forming a national army.
- Collecting heavy weapons from all parties.
- Ensuring the safety of all highways and roads for public use.
- Prohibit the use of government funds to provide non-governmental military and personal and partisan purposes.
- Controlling military operations by the Supreme Military Council.

This agreement also emphasized on the issues of the immediate cease-fire, unconditional release of the prisoners of war, and establishing mechanisms in order to create a monetary system and financial regulations in accordance with banking laws.⁴⁷ Although the political leaders renewed their promises in Mecca and then gathered in Jalalabad summit on 29 April 1993 to form the cabinet and agreed on some issues, these efforts did not lead to the end of the war as well and did not provide the requirements of a lasting peace. The transitional arrangements foreseen in this agreement were better and more practical than the previous ones. There was also conciliation on the basic prerequisites of the formation of the government. Although a Prime Minister was defined and the cabinet was completed, there was no achievement on compliance with the terms of the agreement. Each of the political-military parties refused to disarm and failed to make effective efforts to form a national and bipartisan army. They began to enforce their military branches as well.

However, the majority of the interviewees believed that the distribution of violence and weapons, the formation of erratic local governments in the absence of plans to keep the army, dominant of ethnic sentiments and competition over dividing the army, are the main factors for the failure of peace efforts. According to Abdul Hamid Mubariz, “The leaders of parties and alignments did not have any plan to maintain the army, but they somehow were competing over disbanding the army. So after the arrival of the Mujahidin to Kabul, the army of Afghanistan completely fell apart. At the time, Afghanistan had 79000 of military trucks for the transportation, it also had more than 3000 armored vehicles, 2000 tanks, 400 aircraft, and all of them became destroyed or lost.”⁴⁸ While maintaining the army or forming a new army with

⁴⁷. Islamabad Agreement (1993), translated by Qasem Maleki, *Caucasus and Central Asian Studies*, No. 32, pp 309-314.

⁴⁸. interview with Abdul Hamid Mubariz

an acceptable composition could help secure the weaponries to be limited to the possession of the government.

In this regard, Amir Ramin stated: “We have a principle in all developments and changes in governments and revolution, which is the unity of leadership which did not exist among the Mujahidin’s parties. The second principle is the legitimate monopoly of weaponries which also did not exist when the Mujahidin won the war. And vice versa, when the Mujahidin came, unfortunately the weaponries were scattered across Afghanistan.”⁴⁹ According to most of the interviewees, when the army fell apart, the Mujahidin could not manage the situation by disarmament and restoring law and order to the country. In the situation created after jihad, weaponries were distributed in all the provinces and among all ethnics and areas of the country and in the next step led to the emergence of local government and feudalism. In addition, a number of interviewees believed that the changes happened so fast, the interventions started, and the grounds for disarmament never was provided and even if it was, no ethnic groups were ready to put the weapon down before others in the absence of a clear political mechanism for the power-sharing which could secure the presence of all parties in the power. However, some interviewees believed that Pakistan had always sought to disarm the people of Afghanistan and transfer them to Pakistan or destroy them.

Pakistan’s involvement and its role in the defeat of any attempt for reconciliation between the Mujahidin and Afghanistan political parties to reach an agreement on the formation of a stable and strong government, is one of the issues that an absolute majority of the interviewees emphasized, and it can be defined in two categories: one, the historical problems between the two countries and the second, Pakistan’s strategy in Afghanistan to deal with India. According to Wahid Mojda, “In the past, some of the leaders of Pashtun and Baluch from the Pakistan side of Durand who were the opposition of Pakistan government, had taken refuge in Afghanistan and the government of Afghanistan was supporting the claim of Pashtunistan. At that time Pakistan was complaining that Afghanistan was interfering in Pakistan’s internal affairs and giving refuge to the opposition of Pakistan government.”⁵⁰ Pakistan found the opportunity to interfere in Afghanistan, when the dissatisfaction with government in Afghanistan soared. Some other interviewees were mostly focused on Pakistan’s security prospect of Afghanistan at a strategic depth and that the government of Pakistan was trying to stop Afghanistan from achieving stability and political authority, so that this country remained reliant on Pakistan. In total, the view of two-third of the interviewees emphasized on this point that all political parties and movements were somehow related to one of the neighbors and through this link, they opened the way for these countries’ intervention in Afghanistan. In the words of Dr. Askar

⁴⁹. interview with Amir Ramin

⁵⁰. interview with Wahid Mojda

Mousavi, "The mullahs of Iran and all Pakistani generals have played a role in the failure of the political process of Afghanistan." According to Abdul Hamid Mubariz, "Iranian intervention from one side, Pakistan intervention from the other side, Saudi Arabia that did not want peace in Afghanistan also joined, Turkey began interfering in Afghanistan later and found a base for itself in this country. Therefore, in my belief it was foreign intervention which somehow prevented Afghanistan from achieving peace and led Afghanistan to destruction."⁵¹ Dr. Sardar Rahimi mostly talked of the lack of capacity to manage the conflict interests in the region as the factor for persisting violence. "Jihadi groups were dependent on countries such as Iran, Pakistan, America and Arabic countries. It is only natural that these countries follow their own interest in Afghanistan and since these interests have not been managed, led to the instability and insecurity in Afghanistan. If a national government was formed at that time, the government could turn all those countries' interests to the national strength and Afghanistan's interest within the framework of foreign policy. At that time as the government was not established and the civil war had begun, the intervention of external factors became more negative and destabilizing."⁵²

In addition to all these, in the view of most of the interviewees, the UN apathy and ignorance of the world great powers towards Afghanistan, and intervention of regional actors caused the failure of the Mujahidin in securing stability and peace and establishing order and unite political sovereign. General Zahir Azimi summarized most of these factors in a short statement: "Intellectual immaturity of the Mujahidin, immediate intervention of the countries in the region especially Pakistan, and lack of support from the international community and on top of all, America, led Afghanistan into chaos and civil war."⁵³ Mohammad Mohaqeq believed that the Mujahidin's inexperience and low understanding of the complex politics of the region and the world is the reason that everyone was shouting the slogan "neither East, nor West, Only Islamic State". However, there was a need for support from other countries of the world to secure the political situation in Afghanistan and to ensure economic recovery. The government of Mr. Rabbani was unable to collect revenue and secure the financial situation of the government due to the formation of local governments by commanders. "The Mujahidin were claiming that Islam is the conqueror and Islam has come to the top of Asia and the situation in Afghanistan became somehow the same in Iran with the slogan 'neither East, nor West'. Therefore, continuing with such a slogan in the absence of funding and without the internal and external support was very difficult. That is why America has abandoned them. The Mujahidin had no comprehensive plan and budget and their income was from different places and in control of local governments. So

⁵¹. interview with Abdul Hamid Mubariz

⁵². interview with Sardar Mohammad Rahimi

⁵³. interview with General Zahir Azimi

they were unable to do anything.”⁵⁴ According to Maulavi Ataullah Loodin, “these problems caused a lasting cycle of violence. This mistake of the Mujahidin caused the emergence of the Taliban and the mistake of the Taliban led the country fall into the trap of terrorism and the invasion of America.”⁵⁵

Section Three

The Emergence of Taliban and Peace Efforts with the Northern Alliance

The emergence of the Islamic movement of Taliban in 1994 created a turnaround in the Civil War and transformed the geography of war to North-South. The Taliban movement with the main feature of being an ethno-religious movement, embodied in the “war generation” and during the jihad, they were taught radical jihadi ideas in the religious schools of Pakistan. Therefore, the Taliban had religious motives based on the radical and extremist understanding of the religion. In addition, during the Taliban victory and the development of Taliban organization, their ethnic motives and their tribal-national politics also became evident.⁵⁶ This mix of religious and ethnic drives, turn Taliban into the most uncompromising political force in the modern history of the country.

Taliban quickly overpowered the southern and western parts of the country and returned security and stability to the conquered lands and put an end to the arbitrary behavior of the warlords and disoriented situation prevailing in many regions and provinces. In the beginning, for the people who were exhausted of the long-lasting and persistent woes and insecurity and the violation of human rights, the emergence of the Taliban as a new political force with religious motives, seemed as a constructive development. Because of people’s dissatisfaction with the warlords linked to the political and ethnic factions and their dire need of security and order, they welcomed the Taliban. The Taliban used this opportunity to go further and took over large parts of the country. In March 1995, the Taliban arrived at the gates of Kabul, from the southern and western outskirts. Hekmatyar who shared the same idea with the Taliban, did not fight with them but opened the way for them and pretended that he was “defeated” by the Taliban. Most of the Hekmatyar’s forces joined the Taliban movements and it was believed that Hekmatyar provoked them to do so.⁵⁷

Despite efforts to negotiate with the Taliban, the Hezb-e-Wahdat was defeated by the Taliban forces, the Shura-e Nazar failed and the leader of this party was killed by the Taliban. In

⁵⁴. interview with Mojammad Mohaqeq

⁵⁵. Maulavi Ataullah Loodin

⁵⁶. Ahmed Rashid, *Taliban: The Power of Militant Islam in Afghanistan and Beyond*, London: I.B. Tauris, 2001, P 35

⁵⁷. Tanin, Zahir, *Afghanistan in the 20th century*, *ibid*, P 411

Abdulkader Sinno, “Explaining the Taliban’s Ability to Mobilize the Pashtuns,” in Crews, Robert D., and Amin Tarzi, eds., *The Taliban and the Crisis of Afghanistan*, Cambridge: Harvard University Press, 2008, p 64

September 1996, the Taliban took Kabul. As one of their first moves, they pulled Dr. Najibullah out of the UN compound in the city and after his execution, hung his mutilated body at the crossroads of Ariana in public.⁵⁸ With these events and the violent repression of non-Pashtun ethnic groups, particularly the Shiites, the real nature and purposes of the Taliban became clear for the people. After capturing Kabul, the Taliban imposed strict sentences and rules which were based on their reading of Sharia law and they deprived women from their basic rights.

Military victories and the Taliban's taking power brought large shifts in political alliances within the political parties and also regional policy towards Afghanistan. Following these political changes, opponents' alliances against the Taliban tied with ethnic and sectarian boundaries. The parties of Jamiat, Jonbesh, and Etehad-e-Islam and Wahdat which were fighting with each other the day before joined the resistance against the Taliban and founded the Northern Alliance.

Regional players also engaged by supporting the political factions and militant groups of Afghanistan.⁵⁹ Pakistan with training and weapons and intelligence and Saudi Arabia by sending donations –which from the very beginning was with the “tacit approval of the USA”⁶⁰– helped Taliban. After the Taliban opened the gates of Kabul, Saudi Arabia, Pakistan and United Arab Emirates, recognized the Islamic Emirate of Taliban. But, the rest of the world continued to recognize the Rabbani government as the legitimate government of Afghanistan. Northern Alliance had the support and conformity of Iran, India, Russia and central Asian countries like Uzbekistan and Tajikistan. Despite the differences between these countries' interests, concerns about the growing radicalization and destabilization in the region, brought them all together in a united front. They saw the Northern Alliance a key barrier against the Taliban and their local supporters. The war in Afghanistan turned to a proxy battle in which each one of the regional powers was sending financial and military aid to their representatives in Afghanistan.⁶¹

Taliban's Success in Bringing Security and Their Failure in Peace

Taliban succeeded in bringing security, however, they failed to open the way to a lasting peace and to put an end to the violence in Afghanistan. In this part, the reasons for the failure of the Taliban in ensuring peace and stability are discussed. An absolute majority of interviewees believed that the Taliban emerged at the time when people were exhausted by the situation and

⁵⁸. Magnus, Ralph H., “Afghanistan in 1996: Year of the Taliban,” *Asian Survey*, Vol. 37, No. 2, “A Survey of Asia in 1996: Part II” (Feb., 1997), pp 111-117; Magnus, Ralph H., “Afghanistan in 1997: The War Moves North,” *Asian Survey*, Vol. 38, No. 2, “A Survey of Asia in 1997: Part II” (February 1998), pp 109-115

⁵⁹. Goodson, Larry P., *Afghanistan's Endless War: State Failure, Regional Politics, and the Rise of the Taliban*, London: University of Washington Press, 2001, p 81

⁶⁰. *Ibid*

⁶¹. Khalilzad, Zalmay, “Afghanistan in 1995: Civil War and a Mini-Great Game,” *Asian Survey*, Vol. 36, No. 2, “A Survey of Asia in 1995: Part II” (Feb., 1996), pp 192-3

by the extortion, oppression and the behavior of local warlords and commanders. Therefore, they welcomed a new movement led by Taliban (a term used for clerics and religious students). According to them, the Taliban were successful in bringing security and as general acceptance of them grew, they brought large areas of the country under their rule with unexpected speed. The question however was why the Taliban failed in securing peace and political stability in the country? Most interviewees though they recognized the Taliban's success in bringing security and ending the hectic situation at that time, mentioned the following factors to answer the question:

- Lack of political plan for governance
- Taliban's inexperience and unfamiliarity with the political situation of the country and the region
- Lack of a peace plan compatible with the Taliban's conceptual framework and Taliban's persistence on solving the issue through war
- Taliban totalitarianism and their lack of willingness to negotiate with the other parties involved in the conflict, especially the government of Professor Rabbani and an alliance front known as the Northern Alliance
- Direct intervention of Pakistan and Arabic countries
- Unfolding the true nature of Taliban as a retrogressive force opposed to all basic human rights of women and other groups in the society
- Priority of ethnic bias among the Taliban
- Opposition of the great powers with the Taliban and the lack of support from these powers, especially the United States of America

Taliban's failure to bring peace and stability through the establishment of acceptable and legitimate mechanisms eventually led the country to a new unprecedented round of violence.

Sima Samar stated on the issue: "The Taliban ended the feudalism and they were initially successful at bringing security. The reason for their failure in bringing peace was the lack of a required organization and commitment for peace. Their structure was not appropriate to the historical and social circumstances of the time. We could not go back fifteen centuries. They could not govern by that structure. And the especially the role of Pakistan in their destiny cannot be ignored."⁶² Nahid Farid also believed that: "The reason the Taliban were initially welcomed by the people was that people were tired of the Mujahidin's behavior, civil wars, and chaos in the country. At first, people did not have sufficient knowledge of the Taliban. They thought that the Taliban wanted an Islamic system. They did not know that this Islamic system was supposed to close schools for the girls. They did not know that the members of this system

⁶². interview with Sima Samar

would kohl their eyes in the markets. What the Taliban at first spoke of it, was completely different from what they acted.”⁶³

According to Abdul Hakim Mujahid, a former Taliban diplomat, the Taliban were not essentially set up to establish a government and only wanted to secure an end to the chaos: “The Taliban was not a political party, but a political movement. So they were not confined to any particular party. At the beginning, the ultimate purpose of the Taliban movement was to end the irregularity and chaos, insecurity, and illegal posts on roads which in every couple of kilometers took people’s money and playing with people’s honor during the government of the Mujahidin.”⁶⁴ But Maulavi Abdul Salam Zaeef, a former Taliban leader, believed the main reason for the failure of the Taliban in bringing peace and stability was “ignorance and lack of political agenda”: “At first, the Taliban was not an organized group with law, strategy and a plan for the future of Afghanistan. The Taliban emerged on the need for time... the Taliban lacked the political understanding to know what was going on in the world and know what was Afghanistan’s expectation from the world and what the world asked from Afghanistan? What were Afghanistan’s tensions with other countries and what were the tensions others have with Afghanistan? What kinds of competition were going on between Afghanistan and others? Who are Afghanistan’s friends and enemies? Understanding these topics was difficult for them. Therefore, their political skill was not enough that they could be totally aware of the situation in Afghanistan and bringing peace and stability in Afghanistan.”⁶⁵

Abdul Hakim Mujahid believed that the Taliban did not come for governing, but it was imposed on them. But the question is who would impose it on the Taliban or force them to build a government and choose Mullah Omar as Amir-al-Moemnin (leader of the believers) and Mullah Hassan Rabbani as his deputy and form a cabinet? In answer to this question, interviewees can be categorized in two moderately different groups. Half of the interviewees thought that it was essentially the project of Pakistan and Arabic countries to dominate Afghanistan and create a subordinate government. For instance, Wahidullah Sabawoon explained that when the war continued between Hezb-e-Islami and Jamiat and other political parties and Pakistan became disappointed from achieving a desired result, it initiated a new project: “a new project, not with the Maulavi, or the Professor or the old Mujahidin, but a young force which is not suspicious of any crime: did these religious seminaries commit any sin? No; did they commit any crime? No; did people see them as wrong? No; so they decided to present the Taliban in the name of peace, a force who could manage the mess and evilness that the Mujahidin created. This project was under work for 5 years. It was initially a British plan, moderated by Pakistan, financed by Saudi

⁶³. interview with Nahid Farid

⁶⁴. Interview with Abdul Hakim Mujahid

⁶⁵. Interview with Abdul Salam Zaeef

Arabia, UAE and other countries and above all America. So the Taliban came. They were not any ordinary religious seminaries, but they were trained. Later thousands more of them were trained in 3 months and 6 months periods and these countries armed them.”⁶⁶ Habibullah Rafi also believed that: “The main problem of the Taliban was that they were under the control of Pakistan and at the same time, America was involved in the formation of the Taliban. The money came from the United Arab Emirates. America was providing the military equipment and logistics was the responsibility of Pakistan. It is the reason that the Taliban failed, because it was a foreign project which was serving foreigners.”⁶⁷

Thought the former leaders of the Taliban do not deny the role of these countries especially Pakistan they say that there was no such link from the beginning. The Taliban was a spontaneous popular movement and the links to Pakistan came later: “Pakistan’s relationship with the Taliban began much later. Jihadi leaders had close ties with Pakistan. Even at the time of the Professor Rabbani government, he appointed Hamid Gul as his advisor.”⁶⁸ However, a number of interviewees especially among former Taliban members believed that the international setting was not conducive for the Taliban, as it was not for the Mujahidin after the Soviet withdrawal. The West would neither accept communism, nor after the fall of the communist government, did it want an Islamic government with fundamentalist ideas. Therefore, neither the Mujahidin nor the Taliban which came after received any support from the West. According to Farooq Azam, “When the Taliban emerged, the situation was not the same as when Khomeini came to Iran. When Khomeini came, America ended supporting its closest friend, the Shah of Iran. America wanted to create a religious state in the neighborhood of the Soviet Union. For America, it was importance to establish a religious government in Iran but here, there was not. Vice versa, the name of the Taliban government was against the interests and will of America. One of the causes for the fall of the Taliban was the incongruous international situation for the Taliban.”⁶⁹

To answer the question why the Taliban did not come to an agreement with the government of Mr. Rabbani and Northern Alliance, almost half of the interviewees believed that the Taliban understanding of peace was to defeat all opponents by fighting them in war and the surrender of their opponents. However, achieving peace through war and unilateral expectation from the political opponents to surrender was totally unrealistic and impractical. According to Amir Ramin, “At that time, the Taliban expected the government of Mr. Rabbani to surrender to them. They did not want to reach an agreement and make deal for peace. Today also ‘peace as

⁶⁶. Interview with Wahidullah Sabawoon

⁶⁷. Interview with Habibullah Rafi

⁶⁸. Interview with Abdul Hakim Mujahid

⁶⁹. Interview with Farooq Azam

surrender' is not going to work.”⁷⁰ Ataulah Ludin considered three factors as very important for this matter: “First, the Taliban were thinking they should collapse the government by any means, so there was no need of talks and negotiations for them. Second, there were people who supported Taliban, as the Taliban true supporters, they also did not allow for the negotiation with the government of Mr. Rabbani. The third factor was that the government of Mr. Rabbani and the North front were not capable. They did not have any satisfying message for the people. People did not trust the government of Professor Rabbani. And they were not trustworthy that the Taliban sit on the negotiation table with them and eventually come to an agreement to form a government headed by Professor Rabbani.”⁷¹

On the other hand, many interviewees mentioned the two sides' instrumental attitude towards the principle of dialogue and compromise and also their dishonesty towards one another. They believed that when the Taliban emerged, the government of Professor Rabbani tried to support the newfound group and united them with him. He planned to defeat Hezb-e-Islami led by Gulbuddin Hekmatyar and Hezb-e-Wahdat led by Abdul Ali Mazari with their help. Especially due to the ethnic frictions ruling at the time among the Mujahidin, Mr. Rabbani and his allies believed that bringing the Taliban to Kabul as a partner in power which advocated the ethnic Pashtun, would denounce the claim of Mr. Hekmatyar and he would withdraw. It meant that the most of the efforts of the government of Mr. Rabbani were tactical, and did not form a subjective and practical plan towards real peace in Afghanistan. According to Wahid Mojda, “It is said that Pakistan brought the Taliban, but I was witnessed that after the Taliban took over Spin Boldak, most of assistance was given to them by the Mujahidin government. As I said, the corps of Kandahar was given to them by Mullah Naqibullah, the commander of Jamiat-e-Islami. There was plenty of weaponry, from tanks to Kalashnikovs. At the beginning, 2 billion AFN was sent to Baluchistan from Mr. Rabbani to Maulana Mohammad Khan Shirani, the leader of the Pakistan Jamiat-al-Ulama for the travel expenses of the first groups of Taliban who were going to arrive in Afghanistan. This sort of financial assistance was continued until the Taliban reached near Kabul. Some of those through whom the money was sent are still alive, such as: Sediq Chakari, Maulavi Sakhidad Fayezand Ghazizadah from heart. The purpose of this was to bring the Taliban and save Kabul from the threat of Hekmatyar and Mazari. After this disagreements and divisions began between the Taliban and the government of Mr. Rabbani.”⁷² General Zahir Azimi also had a similar account from West Afghanistan: “When the first group of the Taliban came to Kandahar, they still did not have enough strongholds to take over all Afghanistan, they took a part of Kandahar, came to Herat, gave specific proposals for Ismail Khan to ally with the Taliban, but he reject the alliance. I brought a group of 30 members to

⁷⁰. Interview with Amir Ramin

⁷¹. Interview with Ataulah Ludin

⁷². Interview with Wahid Mojda

Kabul which included mostly figures who were in charge after the Taliban came to power, such as Mullah Hassan and Mullah Abbas. They were supposed to talk to Professor Rabbani as the head of the state, so they came to an arrangement. We came to Kabul and coincidentally Ramadan was close. I had to go to Herat and they stayed in Kabul. We transferred 300 million AFN that their government gave to them to Herat and then from Herat to Kandahar.”⁷³ Ahmad Shah Massoud’s closest people also talk of the same efforts for starting a dialogue with the Taliban. In one instance, in 11 February 1995, one day after the fall of Maidan Shahr by the Taliban, Ahmad Shah Masoud went to the city and negotiated with Mullah Rabbani, deputy of Mullah Omar the leader of the Taliban.⁷⁴ Mr. Registani who accompanied Ahmad Shah Massoud on this visit, stated: “the Taliban had three specific demands, 1) surrender your weapons; 2) the Sharia should be implemented; 3) Mullah Omar must be recognized as the leader.”⁷⁵

Certainly Hezb-e-Wahdat and other political parties tried to negotiate with the Taliban as well, but according to some interviewees were unsuccessful due to the Taliban’s attitude towards disarming and consolidating the leadership of the Taliban movement in creating an Islamic Emirate in Afghanistan. The killing of Abdul Ali Mazari, the leader of Hezb-e-Wahdat by this group was the proof. Some other interviewees believed that the purpose of these negotiations was mostly to change the war equation in favor of these parties which could totally shift by alliance with the Taliban. Anyhow, all these events including failure of Ahmad Shah Massoud, attempts and the killing of Abdul Ali Mazari by the Taliban, disappointed the leaders of the opponent front from the prospect of peace with this group and the later face-to-face negotiations also did not produce effective results.

A number of interviewees believed that the Taliban did have a definite ethnic-religious idea and their aim was to create a religious Pashtun government with a specific reading of religion and did not consider any stake to the other parties and ethnic groups other than an absolute obedience. According to Mohammad Akbari: “Their idea was that the government should be Islamic and Pashtun. In November 1998, I had a meeting with Mullah Omar and talked about the role of Shiites during the jihad and resistance. I felt that his religious bias was more than his ethnic bias. Some other members of the Taliban were different, meaning that their ethnic bias was stronger.”⁷⁶ But a number of interviewees, mainly former members of the Taliban, said that negotiations continued between them and the government of Mr. Rabbani and Massoud. The Taliban never closed the gates for the negotiations and reconciliation. According to this number

⁷³. Interview with Gen. Zahir Azimi

⁷⁴. Andishmand, Mohammad Akram (2016), Ahmad Shah Massoud and National Unity, Javidan website (last visit: September 29, 2016)
<http://jawedan.com/2016/11026/>

⁷⁵. Interview with Salih Mohammad Registani

⁷⁶. Interview with Mohammad Akbari

of the interviewees, even the negotiations over forming a joint government between the Taliban and Mr. Rabbani took place. In these negotiations, the only red line was the topic of the leadership of military power. Maulavi Abdul Salam Zaeef stated: "I sat with Massoud on the negotiation table two times, once in Bagram and the next time in Sayyad. But why did the negotiation with Massoud fail? Because Masoud wanted military power to be divided in two parts: one separated ministry of defense for each side, the same as Lebanon, a proposals the Taliban were not ready to accept. In the division of political power, the Taliban were ready to participate, but it was unacceptable for them to divide military power or give it all up to them (for whatever plan Massoud had)."⁷⁷ According to Mr. Zaeef, "The Taliban argued that as long as military power has not become unified in Afghanistan, it is impossible to have a stable peace in Afghanistan. They did not negotiate on the issue with anyone. They had no deal with Massoud, no deal with Hekmatyar, no deal with Mazari and not with anyone else." According to Nazar Mohammad Motmaen, the Taliban tried for peace and even delayed the final decision for the selection of Cabinet members with the hope of reaching agreements with the opponents, "to the extent that a caretaker government was formed. All ministries were running by acting ministers as well. But the negotiations failed. Mr. Rabbani wanted to make peace, but the problem was with Ahmad Shah Massoud, who expected that the Ministry of Defense should be given to him." According to this group of interviewees, the next several negotiations took place in Mazar and were attended by Mullah Dadullah. There were three rounds of talks in Ashgabat, Turkmenistan, and two rounds of talks in Tashkent and Uzbekistan. Later two rounds of negotiations took place in Sweden, but there was no outcome. Mr. Zaeef believed that the main obstacle was "the lack of agreement on the department of defense".

With the failure of negotiations between the Taliban and the opponents in the united front of North and the government of Professor Rabbani, peace efforts of the 6 + 2 countries (neighboring countries of Afghanistan, China, Pakistan, Iran, Turkmenistan, Uzbekistan and Tajikistan, plus America and the Soviet Union) was launched in 1997 by the initiative of the President of Uzbekistan. This group held several meetings with support of the United Nations and with the presence of its representative, Mr. Lakhdar Brahimi, in the capitals of the group's member countries and also the headquarters of the United Nations. The purpose of this meeting was to convince the parties involved in the war of Afghanistan to accept a transitional period and establish a broad-based government which included all ethnic groups of Afghanistan. As the result, a number of face-to-face meetings were held between the involved parties of the war. The most important meeting was the Ashgabat Summit on 13 March 1999, which was attended by the Taliban delegation headed by Wakil Ahmad Mutawakkil, the Foreign Minister of the Taliban, and the delegation of the United Front headed by Younus Qanooni. Some agreements

⁷⁷. Interview with Maulavi Abdul Salam Zaeef

were achieved in this summit regarding the formation of a joint government and the prisoners' exchange. According to Abdul Hakim Mujahid, "The leaders of the negotiating teams are alive. They reached to some promises, to the extent that they agreed on the distribution of the cabinet and that the provinces were divided. The only disagreement was over the leadership of the state. It was decided that when they come back from Hajj, they would negotiate on the issue. According to Mr. Mutawakkil, he was in Mina when he heard on the radio that Mr. Abdullah had announced that the negotiations with the Taliban had failed because the Taliban did not accept the leadership of Professor Rabbani and we do not accept the leadership of Mullah Omar."⁷⁸ But the interviewees, who were close to the political parties of the United Front, believed that it was the Taliban who did not present any interest in continuing the negotiations and it was their leader who rejected the talks. Mr. Akbari thought that the Taliban were mostly seeking a military victory in the war, so they did not take peace-making very seriously. This group of interviewees stated that in fact the circumstances for peace talks were not ready, because the Taliban had the control of almost 90 percent of the country and saw no need for negotiations or forming a joint government. Therefore, the imbalance in terms of the military situation caused the failure of this attempt.

According to Wahid Mojda, "They thought they could make peace through war. They said they had 95 percent of the country, and would take over the rest 5 percent by war, so there is no need to negotiate over peace. Another problem of the Taliban was that they did not take the role of the international community seriously. They believed that the world was similar to the remote villages that they had come from."⁷⁹ Mr. Akbari also stated: "Mr. Rabbani's side wanted to negotiate, but the Taliban did not want to partner with them by no means. The Taliban believed that they would continue war for one more year and then they could form their own government. So they did not see any reason to negotiation with Mr. Rabbani and the others."⁸⁰ Salih Mohammada Registani also believed that, "The negotiations were not serious. While the negotiations were going on, they attacked our fronts several times to solve the issue forever."⁸¹ But according to Wahid Mojda, the ideology of war, Shaia, and the pressure imposed by the military section of the Taliban also were involved in the failure of these negotiations. The militias had the power and the upper hand, so when they participated in the talks: "the Taliban's military were asking that if we make peace, our fighters who have been killed, are martyrs or rebels?"⁸²

⁷⁸. Interview with Abdul Hakim Mujahid

⁷⁹. Interview with Wahid Mojda

⁸⁰. Interview with Mohammad Akbari

⁸¹. Interview with Salih Mohammad Registani

⁸². Interview with Wahid Mojda

In the declaration of the Tashkent on 19 July 1999, almost four months after the meeting, the group 6+2 once again emphasized on the continuation of the talks, cease-fire, exchange of prisoners, and to facilitate the establishment of a broad-based government accepted by all the people of Afghanistan.⁸³ But, given the win-lose strategy followed by the Taliban, it had no favorable result. A number of interviewees believed that the role of Pakistan's government and the agenda of Pakistan and USA towards Afghanistan and Middle East countries, were important in the failure of peace efforts in this period. They believed that the attempts of the Middle East countries and the Soviet Union in this group were mostly to prevent the cascading of violence and extremism within their borders which would threaten the security of the Russian backyard. Therefore, the group 6+2 efforts which continued till 2001, went with the continued interference of Afghanistan neighbors that the Mujahidin believed Pakistan was the main culprit among them. The Taliban also only saw Turkmenistan as non-aligned⁸⁴ and believed all the other countries of the region were somehow advocating and supporting their opponents in the Northern Alliance.

Zahir Shah (King) Peace Efforts

Along with the efforts of the group 6+2, there were also some attempts by the former King (Mohammad Zahir) and his supporters to restore peace and provide the grounds for termination of war and establishment of an inclusive government. Zahir Shah, as a national figure who spend years in exile and had no part in the conflicts, was always seen as an option to lead the country in a situation that the competition over power were continuing among all political parties. It was Dr. Najibullah who started negotiation with the former king the first time with the hope to find a solution to the war in Afghanistan.⁸⁵ In this regard, Abdul Hamid Mubariz stated: "Russians contacted him and asked him to come and do something to solve the issue of Afghanistan. But, the Pakistanis invoked the Mujahidin and suggested that if Zahir Shah came to Afghanistan, the Mujahidin would be shattered, technocrats would come and dominate everything; while it was the Mujahidin who did jihad, it would be meaningless that Zahir Shah comes to Afghanistan. So it was that, they failed the program to prevent any movement by Zahir Shah in Afghanistan."⁸⁶ But Sayed Askar Mousavi saw these efforts as "whipping out an old horse" and useless attempts with no practical and productive results: "A group of leftist and educated intellectuals of Afghanistan who had seen the monarchies in the West and were dreaming if Zahir Shah comes, he will bring the national unity, etc. So they were trying to restore the monarchy in Afghanistan. I told explicitly at that time that however hard you whip the old

⁸³. Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan, Annex to UN General Assembly Doc. A/54/174 (22 July 1999)

⁸⁴. Interview with Abdul Salam Zaef and Abdul Hakim Mujahid

⁸⁵. Heela Najibullah, *Afghan Attempts at Peace and Reconciliation 1986 and 2010: A Comparison*, New Delhi: Delhi Policy Group, 2011.

⁸⁶. Interview with Abdul Hamid Mubariz

horse, he will not move from his place.”⁸⁷ Among jihadis, there was a group known as the royalists or supporters of the former king including, Pir Sayed Ahmad Gailani, Sibghatullah Mojaddedi, and Maulavi Mohammad Nabi Mohammadi. According to Mr. Sabawoon, even during Peshawar meeting, one plan was that Zahir Shah comes to Afghanistan instead of Hazrat Mojaddedi. When the Taliban emerged, at first they were raised as a movement who wanted to bring back the former king to the throne and end the war competition by bringing an unbiased and although old and respectful leader. But Abdul Salam Zaeef rejected this idea and explained: “When the Taliban reached Kabul, many people thought they were trying to bring Zahir Shah back and they had the foreigners’ support, while it was wrong. The Taliban was a spontaneous movement that its core was formed in Afghanistan, and its goal was never to work for other’s purposes.”⁸⁸

However, after the perpetuation of war and tension in Afghanistan and disappointment of Afghans from achieving any success in peace talks between the engaged parties in the conflicts of Afghanistan, especially the Taliban and Northern Alliance front, a group of political elites gathered by Zahir Shah did some measures by the support of some countries to end the war which was concurrent with the less successful efforts of the group 6+2. A number of interviewees believed that although these two trends were working separately, Zahir Shah was always mentioned during the meetings of the group 6+2 as an option by the political parties. Nazar Mohammad Motmaen cited Mr. Mutawakkil who led the Taliban delegation in Aghgabat talks: “Mr. Mutawakkil told me that they reached to some results during the negotiation with the Northern front. The last alternative option of the Northern front was to bring the Zahir Shah and he should be the head of state. There was also an accusation that the Taliban are trying to bring back Zahir Shah, while the Taliban would never accept Zahir Shah.”⁸⁹ Even with more public opposition of the Taliban against the former King, the negotiation between the representatives of the Northern Alliance front and the supporters of Zahir Shah was held in Bonn, Germany, in July 1998. According to the notes of Mr. Andishmand, another similar meeting was held in the Italian capital, Rome, one year later on 29 June 1999. In the same meeting, it was agreed to form an emergency Loya Jirga which was purposed by the King on 15 May 1999 and a resolution was passed that contained five articles and was supposed to pull out Afghanistan from the impasse.

1. Holding an emergency Loya Jirga at the earliest time possible.
2. Determining the emergency Loya Jirga members in accordance with the current circumstances in Afghanistan and through election.

⁸⁷. Interview with Sayed Askar Mousavi

⁸⁸. Interview with Abdul Salam Zaeef

⁸⁹. Interview with Nazar Mohammad Motmaen

3. Conducting consultation and dialogue with the combatant parties, tribal elders, experts, clergies, and other influential figures and institution in the country and abroad.
4. Holding communication and starting negotiation with the concerned countries including neighboring countries and the USA in order to win their support for the formation of an emergency Loya Jirga.
5. Making connections and beginning the negotiations through the necessary channels with the international organizations, particularly the United Nations, the organization of Islamic Cooperation, and the European community.

It was recommended in the meeting by the participants that all the required institutions and organization should start to work as soon as possible to implement the above mentioned objectives.⁹⁰

The next meeting was held also in Rome on 22 November 1999. Three committees were formed at this meeting to hold the emergency Loya Jirga and various delegations formed by King Zahir with different Afghani and foreign countries groups. Another meeting of the supporter of the former king and including the representatives of Ahmad Shah Massoud took place in Germany on 6 October 2000. According to some interviewees, in all efforts of Zahir Shah and his supporters, there was a core principle which was always presented as the solution and it was to form a Loya Jirga and set all the interim and transitional arrangements based on that. But beside it, there was no specific plan which could be considered as the road map towards peace. In addition, the role of Zahir Shah was raised only in terms of impasse and after a while, neither he (because of his age) nor his supporters had any appeal for others. Also, there was no necessary, comprehensive and coordinated support from the Zahir Shah efforts as a desirable and effective option which could make the success of the Rome meetings possible.

⁹⁰. Mohammad Matin Sana Nikpay

Section Four

Bonn Agreement and Post-Bonn Peace and Reconciliation Efforts

The assassination of Ahmad Shah Massoud on 9 September 2001 by two Arab suicidal attackers put the Northern Alliance Front in a challenging situation and gave further hope to the Taliban to continue the strategy of winning through war. This terrorist act even stopped the ongoing though fragile peace efforts. Many analysts and observers of the region realized that given the prevailing confusion and disorder which worsened after the death of Ahmad Shah Massoud, it was probable that the remaining areas of Afghanistan would soon fall by the Taliban. But the attack of 11 September on the World Trade Center and the Pentagon, which was organized by Al-Qaeda, had a profound impact on global security system and changed Afghanistan's fate in an unpredictable way. After the invasion of USA forces and the allies including the coalition against terrorism, opportunities for the intervention of the regional powers was limited and during a short time, the coalition forces in cooperation with the forces of the Northern Alliance front, took down the Taliban regime. As a result, the structural integrity of the armed forces of the group disbanded.

With the fall of the Taliban, the Bonn meeting was held based on the idea of Lakhdar Brahimi, "light footprint", to turn over the fate of Afghanistan to the people of Afghanistan and with minimal involvement of the United Nations. The meeting was attended by representatives of four groups, including: representatives of the Northern Alliance, Peshawar group headed by Pir Sayed Ahmad Gailani, Cyprus group headed by Homayoon Jarir, and a delegation on behalf of the supporters of former King, Zahir (the Rome movement). The Taliban and Hekmatyar's Hezb-e-Islami faction were excluded from participating in the meeting.

The participants signed the Bonn Agreement in the presence of UN Secretary General, on 5 December 2001. It included the interim and transitional arrangements for the establishment of a democratic system and beginning of the process of peace making. The temporary and transitional arrangements foreseen in the Bonn Agreement seemed more practical in comparison with the arrangements of the Peshawar Agreement and considered the required time to hold an emergency Loya Jirga, draft a new constitution and hold elections. This agreement, in fact, provided the foundation of a new political system with the full support of the international community and the United Nations and opened the pathways towards state-building and ensuring peace and security in the country. It was anticipated that by learning from past failures and unsuccessful attempts to bring peace and security and form a broad-based government, and given the absolute and inclusive support of the international community, the Bonn Agreement could provide stronger basis and foundation for state-building, ensuring a lasting peace and economic development in Afghanistan. However, as it was proved by the following events, the Bonn Agreement only ended part of the ongoing war in

Afghanistan. War and violence not only continued, after a pause, it escalated. Now, after 15 years since the agreement was signed, the people of Afghanistan still have not found a solution to end the violence and war and achieve lasting peace. In this section, the main factors behind the persistency of the crisis, the Bonn shortcomings, the power-sharing structure that emerged from the Bonn Agreement, and the efforts by the government and the international community to bring peace, will be reviewed.

The first person who criticized the Bonn composition for excluding the Taliban as an involved party and called it a mistake, was Mr. Akhzar Ebrami, the main engineer of this meeting and the representative of the UN Secretary General. In an interview after the meeting, he stated that it was possible to correct this mistake in the following arrangements with the measures to include the Taliban in the political structure of Afghanistan. Unfortunately, this did not happen.

But, the interviewees had different opinions on this issue. A small number of interviewees believed that holding the peace conferences out of Afghanistan and consequently the Bonn Conference, was essentially a failed attempt and incompatible with the realities of the Afghani society. Most interviewees, however, believed that this process was different from past peace processes and had more strong points. According to them, the foundation of a new Afghanistan was based in Bonn and a positive movement started in motion. But this group of interviewees also does not deny the shortcomings and faults of this initiative and believed one of the reasons for the weaknesses of the Bonn initiative was that at first, USA and members of the coalition, only planned to breakdown the Taliban and irresponsibly abandon Afghanistan, or they at least had no specific plan for state-building and in general, had no plan for Afghanistan after the Taliban. Most of the projects were planned by a number of elites hurriedly and in parallel with the continuation of the war and therefore, many fundamental issues remained neglected or at least did not receive enough attention. Dr. Sayed Askar Mousavi, referring to return of the jihadi groups and parties to power and giving the fate of Afghanistan to them as a wrong and narrow-oriented view, stated: "In terms of content, the Bonn Agreement had a very shallow approach at the nation-state building in Afghanistan and turned the responsibility of building a new nation and state to those who themselves were its violators and abusers and disturbers. Assuming they were representing the people of Afghanistan, it was decided that they also can advance the task of the nation/state-building. While the social disasters that we have now, such as corruption and warlordism and the like, are the immediate result it."

In relation to including the Taliban, this group of interviewees considers it impossible according to the circumstances and situation at that time. According to Wahid Mojda, "Including the Taliban in the Bonn process meant that the USA should have appeared in Afghanistan as a mediator not one side of the war. It meant that it should mediate between the people of Afghanistan and bring them at the negotiation table in order to help Afghanistan to achieve

peace. While in reality, America was one party engaged in the war.”⁹¹ Sayed Askar Mousavi also emphasized on the incompatibility of the conditions for the presence of the Taliban and explained: “If the Taliban participated in the Bonn Conference, what would happen with the issues of human rights, women rights and democracy? And most importantly, how could the American invasion to Afghanistan be justified? The main question at that time was what could be done with the people who massacred thousands of innocents, destroyed Buddha statues of Bamian, turned the country into the graveyard of living women, created the environmental disasters of burned fields in Shamali? And once again, more importantly, Americans were practically in war with the Taliban, so what could be done with them?”⁹² But about one-third of the interviewees considered the exclusion of the Taliban as a mistake that led the war and violence to the next stages. Mr. Sabawoon said that he raised the issue with Mr. Rumsfeld and Mr. Lakhdar Brahimi, but Mr. Rumsfeld told him: “We have hit Mullah Omar so hard that he can no longer bring his head up.”⁹³

Dr. Sardar Rahimi also believed that, “Although the Bonn Agreement could to some extent create a primary and relative stability after the Taliban, according to many elites of the ethnic Pashtun, it was not in accordance with the realities of the Afghan society. Because in Bonn, the largest group that dominated Afghanistan and was representing part of the Afghan Society, the Taliban, was excluded. Therefore, the division of power happened in the absence of a force which was the largest cause of insecurity in Afghanistan and dominated the country. It is obvious that such power-sharing agreement would not satisfy the Pashtuns. On the other hand, the Pashtuns who participate in the Bonn Summit, were not happy to step aside in favor of the Taliban.”⁹⁴

Habibullah Rafi believed: “The government did not represent the people, not only the Taliban were excluded, but also Hezb-e-Islami and other alignment had no part. Also there was not enough number of tribal leaders. If they were thinking as the international community, and really wanted peace for Afghanistan, they could do it. They could openhandedly build a government for Afghanistan and help it to develop Afghanistan and create major and extensive plans for the peace in Afghanistan.”⁹⁵

In the meantime, former members of the Taliban had a stronger stand regarding the Bonn Summit and its outcomes. Maulavi Abdul Salam Zaeef, one of the prominent members of the group stated: “The Bonn Declaration, was not an Afghan declaration. It was the continuance of

⁹¹. interview with Wahid Mojda

⁹². Interview with Sayed Askar Mousavi

⁹³. Interview with Wahidullah Sabawoon

⁹⁴. Interview with Sardar Mohammad Rahimi

⁹⁵. Interview with Habibullah Rafi

the occupation. It was a declaration which brought disaster to Afghanistan and it was a total failure, because the extension of the occupation was in favor of Americans. It formed a government in Afghanistan which caused troubles for Afghans. Why the Taliban came back again? Why did people support the Taliban again? Americans put the powers in hands of the people who brought misery and corruption in Afghanistan, so the declaration was a failure.”⁹⁶

Maulavi Ludin also stated that the Taliban, as a force which had the control over 90 percent of Afghanistan, was ignored and had no part in the Bonn meeting. According to Mr. Ludin, “From the beginning the Americans came here, their goal was not to bring peace. They wanted revenge and they admitted that they came to Afghanistan to take revenge for 11 September. The killing of so many people was the same thing Taraki and Hafizullah Amin did.”⁹⁷ But some other interviewees, including Dr. Faramarz Tamanna believed that: “In the plans that were proposed during the Bonn Conference, the issue of peace was not the priority, the first goal was to create a government to take the power back from the Taliban.”⁹⁸At the same time, most interviewees agreed that neither domestic and international circumstances nor the people of Afghanistan were receptive to the Taliban. As Gen. Azimi explained, “No doubt if the Taliban had participated in the Bonn Conference, the situation would have been better. But neither the Taliban were willing to participate in such conference, nor the condition was ready to invite the Taliban, and in addition the international community also didn’t allow the Taliban to be invited.”⁹⁹

Some interviewees also believed that though the issue of the Taliban participation in the Bonn process was neglected due to the impossibility or lack of will to do this, later the government started serious efforts to bring the Taliban at the negotiation table. Ismail Qasimyar explained that in addition to other efforts, the grounds to involve the Taliban through the democratic channels was provided as well: “In the emergency Loya Jirga we wanted to fill the vacuum created at the Bonn Conference, therefore we set the procedures for selection of the participants in the Loya Jirga in a way that it does not create any discrimination. The only important issue for us was that those, whose hands were stained with the blood, must not find their way to the Loya Jirga and we gave this right to the people to be the judge. Since the members were elected, if the people considered anyone as one of those whose hands are dipped in the blood of innocents, they could choose not to vote for them. Therefore, we did not indicate in the selection procedure of the Loya Jirga members that the Taliban cannot be a member of the Loya Jirga. We wanted to fill the void. Although the well-known Taliban leaders did not come

⁹⁶. Interview with Abdul Salam Zaef

⁹⁷. Interview with Maulavi Ataullah Ludin

⁹⁸. Interview with Faramarz Tamanna

⁹⁹. Interview with Gen. Zahir Azimi

to the emergency Loya Jirga, those who were active in the Islamic Emirate of the Taliban and wanted to participate in the Loya Jirga, they came.”¹⁰⁰

Another group of the interviewees, especially the former members of the Taliban, however rejected this claim and stated that one of the main reasons for the return of the Taliban into fighting was the latter’s ignorance of the government and the international community toward the Taliban. According to Maulavi Ataullah Ludin, “After the US troops arrived in Afghanistan in cooperation with the Jamiat-e-Islami party, the government and the Americans did not give any standing to the Taliban and there was no negotiation or reconciliation with them. They were given no assurance... when the Taliban saw they were neither invited to the Bonn Conference nor anyone cared about them in the new government, they found this situation as the motivation to continue the war.”¹⁰¹

Some other interviewees went beyond this claim and believed that despite the exclusion of the Taliban in the Bonn Agreement and the new political system, the Taliban had no plan for the war. It were the policies of America and its allies and their approach and the catharsis of the rival groups opposed to the Taliban which forced them into war and restoring to violent methods. Farooq Azam explained: “Mr. Karzar, the Governor of Kandahar, members of the Wolesi Jirga and some commanders of the Taliban told me that after their defeat, the Taliban did not have the desire to fight. But some people did not let the Taliban to live a normal life in Afghanistan. They made the circumstances of Afghanistan in a way so that the Taliban were not allowed to have a normal life as Afghans. The members of the Taliban demanded the government that we do not want any position, just do not prosecute and jail us, do not kill us, we will live in our villages and start our own businesses. We are no more the opposition of the government and we do not work against the government.”¹⁰²

Shah Mahmood Miakhel considered the policies and approaches of the government of Afghanistan and other countries involved in the issue of Afghanistan and particularly United States of America, as the reason that the Taliban appealed to Pakistan once again and restored the war: “Until 2005, the Taliban only wanted that the situation in Afghanistan become inhabitable for them. It meant that the Taliban did not want the power and did not oppose the government. Afghanistan’s neighbors were also watching the situation and waiting to see what happens. When Pakistan saw the policies of the new government of Afghanistan was against Pakistan and the new government of Afghanistan did not provide the context for the members of the Taliban to have a normal life in the Afghanistan or did not let them to live in Afghanistan

¹⁰⁰. Interview with Ismail Qasimyar

¹⁰¹. Interview with Maulavi Ataullah Ludin

¹⁰². Interview with Farooq Azam

and therefore the Taliban were forced to leave Afghanistan and live in Pakistan, the government of Pakistan reorganized and armed them, sent them back into Afghanistan, and the war in Afghanistan began again.”¹⁰³

Section Five

A Review of the Efforts towards Reconciliation with the Government and Armed Opposition During the Last 15 Years

In relation to the period after the fall of the Taliban and the Bonn Agreement, most interviewees believed that no plan for peace existed and mainly there was only a war strategy against the Taliban. The peace program of the government with the support of partner countries, was focused on “disarmament and reintegration” of the Taliban as the main and essential part, were not included in the peace plan.

For the first time, the government of Hamid Karzai formed a commission under the name of “Peace and National Reconciliation Commission” headed by Hazrat Sibghatullah Mojaddedi, President of the first Mujahidin government and one of the jihadi leaders. Mainly jihadi figures were the members of this commission. Later, the name of the commission changed to “Commission of Resolving Disputes and Creating Communication between People and Government” and its responsibilities and competencies were mostly focused to eliminate the gap between government and people and to encourage armed opposition to compromise and make peace. But creating a comprehensive mechanism for peace and reconciliation after 2001, dates back to the efforts of the government of Hamid Karzai that held the advisory national Loya Jirga (2-4 June 2010) and the formation of the High Peace Council based on the outcomes of this Jirga.

This Jirga had important proposals for the establishment of mechanisms and framework of peace negotiations, creation of High Peace Council, arrangements for the release of prisoners; draft a comprehensive plan and a national strategy for a permanent peace and negotiation with the dissidents and excluding them from the blacklists, so that the dissidents’ forces end the war. Based on the decisions of this meeting, after some consultations, the government presented a 68-member list, including jihadi leaders and religious figures as the members of the High Peace Council. President Karzai also appointed Burhanuddin Rabbani as the head of the Council by a decree. Formation of the High Peace Council provoked a great optimism for the progress of peace and reconciliation process with the armed opposition. But the killing of Rabbani on 20 September 2011, by two suicidal attackers who visited him at his house as members of the

¹⁰³. Interview with Shah Mahmood Miakhel

Taliban, once again brought doubt to the success of the Council and seriousness of the armed opposition about peace. And the process still goes on with less tangible achievement.

In 2016, the government revised the High Peace Council and appointed Pir Sayed Ahmad Gailani as head of the Council and a number of former members of the Taliban and jihadi figures and religious scholars as deputies and members. In the new rounds of negotiations, initial efforts of the government of President Ghani mostly focused on negotiation and mutual understand with Pakistan to bring the Taliban to the negotiation table. But, with the escalation of terrorist attacks in different cities of Afghanistan and not receiving a clear answer from Pakistan, government's approach changed and this conversation ceased.

After the government's efforts, which were mostly through diplomatic channels and methods, new efforts for peace in Afghanistan and to start of the negotiation with the Taliban began in the framework of the Quadrilateral Coordination Group (Afghanistan, Pakistan, America, and China). The main objective of this group was to bring the Taliban to negotiate without any precondition. But this talk also ceased due to the disappointment of Afghanistan and its doubts on the sincerity of Pakistan. At the same time, High Peace Council started its attempt to negotiate with the Hezb-e-Islami of Gulbuddin Hekmatyar. After several rounds of negotiations it finally led to the peace agreements between the government and Hezb-e-Islami on 22 September 2016.

Today, after nearly 15 years of efforts to achieve peace and negotiate with the Taliban, it seems that these efforts have had no solid results. In a survey conducted by the Afghan Institute for Strategic Studies in 15 provinces last winter, 70.6% of respondents believed that the peace talks of the government with the Taliban had "failed" and 21.5% of the respondents believed the talks were "partly successful".¹⁰⁴

In relation to the questions why these formal and informal efforts to end violence and restore peace and security in the country have so far had no definite results, and to what extent the success of the negotiation between the government and Hezb-e-Islami can be considered as a successful model of intra-Afghan dialogue to negotiate with the other armed opposition, the interviewees presented rather different opinions. They had different perceptions regarding the reason of the failure of peace and reconciliation process and negotiations with the armed opposition groups. These views can be summarized as:

- The lack of serious determination for peace from the United States of America and its allies and also from the Government of Afghanistan.

¹⁰⁴. Karimi, Hussain Ali and Ebrahimi, Ghulam Reza; Afghans Attitudes and perception toward peace talks between the government and the Taliban (2016), Afghan Institute for Strategic Studies, Kabul.

- Emphasis on the victory through war, the pursuit of military strategy, and inflexibility of both sides: the government of Afghanistan and the Taliban.
- Appealing to wrong parties, means the Taliban do not negotiate with the government and demand to negotiate with the Americans and the government of Afghanistan do not negotiate with the Taliban and wants to work with Pakistan.
- Policy of too much reliance on Pakistan to achieve peace with the Taliban.
- Lack of a proper definition of peace and lack of a clear strategy and explicit plan for reconciliation.
- Cultural factors and the transformation of war into a value among parts of ethnic Pashtun.
- The weakness of existing mechanisms to promote reconciliation and peace talks.
- The involvement of militant groups within the government and the entanglement of the interests of these groups with war.
- Entanglement of mafia and war economy with the durability of war and insecurity.
- Lack of a clear definition of reasons and factors of war against the Taliban and also Pakistan as the supporter of the Taliban.
- Involvement of Afghanistan's neighbors and regional security systems and geopolitics of conflicts and regional rivalries that we have not been able to manage or restrain them.
- Lack of transparency in the process of peace and failure to present it as a national process that considers all cultural and social aspects.
- Ambiguity of the demands of the Taliban leadership and lack of a specific address for the negotiation on their side.
- Presence of foreign forces and the local and regional sensitivities against them.
- Poor and inefficient diplomacy with regard to the regional and outer dimensions of the issue of reconciliation in Afghanistan.
- Inefficiency of military strategy for achieving peace.

Almost the absolute majority of the interviewees believed that considering that in the past, both the Mujahidin and the Taliban were thinking on a military solution and neither of them could win over the other, it should be accepted that militancy and war cannot be a solution for today's situation as well. The ongoing violence in Afghanistan does not have a military solution and there should be more serious efforts to open the window for dialogue and negotiation. Abdul Hakim Mujahid believed: "We must make it clear at first that through war and military means it is impossible that the Taliban defeat the government or the government defeat the Taliban movement. Therefore, as much as we emphasize on the war, it means we emphasize on more destruction in Afghanistan and killing of the people of Afghanistan. So it is necessary to think of a political solution. The armed opposition and the government and also the regional and

international partner countries of Afghanistan should accept it that we can get to a result through dialogue and political solutions.”¹⁰⁵ General Khalid also stated: “What I learned from the history of war, especially internal conflicts, is that these conflicts do not have a military solution. Neither the government has the capability of doing so, nor is it necessary that we do it. The Taliban also cannot take down the government with the presence of the international community. The era of Taliban’s political power in this corner of the world is over, particularly in such a sensitive time. Therefore, the only way for Afghans is to compromise. The Taliban, whoever they are, include a part of this society. Physical removal of the Taliban is outrageous and cruel. They are our countrymen. They are our villagers, our shepherd and peasants. 99% of them are farmers and shepherds.”¹⁰⁶

In the institute survey, there was no overwhelming majority in response to the question of “What is the best solution to bring peace and security in Afghanistan” among the proposed options. But almost 22% of the respondents stated that the best possible solution is “destruction of the Taliban”. 21.7% believed that there should be a “direct negotiations with the Taliban”. Around 15% selected the option “cooperating with countries in the region to promote peace talks”. Also, “direct negotiation with Pakistan” (14.3%) and “withdrawal of foreign troops” (7.7%) are respectively the next selected solution by the respondents.¹⁰⁷

However, a number of interviewees though they rejected war strategy to solve the issue, believed that it was necessary to include military pressure on the opposition groups to force them to negotiate. “If the government enters the peace negotiation from a position of strength, it will be more effective”.¹⁰⁸ According to Sarwar Mamound, “peace process is a long course. One way is that we should have the stronger military and political position so that the other side is willing to negotiate and make peace. We should also dry up the opposition’s sources of funding. These sources are: countries of the region, Arabic countries, neighboring countries and drugs. They should be removed. In the current process of negotiation with the Taliban, we should consider these issues. If we do so, they will have to negotiate with us. Otherwise, it should not be expected.”¹⁰⁹ Wahid Mojda, by criticizing the idea, explained, “One way to achieve peace is war. But in Afghanistan, if war could lead to the elimination of a group in this country, this war would not last 36 years. During this time, the Soviet Union and then the United States of America and its allies, attacked Afghanistan with full forces, but did not manage to end the war. Now, all military analysts believe that the war in Afghanistan has reached an impasse and would not have any winner... right now, whatever that is called as post-2001 achievements, is

¹⁰⁵. Interview with Abdul Hakim Mujahid

¹⁰⁶. Interview with Gen. Abdul Hadi Khlid

¹⁰⁷. Karimi, Hussain Ali and Ebrahimi, Ghulam Reza, Ibid, p. 31

¹⁰⁸. interview with Zakia Adeli

¹⁰⁹. interview with Sarwar Mamound

only limited to Kabul. One day the communist also were emphasizing on preserving the 'great values of the Sawr Revolution' but where are those values now? Institutionalizing any achievement requires peace and this fact is quite obvious that no value would be institutionalized in war."¹¹⁰

Lack of Will and Plan for Peace from America and Countries in the Region

Who and where are the supporters and financial sources of the oppositions which are considered as an obstacle to peace? The interviewees mostly agreed that the external factors and foreign countries played a major role in the continuing violence. However, there was a difference between the interviewees' opinions on the extent of this role. Mr. Sabawoon believed that, "Neighbors, countries of the region, and the world were involved. This war was not our war. This war was the world war, regional war, and our neighbor's war. We were the battlefield. We were getting killed, and it was not our war, it was an imposed war."¹¹¹

One of the topics that was always raised by analysts and experts as the strong point of the government of Afghanistan to create a positive change in its relations with the neighbors and countries of the region, is the existence of strong support of the international community, especially America and members of the counter-terrorism coalition from the government of Afghanistan. To answer the question why the government of Afghanistan failed to effectively use these historical opportunities and diplomatic determination to benefit the country, define new interactions with neighboring and regional countries and get over the defensive position against its neighbors intervention, about half of the interviewees stated that the politics of America and Western countries were ambiguous and two-sided and it meant that they did not have any peace plan for Afghanistan. According to Abdul Hafiz Mansour, "Great powers never thought of ensuring peace here. America, Russia, Iran, India and Pakistan, none of them have any plan to bring peace to Afghanistan. Because their interest lied in the perpetuation of war and each of them just want to defeat its opponents here."¹¹² A number of interviewees believed that America could have a strong and essential role in ensuring peace and stability by putting pressure on Pakistan. However, they felt that this country was facing with the difficult choice to decide on between the Afghanistan and Pakistan. Therefore, it had not applied enough pressure on Pakistan so far. Maulavi Ataullah Ludin stated: "I still believe that if America wants to bring security to Afghanistan, it should tell Pakistan to stop its interfering with the affairs of Afghanistan. Then, if the inner circles in Afghanistan do not prevent it, we will achieve peace." However, according to him, both allies of America, Saudi Arabia and Pakistan, have the same approach toward Afghanistan, so that "Saudi Arabia sees us in the mirror of Pakistan and

¹¹⁰. Interview with Wahid Mojda

¹¹¹. Interview with Wahidullah Sabawoon

¹¹². Interview with Abdul Hafiz Mansour

whatever Pakistan tells Saudi Arabia, the country will accept it.”¹¹³ Sima Samar also stated, “Until America does not put enough pressure on Pakistan, we do not find peace. Pakistan has nuclear weapons and can threaten anyone with its atom bomb. The other issue is that for instance, China has not yet reach to the conclusion that Pakistan is the training center of the Chinese fundamentalists. While I witnessed that Uighurs and Uzbeks of China were studying in religious schools in Pakistan.”¹¹⁴

The idea “America’s interests lie in the durability of the war in Afghanistan” had supporters among the interviewees. This group of interviewees believed that as the interests of some countries of the world are in the prolongation of war and violence, therefore, they have no plan for peace. For example Mr. Registani explained: “Maybe America is in favor of prolonged war, it means that with the continuation of war, the Americans could achieve their goals. They see their staying power in it. Without war, America probably does not have any excuse for its presence in Afghanistan.”¹¹⁵ In addition, some interviewees, for instance Mr. Miakhel, indicated another reason: “Because [the Americans] want to control China and put pressure on Russia by using Afghanistan geo-strategic position. On one side, control Eastern Europe, Ukraine, Georgia and Azerbaijan and on the other side, control Middle East. From this side, USA can also easily send civil support and help peace in the countries of this region. So, Afghanistan is the stronghold of the Americans.”¹¹⁶

Geopolitics of Insecurity and Barriers to Regional Peace

Some interviewees consider the presence of America in Afghanistan to be the source of continuance of tension and conflicts and provoke the rivals of America to further intervene in Afghanistan. Dr. Sayed Askar Mousavi said: “I find the clues of peace and war in the region, including Pakistan, in the American theory of the century. According to this theory, America defined a series of interests in Central Asia for itself in this century which must be achieved, or that how should the shape of the geography of world be to serve the interests of America. It is expected that some other stand against this theory and this is how the tension is created.”¹¹⁷ But another group of interviewees believed that Afghanistan was located geopolitically where it was surrounded by the opponents of America and therefore, America’s presence in this region of competition could not bring stability. According to Habibullah Rafi, “We should not have expected that the presence of America in Afghanistan establish political stability. Unfortunately, the government of Afghanistan became too much dependent on America and failed to involve the neighboring and regional countries in bringing security and stability. America also did not

¹¹³. Interview with Maulavi Ataullah Ludin

¹¹⁴. interview with Sima Samar

¹¹⁵. Interview with Salih Mohammad Registani

¹¹⁶. Interview with Shah Mahmood Miakhel

¹¹⁷. Interview with Sayed Askar Mousavi

welcome the presence of other countries. Therefore, no country in the region wanted America to win. They wanted the failure of both, America and the Taliban.”¹¹⁸ However, Ali Amiri sees the source of this geopolitical tension mostly in the heterogeneity of the region: “We have many divergent and different countries in the region. This heterogeneity of the countries of the region is the reason these countries do not find a common interest in Afghanistan. If peace in Afghanistan benefits one particular country, it would not benefit another country.”¹¹⁹ So, in the words of Sarwar Mamound, “To reach a result in the peace process in Afghanistan depends on many regional powers.”¹²⁰

In addition of the role of great powers and southern neighbor, Pakistan, a number of interviewees have also highlighted the role of Iran in destabilization of Afghanistan. For example, Dr. Zakia Adeli explained: “the rivalry between India and Pakistan is one of the problems and obstacles for peace in Afghanistan. Iran’s politics also is another obstacle. We recently realized that the new leader of the Taliban (Mullah Mansour) was killed on the way back from Iran. Another issue is that Iran fears the growth of the Islamic State (ISIS) in Afghanistan. But more importantly, Iran is anti-America and does not want the Americans to have a stronghold in Afghanistan. These factors provoked Iran to act, support and sponsor several branches of the Taliban and use them against America, because they have a common interest.”¹²¹ Sardar Rahimi Also believed that, “Iranian think that destabilization in Afghanistan geopolitically benefits Iran. They think than when Afghanistan is struggling with internal instability, it would create a secure margin for Iran. For example, Afghans cannot effectively manage their water resources, but if they did, the water resources in the East Iran would be limited. At the opening of the Salma Dam, the Iranians apparently show interest, but they are not happy about that at all. They think that water management in Afghanistan creates serious problems for them.”¹²²

Negotiate with the Taliban or Pakistan?

Most of the interviewees considered Pakistan as the main cause of continuation of war with the Taliban and the government’s armed opposition groups, and the failure of the peace efforts. They believed that Pakistan constantly has played a devastating and intrusive role in Afghanistan during the past four decades. According to Mohammad Karim Khalili, “A group as the Taliban with the power of decision making does not exist. They are a number of people who are dependent on Pakistan. They [the Pakistanis] manage the peace process. We should

¹¹⁸. Interview with Habibullah Rafi

¹¹⁹. Interview with Ali Amiri

¹²⁰. Interview with Sarwar Mamound

¹²¹. Interview with Zakia Adeli

¹²². Interview with Sardar Mohammad Rahimi

continue the dialogue and negotiations with Pakistan.”¹²³ But given our experience with the country, is Pakistan ready? President Hamid Karzai visited Pakistan 21 times, and President Ghani, first approached Pakistan and began the talks through Pakistan with a great optimism but did not get any result. Mr. Registani believed that “Pakistani is not ready yet to involve the Taliban in a political process. So until Pakistan as a supporter of the Taliban and extremist groups, does not come to the conclusion that it must lead these militants (the Taliban) to another phase so they put down their weapons and enter a political process, a kind of process which serves the interests of Pakistan, any peace negotiation would fail.”¹²⁴ According to Dr. Sadeq Modabber: “Pakistan not only did failed to use its influence on the Taliban to bring them to the negotiation table, but it also prevented the start of direct dialogue between the government of Afghanistan and the Taliban by controlling them.”¹²⁵ Former members of the Taliban also have the same opinion and believe that so far Pakistan has been an obstacle for achieving peace: “Those among the Taliban who came to Kabul for peace, after returning from Afghanistan, got imprisoned or killed. Anyone who came to Afghanistan for reconciliation is gone. One of the Taliban members joined a negotiation in UAE and after returning to Pakistan he was arrested. Even the leader of the Taliban, Mullah Akhtar Mohammad Mansour, is a victim of peace.”¹²⁶ Although both groups, the Mujahidin and the Taliban, had the same opinion about Pakistan, but the difference is that the government and the political leaders of Mujahidin believed that Pakistan had a great political influence on the Taliban leadership. Assuming that the Taliban did not come to the negotiation table without the Pakistan’s will and pressure, they concluded that there was no political desire in Pakistan to use this influence on the Taliban in order to restore peace and political stability in Afghanistan. But the former leaders of the Taliban presented the group as an independent movement that was not easily influenced by Pakistan and believed in peace as the solution of the country’s problem. According to them, Pakistan by putting the Taliban leaders under pressure, intimidating and threatening them, tried to prevent a constructive interaction between the Taliban and the government of Afghanistan.

Hazrat Sibghatullah Mojaddedi who served as the President of the High Peace Council, stated in this regard: “Today, Pakistan’s ISI has the key. As long as the ISI is not satisfied and agrees, we cannot bring the Taliban. Today, top members, the senior figures of the Taliban, anyone from ministers to religious scholars and everyone who wanted to join the High Peace Council, when they (ISI) became aware, would kill or imprisoned them.”¹²⁷ Dr. Sadeq Modabber, by indicating

¹²³. Interview with Nahid Farid

¹²⁴. Interview with Salih Mohammad Registani

¹²⁵. Interview with Sadeq Modabber

¹²⁶. Interview with Nazar Mohammad Motmaen

¹²⁷. 8am daily, Sunday, September 5, 2010

the arrest of Mulla Nani in Quetta, stated: “The main reason of his arrest was that he began direct dialogue with the government of Afghanistan without seeking permission of Pakistan.”¹²⁸

Maulavi Abdul Salam Zaeef, criticizing the government’s approach to negotiate with the Taliban through Pakistan, said that the current cooperation between the Taliban and Pakistan does not mean that the Taliban are Pakistan’s servants: “The government tries to contact the Taliban through Pakistan. Bringing the Taliban to the negotiation table through Pakistan proves that the Taliban fight for other’s purposes and it proves that the government is not sincere in its peace efforts and only wants to prove that the Taliban works for other’s interests.”¹²⁹ But Mr. Zaeef and the rest of former members of the Taliban, who participated in this research, believed that the Taliban have problem with America and NATO and other countries in the world. Therefore, according to them, if they only negotiate with the government of Afghanistan, all their problems remain unsolved: “The government of Afghanistan has always tried to negotiate with the Taliban in a way that all the Taliban’s international problems remained unsolved. For example, the Taliban have issues with America, but the Americans are not actively present here, Europeans have issues with the Taliban but they do not have an active present as well. They try to bring the Taliban through the government, and when they come this way, all their problems remains. The Taliban’s issues with the United Nations, with Americans, with Europeans, all continue. Then the Taliban cannot travel, cannot go to jihad, cannot enter the politics, and nothing. This is a conspiracy.” Mr. Modabber also indicated to the government’s peace agreement with the Hekmatyar’s Hezb-e-Islami and explained: “Although the government reached an agreement with the Hezb-e-Islami, Mr. Hekmatyar has not yet come to Kabul and one reason could be the fact that his name remains on the American blacklist. If America and the international community respect the agreement and the will of the government, then the Taliban would be encouraged to negotiate with the government and at least the concerns about the international aspects of the negotiations to remain unsolved, would be eliminated. Otherwise, this speculation becomes stronger among the Taliban that negotiating with the government has no result and therefore they should negotiate with America.”

In the institute survey, in response to the question, “Is the government of Afghanistan capable of advancing the peace talks without Pakistan’s cooperation?” 27.7% of respondents selected the option “disagree” and 28.6% selected “strongly disagree”. Also around 40% of the respondents agreed that the government could advance the peace process without the Pakistan’s cooperation.¹³⁰

¹²⁸. Interview with Sadeq Modabber

¹²⁹. Interview with Maulavi Abdul Salam Zaeef

¹³⁰. Karimi, Hussain Ali and Ebrahimi, Ghulam Reza, *ibid*, p.38

Now, where was the middle ground that could actually provide the conditions and context for direct negotiations so that past mistakes in the negotiations between the Mujahidin and the governments of Soviet Union, Dr. Najibullah and Pakistan were not repeated? Most interviewees were in favor of direct negotiations and believed that with the support and assurance of the international community, achieving peace through this path could be expected. This group believed that to create an inclusive framework, the Quadrilateral Coordination Group initiative must be developed to include the involved countries. But Afghans should have the control over the process and this framework should only have the role of facilitator rather than be one side in the peace talks. However, if the government was supposed to directly negotiate with the Taliban, given the multiplicity of the Taliban leaders and ambiguity of the competencies among the Taliban representatives in the past formal and informal negotiations and the major role of Pakistan in controlling the leaders of the Taliban and their restrictions, most interviewees doubted the possibility of face-to-face negotiations and believed it required more comprehensive and practical arrangements and plans. Among the interviewees, there were a number of senior members of the High Peace Council who believed that in the past there was less grounds for direct dialogue and in the meetings which took place in Oslo, Qatar, Dubai, France and Japan, a group of Taliban came with the orders and texts they were given. They would not talk about any subject other than the ones they were told and these meetings had no similarity to formal meetings and conversations. According to Ismail Qasimyar: "Once, a meeting took place in Mary, Pakistan, and with the Pakistanis cooperation. The representatives of Akhtar Mohammad Mansour and from the Haqaani network, the nephew of Haqqani who came at the invitation of Pakistan, were also present. A second round of negotiations was supposed to happen. At that time they hid the news of the death of Mullah Omar. But after it was revealed, the second round of talks did not take place."¹³¹ In addition, these groups of interviewees believed that while these informal meetings and negotiations, initiated by a number of organizations such as Pagwash, helped the two sides to better understand each other's position, they were a platform for the Taliban to make their demands to be heard by the whole world.

But, former members of the Taliban said that the essential condition for the Taliban to get free from Pakistan's pressure and for creation of the grounds for the direct dialogue between the government and the opposition was to "create an address" which was previously agreed on. The conditions and terms for this address and in which country it should be, according to Wahid Mojda was decided by Mullah Omar. "The country that you want to have an office at, should have several characteristics: first, it should not be of Afghanistan's neighbors, because if you involve one neighbor, the other neighbors also want to enter. Second, no military force should

¹³¹. Interview with Ismail Qasimyar

be sent to Afghanistan. Germany requested for the office to be there. Third, the office should be in an Islamic country. And fourth, the country should not have been in war with the Taliban after 2001. These were four conditions of the Taliban to select and address.”¹³² Such an office was created in Qatar with the support of several countries and consent of the United States of America. But after the Taliban raised their flag by the name of Islamic Emirate of Afghanistan and used this address to develop their relations and perused the plans beyond the agreed framework instead of negotiating with the government, it faced with the disapproval of the Afghan government. Therefore, President Karzai called for this office to be closed. According to Nazar Mohammad Motmaen: “When the Taliban created the Qatar office, it was one reference and address for starting peace talks. Mr. Karzai opposed to it.” But, Maulavi Abdul Salam Zaeef believed that the Pakistan’s disagreement was influential for the closure of this office. According to his opinion, Pakistan did not want the Taliban to have a single address for the negotiations, because it would push Pakistan to the margin: “That office was opened as the political address of the Taliban but unfortunately it was closed. Those who went to that office also found it difficult to return to Pakistan. Pakistan had a key role in preventing this office to be established, and there were also other countries. The Taliban did it for their independence and future. They sacrificed. Those who went to Qatar as the representatives of the Taliban, stayed there and they are still in Qatar, but they have no competencies. I believe if what started there would be continued, we did not have any problem in Afghanistan. After the office in Qatar was closed, the Taliban suspected that the government and security officials do not want peace.”¹³³ This group of interviewees emphasized that “opening of the Taliban office” was still one of the essential conditions for the beginning of the direct negotiations.

[Do the Taliban Want Peace?](#)

About half of the interviewees believed that the Taliban did not have a peaceful approach and they were more a fighting engine for Pakistan. They believed that if the Taliban wanted peace, given to the efforts during the past 15 years, we could achieve peace. But a number of interviewees, who among them are former members of the Taliban, have a different opinion. According to Abdul Salam Zaeef, “The ones who get killed are the Taliban. The ones who are bombed are also the Taliban. The ones, who are deprived of their rights, are the Taliban. The ones who are deprived of the economy and education are also the Taliban. The ones who have left the country are the Taliban. If the Taliban do not want peace, so who wants peace?”¹³⁴

General Abdul Hadi Khalid also believed that the Taliban wanted peace but there was no strong desire for peace among the government leadership. According to him, “It has been disclosed

¹³². Interview with Wahid Mojda

¹³³. Interview with Abdul Salam Zaeef

¹³⁴. Interview with Abdul Salam Zaeef

that the Taliban wanted peace. If one part of the Taliban were dependent on Pakistan, we pushed the other part to Pakistan. Pakistan took them as forfeit, and use back against us, or we forced them to take refuge in Iran and Iran use them back against us.”¹³⁵ Given the Taliban ideology and the violence we have witnessed from the Taliban and it was continued over the past 15 years, is it possible to be optimistic about the Taliban’s will for peace? Although the other interviewees were skeptical, but Nazar Mohammad Motmaen believed that the Taliban have changed. “The Taliban say they want no more an Emirate in Afghanistan, because now the condition in Afghanistan is not compatible for the establishment of an Islamic Emirate. The Taliban explicitly say they want a system that everyone can participate, including the communist. While, there was no such mindset in the past.”¹³⁶ This group of interviewees believed that the government wanted a kind of peace that meant surrender. While peace does not represent surrender, but it is reaching an agreement over the disputed issues. For instance, Habibullah Rafi explained: “No step has been taken for peace. Peace does not ensure capitulation but they carry out the surrendering plan. So they should not call it a peace plan. Peace means that the parties sit together, speak to each other, and eventually agree on the reasonably accepted subjects, then peace happens.”¹³⁷ Abdul Hafiz Mansour also believed, “Unfortunately peace has never been a priority in this country and it is not now. Peace means surrender. Najib wanted that, and it is still the same.” But Ismail Qaismyar stated: “Peace is good for everyone. It is not like one side is the winner and the other side is the loser, but all of us are winners. It means that no one should feel that they would lose or surrender something by making peace.”¹³⁸

What are the Taliban’s Demands for Reconciliation?

In relation to the demands of Pakistan and the Taliban to achieve peace and end the war, one-third of the interviewees believed that there were no defined demands by the Taliban and Pakistan to be discussed in a transparent manner and on a national level. Dr. Sayed Askar Mousavi stated, “We should know why we only fight with the Taliban? In regard to the Taliban, we should reach a definition about who they are? Then understand their demands. We do not know who are the Taliban and what they are or what do they want from Afghanistan. We are always in obscurity. The Taliban’s demands are constantly changing.”¹³⁹

However, another group of the interviewees believed that the Taliban had certain demands which had not changed much. According to Maulavi Ludin, “The Taliban say that first foreigners must leave the country. Second, our prisoners must get free. And third our name should be

¹³⁵. Interview with Gen. Khalid

¹³⁶. Interview with Nazar Mohammad Motmaen

¹³⁷. Interview with Habibullah Rafi

¹³⁸. Interview with Ismail Qasimyar

¹³⁹. Interview with Sayed Askar Mousavi

removed from the blacklist. They have not expressed anything else during the past 15 years.”¹⁴⁰ But, Ismail Qasimyar said, “The Taliban raised another condition which is changing the constitution and implementation of Islamic Sharia law. The Taliban wanted the rule of Sharia. It was not an appropriate condition, but it is an excuse. Since the people of Afghanistan converted to Islam, it has been an Islamic state. The law, slogans and judiciary of Afghanistan is consistent with Islam. These are excuses.”¹⁴¹

The Constitution had been announced as the red line of the negotiations by civil society organizations and a number of political parties, because they consider any change to the Constitution as destruction of all the achievements of the past 15 years. However, there were some concerns that in case of a constitutional amendment, the Taliban might try or the government might accept to change many of the provisions of the Constitution that guaranteed the fundamental rights of citizens. Some of the interviewees also believed that the Constitution was a statutory law and could be changed according to the requirements of the time and national interests. Abdul Hakim Mojahid stated in this regard: “The Constitution says in Article 149 that all articles can be amended for the betterment of people’s lives, except article 1, 2 and 3. Therefore, any law which is contrary to these articles is not applicable. Whatever the idea of the Taliban movement about the implementation of Islamic Shaia law and creation of an Islamic government in Afghanistan is, the current constitution has guaranteed it. There are no other serious issues that prevent the success of peace negotiation with the Taliban.”¹⁴² This group of interviewees believed that the issue of constitutional amendment was only an excuse, and criticized the violation of the constitution and failing to act as its provision and articles during the past decade. Nazar Mohammad Motmaen stated: “Recently, a study was conducted which the only article of the constitution that has not yet been violated is that Kabul is the capital city of Afghanistan. This is wrong.”¹⁴³ Therefore, these interviewees suggested that the subject of the constitution should be the red line and the government should stop establishing such tough demands and preconditions in favor of peace and security. Maulvi Ludin believed: “It is required that the government of Afghanistan also compromised about its demands. The government should not only persist that the Taliban must accept the constitution. We live in Afghanistan. Minister, director, or whatever position we have, we did not totally accept the constitution of Afghanistan. How can we expect the Taliban to accept it? In addition, it is not holy. It is a statutory law. Its definition is that it could be changed and adjusted at any time according to the will of the people. We should not raise it as a condition for the Taliban that they must accept the

¹⁴⁰. Interview with Ataullah Ludin

¹⁴¹. Interview with Ismail Qasimyar

¹⁴². Interview with Abdul Hakim Mujahid

¹⁴³. Interview with Nazar Mohammad Motmaen

constitution. First, continue the negotiation, and then during the talks, solve these kinds of issues.”¹⁴⁴

A number of interviewees went further and believed that security was the highest priority and peace and security should be achieved by any means necessary and with some conditions. As Abdul Hafiz Mansour stated: “To bring peace in the country, peace negotiations should have two terms: first, the territorial integrity of Afghanistan should be the red line and Afghanistan must not be divided. And second, the second chapter of the constitution of Afghanistan... even at the cost of changing the name of Afghanistan, the political system of Afghanistan, president of Afghanistan, the cabinet of Afghanistan. The important issue for us is security and it not important if a Mullah is the minister or someone else.”¹⁴⁵ But, Wahid Mojda said that in the dialogue between the Taliban and the United States of America, the Americans had accepted few issues: “First issue was regarding the opening of their office. The Americans had convinced the government of Afghanistan for that; the second issue was release of the prisoners from Guantanamo; third, removing the Taliban leaders from the blacklist. They gave these promises and it was based on the same promises that the Taliban accepted that address, but earlier they were saying that our address is the same barricades that we shoot at you from them.”¹⁴⁶

Pakistan’s Demands

Most interviewees believed that Pakistan was in one way or another involved and was on one side in the Afghanistan war and supported and sponsored terrorism in the region especially in Afghanistan. According to them, until all of Pakistan’s demands were served and all its interests were assured, this county would continue supporting armed opposition of the government and its strategy would be fueling the violence in Afghanistan. However, if there was any dialogue and negotiation with Pakistan to solve the prevailing security issues in Afghanistan, what were Pakistan’s demands? Was it possible to solve these issues within an acceptable and reasonable framework?

Ismail Qasimyar who has been present in the peace process, explained: “We were not familiar with the rules of this game at the beginning. We must have been the actors who follow these rules, but we did not. We also did not have a definite understanding of the strategic demands of our neighbor country, Pakistan. That is why our presidents visited Pakistan 21 times. While he should have advances some issues at the first trip. But instead, they simply accepted some

¹⁴⁴. Interview with Ataullah Ludin

¹⁴⁵. Interview with Abdul Hafiz Mansour

¹⁴⁶. Interview with Wahid Mojda

promises and words. They did not give any attention to the performance. More than seven years have passed by this travels.”¹⁴⁷

What exactly were the demands that the complex, ambiguous and two-sided policy of Pakistan towards Afghanistan was based on? According to Nazar Mohammad Motmaen, “Pakistan wants some privileged in the ongoing peace talks in Afghanistan. Pakistan wants to solve the case of Durand. It means that this country wants lands, wants the water resources.” Gen. Zahir Azimi also presented the same list of issues between the two countries and of Pakistan demands: “concerns about the relations between Afghanistan and India, concerns about the Durand Line. We face with more problems about the water resource. The concern is water, the trade road with the central Asia... Pakistan wants Afghanistan to remain dependent to Pakistan.”¹⁴⁸ But, a number of interviewees did not consider the recognition of Durand very effective on the Pakistan change of policy towards Afghanistan. Kabir Ranjbar believed: “if our government recognizes the Durand Line a thousand times, there will be no change of Policy in Pakistan. Why? Because it is absolutely ludicrous for Afghanistan to raise this issue. The whole world recognizes Pakistan’s territorial integrity within these borders. Now no matter how much we try or whatever we say and insist that we do not recognize it, it is the same. Only a few people with backward mindset would raise these kinds of issues.”¹⁴⁹

At the same time, a group of interviewees indicated to the prevailing rivalry and animosity between Pakistan and India: “One basic demand of Pakistan was that Afghanistan should undermine the prospect of presence and influence of India in the country and remain reliant on to Pakistan. This idea has emerged more evidently in the past and the present in Pakistan’s foreign policy particularly towards Afghanistan. During the past 15 years, Pakistan constantly expressed its discontent about the increasing role of India in Afghanistan, expansion of ties between the two countries, and opening of the Indian consulates in the Afghan cities which have borders with Pakistan such as Kandahar and Jalalabad. Recently, Pakistani officials including Mushahid Hussain Syed, Pakistan Prime Minister’s special envoy on Kashmir, stated: “The road to peace in Kabul lies in Kashmir. In the sense that when you talk of peace, you cannot compartmentalize peace, you can’t segregate a section... ok you can have peace in Kabul and let Kashmir burn. That is not going to happen.”¹⁵⁰ Almost all the interviewees considered the rivalry of India and Pakistan in the current tension between the two countries was part of major issues which directly affected Afghanistan, due to their strategies and policies towards

¹⁴⁷. Interview with Ismail Qasimyar

¹⁴⁸. Interview with Nazar Mohammad Ranjbar

¹⁴⁹. Interview with Kabir Ranjbar

¹⁵⁰. Peace in war-torn Afghanistan only via Kashmir, Pakistan tells US Peace in war-torn Afghanistan only via Kashmir, at: <http://timesofindia.indiatimes.com/world/pakistan/Peace-in-war-torn-Afghanistan-only-via-Kashmir-Pakistan-tells-US/articleshow/54735495.cms> (Last visited on 11/10/2016)

Afghanistan. Amir Ramin stated in this regard: "Part of the controversy comes from the Pakistan's disputes with India. The Strategic depth which is an old issue and Pakistan has repeatedly raised it. Although they recently say we are not looking for strategic depth, but unfortunately we see that they believe a strong and stable Afghanistan may be to their detriment."¹⁵¹ Mr. Ramin added that overall, "The biggest problem we see with regard to Pakistan, is the military-security approach of the country to regional issues and particularly Afghanistan." Sarwar Mamound also believed that, "Peace in Afghanistan depends on the countries of the region, for example, the conflict between India and Pakistan on Kashmir and the same with other countries. The path must be created for talks with Pakistan and other countries."¹⁵² Some other interviewees expressed the issue from another angle and attributed the problem mostly to India. Shah Mahmoud Miakhel explained: "Everyone tries to keep the war away from its territory. India wanted to repel war from its border zone, Kashmir, and drag it to this side in order to be out of trouble. It means that its other countries' war that take place in Afghanistan."¹⁵³ Abdul Hafiz Mansour has the same idea: "To our estimation, India had been spending approximately four billion dollars in Kashmir against separatists. With the start of a new round of conflicts in Afghanistan, the war in Kashmir turned off and the war has been moved here. The total expense of India during these 15 years, does not reach to three billion. I tell you it is indisputable that the Durand Line should be questioned, and the claim for the Pashtunistan should be raised again."¹⁵⁴

But, how could we overcome these challenges and find a solution for the long-lasting historical problems between two counties? Almost all the interviewees believed that we should accept the existing problems between the two countries and cooperate with them to find a solution which was based on the international law and principles. Denial or persistence without any plan could only increase the disastrous consequences and provoke further tension. Most interviewees believed that during the past 15 years which we have had the support of the international community, if the required diplomatic capacity existed in our foreign policy, we could end many of these problems, because there was enough support. But, according to the interviewees, we could not draw the support of international community to ensure the country's strategic interests. The majority believed that the actions taken in this area, such as economic or military cooperation treaties and agreements, as basic and inadequate steps. Almost half of the interviewees considered finding a solution for the Durand problem one of the essential and important issues which should be on the priority of the government agendas. This group of the interviewees mostly emphasized on two phases; first phase, accepting it as a

¹⁵¹. Interview with Amir Ramin

¹⁵². Interview with Sarwar Mamound

¹⁵³. Interview with Shah Mahmoud Miakhel

¹⁵⁴. Interview with Abdul Hafiz Mansour

problem and turning the Durand subject to a national debate and second phase, to find a solution based on the international law and conventions. According to Mohammad Akbari, “one unsolved problem that existed between Afghanistan and Pakistan was the issue of the Durand Line. As it has been said, Sardar Daoud Khan did take some measures. But he embroiled Afghanistan with the Soviet Union for the sake of Pashtunistan which not only destroyed him, but also all of us are burning in the same fire. Since then, all rulers of Afghanistan have made this issue a holocaust so that nobody talks about the Durand Line. The point is that when we say we do not recognize the Durand Line, although no action follows, because we do not have the ability for that, but it means that the other side of the Line is also ours. It is a territorial claim on another country and this claim is the most provoking and trouble making issue between two neighboring countries. This subject for Pakistan is a matter of being. Naturally this claim has consequences for the country and so must be solved.”¹⁵⁵

Mr. Registani believed that the courage to raise the issue and open the windows for consultation and assessments was the first and innovative step and one of his suggested solutions to reach an agreement with Pakistan was the plan of Sardar Daoud Khan to have a way to open seas: “Unfortunately they turned the Durand to an honor issue and any negotiation about the subject seems like negotiation over our honor ... Starting a negotiation is good for us. We would not lose. Different solution might be raised. Once Sardar Daoud Khan asked that give us a passage from here to the Gwadar with one kilometer width that connects us to the open sea, and as long as you recognize this passage, we recognize the border. If you intrude the passage, we intrude the border. Therefore, the solution can be found if we find the necessary courage and logic to enter the negotiation.”¹⁵⁶

But another solution that some of the interviewees agreed on, was to provide the grounds through dialogue and negotiation with the government of Pakistan to solve the issue by referendum. Nahid Farid believed, “It is impossible for us to campaign on Pakistan territory and take back part of the land that we claim. On the other hand, we have no right to stop the people who want to communicate with the people across the border. But the solution cannot be untimely claims. The solution is to conduct a referendum to ask people’s opinion. This referendum, with a transparent system and intervention of the international and legal organizations, solve the issue of Pashtunistan. These are problems on the way to bring peace and negotiate with the Taliban.”¹⁵⁷ This group of interviewees believed that the solution for the issue of the Durand was a principle of international law which most countries could overcome their longtime territorial problems which remained from the colonial era based on them. “In

¹⁵⁵. Interview with Mohammad Akbar

¹⁵⁶. Interview with Salih Mohammad Registani

¹⁵⁷. Interview with Nahid Farid

the intergovernmental relations also the issue of self-determination exists which based on that, people should determine their destiny, the people who live there not us. Now for example if the Baluch fight and claim that they want to define their destiny, we want to be with Afghanistan or to be independent, it is their right. We have no right to speak on their behalf while they do not want us to say which part of our territory they belong to.”¹⁵⁸

In relation to the problem of water source between the two countries, however the overwhelming majority of the interviewees emphasized on infrastructure programs to contain the water sources in the country and effective use of them for the domestic needs and requirements. They also believed that because the country’s water has not been used properly and it was flowing into neighboring countries such as Pakistan, it has made these countries greedy, during the recent years. However, they also thought that the problem of water sharing, especially with Pakistan, should be solved based on the principles of international law. Gen. Azimi explained the Helmand River was one example: “The government should start to work with a strong will. We have had problem with Iran over the Helmand River for years. Finally someone came, although he was called a traitor, some called him a water seller, and etc. But Musa Shafiq met with Hoveyda and they solved the problem. Today, when the two countries sat together, they have a document and speak based on that. These issues should be solved eventually. The interests of the other side must be served to the extent that our national interest allow. Otherwise it is probable that some people join the peace process but still the circle is incomplete.”¹⁵⁹

[The Structure and Authorities of the High Peace Council](#)

In relation to the High Peace Council, the interviewees mostly had disagreements on the issues including the objectivity, structure and the mandates. Some of them believed that the purpose of formation of the High Peace Council was not to achieve peace, but to marginalize the process and prevent civil and social movements towards peace by the centralization of these efforts in a government structure. According to Abdul Salam Zaeef, “When the High Peace Council started to work, the aim was not to bring peace. It was a political attempt. Like the movements that formed in Kandahar or the peace caravan in Jalalabad, a movement formed in Kabul. There were some attempts to launch a national movement for peace, but when the High Peace Council established, it prevented the efforts for peace. There was even a decree that the all the solitary attempts for peace should be stopped. Secondly, the peace process should have been a national

¹⁵⁸. Interview with Kabir Ranjbar

¹⁵⁹. Interview with Gen. Zahir Azimi

movement but the government took its control. Third, it became a source of fund for them. The High Peace Council did not create for peace in the first place.”¹⁶⁰

Dr. Faramarz Tamana stated: “The High Peace Council was a council to prevent the success of peace process. It means that the final goal in creating the High Peace Council was never positive, therefore the structure was defined in way to marginalize the peace process and suspend it.”¹⁶¹ But Ahmad Saeedi thought of the same idea from another angle and explained that the formation of the High Peace Council was never to achieve peace but rather to find a job and a thing to do for a particular group, while peace is a process and cannot be achieved through projects: “some members of the High Peace Council were the people who could not get to a position in Kabul and provinces. Mr. Karzai gathered them in the High Peace Council so that they find a source of income and also have a position, maybe to stop them from doing destructive Activities against the government.”¹⁶²

In the conducted poll in conjunction with the defects of the High Peace Council, there were some similarities between the public views and the opinions of the interviewees. In the survey, the majority of the respondents (19/9%) believed that “the High Peace Council was a symbolic council”. The next two options with the most percentage were “corruption in the Council” (16/4%) and “the Council’s lack of the necessary competencies and independence” (16/2%) that were followed by “lack of public support” (11.4%) and “foreigners’ interference with the Council issues”. Also 7/5% of the respondent believed that “Unawareness of the Council members about the methods of negotiation” was another defect of the High Peace Council and according to 5/5% of the respondent, “The Taliban influence in the Council” was the most important weakness of the Council.¹⁶³

Although a number of interviewees did not question the purpose of the Council, they believed the structure and composition of the council undermine the fairness of the Council. Farooq Azam stated: “The leader of the Council was at first my friend (Mr. Rabbani), but he has no experience in the field of peace. Why Professor Rabbani who had the history and experience in war, must be selected as the head of the High Peace Council? If you really want peace, why do you choose Mr. Rabbani as the leader of the High Peace Council? The leadership of the Council should be given to someone who was not engaged in the civil wars. After the death of professor Rabbani, his son became the next head of the Council. They made it hereditary.”¹⁶⁴ Habibullah Rafi also believed that the High Peace Council members should have been the people who could

¹⁶⁰. Interview with Abdul Salam Zaeef

¹⁶¹. Interview with Faramarz Tamanna

¹⁶². Interview with Ahmad Saeedi

¹⁶³. Karimi, Hussain Ali and Ebrahimi, Ghulam Reza, *ibid*, p.40

¹⁶⁴. Interview with Farooq Azam

sit with the Taliban and freely negotiate with them with no concerns or fears.¹⁶⁵ According to Nazar Mohammad Motmaen, the members of the Council were either the yesterday rivals of the Taliban or their today enemies: "Professor Rabbani was the head of the High Peace Council, while his political party was in war with the Taliban. Jamiat-e-Islami destroyed the Taliban by the cooperation of America, how can they make peace? Mr. Mohaqeq and Mr. Sayyaf call the Taliban as terrorists. The Taliban figures, who participated in the Council, are the ones who are no longer with the Taliban movement."¹⁶⁶ Based on this idea, the High Peace Council was rather one side of the problem and not the go-between. As Faramarz Tamanna explained, "At the time of the formation of the High Peace Council, Taliban opponents were resent and the Council was one part of the conflict, part of the Problem, not the mediator and the part of solution."¹⁶⁷ However, Ismail Qasimyar believed that this composition was one of the strengths of the council. According to him, if the yesterday rivals of the Taliban attempt to make peace with them, it would have better consequences. But, the majority of the interviewees agreed on one point, that the High Peace Council should work as a mediator not the representative of the government: "The High Peace Council should not be the government spokesperson, but instead, should try to adopt a neutral position so that the armed oppositions trust the Council. When the trust formed, there are no disputes that we cannot resolve it through a political solution."¹⁶⁸

Wahid Mojda explained the way to form a neutral peace council as follows: "If you want to create a council for peace, it should be unbiased so it could negotiate with both sides. In my idea, if such a group is going to be created, the number should be low. Secondly, they should not be paid any money. If you put the group in the government payroll, they would receive their salary from America, and here is the point that distrust arises. Everyone who joins the council would be for the money."¹⁶⁹ Apart from the issue of the composition, a number of interviewees believed that the structure of the High Peace Council was formed in a way that the council was not accountable and responsive and also lacked the necessary capacity to negotiate peace and reconciliation between the government and its armed oppositions. Sima Samar stated: "We do not have that structure. The High Peace Council is formed by heterogeneous and contradictory members who do not believe in peace. This council is a source of income for a number and a symbolic institution. In addition, when you have brought peace, with which structure and system you want to preserve it?"¹⁷⁰ Dr. Zakia Adeli also added another problem which was the legal competencies of the High Peace Council: "The High Peace Council has problems, in terms

¹⁶⁵. Interview with Habibullah Rafi

¹⁶⁶. Interview with Nazar Mohammad Motmaen

¹⁶⁷. Interview with Faramarz Tamanna

¹⁶⁸. Interview with Ismail Qasimyar

¹⁶⁹. Interview with Wahid Mojda

¹⁷⁰. Interview with Sima Samar

of structure, organization, and the competencies. From the legal point of view, whatever the High Peace Council does, have a form of recommendation and has no binding to be implemented. In term of competencies, it should be said that its competencies is yet to be defined. It means whatever the council decides to do, it should have the confirmation of the government. In addition, the members of the High Peace Council do not represent all parts of the society and the people who gathered in this council, are mostly those who have the support of the government and obviously are not capable to do anything.”¹⁷¹According to Sarwar Mamound, such legal competencies were given to the High Peace Council by the advisory Loya Jirga, but the Council could not use them: “While they were selected by the advisory Loya Jirga and had the required competencies, but practically, they could not maintain their independence. They have forgotten about social peace and are mostly following the short term policies of the government.”¹⁷²

Formation of a Third Measure

In general, a few numbers of the interviewees considered the High Peace Council as an inefficient and ineffective mechanism, yet relied on the government and anticipated no optimistic vision for its efforts. This group of interviewees suggested a third measure. But, how should it be organized and work? Maulavi Abdul Salam Zaeef explained the initial and incomplete plan of this effort as follows: “A national movement should be formed, they should raise their voice and this movement should be strengthened. I think this is the solution. Peace cannot be brought by neighbors, or by anyone else. This national movement should have the trust of the government of Afghanistan and the Taliban, so a national strategy could be achieved in Afghanistan. The government and the Taliban should give this opportunity to the people. Also the government should admit its failure to bring peace. The Taliban should admit their incapability to make peace. People should have been given the chance to work on a national strategy.”¹⁷³ This movement should be semi-spontaneous and the people themselves should start it. But the question is whether it is possible to form such a movement while there is a government and this government should be responsible about the destiny of the country and be accountable to the people? So how does it work that we expect the government to leave its responsibility and wait for the creation of such a movement? Or, in case it is formed, how can it obtain the required cohesion and discipline to have the ability to direct the government ant the people, bring the Taliban and the government at one table, and plan a result for the peace efforts? This idea by a number of interviewees does not have the clarity. General Abdul Hadi Khalid used the phrase “Sales Belkhair” (impartial party) for this measure and believed that “this is the government peace council. The Taliban formed their peace council in Qatar. But who

¹⁷¹. Interview with Dr. Zakia Adeli

¹⁷². Interview with Sarwar Mamound

¹⁷³. Interview with Abdul Salam Zaeef

should bring them together? There is a need for an impartial party to mediate between the two sides. These two sides should give the competence to the mediator so it can arbitrate. But now neither side gives such competence to a third party.”¹⁷⁴ But he does not have a clear idea about how this third force should be formed or work as well. He adds: “until now, we do not have it. But we have people in our society who can turn to a force if they gather.”

Lack of Financial and Professional Transparency in the High Peace Council

Some interviewees believed that there was not enough financial transparency and clarity about the work of the High Peace Council for the people of Afghanistan. According to this group, lack of transparency caused the efforts of this council to fail in having the necessary discipline and efficiency. They believed that the High Peace Council has also failed to present its agenda with the people and it does not have the support of the public opinion. Therefore, this council was working on the sideline of public judgment. But Mohammad Karim Khalli, a senior deputy of the High Peace Council, believed that the problem was mainly due to the Council Secretariat. According to him, even the members of the council were in the sideline: “The Secretariat has spent so much money for the expenses like designing a project and etc. These are not tasks of the Council or the secretariat of the Council. The government also should not be interfering when it is not necessary. The Council should be independent and it should not be only symbolic. Cooperation is acceptable, but not in a way that others come and define everything and do it under the name of the High Peace Council. We do not accept it.”¹⁷⁵ According to Dr. Faramarz Tamanna, “The lack of a mechanism for the accountability of the High peace Council about its expenses and measures has brought its work under the shadow of uncertainties and raised many questions.”¹⁷⁶ Dr. Sadeq Modabber also stated: “All the financial affairs were managed by the secretariat and the members of the council had no knowledge about it. The lack of cohesion in the council was to the level that even the negotiation with the oppositions was done by the secretariat and the head of the High Peace Council who was Professor Rabbani at time, would find out about it later. We collect the data and payrolls of all departments to investigate. But despite sending numerous letters, the secretariat of the council refused to present its payrolls.”¹⁷⁷ Wahidullah Sabawoon was the only interviewee who was in favor of strengthening and investing more on the council, but with some conditions: “The High Peace Council should maintain its impartiality and be honest, both to the government and to the nation. It should not be a peace council only by the name and receive budget and use the money instead of Tanks. If

¹⁷⁴. Interview with Gen. Abdul Hadi Khalid

¹⁷⁵. Interview with Mohammad Karim Khalili

¹⁷⁶. Interview with Faramarz Tamanna

¹⁷⁷. Interview with Sadeq Modabber

the government allocates only three percent of the war budget which would be spent on Tanks and soldiers to the Peace Council, the war would be over.”¹⁷⁸

Lack of a Clear Strategy for Peace

According to a number of interviewees, given the complexity of the case and existence of external factors and interference, there was a need to develop an explicit and clear plan and to design a comprehensive strategy in order to achieve peace. This group of interviewees believed that the High Peace Council was struggling with misconducts due to the lack of such plans in the current circumstances. If there was no specific definition and timetable for peace and other disputable and complex issues, the High Peace Council could not put its efforts in an appropriate path to assure peace and stability and bring the opposition groups to the negotiation table. Nahid Farid believed: “Our problem is that there is no plan, in national and international level, to bring peace in the country. We gave the responsibility to the people who has no understanding of it. I mean they do not have the required skills for this task.”¹⁷⁹ According to Framarz Tamanna who mostly considered the peace process as a project and criticized the definition of peace as an unspecified long-term process which could not be evaluated and calculated, “they should have said that for example we allocate this much money, forces and facilities to achieve peace in five years, so the nation of Afghanistan could understand how much it would cost to achieve peace.”¹⁸⁰ On the contrary, Abdul Hakim Mujahid, a member of the High Peace Council, stated: “The High Peace Council has launched its new strategy. In this new strategy we considered that before everything else, we need a national consensus. We have included the opinions of the political parties, civil society, women, Ulema and young people. It is a comprehensive strategy. Within the framework of this strategy we are looking to find a way to compromise with the armed opposition. Among all the existing issues, I think that until we do not eliminate the sphere of distrust between the government of Afghanistan and the armed opposition and between Afghanistan and its neighboring countries, we are not able to find a political solution and end the war in the near future.”¹⁸¹ However, a number of interviewees believed that any plan required having a strategic approach towards the regional developments and predicting the possible changes and the opportunities which they might provide, so it could be used in favor of the country. Any peace plan that does not include such comprehensive foresight, cannot lead the process to any result. Considering these defects and difficulties which were indicated by the interviewees, Dr. Sardar Rahimi suggests the following steps for assure the consistency of peace efforts:

¹⁷⁸. Interview with Wahidullah Sabawoon

¹⁷⁹. Interview with Nahid Farid

¹⁸⁰. Interview with Faramarz Tamanna

¹⁸¹. Interview with Abdul Hakim Mujahid

- 1) To adjust the composition of the High Peace Council
- 2) To define the legal status of the High Peace Council (defining its legal position among other institutes and its mechanisms of communication)
- 3) To design a professional board for the High Peace Council to make it capable of investigating the factors behind insecurity and instability, and the target groups for peace negotiation and follow the technical and specialized programs for peacemaking in national and regional levels with a clear vision so that we reach a practical peace plan and strategy in Afghanistan. We have never seen such a plan and the High Peace Council also has never had a coherent and organized strategic plan.¹⁸²

Confusion of Competencies between the High Peace Council and the Diplomacy of the Country

An absolute majority of the interviewees believed that to handle the peace process, given the regional aspects of war and conflict in Afghanistan, it was not possible to work only through the channel of the High Peace Council. There was a need for a diplomatic approach which was out of the competencies and duties of the High Peace Council. Although in the past, diplomatic actions in order to provide groundwork for assuring peace in Afghanistan and to impact on regional politics on the issue were not significant, but “peace diplomacy” has not yet had an important role in the foreign policy of the National Unity Government. According to the majority of interviewees, there is a need for a more active diplomacy in this area and the High Peace Council should carry out its plans through the ministry of foreign affairs.

According to this number of interviewees mainly critics of the High Peace Council performance, “Rather than spending so much on the High Peace Council that its poor members do not even understand why they are gathered here, we should have given the money to the ministry of foreign affairs to create a new directory and train diplomats for this department. For instance, a new ministry was created in UK to facilitate the exit of Great Britain from Europe Union. It was possible to establish a peace department in the ministry of foreign affairs, because it’s the work of the foreign ministry not the High Peace Council. The reason we do not get any results and do not obtain any experience in this path, is because it is essentially a diplomatic work. The other side has a diplomatic approach, but we have a tribal approach.”¹⁸³

Other interviewees including Ahmad Saeedi also expressed their uncertainties about the ability of the High Peace Council to carry out the negotiations with regard to the national and international aspects of this process. “Having control over part of peace and war is not possible for us and we cannot decide about it. But we should persuade all the engaged parties, the parties

¹⁸². Interview with Sardar Mohammad Rahimi

¹⁸³. Interview with Sayed Askar Mousavi

who defined interests for themselves in Afghanistan. Now, the question is that how can we do this and it is impossible to find a solution with these members of the High Peace Council.”¹⁸⁴

But Amir Ramin, one of the senior diplomatic officials of the country believed that there was a clear line between the competencies of the High Peace Council and the ministry of foreign affairs: “The work of the ministry of foreign affairs is diplomacy. The High Peace Council comes and begins to work when the direct negotiation starts. Because peace negotiation is a technical issue, while our talks with the countries of the region, Pakistan, China and America, is a diplomatic conversation rather than peace talks. Whenever the direct negotiation starts, the representatives of the High Peace Council would attend in the meetings. It is clear. However, one representative of the High Peace Council (Mr. Faqiryar) who is the deputy of the High Peace Council secretariat, attended the Quadrilateral talks.”¹⁸⁵

Peace and Justice

There was a dispute over the question whether justice should be a part of peace efforts or not. The main topic in these disputes was the crossroad of peace or justice. Some interviewees were in favor of prosecution of the criminals and human rights violators, and some other interviewees believed peacemaking was contrary to enforcing the justice in the current situation. They are afraid that emphasizing on justice would distort the fragile status quo.

In the modern history of Afghanistan, numerous cases of human rights violations, killings and genocide of some social groups has happened especially during the civil wars. The heavy and dark burden of the history still shadows the social and political relations of the ethnic groups in the country and would impact the future political developments. The “Action Plan” of the government for peace, justice and reconciliation in Afghanistan indicates to the influence of the past abuses and misbehaviors on the current political and social upheavals in its opening paragraph: “Afghanistan is taking important steps towards building a stable, lawful and democratic state. At the same time, it is facing with the legacy of egregious human rights violations committed in the context of more than two decades of armed conflict and which has cast a dark shadow over the peaceful and just co-existence of the people.”¹⁸⁶

Since the Bonn Agreement, there was a deliberate ignorance from the past experiences which could be happening in the future. In Bonn, Lakhdar Brahimi was insisting on “first peace, then justice”, so all the jihadi forces were appreciated in this agreement and the matter of justice

¹⁸⁴. Interview with Ahamd Saeedi

¹⁸⁵. Interview with Amir Ramin

¹⁸⁶. AIHRC, “Peace, Reconciliation and Justice in Afghanistan: Action Plan of the Government of the Islamic Republic of Afghanistan,” 2005: http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/Action_Pln_Gov_Af.pdf (Accessed on October, 2, 2016)

postponed to another time. Most interviewees believed it was the correct decision because the circumstances were not favorable at that time to make peace and enforce justice.

In 2002, the independent Human Rights Commission released a report titled “Call for Justice”. Based on this report, on a survey of six thousands victims of the civil war, most of them supported the need for accountability of human rights violators. Later in 2005, President Hamid Karzai met with the Independent Human Rights Commission and the representatives of the donor countries and human rights organization about a plan of action to implement the transitional justice, under the pressure of the international community. This plan was finally formalized under the title of “Action Plan for Peace, Reconciliation and Justice”. The “Action Plan” was a step towards a fair peace and included five clear commitments:

- 1) To admit and recognize the suffering of the people of Afghanistan
- 2) To establish a credible and accountable administration and to remove all the violators of human rights and war criminals from the governmental institutes
- 3) To submit to find the truth and collect the documents
- 4) To promote reconciliation and strengthen national unity
- 5) To create a working group to introduce additional mechanisms of accountability

However, the above-mentioned action plan was not implemented due to the pressures from political ethnic factions in the parliament. The AIHRC has inevitably placed the issue of justice and investigation of past crimes in the margin of its work. Instead, in 2007, the parliament passed a bill of “national reconciliation, general amnesty and national stability law”. This law declared the amnesty and called the former militant groups and the Taliban to reconciliation and started a strong dispute between the government and the international community, because the legal organizations were against the amnesty and believed that it is contrasting with the right of people for justice. Finally, this law was signed by the president with some adjustments in 2008. The third article of the mentioned law states: “All political factions and hostile parties who were involved in a way or another in hostilities before establishing of the Interim Administration shall be included in the reconciliation and general amnesty program for the purpose of reconciliation among different segments of society, strengthening of peace and stability and starting of new life in the contemporary political history of Afghanistan, and enjoy all their legal rights and shall not be legally and judicially prosecuted.”¹⁸⁷

This law was criticized by many people. Sima Samar stated that although those who drafted this law intended to block the route towards assuring justice and implementation of transitional justice, with the adjustments that were included in this law, it became more specific and the

¹⁸⁷. MOJ, “Law on National Reconciliation, Public Amnesty and National Stability,” *Official Gazette*, Issue No. 965, December 3, 2008, pp 15-21

topic of prosecution was excluded from the totality of general amnesty and immunity.”¹⁸⁸ According to the third Article of this Law, “the provisions set forth in clause (1) and (2) of this article shall not affect the claims of individuals against individuals based up on Haqullabd (rights of people) and criminal offences in respect of individual crimes.”¹⁸⁹

Although the majority of interviewees admit that ignoring the wrongdoings and crimes of the past would impact on the future political and social trends and transparency of the previous events would open the way for peace and democracy in the present time, there are serious disagreements in the conditions and timing of implementation of Justice. A number of the interviewees believed that if the matter of justice or the prosecution of the political leaders who were somehow convicted of violation of human rights raises in the present, there was a possibility of the escalation of the domestic conflicts in the current fragile situation. Most interviewees still agreed with the idea of “first peace, then justice”. However, a smaller number of the interviewees were in favor of implementation of justice and believe that denial of the past crimes may also disrupt the peace process and cause the continuation of mistrust in the context of the social unrest and endanger the basis of peace building and reconciliation in the broader social context. Nahid Farid argued: “if those who committed murder and abuse have been dealt with, maybe another group like the Taliban would not have emerged. Or after the fall of the Taliban if we had prosecuted those who committed crimes against humanity such as genocide, the situation would have been different. During the past fifteen years, one of the most serious criticisms about Mr. Karzai was the forgiveness of the people who were arrested by the suicide vests. I believe this method failed.”¹⁹⁰

Sulaiman Layeq also believed, “If we have stability here, it should start from me and then everyone should be held accountable. Otherwise, we cannot have trust between people.”¹⁹¹ Sima Samar who has worked in preparation of the action plan as the head of AIHRC, stated: “Although I am opposed to Brahimi who said first stability, then justice, and I would say it is impossible. The next time the United Nations sent Mr. Brahimi and others in a delegation to investigate. When I saw Brahimi, I told him neither I received justice nor you reached stability, because you cannot have any of them without the other one.”¹⁹²

Another group of interviewees, however, had a different opinion. Mohammad Karim Khalili, senior deputy of the High Peace Council, believed, “Justice cannot be achieved in the middle of war. To end the war without considering justice is also difficult. Today, people are more aware

¹⁸⁸. Interview with Sima Samar

¹⁸⁹. Ibid

¹⁹⁰. Interview with Nahid Farid

¹⁹¹. Interview with Sulaiman Layeq

¹⁹². Interview with Sima Samar

that the past. They do not want war and nor injustice. People of Afghanistan are tired of the current situation. People want a fair peace. We should consider both of them.”¹⁹³In general, according to some interviewees, it was not necessary to prosecute each one of the political leaders and give them an excuse to start the civil war once again. As a first step, it was important to recognize the crimes and condemn the past methods and policies. It would help us to create a line between past and present. The problem was that in Afghanistan all the parties engaged in civil wars, justify their fight in the name of political and social rights within the framework of “right to war”¹⁹⁴, and do not recall the principle of “justice in war”¹⁹⁵ and cruelty of the years of war. Therefore, it was important to create a neutral narrative of events that would help to mutual and impartial understanding of the past events and to avoid repeating these mistakes in the future.

¹⁹³. Interview with Mohammad Karim Khalili

¹⁹⁴. *jus ad bellum*

¹⁹⁵. *jus in bello*

CHAPTER THREE

Analysis of the Challenges and Providing Basic Guidelines

Section Six

The Overall Challenges in Front of Peace Process in Afghanistan

As discussed in previous sections, war in Afghanistan was obviously affected by the internal and external factors that in every stage of war had a role for the perpetuation of war and violence. But on one hand, the type and level of involvement of these factors have been different during the past four decades according to the dynamics of changes or continuity in regional policies and the competition of the great powers and also the dynamics of the society and politics in Afghanistan and the transformation process within the country. On the other hand, during these four decades, the continuation of war and internal problems became somehow tangled with the outsiders' interests and caused the complexity of the internal and external factors. In this section, given the common grounds in different periods, the general challenges facing peace in Afghanistan are investigated in two parts of external factors and internal factors.

Foreign Intervention

Foreign intervention during the past four decades has always been raised as one of the major causes of the war and violence and an obstacle to peace and stability in the country. Afghanistan, from the beginning, has been a buffer state between the two powers, Great Britain and Czarist Russia, and even after the demise of these powers could not free itself from the shadows of the regional completions. After the Second World War, by escalation of the Cold War, although Afghanistan stayed neutral it could not manage to set a foreign policy which could serve its national interests and also prevent the country from falling into the trap of foreign intervention, and the ongoing competitions and hostilities in the Middle East and South Asia. The incompetent political system and too much reliance on the foreign aid to advance its development programs during the sixties and the seventies, forced the government of Afghanistan to wander between the rival powers, Soviet Union and United States of America, or the blocks of West and East. As a result, Afghanistan became even more vulnerable to the invasion of its northern neighbor, the Soviet Union. After the defeat and withdrawal of the Soviet, political leaders of all parties which emerged during the Jihad and had defined specific domains and interests, could not establish a political order after the Jihad and open their path from war to peace and stability. Instead, the internal rivalries drew Afghanistan to a new phase of regional competitions and a proxy war. The disputes between the parties turned to a real civil war and eliminated the chance to reconsider the situation in the country and to define and set new political relations in accordance with the macro developments in the region and the

international system which was happening with the demise of the Soviet Union. At the end, Afghanistan remained more fragile and vulnerable to the intervention.

With the escalation of political violence and start of a full-scale civil war, ethnic and religious approaches, tangle of politics with identity issues, in addition to the heavy burden of the country's history, full of discriminations, made Afghanistan fragile more than ever and turned to the battlefield of regional countries. At this juncture, Afghanistan became the backyard of its northern and western neighbors and strategic depth of its southern neighbor. In other words, in a situation that the powers had the idea of a star war, Afghanistan was trapped in the war between its neighbors. After 2001 when Afghanistan became the center of international attention and supports, the neighboring countries continued their intervention in a different way and the government of Afghanistan, enjoying the strong and inclusive support of the international community, neglected to use the opportunities and the improved situation of Afghanistan to define, plan and follow a new strategy in its foreign policy. The foreign policy of Afghanistan failed to redefine the position of the country from a land of war to the land to regional integration and economic cooperation.

As a result, after four decades, Afghanistan still remained vulnerable to interventions. Despite the international presence and support of the new political system of Afghanistan, the complexity and intensity of regional competition escalated. According to experts and those who participated in this research, as it was explained in previous discussions, foreign intervention in regional and international levels, was the major cause of the continuation of war and failure to achieve peace and stability. They believed that in the current situation and considering the geographical location of Afghanistan, the interests of these countries were dependent to the continuation of war in Afghanistan. Most interviewees indicated to the intervention of Pakistan, concerns between the two countries over the Durand Line, water-sharing, and the security approach of Pakistan for Afghanistan in its rivalry with India, as the major causes. The ongoing ideological competition between Iran and Saudi Arabia, the competition between powers such as China and America over the resources in the Middle East and the competition between Russia and America over the political and economic influence in the Middle East and South Asia as Afghanistan is located at the center of these regions, were other causes.

The regional and global security and political systems are changing and new economic powers such as China and India are looking for stronger political role in the region. On the other side, Russia is trying to play a role in Afghanistan to at least preserve its interest in the Middle East. These changes may provide new opportunities to redefine the regional relations of Afghanistan they would create new challenges for Afghanistan as well. Part of these challenges is related to the confusion of relations between countries and lack of a level of regional integration among the countries of South Asia that could provide these countries with common grounds and larger

frameworks for economic cooperation and to turn this region from the geopolitics of war to the geo-economics of cooperation and integration. In any developments in the region that includes Afghanistan, it cannot define a collective role and in the formal and shallow cooperation, destructive tensions and rivalries continue. But the other part is related to the weaknesses and inefficiency of many regional governments and the presence of non-state actors. Today, terrorist and extremist groups use the existing tensions between the governments and the opportunities and grounds which are the results of the governments' failure, and draw the entire region into turmoil and chaos. In this chaos, terrorist groups and non-state actors, break the boundaries and emerge as the assets of one of the regional and global powers. According to the fact that these groups do not recognize the borders, inefficiency of the governments, and the defeat of Islamic State (ISIS) in the Middle East countries including Iraq and Syria, there is a growing fear that they might withdraw or transfer to the South Asia and Central Asia.

But the third and most important part of these challenges is related to identity crisis and ethnic conflicts which are rooted in the structure of regional government. The issues of identity and ethnicity undermine the national structures on the one hand, and on the other hand, tie the internal rivalries and regional conflicts by highlighting the common historical roots and the value of protecting and supporting the ancient cousins. In this regard, Afghanistan remains very vulnerable and is still unable to effectively overcome the issues of identity and ethnicity.

Some interviewees believe that even the political culture of Afghanistan is tangled with identity, ethnicity and religion, but how to open these entanglements is a topic that should be raised in the national level not international.¹⁹⁶ According to Abdul Hafiz Mansour, because of these issues "the concept of a common land, common country, national government, a government in which all groups have equal rights, do not exist in Afghanistan. Historically, we have not yet formed a national government and it is an important issue."¹⁹⁷ However there are optimisms that the ethnic and identity gaps in Afghanistan are not at a high level and mass culture in Afghanistan has the capacity to manage these gaps.¹⁹⁸ But ethnic gap or problems of political identity or politics of identity, at every level, can create the grounds for interweaving of the politics of the countries in the region and of near and distant neighbors of Afghanistan with the interests of certain groups. All the interviewees agree on this with minor differences. They believe that the twist of outsiders' interests with domestic groups is the reason of the perpetuation of violence, insecurity and instability in the country. They also believe that the interests of some countries are being assured through the proxy war in Afghanistan which is

¹⁹⁶. Interview with Faramarz Tamanna

¹⁹⁷. Interview with Abdul Hafiz Mansour

¹⁹⁸. Interview with Ali Amiri and Farooq Azam

driven by domestic groups and parties and this would enhance durability of war and prevents peace.

Internal Obstacles for Peace

According to the majority of interviewees, although it was impossible to deny the role of external factors, the main root of the problems was domestic and internal. They felt attributing all the problems to the foreigners was only simplifying the issue. Wahid Mojada explained: "One reason that we cannot achieve peace in Afghanistan is that there is no clear understanding of the factors of war in the country."¹⁹⁹ But if we want to have a definite understanding of the factors of war and obstacles for peace in Afghanistan, what are they? The interviewees considered various factors involved here which are summarized as follows:

1) Urban-rural gap

In the modern history of Afghanistan, the urban-rural gap and the distance between the urban elites and the rural elites, has been one the reason for the emergence and demise of political structures in the country. According to the interviewees, every time it was the villages that revolted against the urban-made systems and each time the villages were the winner. In the current situation, one major problem was neglecting the majority of rural population with their culture and traditions. It was their traditional interpretations which given the fast developments and changes among the urban elites, made the gap between the rural and urban societies even wider with no bridge to connect them. While this social gap remained, politics and society were only seen through the half-open eyes of the urban population of the country, while the rural population remained on the sidelines of the changes. The process of adopting these changes was much slower among the rural population than among urban population. The consequence of this disharmony was the emergence of resistance against the changes among the rural population. The contrast between rural and urban elites was active as the resisting factor within the layers of the political culture of the country since the revolution against the modernization of King Amanullah till the defeat of Russian forces and this contrast continues to the present time. According to the majority of the interviewees, today the Taliban create their livable margins mostly in the rural areas. One of the main reasons for the persistence of this gap is the type of division of powers and authorities between the central government and local administrations which is horizontal and with redistribution of competencies and responsibilities in accordance to the distance, create a distorted and imbalanced structure. According to Abdul Hafiz Mansour, the outcome of this situation is the inconsistency of the centralized system in a decentralized society. Wahidullah Sabawoon believes that, "Afghanistan is the land of the Mullah and The landowners who rule on 48000 villages in the country." In the

¹⁹⁹. Interview with Wahid Mojda

status quo, as Gen. Khalid explains, “Afghanistan is being divided by these wars. The Taliban mostly get their forces from the villages and the government becomes increasingly limited to the cities. We are in the middle of the city-village encounter.”

2) Cross generation gap

Immigration and brain drain, added to the growing trend of urbanization and search for employment in the cities, is the reason for the cross generation issues in the society. Although this problem has not yet emerged in a drastic level, due to the traditional context of the society, but the above mentioned factors (immigration and urban employment) and also exposure of Afghanistan to the forces of globalization, reduced the cross generation interaction and collapsed the strong structure of family in its tradition sense. Continuation of this situation, added to the problem of the cross generation gap and led to social chaos among youth. The new world that is introduced to the youth, by immigration or the new information platforms and through the media, undermined their association with the context and traditional relations of the society and made them wandering between the traditional and modern values. All the less developed countries, especially developing countries, experience this situation.

According to a number of interviewees, Afghanistan is now facing the cross generation gap and discontent of the youth which can be a dangerous phenomenon for Afghanistan, because on one hand, it may increase the distance between the government and the nation and on the other hand, increases the social gap. Considering the majority of the youth population in the demographic structure of the country and limited educational and employment opportunities, Afghanistan is today facing with the phenomenon of “youth bulge”. If the capacities for the recruitment and directing the young force of the country do not establish in the political and economic structure of the country, as it is proved by the experiences of other countries and also the unstructured immigration of educated forces of the country in recent years, the youth face with only two options of “leave” or “violence”. This trend of youth leaving the country, leads to a brain drain and escalates the propensity to the ongoing violence in the country and creates the opportunity for the terrorist and violent groups for the recruitment among the youth. Ignoring this social problem, both in the long run and in the short run, could undermine the foundations of peace and stability and increase the tendencies to violence and contribute to strengthening the ongoing conflict. In other words, achieving peace is not possible only by concentrating on the reconciliation between the involved parties in the war, but it also includes elements and factors which are rooted in the cultural, social and economic situation. If we do not pay the necessary attention to these elements and factors, it would be impossible to achieve a lasting peace or at least it would be a very exhausting and difficult road.

3) Structural, political, economic and cultural factors

Social scientist and researchers who have worked on the causes of conflicts and rise and persistence of violence in the underdeveloped and multi-ethnic countries, mention a series of structural, economic and cultural factors as the underlying causes of conflicts and violence. These elements and factors include the structural factors (weak government and intra-state security concerns, and ethnic geography), political factors (discriminatory political institutions, the ideology of national monopoly, intergroup politics, and the elite politics), economic and social factors (economic chaos, discriminatory economic system, economic development and modernization), cultural/cognitive factors (cultural patterns of discrimination, bitter collective history).²⁰⁰ In countries like Afghanistan, these factors mostly exist in an intertwined state and provide the grounds for the growth of violence and extremist groups and opponents. These forces may turn to the proxies who fight for the foreign interests. If we fail to pay enough attention to these underlying and essential issues, the short term efforts can only emerge as a temporary shot.

In this study, participants showed particular attention to these problems and their role in continuation of violence or providing the grounds for the growth of violence. In addition to the ethnic policies of the leaders and elites and existence of some level of monopoly in the political structure, according to the majority of interviewees, the expansion of corruption and injustice in different levels, as well as “the government’s inability to provide basic needs of the people”, in the words of Amir Ramin, are involved in flaming mass discontent. Increasing corruption in public institutions and administration can exacerbate the mistrust between the government and the people and encourage them to consider the local alternatives for solving their problems. The interviewees also mentioned the disastrous consequences of corruption and injustice in the escalation of the local conflicts and encouragement of centrifugal tendencies that can aid the growth of violence and undermine the social rule and the stability of the political system based on law.

Moreover, according to the majority of the interviewees, underdevelopment and poverty would also drive part of the society towards violence and violent groups such as the Taliban, or because of that, some people try to foment the insecurity and provide the illegal livelihood for themselves. Many interviewees believe that the political and factional loyalties do not necessarily have an ideological or religious reason and part of it drives from “poverty and reduction in the opportunities to have legitimate revenue”.

²⁰⁰. Brown, Michael E., “The causes of Internal Conflict: An Overview,” in: Brown, et. al. eds., *Nationalism and Ethnic Conflict* (Revised Edition), London: The MIT Press, 2001, p 6.

According to the majority of interviewees, during years of war in Afghanistan, the political economy of war knotted with the drug mafia economy. As a result, in the words of Ali Amiri, during the past four decades war has become the source of income for many people and for them, end of the war means the end of their huge mafia revenues. For the mafia and the informal economy, the extension of insecurity means the extension of domain and opportunities which helps the escalation of illegal economy without fear of prosecution. In such situation, this group can generate huge incomes and accumulate the mafia economy with an open hand. Therefore, drug and war economy tied with it, is one of the factor for the continuing violence.

Overall, in case these structural, political, cultural and economic factors remains unsolved, they can call into question the legitimacy and efficiency of the government and help the contexts of insecurity remain active in the society.

4) Ethnic structure of the power and the capacity to re-integrate the Taliban into the government

Among the interviewees, some of them highlighted this issue. According to the ethnic structure of power, one of the main challenges facing the peace process was the lack of capacity or an empty chair for the Taliban in the government. They believed that the Pashtun elite who were in the power structure form their ethnicity, were not ready to give up their position to the Taliban or provide a space for the Taliban easily, while the Taliban expected that in case they made peace, they should have a place in the administration. According to this group of interviewees, if the Taliban were added to the share of other political parties and groups, the current power balance would get disarranged and this could be a serious threat for the emergence of new political discontents and confusions between the political parties and their ethnic strongholds. Therefore, some interviewees believed that the issue of power-sharing should be made clear and the mechanisms of the division of power must be set in a way that creates a space to bring and absorb the opponents. Although the current Pashtun elites in the government who have mostly come from the West consider the Taliban as a military support which they can use for bargaining their position in the power structure, but assuming that the peace process was successful and the people accepted it, they would never give up or share their positions with Mullah Habtullah or Mulla Rasoul or other leaders of the Taliban.

A small number of the interviewees believed that because of the disarrangement of the traditional power balance after 2001, the military power fell into the hand of particular ethnic groups and so. As Faramarz Tamanna explained: "Many powerful Pashtuns who were present in the power structure, like Mr. Zakhilwal, Mr. Ahadi and Mr. Wardak, did not have the military power, but they had international influence and the hard power was the hands of the Taliban. The new structure for the distribution of power naturally would not be accepted in Afghan society, so they used the Taliban as the military power of the ethnic Pashtun."

5) Lack of coordination between the institutions to manage the process of negotiation

For many of the interviewees, lack of coordination and division of competencies between the agencies responsible for carrying out the process of peace and reconciliation negotiations, including the High Peace Council, Ministry of Foreign Affairs, and National Directorate of Security, was an obstacle to ensure the transparency and effectiveness of these dialogues. According to these interviewees, the reason there were various channels for the negotiation with the opposition groups including the Taliban, was the fact that they do not have the necessary coordination of information. On the one hand, considering the divisions of the Taliban, and difficulties of identifying the influential fraction among them, and on the other hand, the complexity of the peace issue and its regional aspects and intervention of regional intelligence agencies, can severely undermine the efficiency of the current attempts. While according to a number of interviewees, regional developments and changes, including the expansion of the ISIS activities, could pose the government of Afghanistan with new and serious threats. Therefore, there was a necessity to follow a specific and coordinated policy for peacemaking in order to prevent the more complexity of the situation. As Dr. Sadeq Modabber stated, "Given the changes in the region and the defeat of ISIS in Iraq, Syria and other countries, there is a fear that the ISIS might be pushed towards Afghanistan and it will make the situation more complicated when the number of the terrorist groups increases."

Section Seven

The Guidelines and Recommendations to Achieve Peace

On the basis the views and opinions of the interviewees which are categorized and analyzed in this study, and specific recommendations of the interviewees, basic guidelines and essential recommendations to solve the issue of the existing conflicts and to achieve a lasting peace in the country, are summarized as follows:

Domestic Consensus

Fragmentation of the social and political spectrum is considered as one of the main obstacles to the advancement of peace talks and successful accomplishment of this process. In particular, any disagreements and viewpoints among the leaders of the National Unity Government or the leaders and members of political parties about the national peace and reconciliation process can undermine the peace attempts. Therefore, the interviewees mostly believe that the priority should be creating unity and reaching a domestic consensus in relation to the process of national reconciliation with the armed opposition groups and providing an explicit definition of national needs and demands.

To do so, it is necessary that, in the words of Ali Amiri, “no discussion about peace should be considered as a taboo and the nation of Afghanistan, from all different ethnicity and culture, discuss the issue as a national debate. For example, the Durand Line should be an ethnic issue. The Taliban should be an ethnic issue. All of these topics should be the considered as social and national issues for the people of Afghanistan. Eventually, an agreeable solution would be raised from these discussions.” To maintain the national consensus over peace and the re-integration of the Taliban in the power structure in a way that it does not threaten the democratic values and the current achievements and does not add to human rights concerns, particularly about women, is very important and crucial for the success of this process. Otherwise, reconciliation with the Taliban would mean opening a new front in the country and activated the dynamics of violence in a different way as a responsive behavior. According to Dr. Modabber, “a consensus should be created over the issue of peace and its terms and conditions, so no one fears from the Taliban’s presence. The main condition for the creation of such consensus is to provide a clear definition of the terms and conditions of the reconciliation and to assure the transparency of the negotiations. If the necessary consultation with the political parties do not happen, and they find out about the negotiations, like who was negotiated with and who comes to Kabul, from the media, doubts and suspicions towards this process would increase and it would create conflicts among the political groups of the country.” However, the difficulty of peace-making ironically lies in the dispersion and variety of perspectives in sides, the government and the opposition. The opposition is also divided into main groups and various fractions and there is no total agreement under a single leadership among them. But if this situation remains

unchanged between the political leaders of the country and the body of political system, any attempts towards reconciliation, would not have the necessary integrity and strength to achieve peace.

Regional Consensus

After creating a domestic consensus over the manner and conditions of reconciliation and peace process and reaching to a unity of ideas, given to the regional dimensions of war in Afghanistan, the next step is achieving a regional consensus for changing the policy of war and violence for the countries of the region. Reaching to such consensus at the regional level, is a difficult and time consuming task which requires diplomatic actions and activation of the county's foreign policy system and the support of major countries of the world. Part of this difficulty relates to the conflict of interests between the countries of the region and Afghanistan's neighbors, near and distant. Each of these countries has distinctive interests and security approach and a specific strategy for Afghanistan. Considering the legitimate interests of the countries in the region and balancing the relations, needs a comprehensive plan, and a strong innovative diplomatic practice. On the other hand, any changes and transformation in the global and regional security systems and the type of the economic competitiveness, requires a new framework which should be capable of redefining the regional relations and creating a security and economic system. Ignoring the ongoing transformations and developments in the region and inability to define the position of the country in and foreseeable structure can lead to more vulnerability for the Afghanistan. But, in case of failure to achieve the consensus, given to the regional dimensions of war in Afghanistan, there is no easy solution for peace and it there was, it would be and exhausting and time consuming process.

According the interviewees, war and peace are not isolated phenomena, separated from the internal and external elements and factors of the society and the country, so the extent of the country's vulnerability, and the process of the regional changes and the possible developments in the macro policies of the neighboring countries and the great powers should be identified, predicated, and documented with a strategic vision. To provide a certain perspective and show the hidden angles of war and the involved factors at the domestic, regional, and trans-regional levels, could help to reach a national consensus before anything else.

A number of interviewees believe that transferring the insecurity instead of absorbing it, could help us create incentives in the region to work for the stability of Afghanistan. Dr. Sardar Rahimi believes, "instead of absorbing the insecurity, if we do something temporary and extraordinary and became the conductor to transfer the insecurity, if we become a bridge to transfer the insecurity from the South Asia to the Central Asia and from West Asia to East Asia, it is obvious that the Central Asia, Iran, Russia, China and India do not want insecurity. If they feel that their security is threatened by the corridors and platforms that are open, they will be forced to pay

more attention to Afghanistan.”²⁰¹ Dr. Faramarz Tamanna has a same view, though he believes that it is not a total solution or an ethical act, but he suggests it as a necessity: “when terrorism and extremism are the inseparable part of the political and security equations in our region, at least for the next four or five decades, we have two options: accept more losses and casualties, or manage part of the situation and send export them out of our borders. The intelligence agencies of Afghanistan should have the capacity to transit the extremism and fundamentalism. We have no other option. This policy is unethical, but we have national interests which morality cannot necessarily be a determiner... until we at least manage one of the examples of the regional insecurity, we cannot find a common ground to play with other countries in the region and it is detrimental to our survival as an active member of the region.”²⁰²

The idea of transferring the insecurity is mostly driven from the experiences of the neighboring countries like Iran and the eastern and southern European countries which has used the transit approach when they faced with challenging and problems such as immigration or drug business and they do not get result from the direct actions to control it because the other countries that shared profit and loss, neglected to cooperate. To transit the elements of the insecurity, although lower the cost of dealing with the problem, but it would scatter it on a large scale. In addition, with the assumption of resorting to such an approach, transiting the factors and elements of the insecurity needs a lot of managerial capacity and intelligence power. Otherwise, the losses and costs will be mutual. Pakistan’s experience in the production and transit of violence and insecurity to the region proved to be completely different from the experience of the countries of Eastern Europe or countries such as Italy in Southern Europe. Therefore, according to the opinion of the majority of the interviewees it can be concluded that creating a regional consensus on the matter of peace and stability and strengthening the integrity and cooperation in the region, instead of transiting the elements of instability and insecurity, can be the solution of current complicated and long term problems.

[Bilateral Peace Talks and Emphasis on Direct Dialogue with the Taliban](#)

The majority of interviewees emphasized the necessity of direct negotiation between the government of Afghanistan and the Taliban and also mentioned the role of Pakistan and other regional actors in the perpetuation of war and violence in Afghanistan. According to them, bilateral talks between the government and the armed opposition are the most promising option. On one hand, the government should try to use diplomatic channels to begin a constructive dialogue with Pakistan and outside regional elements in order to reach an agreement or a common understanding. On the other hand, the main focus should be on direct negotiations between the government and the Taliban. Most of the respondents believed that

²⁰¹. Interview with Sardar Mohammad Rahimi

²⁰². Interview with Faramarz Tamanna

the experience of the past 15 years proved the ineffectiveness of the Taliban insistence on negotiating with the government of America, or the government negotiation with the Taliban through Pakistan. Moreover, we have the experience of the talks between the governments of Dr. Najibullah and Pakistan in Geneva and the Mujahidin's meeting in the Soviet Union which led to the failure of peace attempts at the time. In the meanwhile, the agreement between the government and Hezb-e-Islami led by Gulbuddin Hekmatyar which was signed after 25 rounds of negotiations and longtime efforts is considered as a good example for an Afghan-led negotiation where its success can be a measure for the ability of the government to ensure peace in the country. It can also be an incentive to other opposition groups to join a similar process. However, the interviewees do not ignore the role of an active diplomacy to solve the regional and trans-regional issues related to peace. According to the majority of the interviewees, the quadrilateral platform is not enough and it should become more inclusive and include more countries, such as the major powers in the world that have influence in the region. In this platform, the government of Afghanistan should try to put Pakistan under the necessary amount of political and even economic pressure, to force this country to cooperate in the peace process and coerce the trend of extremism which this country uses as a political tool in the region.

Reform of the Structure and Role of the High Peace Council

The High Peace Council, according to the opinion of an absolute majority of the interviewees who participated in this research, does not have the required competencies and efficiency. Therefore, the structure and composition of the Council should be reformed so it can guarantee the impartiality of the Council to be trusted by the opposition. On the other hand, these reforms should include the transparency of the process of negotiations and to share it with the people to have the support of the people and do not fuel the domestic misunderstanding and rumors with an ambiguous performance.

Participation of the Religious Scholars (Ulema) and Civil Society

This research shows that the majority of the respondents believe that the creation of the High Peace Council has undermined the efforts of civil society and religious scholars. Therefore, in the matter of peace, the role of the social and civil institutions should be considered. Given the social effects of the war and institutionalization of violence in the social and cultural layers of the country, there is a need for more involvement of the civil society, Ulema, and religious groups to create a sphere to remove the violence from the culture and mindsets and provide the context for peace in the society.

Localizing the Issue of Peace

According to the participants of this study, the roots and causes of the crises in Afghanistan are different from other countries and peace cannot be achieved by a prescribed and general

formula. Therefore, we need to work for the localization of the issue of peace in several levels. First, the traditional mechanisms which are hidden and institutionalized in the mass culture of the country, must be used, because most of the people are familiar with these mechanisms so the extents of adaptability is high. The second step should be to localize the peace studies in the country so that we are able to, as Faramarz Tamanna stated, “make a bridge between the analysis and peace studies and a real peace.”

Diplomatic Actions

Most of the interviewees believe that given the internal and external dimensions of the war in Afghanistan, the Afghanistan High Peace Council is the only conduit which is able to precede the technicality of the peace process and in other words be the internal part of the process, while it cannot be responsible for the diplomacy of peace. Therefore, the diplomatic system should be defined and our foreign policy should be cleared about the regional relations. But it is also important that the border of responsibilities and authorities between the Ministry of Foreign Affairs and the High Peace Council have the required transparency.

Design a Clear Strategy for Peace

According to the majority of interviewees, peace is a long-term process and cannot be achieved by shortsighted and temporary plans. Therefore, it is needed to work on an organized long term plan for peace which includes the identification of the internal and external opportunities and threats, to recognize the interests of the involved elements and to separate the government’s opposition groups based on the type of attitude and flexibility for peacemaking.

Win-win Approach, not Unconditional Surrender

Although the interviewees emphasize that the government should negotiate from a position of power, an essential suggestion is that peace process should be carried out in the form of a win-win plan and the demands of both side should be assured to a reasonable level. The strategy of win-lose or wining through military measures and war might be possible in short term but would not provide the ultimate solution.

The Role of the United Nations

Some interviewees believe that in order to guarantee the transparency of the peace negotiations and apply necessary international pressure, the United Nations must have an observatory roll in the ongoing negotiations. But the majority of interviewees do not indicate to a more powerful role for the United Nations and only emphasis on the supervisory role and in some cases as a facilitator.

The Role of Religion and Effective Oversight of the Education System

According to a number of interviewees, the role of religion and use of religion to fuel the violence and war is very important. So they believe the system of religious education should be

reformed and the government should have more effective supervision of religious education across the country, through the government institutes, Ulema Council, and other related institutes. According to Abdul Hafiz Mansour, “there are around 57000 schools in Pakistan that work on turning the Hanafi to the Salafi. The sect of Hanafi is peaceful, rationalist and tolerant. It is close to the Shiite sect. We just need to go back to the foundations of Hanafi School and revive it.”

The Importance of the Government’s Legitimacy

The majority of the interviewees pointed to the crisis of legitimacy of the current political system of Afghanistan and its contrast with the provisions of the constitution and considered it detrimental to peace process. They believed that the existing questions about the legitimacy of the National Unity Government which were raised after the disputed presidential election of 2014 should be answered and the government should have the conditions for the legitimacy of a political system. Most interviewees believed that the weakness of the political legitimacy of the government could create hope for the opposition for the collapse of the system or the escalation of the discontent between the people, and it would make them believe that new opportunities would be provided for them. Therefore, this probability might provoke them to avoid the peace talks and end the war. Only a few numbers of the interviewees suggested the formation of an interim administration for the reorganization of the political situation and cross the crisis.

Secure Justice

Most participants, regardless of their party and ethnic affiliations, believe that securing justice was a necessity to overcome the existing problems and achieve a lasting peace. According to the interviewees, domestic discontents must be managed with providing social, political and economic justice. Abdul Hakim Mujahid believed: “Peace comes when all Afghans, based on their rights, can have their Islamic, national and local identity. Until we apply social justice, we cannot achieve peace. If one group overcomes the others through war, after one or two years, it would rise again and war starts.”²⁰³The problem however, was that justice had taken a general and ethnic interpretation. According to this view, every group and ethnicity believed that the presence of other groups in the power structure or their economic opportunities was more than they should be and that justice was not applied. Therefore, the first step to secure justice was to clear the criteria of justice in a multi-ethnic society like Afghanistan. According to Habibullah Rafi one reason of the durability of injustice in ethnic and districts in the country, was the lack of an accurate census of the population and the unfair definition of electoral

²⁰³. interview with Abdul Hakim Mujahid

districts which has not been resolved despite many promises and therefore it needs serious measures.²⁰⁴

Clarifying the Border between Crime and Justice

Although the interviewees have significant disagreements over the process of justice, trial of those accused of war crimes and its time, but the general suggestion and a common point among these different opinions is clarification of the border and boundaries between the crime and the justice and in particular, recognition of the previous and present war crimes. According to them, by doing so, the future path of the country would have a more specific and clear definition. In this aspect, four decades of war and physical and infrastructural violence on the different groups of the society in the country, have imposed a heavy burden on the political structure and social relations and have made it difficult to achieve a political order in the dark shadow of the past. Therefore, to get free of “burden of history”, it is necessary that the crimes against humanity and massive violations of human rights during the past four decades should be defined and be recognized as war crimes. In other words, the border between the past and the present must find the necessary clarity. Most interviewees do not emphasize the trial of the war criminals or prosecution of the individuals. They believe that in the present situation, it would be overwhelming and devastating for the political system of the country, but to define and clarify the bitter events of history as crimes and separating them from the glories of Jihad or resistance, is the only way to get thorough and find a way towards future. This way, the concerns about the recurrence of such crimes under a holy name, even by the Taliban, would be reduced.

Good Governance as the Solution

A common belief is that the widespread corruption and the lack of good governance have led to the collective discontent with the government and the political system and undermines the social foundations of the government, and as a result, foster insecurity.. Therefore, strengthening good governance, creating a government which is responsive to the basic needs of the people, and establishing a structure capable of handling the people’s suffering and problems, can help to achieve peace, stability and security in the country. In the words of Abdul Hamid Mubariz, when there is justice, a serious fight against corruption, an economic plan to work for the reduction of poverty, the people’s trust to the democratic institutions is restored, the Taliban are disarmed, foreign intervention is neutralized, then patriotic mindsets will be enhanced among the people. And as Ali Amiri explains, internal reforms and providing a better and fair situation, will raise the cost of foreign intervention: “If we consolidate the internal context to eliminate insecurity, then the cost that America, Russia, Pakistan, China and Iran

²⁰⁴. Interview with Habibullah Rafi

should pay to insecure Afghanistan, increases. Then it is possible that these countries define their interests in peace and cooperation with the government of Afghanistan.”

Economic Approach with the Change of Geopolitical Importance to Geo-economic Importance

According to this study and its findings, the government should try to turn foreign threats to opportunity. These opportunities exist given the importance of the geographical location of Afghanistan, dependence of the transit between South Asia and Central Asia to the situation that Afghanistan becomes the economic crossroad to be also used for the trade and energy transfer, and therefore these opportunities can change the geopolitics of war into the policy of cooperation with linking the interests of the countries of the region with the stability of Afghanistan.

The macroeconomic plan of CASA 1000, Lapis Lazuli Corridor, New Silk Road, projects of TAPI and TUTAP, representing the new economic requirements in the region and Afghanistan has the central and interconnecting role in the realization of this project and other regional macro-economic programs, especially energy transfer from Central Asia to South Asia. If there is political planning and management, besides a clear and active diplomacy, the grounds exist to turn the current threats into new opportunities and it is possible to establish the foundation of regional cooperation based on the new requirements and necessities.

The Importance of the Youth and Bridging the Cross-Generation Gape

In terms of demography, Afghanistan is a young country. According to the central statistics office, 18.9% of the population of the country is between 15 to 24 years old. The number of the productive population of the country (age 15 to 64) is 49% which put Afghanistan at the world's first and second place. Given the 48.4% population under the age of 15, return of the refugees, and 2.7% population growth rate which is double the global average, Afghanistan will soon be under the pressure of a phenomenon that Samuel Huntington pessimistically called the “youth bulge”.²⁰⁵ According to this, Afghanistan is currently struggling with several challenges including the rise of discontent among the youth and emerge of a kind of cross generation gap. Planning for the education and employment of the youth and recognition of a more decisive role in the management and leadership level for the youth in strengthening the peace process is crucial. In this respect, some attempts have been made but as reflected in recent social movements, the cross generation gap presents itself in an unmanaged war. To bridge this gap and create positive and healthy intellectual relations one needs to provide a more comprehensive plan, a clear definition of the past and a constructive vision of the future to create reasonable grounds for cross generation relations.

²⁰⁵. See: Huntington, S., *The Clash of Civilizations and the Remaking of the World Order*, New York: Simon & Schuster, 1996.

In addition, as indicated in the preamble of the Constitution of UNESCO, “since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed”. Therefore, attention to the intellectual reforms and revision of textbooks in the schools and religious education, is very important to prevent the tendency of the youth for religious extremism and encouraging them to participate in the process of peace and security. In this regard, civil education alone is not enough and the main problem is the religious schools which work outside the supervision of the government without effective monitoring. However, it has been several years that the ministry of education has undertaken the programs for the construction and development of formal religious schools, there is still no comprehensive monitoring system. By sidelining the religious schools, given to their importance in directing the mindsets of the youth and not recognizing this subject in the government’s policies, we in fact neglected the strong intellectual threats facing the youth.

In conclusion, by presenting the detailed recommendations of the interviewees, what reflects in this research based on the opinions of political and social elites of Afghanistan, is mostly the emphasis on the creation of a national consensus for peace, elimination of the fears and doubts in the country, establishment of the context for a regional consensus through encouraging economic cooperation in the region based on the necessities in the countries of the region which can provide the political grounds to secure peace and stability in Afghanistan and in the region.

According to the findings of this study and analysis of the views of the interviewees and the current challenges facing peace in Afghanistan, the following recommendations can be specifically offered to the three axes of the government, the political parties and civil society organizations, and the international community:

To the government:

- 1- Given the failed experience of avoiding direct negotiations between the government and the armed opposition, efforts should be made with the focus on the direct talks between the government and the Taliban.
- 2- To restore peace and stability in the country, a military strategy alone is not enough, therefore the policy of “stick and carrot” should be strongly pursued to bring the opposition on the negotiation table. The government should seek a political solution to the conflicts within the framework of win-win strategy.
- 3- To ensure the unity of voices and domestic accord, an agreement should be achieved over peace and war between the government leadership, political parties and influential social figures. The plurality of voices undermines the peace efforts and reduces the probability of success in the negotiations with the armed opposition.
- 4- The government should try to alternate the ethnic discourse of the current political approaches in the country which one way or another interferes with the peace process

with the armed opposition and prevent its success, with a national approach aims to reach a national consensus towards peace and having a fair cohabitation. As a result, the fears and doubts over the changes of the power balance in case of the success of negotiations with the armed opposition and their integration to the current political system will fade away.

- 5- The High Peace Council as an impartial and professional institution in charge of technical affairs of peace process must be restructured and must have the required transparency in all its financial affairs so it can attract the trusts of all sides including the armed opposition. The council should not be an obstacle to the peace attempts by the religious scholars, and civil and social institutions, but it should have the authority to make the ultimate decision about accepting or rejecting the plans and social initiatives of the religious and civil institutions which are about the direct negotiations with the armed opposition.
- 6- Given the requirements of the current regional and international policies, and the link between the internal problems and struggles of the country with the external factors, the government must put away the policy of inaction and seek a clear and active diplomacy in relation to the regional platform of peace and take the initiation in this matter which is the most substantial part of the country's national interest. The most concerning issue is the emergence of much more extremist and violent groups such as the Islamic State (ISIS) in Afghanistan. It should not be allowed to the extremist and violent groups to use the disputes such and Eastern and Western divisions and revive the proxy war in Afghanistan between the regional and global powers, like it happened during the Cold War.
- 7- The government must take the initiative to enforce current plans with an explicit strategy for the developments of the power relations structures in the region towards Afghanistan and to change the policy of competitive political geography to the economic geography which connects the different potential economic zones in the region.
- 8- The government must start special programs and projects in relation to the reform of religious education system and preventing extreme views to spread in the country.
- 9- By strengthening good governance and ensuring transparency and accountability in the administrative and judicial system, the government should improve public satisfaction in order to provide the social context of balanced development and eliminate the centrifugal tendencies and the desire to fight with official institutions.
- 10- The government should take on special programs for young people and prevent them from selecting options of "leaving" or "violence".

To the political parties and civil society organizations

- 1- Given to the vulnerability and fragility of the political situation, political parties and civil society organizations as supervising institutions and regulators of the government actions and policies, must pursue a reforming policy and replace it instead of the fragmented, even though marginal, “attenuator” or “subversive” efforts. Because any possible power vacuum or anticipations for the change of government can bring hope to the armed oppositions for new opportunities and cause a problematic delay in the reconciliation process or even led to its failure.
- 2- Political parties and civil society organizations, especially religious and academic institutions must play a strong role in mobilizing public opinion towards peace and fair cohabitation and their role as the basis or assistant for the official government efforts for peace must be recognized.
- 3- Political parties and civil society organizations must play an innovative and active role in the process of peace and reconciliation and must not wait for the outcome of the government efforts through the High Peace Council or the diplomatic agency of the country.

To the international community

- 1- In addition to the current economic and political support of the political system of Afghanistan, the international community must support the government peace plans and impose the necessary pressures and sanctions on the states that sponsor terrorism and extremism in order to force them into participating in the peace and reconciliation process in Afghanistan.
- 2- Any decrease of support or diversion of policy of the necessary focus on the situation of Afghanistan could have disastrous consequences for the international community. Therefore, it is expected that the NATO countries and other partner countries, regard Afghanistan as a regional center of new developments and intersection of emerging powers competition, and therefore, take on concrete and comprehensive programs through regional and international platforms to restore political stability and end the violence and extremism in Afghanistan and the region.

ANNEXES

Annex 1: Dr. Najibullah's National Reconciliation Plan

Joint Resolution of Political Bureau Central Committee of People's Democratic Party of Afghanistan (PDPA) and Board of Directors of Revolutionary Council of Democratic Republic of Afghanistan (DRA)

With due respect on guidance of Islam, to obtain security and public peace for all ethnicities and the nation of Afghanistan, prevention of conflict and fratricide, elimination of threats and conspiracy of our country enemies, construction of a developed and peaceful society and to bring an end to overall bloodshed in the country, the Political Bureau of Central Committee and Revolutionary Council have decided followings in a joint meeting:

1. In the national front framework of our country, a High Council of National Reconciliation to be established in Afghanistan.
2. The cabinet of the DRA must prepare a Decree on the activities of the commission and to present it to leadership committee of the DRA.
3. The cabinet of DRA must assign personnel and develop the budget required for establishment of the commission and should present a final report to Revolutionary Council of the DRA.
4. The cabinet of the DRA must refer this decision to the relevant entities.

Central Committee of PDPA

Revolutionary Council DRA

December 1986

National Statement of Revolutionary Council of DRA on National Reconciliation in Afghanistan

In the name of Allah, the most merciful and the compassionate

أَنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلِحُوا بَيْنَ أَخَوَيْكُمْ وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُرْحَمُونَ

"The believers are but brothers, so make settlement between your brothers. And fear Allah that you may receive mercy" Quran (49:10)

In this very historic moments, we refer to you the proud offspring of the country, to you Pashtun, Tajik, Uzbek, Hazara, Turkmen, Balooch, Nooristani, Pasha'e and all tribes, ethnicities and the nation of Afghanistan and to all those who deeply wish prosperity of our countrymen and our beloved country.

The history of our beloved country is full of epic stories of heroes who fought fearlessly for our borders, and for our prosperous and peaceful life. Unfortunately, our theist and liberal people are less likely to achieve such ambitions. Our people are in need of peace. In the last eight years, our country has been suffering from bloodshed. Women, old men and children are being massacred. Mosques, schools, houses, farms and gardens are burnt.

All these actions are against guidance of Islam, holy Quran and Sharia.

The Allah almighty in his book to our messenger, instructs people toward peace and says: **وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلِحُوا بَيْنَهُمَا** (if two groups of Muslims are in dispute, bring peace between them). In accordance to the guidance of Islam and to achieve:

- Security of our people and national reconciliation for all ethnicities, groups and nation of Afghanistan
- End of conflict and fratricide, threats and conspiracy against our revolutionary people of Afghanistan
- Bringing an end to the bloodshed
- Prosperity, development and peacefulness of our country

The Revolutionary Council of Democratic Republic of Afghanistan has issued a statement on a National Reconciliation. The revolutionary council has expressed:

1. All authorized entities of Democratic Republic of Afghanistan are instructed to:
 - a. Stop combat operations and bring an end to use any attacks.
 - b. Forces should return to the permanent strategic locations and should follow peace-time regulations.

- c. In case the enemy is no threat against local people, use of artilleries must be stopped.
- d. Armed forces must strict to safeguarding boarders, governmental and army compounds, conveys security and should only take defending and economical positions.
- e. In case the opposition respond positively, truce will last for six months and can be extended by cease-fire by both parties.

We are looking forward to the activities mentioned below in response to our peaceful measures:

- To stop any artillery attack on cities, villages, economical entities, military compounds and air and land transportation.
- To stop weapon movement within Afghanistan's territory.
- To stop roads mining.
- To stop any terrorist activities and violence.
- To stop bringing foreign correspondence into Afghanistan's territory.

Our recommendations are rooted in good intention. We are ready to negotiate and even spare interests to establish a mutual understanding. However, nobody should think of our patience as a sign of fear.

2. During the truce, the authorized entities of reconciliations are the High Commissions of National Reconciliation which will be established in all villages, cities and provinces of Afghanistan. The main responsibilities of these commissions will be to secure peace and reach into an agreement. Superior to these commissions will be the National Reconciliation High Commission (NRHC).

The government has issued general authority to the NRHC. The commissions will invite Peace Jirga (Councils) to talk on how to achieve peace.

Within the statement of Revolutionary Council, establishment of reconciliation councils with presence of National Front Council of our country, elders, influential figures, Mullah Imams and in some cases head of armed oppositions are issued.

The following authorities have been granted to the commissions:

- As per the commissions' request: health groups have been formed and technical agricultural experts have been appointed. The commissions have the authority to distribute freely medicines, fertilizers for farming, first aid and clothing that has been donated by Russia.
- The commissions have the authority to solve land and water disputes in their areas.

- The commissions can request for remittal of some prisoners provided they can guarantee that their actions will not be repeated.
- The commissions have the authority to select people's judges.
- The commissions have the authority to voluntarily send forces to the army instead of forced obligation.
- The commissions can call for voluntarily joining of army to defend borders with Pakistan and Iran. The commissions shall pay salary and service completion certificate to the volunteers for defending the 52 districts and villages that are neighbors with Iran and Pakistan border.
- The commissions, can take decision to avoid collection of taxes, reduce the tax punishments and loans fines that remained from the Agricultural Development Bank, by the end of 1365.
- The commissions have the authority to solve individual disputes, tribal and local disputes and ask the government and other official bodies for help and assistance.

Based on recommendation of the commissions, the government is obliged to:

- To pay salary of Mullah Imams and district officers.
 - The authorized organs will look into any complaint of breach of agreement from governmental staff reported by the commission. The offending officer(s) will be punished in accordance to the law.
3. In case a national reconciliation is achieved and district and villages are stated zones of peace, the revolutionary council of Democratic Republic of Afghanistan will consider the privileges mentioned below to residents of those areas:
- a. The right to establish local power organs and governmental entities in accordance to democratic values and selection of district managers based on demand of residents.
 - b. Announcement of special days to visit residents of villages and cities and extend invitation to armed opposition leaders for negotiation and guarantee their safe return to their expected location.
 - c. Entering agreement with armed opposition groups who are ready to make peace by securing projects and establishing local forces formed by them. Also, granting authority to shift goods into the villages and to sell supplies there.
 - d. Residents of those districts and villages who have stopped fighting against the DRA can freely travel to all parts of Afghanistan for purpose of meeting their loved ones, religious affairs or for gaining more information on April's Revolution. Those who want such information can refer to the central committee of DRA, Revolutionary Council, the cabinet of DRA and to all parties, governmental and social entities who will greet them with open heart.

4. As a sign of our good intention, the revolutionary council is hereby declaring release of prisoners who are no longer intending to go against values of DRA and the people of Afghanistan.
5. The revolutionary council of DRA is hereby declaring amnesty to all those citizens of Afghanistan who were brought against the government by destiny but they had laid down their guns for the good of their country. We hereby state that both the government and the people had forgiven them. They have the support of all of DRA's organs with them. We are ready to help those who are deceived, who are indignant and accept them with open arm; help the poor and warm up to those who are cold. We are ready to meet them in our shared home, Afghanistan.

The revolutionary council of DRA has expressed that:

Wise abilities, without political egoism, to bear for the sake of each other are significant indication for establishment of a national unity government. We support reconciliation and believe in God's will. Those days are not far to witness the repatriation of our countrymen, prosperous living, opening of factories and green garden with happy, wet eyes.

The revolutionary council has expressed that:

- Islam is the religion of Afghanistan and this will be strictly stated in the new Constitution, in the Article 2.
- The people's government will spare no effort to establish a unified government by a coalition of diverse political forces.
- People's government pledges to request Russian forces to withdraw with a guarantee for no interference in the policies of Afghanistan.

Let Peace expand its shadows to the ancestral country of Afghanistan.

Let the envoy of bullets be silenced for eternity.

God Bless,

(AFGHANISTAN)

ANNEX I
AGREEMENTS ON THE SETTLEMENT OF THE SITUATION RELATING TO AFGHANISTAN
BILATERAL AGREEMENT BETWEEN THE REPUBLIC OF AFGHANISTAN AND
THE ISLAMIC REPUBLIC OF PAKISTAN ON THE PRINCIPLES OF MUTUAL
RELATIONS, IN PARTICULAR ON NON-INTERFERENCE AND NON-
INTERVENTION

The Republic of Afghanistan and the Islamic Republic of Pakistan, hereinafter referred to as the High Contracting Parties,

Desiring to normalize relations and promote good-neighborliness and co-operation as well as to strengthen international peace and security in the region,

Considering that full observance of the principle of non-interference and non-intervention in the internal and external affairs of States is of the greatest importance for the maintenance of international peace and security and for the fulfillment of the purposes and principles of the Charter of the United Nations,

Reaffirming the inalienable right of States freely to determine their own political, economic, cultural and social systems in accordance with the will of their peoples, without outside intervention, interference, subversion, coercion or threat in any form whatsoever.

Mindful of the provisions of the Charter of the United Nations as well as the resolutions adopted by the United Nations on the principle of non-interference and non-intervention, in particular the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations of 24 October 1970, as well as the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, of 9 December 1981, Have agreed as follows:

Article I

Relations between the High Contracting Parties shall be conducted in strict compliance with the principle of non-interference and non-intervention by States in the affairs of other States.

Article II

For the purpose of implementing the principle of non-interference and non-intervention, each High Contracting Party undertakes to comply with the following obligations:

(1) to respect the sovereignty, political independence, territorial integrity, national unity, security and non-alignment of the other High Contracting Party, as well as the national identity and cultural heritage of its people;

(2) to respect the sovereign and inalienable right of the other High Contracting Party freely to determine its own political, economic, cultural and social systems, to develop its international relations and to exercise permanent sovereignty over its natural resources. In accordance with the will of its people, and without outside intervention, interference, subversion, coercion or threat in any form whatsoever;

(3) to refrain from the threat or use of force in any form whatsoever so as not to violate the boundaries of each other, to disrupt the political, social or economic order of the other High Contracting Party, to overthrow or change the political system of the other High Contracting Party or its Government, or to cause tension between the High Contracting Parties;

(4) to ensure that its territory is not used in any manner which would violate the sovereignty, political independence, territorial integrity and national unity or disrupt the political, economic and social stability of the other High Contracting Party;

(5) to refrain from armed intervention, subversion, military occupation or any other form of intervention and interference, overt or covert, directed at the other High Contracting Party, or any act of military political or economic interference in the internal affairs of the other High Contracting Party, including acts of reprisal involving the use of force;

(6) to refrain from any action or attempt in whatsoever form or under whatever pretext to destabilize or to undermine the stability of the other High Contracting Party or any of its institutions;

(7) to refrain from the promotion, encouragement or support, direct or indirect, of rebellious or secessionist activities against the other High Contracting Party, under any pretext whatsoever, or from any other action which seeks to disrupt the unity or to undermine or subvert the political order of the other High Contracting Party;

(8) to prevent within its territory the training, equipping, financing and recruitment of mercenaries from whatever origin for the purpose of hostile activities against the other High Contracting Party, or the sending of such mercenaries into the territory of the other High Contracting Party and accordingly to deny facilities, including financing for the training, equipping and transit of such mercenaries;

(9) to refrain from making any agreements or arrangements with other States designed to intervene or interference in the internal and external affairs of the other High Contracting Party;

(10) to abstain from any defamatory campaign, vilification or hostile propaganda for the purpose of intervening or interfering in the internal affairs of the other High Contracting Party;

(11) to prevent any assistance to or use of or tolerance of terrorist groups, saboteurs or subversive agents against the other High Contracting Party;

(12) to prevent within its territory the presence, harboring, in camps and bases of otherwise, organizing, training, financing, equipping and arming of individuals and political, ethnic and any other groups for the purpose of creating subversion, disorder or unrest in the territory of the other High Contracting Party and accordingly also to prevent the use of mass media and the transportation of arms, ammunition and equipment by such individuals and groups.

(13) not to resort to or to allow any other action that could be considered as interference or intervention.

Article III

The present Agreement shall enter into force on 15 May 1988.

Article IV

Any steps that may be required in order to enable the High Contracting Parties to comply with the provisions of Article II of this Agreement shall be completed by the date on which this Agreement enters into force.

Article V

This Agreement is drawn up in the English, Pashtu and Urdu languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

Done in five original copies at Geneva this fourteenth day of April 1988.

(Signed by Afghanistan and Pakistan).

DECLARATION ON INTERNATIONAL GUARANTEES

The Government of the Union of Soviet Socialist Republics and of the United States of America,

Expressing support that the Republic of Afghanistan and the Islamic Republic of Pakistan have concluded a negotiated political settlement designed to normalize relations and promote good-neighborliness between the two countries as well as to strengthen international peace and security in the region;

Wishing in turn to contribute to the achievement of the objectives that the Republic of Afghanistan and the Islamic Republic of Pakistan have set themselves, and wish a view to ensuring respect for their sovereignty, independence, territorial integrity and non-alignment;

Undertake to invariably refrain from any form of interference and intervention in the internal affairs of the Republic of Afghanistan and the Islamic Republic of Pakistan and to respect the commitments contained in the bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in particular on Non-Interference and Non-Intervention;

Urge all States to act likewise.

The present Declaration shall enter into force on 15 May 1988.

Done at Geneva, this fourteenth day of April 1988 in five original copies, each in the English and Russian languages, both texts being equally authentic.

(Signed by the USSR and the USA).

BILATERAL AGREEMENT BETWEEN THE REPUBLIC OF AFGHANISTAN AND THE ISLAMIC REPUBLIC OF PAKISTAN ON THE VOLUNTARY RETURN OF REFUGEES

The Republic of Afghanistan and the Islamic Republic of Pakistan, hereinafter referred to as the High Contracting Parties,

Desiring to normalize relations and promote good-neighbourliness and co-operation as well as to strengthen international peace and security in the region,

Convinced that voluntary and unimpeded repatriation constitutes the most appropriate solution for the problem of Afghan refugees present in the Islamic Republic of Pakistan and having ascertained that the arrangements for the return of the Afghan refugees are satisfactory to them, Have agreed as follows:

Article I

All Afghan refugees temporarily present in the territory of the Islamic Republic of Pakistan shall be given the opportunity to return voluntarily to their homeland in accordance with the arrangements and conditions set out in the present Agreement.

Article II

The Government of the Republic of Afghanistan shall take all necessary measures to ensure the following conditions for the voluntary return of Afghan refugees to their homeland:

All refugees shall be allowed to return in freedom to their homeland;

All returnees shall enjoy the free choice of domicile and freedom of movement within the Republic of Afghanistan;

All returnees shall enjoy the right to work, to adequate living conditions and to share in the welfare of the State;

All returnees shall enjoy the right to participate on an equal basis in the civic affairs of the Republic of Afghanistan. They shall be ensured equal benefits from the solution of the land question on the basis of the Land and Water Reform;

All returnees shall enjoy the same rights and privileges, including freedom of religion, and have the same obligations and responsibilities as any other citizens of the Republic of Afghanistan without discrimination.

The Government of the Republic of Afghanistan undertake to implement these measures and to provide, within its possibilities, all necessary assistance in the process of repatriation.

Article III

The Government of the Islamic Republic of Pakistan shall facilitate the voluntary, orderly and peaceful repatriation of all Afghan refugees staying within its territory and undertakes to provide, within its possibilities, all necessary assistance in the process of repatriation.

Article IV

For the purpose of organizing, coordinating and supervising the operations which should effect the voluntary, orderly and peaceful repatriation of Afghan refugees, there shall be set up mixed commissions in accordance with the established international practice. For the performance of their functions the members of the commissions and their staff shall be accorded the necessary facilities, and have access to the relevant areas within the territories of the High Contracting Parties.

Article V

With a view to the orderly movement of the returnees, the commissions shall determine frontier crossing points and establish necessary transit centers. They shall also establish all other modalities for the phased return of refugees, including registration and communication to the country of return of the names of refugees who express the wish to return.

Article VI

At the request of the Governments concerned, the United Nations High Commissioner for Refugees will co-operate and provide assistance in the process of voluntary repatriation of refugees in accordance with the present Agreement, Special agreements may be concluded for this purpose between UNHCR and the High Contracting Parties.

Article VII

The present Agreement shall enter into force on 15 May 1988. At that time the mixed commissions provided in Article IV shall be established and the operations for the voluntary return of refugees under this Agreement shall commence.

The arrangements set out in Articles IV and V above shall remain in effect for a period of eighteen months. After that period the High Contracting Parties shall review the results of the repatriation and, if necessary, consider any further arrangements that may be called for.

Article VIII

This Agreement is drawn up in the English, Pashtu and Urdu languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

Done in five original copies at Geneva this fourteenth day of April 1988.

(Signed by Afghanistan and Pakistan).

AGREEMENT ON THE INTERRELATIONSHIPS FOR THE SETTLEMENT OF THE SITUATION RELATING TO AFGHANISTAN

1. The diplomatic process initiated by the Secretary-General of the United Nations with the support of all Governments concerned and aimed at achieving, through negotiations, a political settlement of the situation relating to Afghanistan has been successfully brought to an end.
2. Having agreed to work towards a comprehensive settlement designed to resolve the various issues involved and to establish a framework for good-neighbourliness and co-operation, the Government of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan entered into negotiations through the intermediary or the Personal Representative of the Secretary-General at Geneva from 16 to 24 June 1982. Following consultations held by the Personal Representative in Islamabad, Kabul and Teheran from 21 January to 7 February 1983, the negotiations continued at Geneva from 11 to 22 April and from 12 to 24 June 1983. The Personal Representative again visited the area for high level discussions from 3 to 15 April 1984. It was then agreed to change the format of the negotiations and, in pursuance thereof, proximity talks through the intermediary of the Personal Representative were held at Geneva from 24 to 30 August 1984. Another visit to the area by the Personal Representative from 25 to 31 May 1985 preceded further rounds of proximity talks held at Geneva from 20 to 25 June, from 27 to 30 August and from 16 to 19 December 1985. The Personal Representative paid an additional visit to the area from 8 to 18 March 1986 for consultations. The final round of negotiations began as proximity talks at Geneva on 5 May 1986, was suspended on 23 May 1986, and was resumed from 31 July to 8 August 1986. The Personal Representative visited the

area from 20 November to 3 December 1986 for further consultations and the talks at Geneva were resumed again from February to 9 March 1987, and from 7 to 11 September 1987. The Personal Representative again visited the area from 18 January to 9 February 1988 and the talks resumed at Geneva from March to 8 April 1988. The format of the negotiations was changed on 14 April 1988, when the instruments comprising the settlement were finalized, and, accordingly, direct talks were held at that stage. The Government of the Islamic Republic of Iran was kept informed of the progress of the negotiations throughout the diplomatic process.

3. The Government of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan took part in the negotiations with the expressed conviction that they were acting in accordance with their rights and obligations under the Charter of the United Nations and agreed that the political settlement should be based on the following principles of international law:

- The principle that States shall refrain in their international relations from the threat of use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;
- The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered;
- The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations;
- The duty of States to co-operate with one another in accordance with the Charter of the United Nations;
- The principle of equal rights and self-determination of peoples;
- The principle of sovereign equality of States;
- The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter of the United Nations.
- The two Government further affirmed the right of the Afghan refugees to return to their homeland in a voluntary and unimpeded manner.

4. The following instruments were concluded on this date as component parts of the political settlement:

A Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in particular on Non-interference and Non-intervention;

A Declaration on International Guarantees by the Union of Soviet Socialist Republics and the United States of America;

A Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Voluntary Return of Refugees; The present Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan.

5. The Bilateral Agreement on the Principles of Mutual Relations, in particular on Non-interference and Non-intervention; the Declaration on International Guarantees; the Bilateral Agreement on the Voluntary Return of Refugees; and the present Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan will enter into force on 15 May 1988. In accordance with the time-frame agreed upon between the Union of Soviet Socialist Republics and the Republic of Afghanistan there will be a phased withdrawal of the foreign troops which will start on the date of entry into force mentioned above. One half of the troops will be withdrawn by 15 August 1988 and the withdrawal of all troops will be completed within nine months.

6. The interrelationship in paragraph 5 above have been agreed upon in order to achieve effectively the purpose of the political settlement, namely, that as from 15 May 1988, there will be no interference and intervention in any form in the affairs of the Parties; the international guarantees will be in operation; the voluntary return of the refugees to their homeland will start and be completed within the time-frame specified in the agreement on the voluntary return of the refugees; and the phased withdrawal of the foreign troops will start and be completed within the time-frame envisaged in paragraph 5. It is therefore essential that all the obligations deriving from the instruments concluded as component parts of the settlement be strictly fulfilled and that all the steps required to ensue full compliance with all the provisions of the instruments be completed in good faith.

7. To consider alleged violations and to work out prompt and mutually satisfactory solutions to questions that may arise in the implementation of the instruments comprising the settlement representatives of the Republic of Afghanistan and the Islamic Republic of Pakistan shall meet whenever required.

A representative of the Secretary-General of the United Nations shall lend his good offices to the Parties and in that context he will assist in the organization of the meetings and participate in them. He may submit to the Parties for their consideration and approval suggestions and recommendations for prompt, faithful and complete observance of the provisions of the instruments.

In order to enable him to fulfil his talks, the representative shall be assisted by such personal under his authority as required. On his own initiative, or at the request of any of the Parties, the personnel shall investigate any possible violations of any of the provisions of the instruments and prepare an report thereon. For that purpose, the representative and his personnel shall receive all the necessary co-operation from the Parties, including all freedom of movement within their respective territories required for effective investigation. Any report submitted by the representative to the two Governments shall be considered in a meeting of the parties no later than forth-eight hours after it has been submitted.

The modalities and logistical arrangements for the work of the representative and the personnel under his authority as agreed upon with the Parties are set out in the Memorandum of Understanding which is annexed to and is part of this Agreement.

8. The present instrument will be registered with the Secretary-General of the United Nations. It has been examined by the representatives of the Parties to the bilateral agreements and of the States-Guarantors, who have signified their consent with its provisions.

The representatives of the Parties, being duly authorized thereto by their respective Governments, have affixed their signatures hereunder. The Secretary-General of the United Nations was present.

Done, at Geneva, this fourteen day of April 1988, in five original copies each in the English, Pashtu, Russian and Urdu languages, all being equally authentic. In case of any dispute regarding the interpretation the English text shall prevail.

(Signed by Afghanistan and Pakistan).

In witness thereof, the representatives of the States-Guarantors affixed their signatures hereunder:

(Signed by the USSR and USA).

Annex

Memorandum of Understanding

I. Basic requirements

(a) The Parties will provide full support and co-operation to the Representative of the Secretary-General and to all the personnel assigned to assist him.

(b) The Representative of the Secretary-General and his personnel will be accorded every facility as well as prompt and effective assistance, including freedom of movement and communications, accommodation, transportation and other facilities that may be necessary for the performance of their tasks. Afghanistan and Pakistan undertake to grant to the Representative and his staff all the relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations.

(c) Afghanistan and Pakistan will be responsible for the safety of the Representative of the Secretary-General and his personnel while operating in their respective countries.

(d) In performing their functions, the Representative of the Secretary-General and his staff will act with complete impartiality. The Representative of the Secretary-General and his personnel must not interfere in the internal affairs of Afghanistan and Pakistan and, in this context, cannot be used to secure advantages for any of the Parties concerned.

II. Mandate

The mandate for the implementation -assistance arrangements envisaged in paragraph 7 derives from the instruments comprising the settlement. All the staff assigned to the Representative of the Secretary-General will accordingly be carefully briefed on the relevant provisions of the instruments and on the procedures that will be used to ascertain violations thereof.

III. Modus operandi and personnel organization

The Secretary-General will appoint a senior military officer as Deputy to the Representative, who will be stationed in the area, as head of two small headquarters units, one in Kabul and the other in Islamabad, each comprising five military officers, drawn from existing United Nations operations, and a small civilian auxiliary staff.

The Deputy to the Representative of the Secretary-General will act on behalf of the Representative and be in contact with the Parties through the Liaison Officer each Party will designate for this purpose.

The two headquarters units will be organized into two Inspection Teams to ascertain on the ground any violation of the instruments comprising the settlement. Whenever considered necessary by the Representative of the Secretary-General or his Deputy, up to 40 additional military officers (some 10 additional Inspection Teams) will be redeployed from existing operations within the shortest possible time (normally around 48 hours).

The nationalities of all the Officers will be determined in consultation with the Parties.

Whenever necessary the Representative of the Secretary-General, who will periodically visit the area for consultations with the Parties and to review the work of his personnel, will also assign to the area members of his own Office and other civilian personnel from the United Nations Secretariat as may be needed. His Deputy will alternate between the two headquarters units and will remain at all times in close communication with him.

IV. Procedure

(a) Inspections conducted at the request of the Parties

(i) A complaint regarding a violation of the instruments of the settlement lodged by any of the Parties should be submitted in writing, in the English language, to the respective headquarters units and should indicate all relevant information and details.

(ii) Upon receipt of a complaint the Deputy to the Representative of the Secretary-General will immediately inform the other Party of the complaint and undertake an investigation by making on-site inspections, gathering testimony and using any other procedure which he may deem necessary for the investigation of the alleged violation. Such inspection will be conducted using

headquarters staff as referred to above, unless the Deputy Representative of the Secretary-General considers that additional teams are needed. In that case, the Parties will, under the principle of freedom of movement, allow immediate access of the additional personnel to their respective territories.

(iii) Reports on investigations will be prepared in English and submitted by the Deputy Representative of the Secretary-General to the two Governments, on a confidential basis. (A third copy of the Report will be simultaneously transmitted, on a confidential basis, to United Nations Headquarters in New York, exclusively for the information of the Secretary-General and his Representative.) In accordance with paragraph 7 a report on an investigation should be considered in a meeting of the Parties not later than 48 hours after it has been submitted. The Deputy Representative of the Secretary-General will, in the absence of the Representative, lend his good offices to the Parties and in that context he will assist in the organization of the meetings and participate in them. In the context of those meetings the Deputy Representative of the Secretary-General may submit to the Parties for their consideration and approval suggestions and recommendations for the prompt, faithfully and complete observance of the provisions of the instruments. (Such suggestions and recommendations will be, as a matter of course, consulted with, and cleared by, the Representative of the Secretary-General.)

(b) Inspection conducted on the initiative of the Deputy Representative of the Secretary-General

In addition to inspections requested by the Parties, the Deputy Representative of the Secretary-General may carry out on his own initiative and in consultation with the Representative inspections he deems appropriate for the purpose of the implementation of paragraph 7. If it is considered that the conclusions reached in an inspection justify a report to the Parties, the same procedure used in submitting reports in connection with inspections carried out at the request of the Parties will be followed.

Level of participation in meetings

As indicated above, the Deputy Representative of the Secretary-General will participate at meetings of the Parties convened for the purpose of considering reports on violations. Should the Parties decide to meet for the purpose outlined in paragraph 7 at a high political level, the Representative of the Secretary-General will personally attend such meetings.

V. Duration

The Deputy to the Representative of the Secretary-General and the other personnel will be established in the area not later than 20 days before the entry into force of the instruments. The arrangements will cease to exist two months after the completion of all time-frames envisaged for the implementation of the instruments.

VI. Financing

The cost of all facilities and services to be provided by the Parties will be borne by the respective Governments. The salaries and travel expenses of the personnel to and from the area, as well as the costs of the local personnel assigned to the headquarters units, will be defrayed by the United Nations.

Annex II

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS *(Original: Russian)

Noting with satisfaction the successful completion of the Geneva diplomatic process, we pay tribute to the realism and responsibility shown by all participants in it.

The agreement signed in Geneva provide a solution on the external aspects of political settlement regarding Afghanistan. The principle of non-interference is recorded in them in totally clear terms, which place specific and definite responsibilities on all the parties.

The documents that have entered into force do not permit support for political or other groups acting on the territory of one of the contracting parties against the Government of another contracting party. The Soviet Union will fully comply with the obligations contained in the Geneva agreements and will fulfil its treaty obligations to Afghanistan. The Soviet side will also provide assistance in resolving the problem of refugees and in contributing to Afghanistan's economic reconstruction and development.

The Soviet side is convinced that the rights and obligations of the parties to the Geneva agreements including the USSR and the United Sates as guarantors, clearly follow from the texts of those agreements. It is assuming the relevant obligations as a guarantor of the agreements. The viability of the agreements will in the final analysis depend on their strict observance by the parties themselves, namely Afghanistan and Pakistan.

We would like to single out in particular the contribution of the United Nations, of its Secretary-General, Mr. Perez de Cuellar, and the Secretary-General's personal representative, Mr. Diego Cordovez, in reaching the accords signed here in Geneva.

ANNEX III

STATEMENT BY THE UNITED STATES OF AMERICA (Original: English)

The United States has agreed to act as a guarantor of the political settlement of the situation relating to Afghanistan. We believe this settlement is a major step forward in restoring peace

to Afghanistan, in ending the bloodshed in that unfortunate country, and in enabling millions of Afghan refugees to return to their homes.

In agreeing to act as a guarantor, the United States states the following:

The troops withdrawal obligations set out in paragraph 5 and 6 of the Instrument on Interrelationships are central to the entire settlement. Compliance with those obligations is essential to achievement of the settlement's purposes, namely, the ending of foreign intervention in Afghanistan and the restoration of the rights of the Afghan people through the exercise of self-determination as called for by the United Nations Charter and the United Nations General Assembly resolutions on Afghanistan.

The obligations under taken by the guarantors are symmetrical. In this regard, the United State has advised the Soviet Union that the United States retains the right, consistent with its obligations as guarantor, to provide military assistance to parties in Afghanistan. Should the Soviet Union exercise restraint in providing military assistance to parties in Afghanistan, the United States similarly will exercise restraint.

By acting as a guarantor of the settlement, the United States does not intend to imply in any respect recognition of the present regime as the lawful Government of Afghanistan.

Annex 3: Peshawar Accord (April 24, 1992)

In the Name of Allah, the Most Beneficent, the Most Merciful

Salutation and peace be upon the Great Messenger of Allah and his Progeny and Companions.

The structure and process for the provisional period of the Islamic State of Afghanistan are formed as under:

1. It was decided that a 51 person body, headed by Hazrat Sahib Sibghatullah Mojaddedi, would go inside Afghanistan so that they can take over power from the present rulers of Kabul, completely and without any terms and conditions during the two month period. The head of this body will also represent the Presidentship of the State during these two months. After this period, this body will remain as an interim Islamic Council along with the Transitional State and its Chairmanship will be held by Hazrat Sahib. The period of this Council will also be for four (4) months.
2. It was decided that Professor Rabbani will remain as the President of the Transitional Islamic State of Afghanistan and the head of the Leadership Council for four (4) months. He will commence his work officially at the time when the two months of the transfer of power will have elapsed.
3. The above mentioned period will not be extended even by a day.
4. The Prime Minister and other members of the Cabinet will be appointed from the second grade members of the Tanzeemat, on the discretion of the heads of the Tanzeemat.
5. The Prime Ministership was assigned to the Hizb-e-Islami, Afghanistan.
6. The Deputy Prime Ministership and the Ministry of Interior, to Ittehad-e-Islami Afghanistan.
7. The Deputy Prime Ministership and the Ministry of Education, to Hizb-e-Islamic of Maulvi Khalis.
8. The Deputy Prime Ministership and the Ministry of Foreign Affairs to the National Islamic Front.
9. The Ministry of Defense to Jamiat-e-Islami, Afghanistan.
10. The Supreme Court to Harkat-e-Inqilab-e-Islami Organization.

It has also been decided that the leadership council would allocate some ministries to Hizb-e-Wahdat –e- Islami, alliance council and to other brothers.

The duration of this process will be six months. With regard to the transitional government, the Islamic council would decide based on reaching to a consensus. The duration of transitional period would be two years.

Annex 4: Afghan Peace Accord (Islamabad Accord)

7 March 1993

Given our submission to the will of Allah Almighty and commitment to seeking guidance from the Holy Quran and Sunnah,

Recalling the glorious success of the epic Jihad waged by the valiant Afghan people against foreign occupation,

Desirous of ensuring that the fruits of this glorious Jihad bring peace, progress and prosperity for the Afghan people,

Having agreed to bringing armed hostilities to an end,

Recognizing the need for a broad-based Islamic Government in which all parties and groups representing all segments of Muslim Afghan society are represented so that the process of political transition can be advanced in an atmosphere of peace, harmony and stability,

Committed to the preservation of unity, sovereignty and territorial integrity of Afghanistan,

Recognizing the urgency of rehabilitation and reconstruction of Afghanistan and of facilitating the return of all Afghan refugees,

Committed to promoting peace and security in the region,

Responding to the call of Khadim Al-Harmain Al-Sharifain His Majesty King Fahd Bin Abdul Aziz to resolve the differences among Afghan brothers through a peaceful dialogue,

Appreciating the constructive role of good offices of Mr. Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan, and his sincere efforts to promote peace and conciliation in Afghanistan,

Recognizing the positive support for these efforts extended by the Government of the Kingdom of Saudi Arabia and the Islamic Republic of Iran, who have sent their Special Envoys for the conciliation talks in Islamabad,

Having undertaken intensive intra-Afghan consultations separately and jointly to consolidate the gains of the glorious Jihad,

All the parties and groups concerned have agreed as follows:

To the formation of a Government for a period of 18 months in which President Burhanuddin Rabbani would remain President and Eng. Gulbedin Hikmatyar or his nominee would assume the office of Prime Minister. The powers of the President and Prime Minister and his cabinet which have been formulated through mutual consultations will form part of this Accord and is annexed;

The Cabinet shall be formed by the Prime Minister in consultations with the President, and leaders of Mujahedeen Parties within two weeks of the signing of this Accord;

The following electoral process is agreed for implementation in a period of not more than 18 months with effect from 29 December 1992;

(a) The immediate formation of an independent Election Commission by all parties with full powers;

(b) The Election Commission shall be mandated to hold elections for a Grand Constituent Assembly within eight months from the date of signature of this Accord;

(c) The duly elected Grand Constituent Assembly shall formulate a Constitution under which general elections for the President and the Parliament shall be held within the prescribed period of 18 months mentioned above.

A defense Council comprising two members from each party will be set up to, inter alia,

(a) Enable the formation of a national army;

(b) Take possession of heavy weapons from all parties and sources which may be removed from Kabul and other cities and kept out of range to ensure the security of the Capital;

(c) Ensure that all roads in Afghanistan are kept open for normal use;

(d) Ensure that State funds shall not be used to finance private armies or armed retainers;

(e) Ensure that operational control of the armed forces shall be with the Defense Council.

There shall be immediate and unconditional release of all Afghan detainees held by the Government and different parties during the armed hostilities.

All public and private buildings, residential areas and properties occupied by different armed groups during the hostilities shall be returned to their original owners. Effective steps shall be taken to facilities the return of displaced persons to their respective homes and locations.

An All Party Committee shall be constituted to supervise control over the monetary system and currency regulations to keep it in conformity with existing Afghan banking laws and regulations.

A cease-fire shall come into force with immediate effect. After the formation of the Cabinet, there shall be permanent cessation of hostilities.

A Joint Commission comprising representatives of the Organization of the Islamic Conference and of all Afghan parties shall be formed to monitor the cease-fire and cessation of hostilities.

In confirmation of the above Accord the following have affixed their signatures hereunder, on Sunday, 7 March 1993 in Islamabad, Pakistan.

Prof. Burhanuddin Rabbani

Engineer Gulbadin Hikmatyar

Moulvi Muhammad Nabi Muhammadi

Professor Sibghatuallah Mujjadidi

Pir Syed Ahmed Gaillani

Engineer Ahmad Shah Ahmadzai

Sheikh Asif Mohseni

Ayatullah Fazil

Annex

Division of Powers Preamble

The President of the Islamic State of Afghanistan is the Head of State and symbol of unity and solidarity of the country and shall guide the affairs of the State in accordance with Islamic laws and the principles laid down in the Holy Quran and Sunnah.

I. The Prime Minister shall form the Cabinet in consultation with the President and present the same to the President, who shall formally announce the Cabinet and take its oath. The Cabinet shall operate as a team under the leadership of the Prime Minister and shall work on the principle of collective responsibility.

II. The Prime Minister and the Cabinet shall regularly act in close consultation with the President on all important issues.

III. The President and the Prime Minister shall act in consultation with each other and shall try to resolve differences, if any, through mutual discussion. In case any issue remains unresolved, it should be decided by a reference to a joint meeting of the President and the Cabinet.

IV. All major policy decisions shall be made in the Cabinet, to be presided over by the Prime Minister. Ministers, Deputy Ministers and Ministers of State would be individually and collectively responsible for the decisions of the Government.

V. The formal appointment of the Chiefs of the Armed Forces shall be made in accordance with the existing practice and after mutual consultation.

Powers of the President

VI. The President shall have the following powers and duties:

(a) Appointment of Vice-President of the Islamic State of Afghanistan.

(b) Appointment and retirement of judges of the Supreme Court, the Chief Justices, in consultation with the Prime Minister and in accordance with the provisions of the laws.

(c) Supreme Command of the Armed Forces of the country in the light of the objectives and structure of the Armed Forces of Afghanistan.

(d) Declaring war and peace on the advice of the Cabinet or the Parliament.

(e) Convening and inaugurating the Parliament according to Rules.

(f) Consolidating national unity and upholding the independence, neutrality and the Islamic character of Afghanistan and the interests of all its citizens.

(g) Commuting and pardoning of sentences according to the Shariah and the provisions of law.

(h) Accrediting heads of Afghanistan's diplomatic missions in foreign States, appointing Afghanistan's permanent representatives to international

organizations according to the normal diplomatic procedures and accepting the letters of credence of foreign diplomatic representatives.

(i) Signing laws and ordinances and granting credentials for the conclusion and signing of international treaties in accordance with the provisions of law.

(j) The President may, at his discretion, delegate any of his powers to the Vice President, or to the Prime Minister.

(k) In the event of the death or resignation of the President, the presidential functions shall be automatically entrusted to the Vice-President, who shall deputize till the new President is elected under the Constitution.

(l) Granting formal permission to print money.

(m) The President may call an extraordinary meeting of the Cabinet on issues of vital national significance which do not fall in the routine governance of the country.

Powers of the Prime Minister

VII. The Prime Minister and his Cabinet shall have the following duties and powers:

(a) Formulation and implementation of the country's domestic and foreign policies in accordance with the provisions and spirit of this Accord and the provisions of law.

(b) Administering, coordinating and supervising the affairs of the ministries, and other departments and public bodies and institutions.

(c) Rendering executive and administrative decisions in accordance with laws and supervising their implementation.

(d) Drafting of laws and formulating rules and regulations.

(e) Preparing and controlling the State budget and adopting measures to mobilize resources to reconstruct the economy and establish a viable and stable monetary, financial and fiscal system.

(f) Drafting and supervising implementation of the socio-economic and educational plans of the country with a view to establishing a self-reliant Islamic Welfare State.

(g) Protecting and promoting the objectives and interests of Afghanistan in the world community and discussing and negotiating foreign treaties, protocols, international agreements and financial arrangements.

(h) Adopting measures to ensure public order, peace, security and Islamic morality and to ensure administration of justice through an independent and impartial judiciary.

In confirmation of the above Accord, the following have affixed their signatures hereunder, on Sunday, 7 March 1993 in Islamabad, Pakistan.

1. Prof. Burhan-ud-Din Rabbani, Jamiat-e-Islami, President of the Islamic Republic of
Afghanistan

2. Engineer Gulbadin Hikmatyar, leader of Hizb-e-Islami
3. Moulvi Muhammad Nabi Muhammadi, leader of Harkat-e-Inqilab-e-Islami
4. Prof. Sibghatullah Mujjadidi, leader of Jabha-e-Nijat-e-Milli
5. Pir Syed Ahmad Gaillani, leader of Mahaz-e-Milli
6. Engineer Ahmed Shah, Ahmadzai, from Ittehad-e-Islami
7. Sheikh Asif Mohseni, leader of Harkat-e-Islamic
8. Ayatullah Fazil, from Hizb-e-Wahdat-e-Islami

[Annex 4: Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan-1999](#)

The deputy Ministers for Foreign Affairs of the “Six Plus Two” group, composed of the states bordering Afghanistan- the People’s Republic of China, the Islamic Republic of Iran, the Islamic Republic of Pakistan, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan - as well as the Russian Federation and the United States of America, having met in Tashkent on July 19th, 1999 with the participation of the Special Envoy of the United Nations Secretary-General for Afghanistan, Mr. Lakhdar Brahimi, having considered the situation in Afghanistan, being sincere friends of the Afghan people and desiring peace and prosperity for Afghanistan, have confirmed the following principles.

We express the profound concern of our Governments at the continuing military confrontation in Afghanistan, which is posing a serious and growing threat to regional and international peace and security.

We remain committed to a peaceful political settlement of the Afghan conflict, in accordance with relevant provisions of resolutions and decisions of the General Assembly and the Security Council of the United Nations, and we, in particular, recall the “talking points” and the “points of common understanding”, adopted earlier by the countries of the “Six plus Two” group (A/52/826- S/1998/222, annex, and A/53/455-S/1998/913, annex, respectively).

We confirm that the United Nations, as a universally recognized intermediary, must continue to play a central and impartial role in international efforts to achieve a peaceful resolution of the Afghan conflict and we reaffirm our full support for the efforts of the Special Envoy of the Secretary-General for Afghanistan and the work of the United Nations Special Mission to Afghanistan.

We reaffirm our firm commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan. We express our profound concern at the violations of the human rights, including those of ethnic minorities and women and girls, as well as the violations of international humanitarian law that are taking place in Afghanistan.

We are deeply distressed with the steady increase in the cultivation, production and illicit trafficking of narcotics and the illegal sale of arms, which have far-reaching unfavorable consequences not only for the region but beyond it as well.

We are also concerned at the use of Afghan territory, especially areas controlled by the Taliban, to conceal and train terrorists, and the fact that dangerous consequences of such actions can be seen in Afghanistan, its neighboring countries and far beyond their borders.

In view of the foregoing, we have come to the following conclusions:

1. We are convinced that there is no military solution to the Afghan conflict, which must be settled through peaceful political negotiation in order to establish a broad-based, multi-ethnic and fully representative Government.

2. Accordingly, we urge the Afghan parties to resume political negotiations aimed at achieving these goals.

3. In order to help bring about a cessation of hostilities, which we consider essential, we have further agreed not to provide military support to any Afghan party and to prevent the use of our territories for such purposes. We call upon the international community to take identical measures to prevent delivery of weapons to Afghanistan.

4. We express our readiness to promote direct negotiation, under the auspices of the United Nations, between the Afghan parties in accordance with the relevant resolutions and decisions of the General Assembly and Security Council of the United Nations and this Declaration in order to conclude an intra-Afghan agreement on the implementation of paragraph 1, set forth above. As members the "Six plus Two" group, we are fully determined to provide our individual and collective support to this process.

5. We consider that the negotiation process must be conducted under the auspices of the United Nations and may consist of two stages.

(a) The main objective of the first stage is to adopt measures for building mutual confidence. Such measures will include:

(i) The signing of an agreement on an immediate and unconditional ceasefire without any pre-conditions;

(ii) The holding at this stage of direct negotiations between the plenipotentiary delegations of the two main parties to the conflict - the United Front and the Taliban movement - in order to reach agreements, inter alia on:

- Exchanging of prisoners of war,
- Lifting internal blockades and opening roads for reciprocal trade and delivery of humanitarian assistance in the territories controlled by the various Afghan groups;

6. Those of us, who have a common border with Afghanistan, moved by a common desire to take effective and coordinated measures to combat illicit drug-trafficking, have agreed, on a bilateral and multilateral basis, to strengthen effective and coordinated measures to combat illicit drug trafficking. In this connection, we recall and confirm the important role played by the United Nations Drug Control Programme in this process.

7. We urge the Taliban to inform the Government of the Islamic Republic of Iran and the United Nations about the results of their investigations into the killings of the diplomatic and consular staff of the Consulate- General of the Islamic Republic of Iran in Masar-e Sharif and the corresponding of the Islamic Republic News Agency, and appeal to the Taliban to cooperate fully with the international investigation into their killing in order to punish the guilty parties.

8. We urge the Afghan parties, particularly the Taliban, to cease providing refuge and training to international terrorists and their organizations and to cooperate with the efforts to bring terrorists to justice.

9. We are fully determined to make every effort to encourage the Afghan parties to respect fully the basic human rights and fundamental freedoms of all Afghans in accordance with the basic norms of international law.

10. We are prepared to cooperate with the new Afghan Government that is to be established in accordance with paragraph 1, set forth above, in all aspects in order to strengthen security and stability in Afghanistan and the region, bring about the return of the Afghan refugees to their homes and ensure speediest rehabilitation and reconstruction of Afghanistan through support from UN agencies and programmes, international financial organizations and donor countries.

11. We call upon the international community to respond to the Inter-Agency Consolidated Appeal for Emergency Humanitarian and Rehabilitation Assistance for Afghanistan, launched by the Secretary-General for the period from 1 January to 31 December 1999, bearing in mind also the existence of the Afghanistan Emergency Trust Fund. Support for demining is of particular importance.

12. We call upon the international community to support these proposals and take coordinated steps to bring about a speedy settlement of the conflict in Afghanistan and also call upon all forces in Afghanistan to demonstrate political will and wisdom, overcome their differences and mutual hostility and not miss an historic opportunity to achieve stable and long-lasting peace.

13. The present Declaration is established in two originals, in the English and the Russian languages, both texts being equally authentic.

DONE in the City of Tashkent, the Republic of Uzbekistan, this 19th day of the month of July one thousand nine hundred and ninety-nine.

Annex 5: the Bonn Agreement, 2001

Agreement on provisional arrangement in Afghanistan pending the re- establishment of permanent government institutions

The participants in the UN Talks on Afghanistan,

In the presence of the Special Representative of the Secretary-General for Afghanistan,

Determined to end the tragic conflict in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights in the country,

Reaffirming the independence, national sovereignty and territorial integrity of Afghanistan,

Acknowledging the right of the people of Afghanistan to freely determine their own political future in accordance with the principles of Islam, democracy, pluralism and social justice,

Expressing their appreciation to the Afghan mujahidin who, over the years, have defended the independence, territorial integrity and national unity of the country and have played a major role in the struggle against terrorism and oppression, and whose sacrifice has now made them both heroes of jihad and champions of peace, stability and reconstruction of their beloved homeland, Afghanistan,

Aware that the unstable situation in Afghanistan requires the implementation of emergency interim arrangements and expressing their deep appreciation to His Excellency Professor Burhanuddin Rabbani for his readiness to transfer power to an interim authority which is to be established pursuant to this agreement,

Recognizing the need to ensure broad representation in these interim arrangements of all segments of the Afghan population, including groups that have not been adequately represented at the UN Talks on Afghanistan,

Noting that these interim arrangements are intended as a first step toward the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government, and are not intended to remain in place beyond the specified period of time,

Recognizing that some time may be required for a new Afghan security force to be fully constituted and functional and that therefore other security provisions detailed in Annex I to this agreement must meanwhile be put in place,

Considering that the United Nations, as the internationally recognized impartial institution, has a particularly important role to play, detailed in Annex II to this agreement, in the period prior to the establishment of permanent institutions in Afghanistan,

Have agreed as follows:

THE INTERIM AUTHORITY

I. General provisions

- 1) An Interim Authority shall be established upon the official transfer of power on 22 December 2001.
- 2) The Interim Authority shall consist of an Interim Administration presided over by a Chairman, a Special Independent Commission for the Convening of the Emergency Loya Jirga, and a Supreme Court of Afghanistan, as well as such other courts as may be established by the Interim Administration. The composition, functions and governing procedures for the Interim Administration and the Special Independent Commission are set forth in this agreement.
- 3) Upon the official transfer of power, the Interim Authority shall be the repository of Afghan sovereignty, with immediate effect. As such, it shall, throughout the interim period, represent Afghanistan in its external relations and shall occupy the seat of Afghanistan at the United Nations and in its specialized agencies, as well as in other international institutions and conferences.
- 4) An Emergency Loya Jirga shall be convened within six months of the establishment of the Interim Authority. The Emergency Loya Jirga will be opened by His Majesty Mohammed Zaher, the former King of Afghanistan. The Emergency Loya Jirga shall decide on a Transitional Authority, including a broad-based transitional administration, to lead Afghanistan until such time as a fully representative government can be elected through free and fair elections to be held no later than two years from the date of the convening of the Emergency Loya Jirga.
- 5) The Interim Authority shall cease to exist once the Transitional Authority has been established by the Emergency Loya Jirga.
- 6) A Constitutional Loya Jirga shall be convened within eighteen months of the establishment of the Transitional Authority, in order to adopt a new constitution for Afghanistan. In order to assist the Constitutional Loya Jirga prepare the proposed Constitution, the Transitional Administration shall, within two months of its commencement and with the assistance of the United Nations, establish a Constitutional Commission.

II. Legal framework and judicial system

- 1) The following legal framework shall be applicable on an interim basis until the adoption of the new Constitution referred to above:
 - i) The Constitution of 1964, a/ to the extent that its provisions are not inconsistent with those contained in this agreement, and b/ with the exception of those provisions relating to the monarchy and to the executive and legislative bodies provided in the Constitution; and
 - ii) existing laws and regulations, to the extent that they are not inconsistent with this agreement or with international legal obligations to which Afghanistan is a party, or with those applicable provisions contained in the Constitution of 1964, provided that the Interim Authority shall have the power to repeal or amend those laws and regulations.
- 2) The judicial power of Afghanistan shall be independent and shall be vested in a Supreme Court of Afghanistan, and such other courts as may be established by the

Interim Administration. The Interim Administration shall establish, with the assistance of the United Nations, a Judicial Commission to rebuild the domestic justice system in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions.

III. Interim Administration

A. Composition

- 1) The Interim Administration shall be composed of a Chairman, five Vice Chairmen and 24 other members. Each member, except the Chairman, may head a department of the Interim Administration.
- 2) The participants in the UN Talks on Afghanistan have invited His Majesty Mohammed Zaher, the former King of Afghanistan, to chair the Interim Administration. His Majesty has indicated that he would prefer that a suitable candidate acceptable to the participants be selected as the Chair of the Interim Administration.
- 3) The Chairman, the Vice Chairmen and other members of the Interim Administration have been selected by the participants in the UN Talks on Afghanistan, as listed in Annex IV to this agreement. The selection has been made on the basis of professional competence and personal integrity from lists submitted by the participants in the UN Talks, with due regard to the ethnic, geographic and religious composition of Afghanistan and to the importance of the participation of women.
- 4) No person serving as a member of the Interim Administration may simultaneously hold membership of the Special Independent Commission for the Convening of the Emergency Loya Jirga.

B. Procedures

- 1) The Chairman of the Interim Administration, or in his/her absence one of the Vice Chairmen, shall call and chair meetings and propose the agenda for these meetings.
- 2) The Interim Administration shall endeavor to reach its decisions by consensus. In order for any decision to be taken, at least 22 members must be in attendance. If a vote becomes necessary, decisions shall be taken by a majority of the members present and voting, unless otherwise stipulated in this agreement. The Chairman shall cast the deciding vote in the event that the members are divided equally.

C. Functions

- 1) The Interim Administration shall be entrusted with the day-to-day conduct of the affairs of state, and shall have the right to issue decrees for the peace, order and good government of Afghanistan.
- 2) The Chairman of the Interim Administration or, in his/her absence, one of the Vice Chairmen, shall represent the Interim Administration as appropriate.
- 3) Those members responsible for the administration of individual departments shall also be responsible for implementing the policies of the Interim Administration within their areas of responsibility.

- 4) Upon the official transfer of power, the Interim Administration shall have full jurisdiction over the printing and delivery of the national currency and special drawing rights from international financial institutions. The Interim Administration shall establish, with the assistance of the United Nations, a Central Bank of Afghanistan that will regulate the money supply of the country through transparent and accountable procedures.
- 5) The Interim Administration shall establish, with the assistance of the United Nations, an independent Civil Service Commission to provide the Interim Authority and the future Transitional Authority with shortlists of candidates for key posts in the administrative departments, as well as those of governors and *uluswals*, in order to ensure their competence and integrity.
- 6) The Interim Administration shall, with the assistance of the United Nations, establish an independent Human Rights Commission, whose responsibilities will include human rights monitoring, investigation of violations of human rights, and development of domestic human rights institutions. The Interim Administration may, with the assistance of the United Nations, also establish any other commissions to review matters not covered in this agreement.
- 7) The members of the Interim Administration shall abide by a Code of Conduct elaborated in accordance with international standards.
- 8) Failure by a member of the Interim Administration to abide by the provisions of the Code of Conduct shall lead to his/her suspension from that body. The decision to suspend a member shall be taken by a two-thirds majority of the membership of the Interim Administration on the proposal of its Chairman or any of its Vice Chairmen.
- 9) The functions and powers of members of the Interim Administration will be further elaborated, as appropriate, with the assistance of the United Nations.

IV. The Special Independent Commission for the Convening of the Emergency Loya Jirga

- 1) The Special Independent Commission for the Convening of the Emergency Loya Jirga shall be established within one month of the establishment of the Interim Authority. The Special Independent Commission will consist of twenty-one members, a number of whom should have expertise in constitutional or customary law. The members will be selected from lists of candidates submitted by participants in the UN Talks on Afghanistan as well as Afghan professional and civil society groups. The United Nations will assist with the establishment and functioning of the commission and of a substantial secretariat.
- 2) The Special Independent Commission will have the final authority for determining the procedures for and the number of people who will participate in the Emergency Loya Jirga. The Special Independent Commission will draft rules and procedures specifying (i) criteria for allocation of seats to the settled and nomadic population residing in the country; (ii) criteria for allocation of seats to the Afghan refugees living in Iran, Pakistan, and elsewhere, and Afghans from the diaspora; (iii) criteria for inclusion of civil society

organizations and prominent individuals, including Islamic scholars, intellectuals, and traders, both within the country and in the diaspora. The Special Independent Commission will ensure that due attention is paid to the representation in the Emergency Loya Jirga of a significant number of women as well as all other segments of the Afghan population.

3) The Special Independent Commission will publish and disseminate the rules and procedures for the convening of the Emergency Loya Jirga at least ten weeks before the Emergency Loya Jirga convenes, together with the date for its commencement and its suggested location and duration.

4) The Special Independent Commission will adopt and implement procedures for monitoring the process of nomination of individuals to the Emergency Loya Jirga to ensure that the process of indirect election or selection is transparent and fair. To preempt conflict over nominations, the Special Independent Commission will specify mechanisms for filing of grievances and rules for arbitration of disputes.

5) The Emergency Loya Jirga will elect a Head of the State for the Transitional Administration and will approve proposals for the structure and key personnel of the Transitional Administration.

V. Final provisions

1) Upon the official transfer of power, all mujahidin, Afghan armed forces and armed groups in the country shall come under the command and control of the Interim Authority, and be reorganized according to the requirements of the new Afghan security and armed forces.

2) The Interim Authority and the Emergency Loya Jirga shall act in accordance with basic principles and provisions contained in international instruments on human rights and international humanitarian law to which Afghanistan is a party.

3) The Interim Authority shall cooperate with the international community in the fight against terrorism, drugs and organized crime. It shall commit itself to respect international law and maintain peaceful and friendly relations with neighboring countries and the rest of the international community.

4) The Interim Authority and the Special Independent Commission for the Convening of the Emergency Loya Jirga will ensure the participation of women as well as the equitable representation of all ethnic and religious communities in the Interim Administration and the Emergency Loya Jirga.

5) All actions taken by the Interim Authority shall be consistent with Security Council resolution 1378 (14 November 2001) and other relevant Security Council resolutions relating to Afghanistan.

6) Rules of procedure for the organs established under the Interim Authority will be elaborated as appropriate with the assistance of the United Nations.

This agreement, of which the annexes constitute an integral part, done in Bonn on this 5th day of December 2001 in the English language, shall be the authentic text, in a single copy which shall remain deposited in the archives of the United Nations. Official texts

shall be provided in Dari and Pashto, and such other languages as the Special Representative of the Secretary-General may designate. The Special Representative of the Secretary-General shall send certified copies in English, Dari and Pashto to each of the participants.

Participants in the UN Talks on Afghanistan:

Ms. Amena Afzali, Mr. S. Hussain Anwari, Mr. Hedayat Amin Arsala,
Mr. Sayed Hamed Gailani, Mr. Rahmatullah Mousa Ghazi, Mr.Eng. Abdul Hakim,
Mr. Houmayoun Jareer, Mr. Abbas Karimi, Mr. Mustafa Kazimi, Dr. Azizullah Ludin
Mr. Ahmad Wali Massoud, Mr. Hafizullah Asif Mohseni, Prof. Mohammad Ishaq Nadiri
Mr. Mohammad Natiqi, Mr. Aref Noorzay, Mr. Yunus Qanooni, Dr. Zalmi Rassoul
Mr. H. Mirwais Sadeq, Dr. Mohammad Jalil Shams, Prof. Abdul Sattar Sirat
Mr. Humayun Tandar, Mrs. Sima Wali, General Abdul Rahim Wardak
Mr. Azizullah Wasefi, Mr. Pacha Khan Zadran

Witnessed for the United Nations by: Mr. Lakhdar Brahimi Special Representative of the Secretary-General for Afghanistan

ANNEX I

INTERNATIONAL SECURITY FORCE

1. The participants in the UN Talks on Afghanistan recognize that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves. To this end, they pledge their commitment to do all within their means and influence to ensure such security, including for all United Nations and other personnel of international governmental and non-governmental organizations deployed in Afghanistan.
2. With this objective in mind, the participants request the assistance of the international community in helping the new Afghan authorities in the establishment and training of new Afghan security and armed forces.
3. Conscious that some time may be required for the new Afghan security and armed forces to be fully constituted and functioning, the participants in the UN Talks on Afghanistan request the United Nations Security Council to consider authorizing the early deployment to Afghanistan of a United Nations mandated force. This force will assist in the maintenance of security for Kabul and its surrounding areas. Such a force could, as appropriate, be progressively expanded to other urban centers and other areas.
4. The participants in the UN Talks on Afghanistan pledge to withdraw all military units from Kabul and other urban centers or other areas in which the UN mandated force is deployed. It would also be desirable if such a force were to assist in the rehabilitation of Afghanistan's infrastructure.

* * *

ANNEX II

ROLE OF THE UNITED NATIONS DURING THE INTERIM PERIOD

1. The Special Representative of the Secretary-General will be responsible for all aspects of the United Nations' work in Afghanistan.
2. The Special Representative shall monitor and assist in the implementation of all aspects of this agreement.
3. The United Nations shall advise the Interim Authority in establishing a politically neutral environment conducive to the holding of the Emergency Loya Jirga in free and fair conditions. The United Nations shall pay special attention to the conduct of those bodies and administrative departments which could directly influence the convening and outcome of the Emergency Loya Jirga.
4. The Special Representative of the Secretary-General or his/her delegate may be invited to attend the meetings of the Interim Administration and the Special Independent Commission on the Convening of the Emergency Loya Jirga.
5. If for whatever reason the Interim Administration or the Special Independent Commission were actively prevented from meeting or unable to reach a decision on a matter related to the convening of the Emergency Loya Jirga, the Special Representative of the Secretary-General shall, taking into account the views expressed in the Interim Administration or in the Special Independent Commission, use his/her good offices with a view to facilitating a resolution to the impasse or a decision.
6. The United Nations shall have the right to investigate human rights violations and, where necessary, recommend corrective action. It will also be responsible for the development and implementation of a program of human rights education to promote respect for and understanding of human rights.

* * *

ANNEX III

REQUEST TO THE UNITED NATIONS BY THE PARTICIPANTS AT THE UN TALKS ON AFGHANISTAN

The participants in the UN Talks on Afghanistan hereby

1. Request that the United Nations and the international community take the necessary measures to guarantee the national sovereignty, territorial integrity and unity of Afghanistan as well as the non-interference by foreign countries in Afghanistan's internal affairs;
2. Urge the United Nations, the international community, particularly donor countries and multilateral institutions, to reaffirm, strengthen and implement their commitment to assist with the rehabilitation, recovery and reconstruction of Afghanistan, in coordination with the Interim Authority;
3. Request the United Nations to conduct as soon as possible (i) a registration of voters in advance of the general elections that will be held upon the adoption of the new

constitution by the constitutional Loya Jirga and (ii) a census of the population of Afghanistan.

4. Urge the United Nations and the international community, in recognition of the heroic role played by the mujahidin in protecting the independence of Afghanistan and the dignity of its people, to take the necessary measures, in coordination with the Interim Authority, to assist in the reintegration of the mujahidin into the new Afghan security and armed forces;

5. Invite the United Nations and the international community to create a fund to assist the families and other dependents of martyrs and victims of the war, as well as the war disabled;

6. Strongly urge that the United Nations, the international community and regional organizations cooperate with the Interim Authority to combat international terrorism, cultivation and trafficking of illicit drugs and provide Afghan farmers with financial, material and technical resources for alternative crop production.

* * *

ANNEX IV

COMPOSITION OF THE INTERIM ADMINISTRATION

Chairman: Hamid Karzai

Vice-Chairmen:

Vice-Chair and Women's Affairs: Dr. Sima Samar

Vice-Chair and Defense: Muhammad Qassem Fahim

Vice-Chair and Planning: Haji Muhammad Mohaqqeq

Vice-Chair and Water and Electricity: Shaker Kargar

Vice-Chair and Finance: Hedayat Amin Arsala

Members:

Department of Foreign Affairs: Dr. Abdullah Abdullah

Department of the Interior: Muhammad Yunus Qanooni

Department of Commerce: Seyyed Mustafa Kazemi

Department of Mines and Industries: Muhammad Alem Razm

Department of Small Industries: Aref Noorzai

Department of Information and Culture: Dr. Raheen Makhdoom

Department of Communication: Eng. Abdul Rahim

Department of Labor and Social Affairs: Mir Wais Sadeq

Department of Hajj and Auqaf: Mohammad Hanif Hanif Balkhi

Department of Martyrs and Disabled: Abdullah Wardak

Department of Education: Abdul Rassoul Amin

Department of Higher Education: Dr. Sharif Faez

Department of Public Health: Dr. Suhaila Seddiqi

Department of Public Works: Abdul Khalig Fazal

Department of Rural Development: Abdul Malik Anwar

Department of Urban Development: Haji Abdul Qadir

Department of Reconstruction: Amin Farhang
Department of Transport: Sultan Hamid Hamid
Department for the Return of Refugees: Enayatullah Nazeri
Department of Agriculture: Seyyed Hussein Anwari
Department of Irrigation: Haji Mangal Hussein
Department of Justice: Abdul Rahim Karimi
Department of Air Transport and Tourism: Abdul Rahman
Department of Border Affairs: Amanullah Zadran

Annex 6: Joint Declaration adopted by Pak-Afghan Joint Peace Jirga 12 August

2007

In the name of God, the Most Compassionate, the Most Merciful

To reaffirm and further strengthen the resolve of two brotherly countries to bring sustainable peace in the region, Afghan–Pak Joint Peace Jirga was convened in Kabul, Afghanistan from August 09 to August 12, 2007 as a result of initiative taken by the Presidents of the Islamic Republic of Afghanistan and the Islamic Republic of Pakistan on September 27, 2006. This was the first historic event of its kind that opened a channel of people to people dialogue in which around 700 people including members of the parliaments, political parties, religious scholars, tribal elders, provincial councils, civil society and business community of both countries participated. The inaugural session was addressed by H.E. Hamid Karzai, President of the Islamic Republic of Afghanistan and H.E. Shauket Aziz, Prime Minister of the Islamic Republic of Pakistan. The concluding session of the Joint Peace Jirga was addressed by H.E. Hamid Karzai, President of the Islamic Republic of Afghanistan and H.E. General Pervez Musharraf, President of the Islamic Republic of Pakistan. The main recommendations made by the first Joint Peace Jirga are summarized as follows:

1. Joint Peace Jirga strongly recognizes the fact that terrorism is a common threat to both countries & the war on terror should continue to be an integral part of the national policies and security strategies of both countries. The participants of this jirga unanimously declare to an extended, tireless and persistent campaign against terrorism and further pledge that government and people of Afghanistan and Pakistan will not allow sanctuaries/training centers for terrorists in their respective countries.
2. The Joint Peace Jirga resolved to constitute a smaller Jirga consisting of 25 prominent members from each side that is mandated to strive to achieve the following objectives:
 - a. Expedite the ongoing process of dialogue for peace and reconciliation with opposition.
 - b. Holding of regular meetings in order to monitor and oversee the implementation of the decisions/recommendations of the Joint Peace Jirga.
 - c. Plan and facilitate convening of the next Joint Peace Jirgas.
 - d. Both countries will appoint 25 members each in the committee.

3. The Joint Peace Jirga once again emphasizes the vital importance of brotherly relations in pursuance of policies of mutual respect, non-interference and peaceful coexistence and recommends further expansion of economic, social, and cultural relations between the two countries.

4. Members of the Joint Peace Jirga in taking cognizance of the nexus between narcotics and terrorism condemn the cultivation, processing and trafficking of poppy and other illicit substances and call upon the two governments to wage an all-out war against this menace. The Jirga takes note of the responsibilities of the international community in enabling Afghanistan to provide alternative livelihood to the farmers.

4. The governments of Islamic Republic of Afghanistan and Islamic Republic of Pakistan, with the support of the international community, should implement infrastructure, economic and social sector projects in the affected areas.

5. The comprehensive and important recommendations made by the five working committees of the Joint Peace Jirga for implementation are attached as annexure and form part and parcel of this joint declaration.

Annex 7: National Reconciliation, General Amnesty and Stability Law-2009

OFFICIAL GAZETTE

In the name of God, the Most Compassionate, the Most Merciful

Whereas jihad, resistance and the rightful struggle of our people to defend the religion and the country are splendid achievements in the history of Afghanistan, they are considered as our distinguished national pride. On the other hand, enactment of the Reconciliation Law, an end to war and bloodshed, national unity and building confidence among different segments of society are imperative steps under the current circumstances. To achieve these objectives, the National Reconciliation, the following National Reconciliation, General Amnesty and Security Law is hereby enforced to achieve the above objectives:

Article 1

This law is adopted for the purpose of strengthening reconciliation and national stability, ensuring the supreme interests of the country, ending rivalries and building confidence among the belligerent parties, based on their immunity in case of adherence to the Constitution and other laws in force in the country.

Article 2

To strengthen peace, stability and end the war, the National Parliament of Afghanistan calls on all armed groups in opposition to the government to join the process of strengthening stability and national reconciliation and participate in strengthening the system and reconstruction of the country.

Article 3

(1) All political factions and rival parties involved in one way or another in hostilities before the establishment of the Interim Administration shall be included in the reconciliation and general amnesty program for the purpose of harmony among different segments of society, strengthening stability and starting a new life in the political history of Afghanistan. They should enjoy all their legal rights and shall not be prosecuted.

(2) Those individuals and groups, who are still in opposition to the Islamic Republic of Afghanistan, but cease enmity after the enforcement of this law and join the process of national reconciliation, respect the Constitution and other laws, shall enjoy the benefits of this.

(3) The provisions set forth in clauses (1) and (2) of this article shall not affect the claims of individuals against individuals based on Haqullbad (rights of people) and criminal offences in respect of individual crimes.

Article 4

(1) Those under prosecution due to crimes against internal and external security of the country shall not enjoy the benefits of this law.

(2) Those sentenced for crimes against internal and external security of the country shall be forgiven or their punishment mitigated by separate decrees, according to the situation and based on recommendations and guarantee from the Commission for Consolidation of Peace if they commit not to resume their past activities.

Article 5

In order to help end violence and distrust between the government and armed opposition factions and to strengthen stability and reconciliation, an extraordinary commission shall be appointed by the National Assembly to prepare the grounds for their joining the process in cooperation with the Commission for Consolidation of Peace.

Article 6

This law shall be enforced from the date of endorsement and published in the official gazette.

Annex 8: Declaration of the Afghan National Consultative Peace Jirga-2010

1: We, participants of the National Consultative Peace Jirga, invite all the conflicting parties to respect the holy religion of Islam and the Afghan people's wishes by saying goodbye to war and killing of their own people, and adopt a way toward peace. This invitation is for Afghans and does not include foreign extremists and international terrorist networks.

2: To initiate a peace process, in accordance with the decisions from this jirga, the government should establish a holistic program and announce that program as the permanent national strategy for peace.

3: The efforts for peace should not harm the current system's achievements and their legal status in such a way that lead to a new conflict in the country.

4: For a sustainable peace, complete support and true commitments from all sides are crucial. We, the participants, seriously hope that the voice of the people and the jirga will be respected and the decisions of this jirga be implemented. Otherwise, the historical values of the jirga will be harmed.

5: We urge all the conflicting parties to give up their preconditions that hinder the peace talks.

6: All the important parties should make it their priority to prevent efforts that harm the national unity by inflaming tribal, regional, ethnic, religious, and political issues.

7: Increasing investment for economic growth, improving human resources in order to increase jobs, reducing poverty, and developing capacity in general Islamic teachings should be among the top programs of the government.

8: We urge the Afghan government and the international forces in Afghanistan to take a serious and immediate step toward releasing those prisoners arrested on false reports or not charged as goodwill gesture. In developing an understanding with the international community, the government should act fast in removing the insurgents' names from the blacklists. The government and the international forces should provide guarantee for the protection and security of those who are joining the peace process and help them to safely reintegrate in the society. The Afghan and international forces are seriously asked to stop unnecessary arrests, arbitrary and uncoordinated house searches, and the air strikes that cause civilian casualties. The government should seriously take steps for leading the military operations and coordinate with the international forces.

"The armed insurgents should give up violence and stop all the activities that lead to the killing of our dear countrymen and the damaging of its infrastructure, and cut their ties with Al-Qaeda and the regional terrorist networks. The international community is

requested to take serious steps for equipping, training, and strengthening the Afghan National Security Forces in order to enable them to take on the responsibility of the country's security and protecting the people. We would like long term international commitments to protect Afghanistan from becoming a playground of regional conflicts, so the foreign infiltrations are blocked and the regional cooperation is coordinated.

"We urge the international community to fully support the peace process led by the Islamic Republic of Afghanistan.

"The government, with cooperation from the people, should act for improving governance and professionalism, fight against corruption, and act against people who have seized lands in the capital as well as in the provinces.

"These steps are vital for developing people's trust in the government and making the peace process a success.

"The people of Afghanistan are seeking a rightful peace, in which the rights of all the citizens, including women and children, are protected, and want the laws to be enforced equitably to ensure social justice."

9: We, participants of this jirga, request the ulema [religious clerics], and electronic, print, and online media to take it as their responsibility to use mosques and mass media to promote peace and reduce violence.

10: We, participants of the jirga, request all the religious people, to join hands with the government in order to end the current insecurity and make this process a success.

"The government should take all necessary security measures to foil the criminal terrorist activities.

11: To continue work on this peace process and implement the recommendations of the jirga, an independent commission or a high council for peace should be formed with branches in the provinces.

"This should be comprised of sincere brothers and sisters, the ulema, tribal elders, one representative from the Parliament and one from the Senate and those insurgents who have renounced violence.

"The council should form a special committee to have access to the prisoners, release them, and reintegrate them into the society.

12: We, participants of the National Consultative Peace Jirga, promise that we will return to our home provinces with the message of peace from the jirga. We will take it as our national and religious responsibility to spread this message in cooperation with the local institutes, the ulema, the tribal elders, youth, and women.

13: The Afghan government is required to include this declaration in the [upcoming] Kabul Conference in order to get international support for it.

14: The government should keep the people continuously informed about any mechanism that is being developed for the peace program.

15: The recommendations from the 28 jirga committees are enclosed with this declaration in order to be followed in making a national peace process.

16: At the end, the National Consultative Peace Jirga, as a representative of the Afghan people, strongly condemns the inhumane attack by Israeli army carried out on the convoy of aid groups that was on its way to Gaza [and West] Bank where poor Palestinians are besieged.

"The United Nations and the international community is urged to end the brutal siege of Gaza."

Annex 9: Agreement between government of Islamic Republic of Afghanistan & Hezb-e-Islami of Afghanistan

Sep 22 2016

Article One: With strong and unshakable faith to Allah the Almighty and sincere believe in holy religion of Islam, both parties oblige themselves to unconditional obedience of the lofty principles of this religion and set it as their goal.

Article Two:

Both parties believe that the religious principles and guidelines would be the main pillar of all laws and government performances, as the second and third articles of the country's constitution emphasize too that the holy religion of Islam is the official religion of the Government of Islamic Republic of Afghanistan and no law could be against the believes and orders of Islam, the holy religion in Afghanistan.

Article Three:

Both parties believe that all people both man and woman enjoy equal right and responsibility before law indiscriminately and without concession. The single and united Afghanistan belongs to all brave tribes and people of this territory and national sovereignty is the unquestionable right of nation that enforces it directly or through its elected representatives.

Article Four:

Both parties support withdrawal of foreign military forces based on agreements for strengthening of national sovereignty and interests of the country and believe that through this unity and solidarity, the inhabitants of Afghanistan can halter crisis stem from war and confront threats.

Second Chapter: The parties' commitments

First section: commitments of the Government of the Islamic Republic of Afghanistan

Article Five:

The GoIRA guarantees that with the signing of this agreement, in contact with the UNSC and all concerned governments and bodies starts removal of sanctions imposed on the HIA, its leader and members with submitting of official request for removal of sanctions for permanent termination of war and restoration of a sustainable peace and security in Afghanistan. The Afghan government is also obliged to make all possible efforts using

all available resources in this direction to remove every kind of sanctions against leader and members of HIA as quick as possible.

Article Six:

Simultaneous with the signing of this agreement, the GoIRA officially announces that the leader and other prominent dignitaries of HIA can freely live everywhere in this country according to prevailing laws and the GoIRA obliges itself to provide essential and suitable conditions for implementation of this objective.

Article Seven:

The GoIRA pledges to announce officially to recognize the right of political activity of Hezb-e-Islami in all socio-political dimensions in accordance with enforced laws of the country, cooperate for its implementation as the Hezb-e-Islami can attend parliamentary, presidential, provincial and municipality elections and have its candidates.

Article Eight:

The GoIRA pledges that in consultation with political, civil and government institutions of the country to pave the way towards further reform of election process and submit specific plans in this regard. The government also commits to pave the way for attendance of HIA in the reform process of electoral system. If due to shortage of time, the reforms of electoral system can't be focused to upcoming election, the government in consultation with all concerned institutions would be committed to amend the electoral system based on proportionate party electoral system. Similarly, the presence of HIA in electoral structures will be ensured according to the law.

Article Ninth:

The jihadi leader of Afghanistan Gulbuddin Hekmatyar will be particularly respected, and honored with a special decree by the president of the IRA for ensuring peace in the country and his efforts for liberation of Afghanistan.

Article Tenth:

The leader of Hezb-e-Islami could choose two or three suitable places for his residence in Afghanistan and the government would provide essential security condition and certain and reasonable expenditures for him.

Article Eleventh:

In conformity and signing of this agreement, the GoIRA guarantees the judicial security of leader and members of Hezb-e-Islami concerning the past political and military steps.

The GoIRA pledges to release prisoners and captives of HIA that include the agreed list and who have not committed criminal crimes and there would be no personal claims by certain individuals against them, in no later than three months, through an overt commission that would be formed for this purpose. HIA commits that the released members of Hezb-e-Islami would not go to battlefields against the GoIRA and would never join any illegal and terrorist armed group. Supervision over settlement of any difference in this connection would be turn over to the joint executive commission with good will.

Article Twelfth:

For further strengthening of the NUG and towards creation of trustworthy atmosphere between GoIRA and HIA, the leading body of the GoIRA pledges that the presence of HIA would be ensure in consultative process for arrangement and implementation of important government and national policies.

Article Thirteenth:

The GoIRA obliges itself to provide essential conditions for presence and partnership of HIA in government institutions according to constitution. The proper and acceptable framework quality for implementation of this issue will be arranged by the High Peace Council in coordination with HIA delegation and will be recommended to the presidential authority.

Article Fourteenth:

The GoIRA pledges to recruit eligible HIA individuals and commanders who are interested to serve in the country's security and defense forces. The GoIRA is committed to prepare the ground of their legal honorable reliable integration in the society. Knowhow of implementation of this article will be arranged through joint executive commission.

Article Fifteenth:

The separation period of those HIA officials and officers who had previously served in government departments and were dismissed, will be calculated as their service period according to law if they manage to submit legal documents. Their recruitment will be taking place based on legal conditions.

Article Sixteenth:

The GoIRA pledges to undertake comprehensive measures including providing pieces of land for accommodation with essential resources in Kabul and other provinces for settlement of problems of refugees of camp Nasrat Meena and other Afghan refugees in

Pakistan and Iran and their volunteer honorable and sustainable repatriation to the homeland. In this direction, the GoIRA pleads to pave the way as the first step of the practical volunteer repatriation of about 20000 refugee families with the help of the international community. Meanwhile the GoIRA undertakes essential measures towards tackling HIA martyrs and handicapped relatives problems like other martyrs and handicapped of the country. Implementation of knowhow of this program to be arranged and registered by the joint executive commission.

Article Seventeenth:

Repatriation of those HIA personalities and officials who are living out of the country, will be taking place according to this agreement.

Second section: commitments of the Hezb-e-Islami of Afghanistan

Article Eighteenth:

Following the official announcement by this agreement of the HPC of the GoIRA, HIA officially announces that to carry out activities as an important political party in the sake of the country's interests, permanent ceasing of war and violence and ensuring of reliable peace in the country, respect the constitution, establish permanent truce, stop every military escalations and provocations and dissolve its military structures. The joint executive commission adopts essential measures for implementation of this article as soon as possible. Hezb-e-Islami of Afghanistan commits to release those detainees who are in captivity with the signing of this agreement as quick as possible and hand them over to the Afghan government. The GoIRA undertakes essential measures for security of HIA individuals.

Article Nineteenth:

HIA pledges that after the signing of this agreement announces that not to establish any relations with illegal armed organizations and terrorist groups and do not support them.

Article Twentieth:

HIA obliges itself to cooperate the NUG as a political party in defense and ensuring reliable security throughout the country and activates its offices in the capital and provinces as an official political party.

Article Twenty-First:

HIA is completely prepared to make efforts towards ensuring permanent peace and stability in Afghanistan and realizing its religious and historical responsibilities.

Article Twenty Second:

Since its signing, this agreement as an official confidential document will be reputable between the GoIRA and HIA with management and mediation of Afghanistan High Peace Council and will be implemented.

Every change that is requested after signing of this document by one of the parties, should be in written form and after both sides agreement would be inserted to the main document.

Article Twenty-Third:

Both sides agree upon creation of a joint executive commission formed from the both parties authorized representatives for supervision and comprehensive implementation of this agreement. The said commission would carry out activities under the monitoring of HPC of the GoIRA.

Article Twenty-Fourth:

In case of emergence of any possible difference in this agreement, both parties settle the difference through friendly consultation and negotiations and with good will in the joint commission that both sides and carryout activities under the management of HPC would determine its members.

Article Twenty-Fifth:

This agreement has been arranged in three chapters and twenty-five articles in 22th of September 2016 that would be signed by both sides.

President of the IRA Mohammad Ashraf Ghani,

Chairman of HIA delegation Gulbuddin Hekmatyar

Chairman of HPC Peer Sayed Ahmad Gailani.

HPC head of delegation Moulavi Ataurrahman Salim

HIA head of peace delegation, Mohammad Ameen Karim.

Representative of IRA Mohammad Hanif Atmar

Annex 10: Chronology of Events of Afghan Peace Attempts

27 April 1978

Saur coup

25 December 1979

The first entry of Soviet troops in Bagram Airfield

27 December 1979

The Soviet invasion of Afghanistan and killing of Hafizullah Amin

4 January 1980

Condemnation of the Soviet invasion of Afghanistan by America

14 January 1980

Issue of the first UN General Assembly resolution on the full and immediate withdrawal of all foreign forces from Afghanistan (104 votes in favor, 18 votes against and 18 abstentions)

29 January 1980

Condemnation of the Soviet occupation of Afghanistan by the Foreign Ministers of the OIC Member States

20 November 1980

Issue of the second UN resolution on the withdrawal of Soviet troops from Afghanistan (111 votes in favor, 22 votes against and 12 abstentions)

28 January 1981

Condemnation of the Soviet invasion of Afghanistan in the annual meeting of the Organization of the Islamic Conference in Taif, Saudi Arabia

April 1981

Visit of Javier Pérez de Cuéllar, Secretary-General of the United Nations special envoy to Afghanistan and Pakistan to start political negotiations

4-7 May 1981

Visit of UN Secretary-General Kurt Waldheim and Javier Pérez de Cuéllar, his Special Envoy for Afghanistan to Moscow for talks with Soviet leaders to resolve the Afghanistan crisis

18 November 1981

Javier Pérez de Cuéllar is appointed as Special Representative of the UN Secretary General for Afghanistan

18 November 1981

Issue of the third UN General Assembly resolution condemning the Soviet military presence in Afghanistan (116 votes in favor, 23 votes against and 12 abstentions)

20 November 1981

Islamic Republic of Iran proposed peace talks between Pakistan, Iran, the Soviet Union and representatives of the mujahidin

22 February 1982

Diego Cordovez is appointed as Special Representative of Javier Pérez de Cuéllar for Afghanistan

16 August 1982

The first indirect meeting of Afghan and Pakistani diplomats in Geneva to find a political solution under the auspices of the United Nations

29 November 1982

The fourth passage of UN resolution condemning the presence of Soviet troops in Afghanistan (114 votes in favor, 21 votes against and 13 abstentions)

21 January- 7 February 1983

Diego Cordovez starts the second round of talks with representatives of the Kabul government and foreign ministers of Iran and Pakistan

8 April 1983

Start of the second round of peace talks in Geneva under the auspices of the United Nations

23 November 1983

Fifth condemnation of the presence of Soviet troops in Afghanistan by the United Nations General Assembly (116 votes in favor, 20 votes against and 17 abstentions)

16-19 January 1984

The Islamic Summit in Casablanca demands unconditional withdrawal of Soviet troops from Afghanistan by

24-30 August 1984

The fourth round of indirect talks in Geneva

15 November 1984

UN demands the withdrawal of Soviet troops from Afghanistan (119 votes in favor and 20 votes against)

May 1985

Initiative of a plan based on reaching consensus agreement on the cessation of foreign interference, providing international guarantees, return of refugees to the country and set a timetable for the withdrawal of Soviet troops in indirect negotiations in Geneva

29 August-3 September 1985

The fifth round of indirect talks Geneva

17 October 1985

Participation of a delegation of Afghan Mujahidin led by Hekmatyar in the fortieth session of the UN General Assembly

13 November 1985

New UN Resolution on the withdrawal of foreign forces from Afghanistan (122 votes in favor, 19 votes against and 12 abstentions)

16-19 December 1985

The fifth round of Geneva talks between representatives of the governments of Kabul and Islamabad

23 May 1986

The end of the sixth round of indirect talks between representatives of the governments of Kabul and Pakistan in Geneva

28 July 1986

Announcement of the withdrawal of 6 units of Soviet troops from Afghanistan by Gorbachev

8 August 1986

The end of the seventh round of indirect negotiations in Geneva

5 November 1986

United Nations General Assembly Resolution on the Soviet withdrawal from Afghanistan (by a majority of 122 votes)

3 January 1987

Dr. Najibullah declares the national reconciliation policy

15 January 1985

Start of the unilateral ceasefire by the government of Dr. Najibullah

17 January 1987

Rejection of Najibullah government ceasefire proposal by mujahidin leaders in Peshawar

10 March 1987

The end of the eighth round of indirect talks between Kabul and Pakistan in Geneva

20 July 1987

Kabul regime offers 11 cabinet posts in the government of national reconciliation and Vice Presidency to the Mujahidin

7-10 September 1987

Continuation of the indirect talks in Geneva between Abdul Wakil, Foreign Minister of Afghanistan with Sahabzada Yaqub Khan, Pakistan's Foreign Minister

10 November 1987

UN resolution on the withdrawal of Soviet troops (123 votes in favor, 19 votes against and 11 abstentions)

14 April 1988

Geneva accords are signed between Afghanistan and Pakistan with the the Soviet Union and America as guarantors

15 May 1988

The start of withdrawal of Soviet troops from Afghanistan

15 February 1989

The end of the presence of Soviet troops in Afghanistan

24 February 1989

Selection of Sibghatullah Mojaddedi by 174 votes in the Advisory Council as interim president of Afghanistan

5 August 1989

Hekmatyar resignation of Foreign Minister of the interim Government and the discrediting of the interim government by him

6-7 March 1990

Coup against the government of Najibullah by Shahnawaz Tanai

24 October 1990

The signing of the Agreement between the Hezb-e-Islami (Islamic Party) and Jamiat-e Islami in Peshawar to resolve differences and establish a single administration in the liberated territories

21 May 1991

Secretary-General of the United Nations declaration on the political solution to the Afghan crisis

13 September 1991

America and the Soviet declaration to cease delivering weapons to the Kabul government and the opposition

11 November 1991

Visit of the mujahidin delegation to Moscow led by Burhanuddin Rabbani, at the invitation of the government of the Soviet Union

15 November 1991

The eight-point agreement between the mujahidin and Russia to stop military aid and the transfer of power to an Islamic state

13 April 1992

Dr. Najibullah announces his willingness to hand over power to a transitional government until the end of April

16 April 1992

Negotiations between Abdul Wakil, Foreign Minister of Najibullah government with Ahmad Shah Massoud about the power transition to the Mujahidin in Parwan

23 April 1992

Hekmatyar detailed discussion with Ahmad Shah Massoud through the transmission cable about the fall of Kabul and the formation of the next government

24 April 1992

The Mujahidin leaders agree to appoint Sibghatullah Mojaddedias as the head of the transitional government for a period of two months

28 April 1992

Arrival of Sibghatullah Mojaddedi with the Mujahedin groups in Kabul and the transfer of power to the Mujahedeen

21 May 1992

The signing of a ceasefire agreement between Ahmad Shah Massoud and Gulbuddin Hekmatyar

28 June 1992

Selection of Burhanuddin Rabbani as the President of the Mujahidin interim government for 4 months

17 September 1992

Burhanuddin Rabbani and Hekmatyar's meet in Paghman to reach an agreement on a cease-fire

29-30 December 1992

Selection of Burhanuddin Rabbani as the President by the "Ahl al-Hal wa al-Aqd" shura

8 March 1992

Visit of the leaders of the Islamic State of Afghanistan to Mecca after signing the Islamabad Agreement

9 April 1993

Visit of the Organization of the Islamic Conference delegation to Kabul to set up a committee to monitor ceasefire

1 May 1993

Dialogue between Burhanuddin Rabbani and Gulbuddin Hekmatyar with the participation of other jihadist leaders in Jalalabad

19 May 1993

Rabbani and Hekmatyar agree on the composition of the next government and entrusting the leadership of the Ministry of Defense to a joint commission

12 July 1993

General Dostum and Gulbuddin Hekmatyar sign ceasefire agreement

31 August 1993

Ceasefire between the Hezb-e-Wahdat and Hekmatyar's Hezb-e-Islami

18 November 1993

Visit of Hassan Abu Torabi (Sudan's National Islamic Front leader) to Kabul to mediate between Massoud and Hekmatyar

24 November 1993

Announce of a new ceasefire agreement between the forces of Massoud and Hekmatyar

March 30 1994

Visit of Mahmoud Mestry with the Jalalabad Council members and analysis of the UN peace plan

3 June 1994

Pakistan's 11-point peace plan is rejected by Burhanuddin Rabbani

3 July 1994

Hamid al-Abed dialogue with the leaders of the Afghan groups in Islamabad on peace plan of the Organization of Islamic Countries

12-13 October 1994

The emergence of the Taliban with the capture of Spin Boldak in Kandahar

4 April 1996

Mullah Omar is conferred the title of Amir al-Mu'minin by a group of scholars and declares jihad against the government of Burhanuddin Rabbani

24 May 1996

The signing of the agreement between the Hezb-e-Islami and Burhanuddin Rabbani to stop opposing each other

27 September 1996

The fall of Kabul to the Taliban and murder of Dr. Najibullah and his brother by the group

4 October 1996

Recognition of the Taliban government in Pakistan

29 April 1998

Negotiations between Taliban representatives and United Front leaders in Islamabad

3 May 1998

The failure negotiations to find a solution to the Afghan crisis in Islamabad

20 January 1999

Issue of a declaration by United Nations Security Council and concerns about the situation in Afghanistan

11 March 1999

Start of the negotiations between representatives of the Mujahidin and the Taliban movement in Ashgabat

11 September 2001

Al-Qaeda attack on the World Trade Centers in America

7 October 2001

America begins military operations in Afghanistan

12 November 2001

Extraordinary meeting of the Security Council on Afghanistan and Lakhdar Brahimi request to create an inclusive government in Afghanistan

5 December 2001

Hamid Karzai elected as President of Afghan interim government

22 December 2001

Hamid Karzai and his cabinet sworn in at Kabul

June 2005

Formation of the Peace and National Reconciliation Commission headed by Sibghatullah Mojaddedi

2-4 June 2010

National Consultative Peace Jirga with the participation of 1600 of the Afghan elite

4 June 2010

Issue of the National Consultative Peace Jirga Resolution in three chapters and 16 articles

7 October 2010

Afghan High Peace Council begins work

10 October 2010

Selection of Burhanuddin Rabbani as the head of the High Peace Council

4 January 2011

The High Peace Council delegation to meet with senior officials of Pakistan

6 April 2011

Fifty million dollars aid of America to the High Peace Council

3 September 2011

Change of the name of National Reconciliation Commission to Commission of Resolving Disputes and Communication between People and the Government

20 September 2011

Killing of Burhanuddin Rabbani, head of the High Peace Council in Kabul

14 April 2012

Selection of Salahuddin Rabbani as head of the High Peace Council

13 May 2012

Promotion of Commission of Resolving Disputes and Creating Communication between People and Government to the High Council of Resolving Disputes and Creating Communication between People and Government

13 May 2012

Killing of Arsala Rahmani, a senior member of the High Peace Council and former Taliban official

22-23 September 2012

Pagwash Peace Conference in Dubai

30 September 2012

High Peace Council question of religious scholars: "Is the war in Afghanistan as an Islamic country permissible or not? Is Afghanistan 'dar al-harb' or not?"

17 December 2012

Afghanistan and Pakistan agree on a five-stage peace plan known as the "road map" for peace in 2015

17-15 January 2013

Pagwash Conference in Dubai on the Afghan reconciliation

18 June 2013

The opening of a Taliban office in Doha, Qatar with the flag of the Islamic Emirate of Afghanistan

14 July 2013

The peace plan initiative by the Afghan Parliament as a "national peace plan"

27 December 2013

A delegation of the High Peace Council travel to Saudi Arabia for OIC Summit

19 February 2014

Afghan High Peace Council talks with senior Taliban members in Dubai

2-3 May 2015

Pagwash meeting in Doha, Qatar on Security in Afghanistan

29 July 2015

Confirmation of the death of Mullah Omar by the Afghan government

11 January 2016

The first round of peace talks with the participation of representatives from the Quadrilateral Coordination Group (Afghanistan, Pakistan, America and China) in Islamabad

18 January 2016

The second round of the Quadrilateral Coordination Group talks in Kabul

23-24 January 2016

Pagwash World Organization meeting in Doha, Qatar on peace in Afghanistan

5 February 2016

The third round of the Quadrilateral Coordination Group talks in Islamabad

21 February 2016

The High Peace Council restores its attempts with a new composition led by Pir Sayed Ahmad Gilani

22 February 2016

The fourth round of the Quadrilateral Coordination Group peace talks in Kabul

19 May 2016

The fifth round of the Quadrilateral Coordination Group peace talks in Islamabad

21 May 2016

Mullah Akhtar Muhammad Mansour killed in Pakistan by drone on his way back from Iran

25 May 2016

The death of Mullah Mansour is confirmed by the Taliban and Mullah Habtullah is selected as the new leader of the Taliban

4 August 2016

Production of five-year strategic peace plan by the High Peace Council

5 September 2016

Pagwash Peace Conference on Afghanistan in Kabul

September 22, 2016

Signing of peace agreement between the Government of Afghanistan and Hekmatyar's Hezb-e-Islami

Selected Security Council Resolutions

Resolution S/RES/622 (1988) of 31 October - authorizes UNGOMAP deployment.

Resolution S/RES/647 (1990) of 11 January - extends UNGOMAP for a final two months.

Resolution S/RES/1076 (1996) of 22 October - calls for an end to hostilities, outside interference and supply of arms to the parties to the conflict; denounces discrimination against women and girls in Afghanistan.

Resolution S/RES/1193 (1998) of 28 August - demands an end to hostilities and an investigation into the killing of two UN staff members and the military adviser to the UN Special Mission to Afghanistan.

Resolution S/RES/1214 (1998) of 8 December - repeats demands of resolution 1193 and reaffirms support for the United Nations Special Mission to Afghanistan.

Resolution S/RES/1267 (1999) of 15 October - demands the Taliban turn over Osama bin Laden, forbids aircraft to take-off or land in Taliban-controlled territory without approval and freezes assets of the Taliban.

Resolution S/RES/1333 (2000) of 19 December - repeats demand that the Taliban turn over bin Laden and imposes further measures on their territory pending concurrence with the demand.

Resolution S/RES/1363 (2001) of 30 July - establishes a monitoring mechanism for the measures imposed under the previous two resolutions.

Resolution S/RES/1386 (2001) of 20 December - *Authorizes*, as envisaged in Annex 1 to the Bonn Agreement, the establishment for 6 months of an International Security Assistance Force to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as the personnel of the United Nations can operate in a secure environment.

Resolution S/RES/1510 (2003) of 13 October - *Authorizes* expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs, so that the Afghan Authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement. And decides to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and this resolution, for a period of twelve months.

Resolution S/RES/1833 (2008) of 22 September - *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2008. And *Stresses* the importance of increasing, in a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, *encourages* ISAF and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan national security forces, in order to accelerate progress towards the goal of self-sufficient and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, *welcomes* in this context the progress achieved by the Afghan Authorities in assuming lead security responsibility for Kabul, and *stresses* the importance of supporting the planned expansion of the Afghan National Army.

Resolution S/RES/2210 (2015) of 16 March - This was a resolution renewing the mandate of UNAMA until 17 March 2016.

Resolution S/RES/2255 (2015) of 21 December - The Council adopted this resolution containing language clarifying how the 1988 Afghanistan sanctions regime functions and reflecting changing conflict dynamics in Afghanistan.

Resolution S/RES/2274 (2016) of 15 March - This was a resolution renewing the mandate of UNAMA for one year.

Selected Security Council Letters

5 December 2001 S/2001/1154. This transmitted the conclusions of the Bonn Conference on the “Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions”.

6 December 2011 S/2011/762. This transmitted the conclusions of the Bonn Conference on “Afghanistan and the International Community: From Transition to the Transformation Decade” and its conclusions

Selected Sanctions Committee Documents

1 June 2015 S/2015/648. The 6th report of the Monitoring Team of the 1988 Taliban Sanctions Committee. It describes a military impasse on the ground and underscores the importance of ongoing external financial assistance to Afghan security forces and of Afghan public confidence in governing institutions in order to promote peace and security in the country.

31 August 2015 S/2015/676. The 1988 Taliban Sanctions Committee’s position paper on the recommendations contained in its Monitoring Team’s 6th report.

21 July 2016 SC/12453. Details were amended and added to the listing of Taliban commander Shah Nawaz Rahmatullah.

Selected Security Council Presidential Statements

25 June 2014 S/PRST/2014/12-This presidential statement was on counter-narcotics.

25 June 2014 S/PRST/2014/11-This presidential statement was on the elections in Afghanistan.

14 September 2016 S/PRST/2016/14- This was a presidential statement calling on the international community to continue its civilian and development efforts to assist Afghanistan, ahead of the 5 October 2016 Brussels Conference hosted by Afghanistan and the EU.

General Assembly resolutions on Afghanistan

Resolutions on the Situation in Afghanistan and its Implications for International Peace and Security:

Resolution ES-6/2 of January 1980- Called for immediate, unconditional and total withdrawal of foreign troops from Afghanistan that would allow its people to determine their own form of government and choose their political, social and economic systems free of outside intervention.

Resolution 35/37 of 20 November 1980; Resolution 36/34 of 18 November 1981; Resolution 37/37 of 29 November 1982; Resolution 38/29 of 23 November 1983; Resolution 39/13 of 15 November 1984; Resolution 40/12 of 13 November 1985; Resolution 41/33 of 5 November 1986; Resolution 42/15 of 10 November 1987- Reiterated on withdrawal of foreign troops from Afghanistan and called upon all parties concerned to work on an urgent achievement of a political solution and provision and extension of humanitarian relief assistance to Afghan refugees. These Resolutions also Requests the Secretary-General to continue those efforts with a view to promoting a political solution, in accordance with the provisions of the present resolution, and the exploration of securing appropriate guarantees for the non-use of force, or threat of force, against the political independence, sovereignty, territorial integrity and security of all neighboring States, on the basis of mutual guarantees and strict non-interference in each other's internal affairs and with full regard for the principles of the Charter of the United Nations. Resolution 42/15 of 10 November 1987 was passed with the same appeal and a record vote of 123 against 19.

Resolution 43/20 of 3 November 1988-This resolution welcomed the conclusion at Geneva, on 14 April 1988, under United Nations auspices, of the Agreements on the Settlement of the Situation relating to Afghanistan, as an important step toward a comprehensive political solution of the Afghanistan problem.

Resolution 44/15 of 1 November 1989-This resolution emphasized the importance of the Geneva Accords and encouraged the Secretary-General to facilitate a political solution to the problems in Afghanistan and northern Pakistan.

Resolution 45/12 of 7 November 1990 & Resolution 46/23 of 5 December 1991- These resolutions also Called for the scrupulous respect for and faithful implementation of the Geneva Agreements by all parties concerned, who should fully abide by their letter and spirit; and Reiterated that the preservation of the sovereignty, territorial integrity, political independence and non-aligned and Islamic character of Afghanistan as essential for a peaceful solution of the Afghanistan problem.

Resolutions on Emergency International Assistance for the Reconstruction of War-Stricken Afghanistan

Resolution 47/119 of 18 December 1992 on Emergency international assistance for the reconstruction of war-stricken Afghanistan Urgently appealed to all States, organizations and programs of the United Nations, specialized agencies, and other intergovernmental and non-governmental organizations to provide, on a priority basis, all possible financial, technical and material assistance for the repatriation and resettlement of refugees and internally displaced persons, full restoration of basic services and reconstruction of Afghanistan.

Resolution 48/208 of 21 December 1993- The General Assembly requested the Secretary-General to dispatch a new mission, UNSMA, to assist with the rapprochement and reconstruction efforts in Afghanistan.

Resolution 49/140 of 20 December 1994 on Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan Two-part Resolutions on the Situation in Afghanistan and its Implications for Peace and Security and Emergency International Assistance for the Reconstruction of War-Stricken Afghanistan.

Resolution 51/195 of 17 December 1996 on Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security. Requested the Secretary-General to authorize the United Nations Special Mission to Afghanistan, established under resolution 48/208, to continue its efforts to facilitate national reconciliation and reconstruction in Afghanistan. This resolution also requested the Secretary-General to continue efforts to develop plans for national reconstruction and rehabilitation beginning in areas of peace and security, on the basis of the recommendations set out in his report.

Resolution 52/211 of 19 December 1997-Recalling its resolutions 47/119 of 18 December 1992, 48/208 of 21 December 1993, 49/140 of 20 December 1994, 50/88 A of 19 December 1995 and 51/195 A of 17 December 1996 concerning emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan, Concerned about the continuation of the military confrontation in Afghanistan, threatening regional peace and stability, and the significant increase of internally displaced persons and interruptions in the process of repatriating refugees,

Called upon the leaders of all Afghan parties to place the highest priority on national reconciliation, acknowledging the war-weariness of the Afghan people and their desire for rehabilitation, reconstruction and economic and social development.

Resolution 53/203 of 18 December 1998; Resolution 54/189 of 17 December 1999;

Resolution 55/174 of 19 December 2000-*Expressing its grave concern* at the failure of all Afghan parties, in particular the Taliban, to put an end to the conflict, which seriously threatens stability and peace in the region, and strongly condemning the sharp escalation of this conflict and the intensification of the fighting in Afghanistan, which add to the enormous suffering of the Afghan people, resulting in the massive loss of human life, refugee flows, killing, harassment, the forcible displacement of innocent civilians and extensive destruction, and seriously threaten stability and peace in the region; *Called upon* all Afghan parties to cease immediately all armed hostilities, to renounce the use of force and to engage, without delay or preconditions, in a political dialogue under United Nations auspices aimed at achieving a lasting political settlement of the conflict through creating a broad-based, multi-ethnic and fully representative government, which would protect the rights of all Afghans and observe the international obligations of Afghanistan.

Resolution on destruction of cultural property:

Resolution 55/243 of 9 March 2001

Resolutions on Human Rights in Afghanistan:

Resolution 40/137 of 13 December 1985

Resolution 41/158 of 4 December 1986

Resolution 42/135 of 7 December 1987

Resolution 43/139 of 8 December 1988

Resolution 43/139 of 8 December 1988

Resolution 44/161 of 15 December 1989

Resolution 45/174 of 18 December 1990

Resolution 46/136 of 17 December 1991

Resolution 47/141 of 18 December 1992

Resolution 48/152 of 20 December 1993

Resolution 49/207 of 23 December 1994

Resolution 50/189 of 22 December 1995

Resolution 51/108 of 12 December 1996

Resolution 52/145 of 12 December 1997

Resolution 53/165 of 9 December 1998

Resolution 54/185 of 17 December 1999

Resolution 55/119 of 4 December 2000

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- 4 April 2014 [A/HRC/26/4](#). This was the report of the working group on the Universal Periodic Review for Afghanistan.

- 30 June 2014 This is the report of the Office of the High Commissioner [A/HRC/27/23](#). for

Human Rights and Secretary-General on the question of the death penalty.

- 8 January 2015 [A/HRC/28/48](#). This was the report of the High Commissioner for Human Rights on the situation in Afghanistan and on developments in technical assistance in the field of human rights in 2014.

Annex 12: Brief biographies of the interviewees

1) Abdul Hafiz Mansour (interview date: Sunday, 17/7/2016)

Abdul Hafiz Mansour was born in 1963 in Rakha, Panjshir Valley. He has a BA in Journalism from the University of Kabul and has served as acting Minister of Information and Culture, Editor of the weekly magazine “Payam-e-Mujahid”, Director of Bakhtar Agency and Director of State radio and television. Mansour is currently representing the people of Kabul in the sixteenth Wolesi Jirga. He had published several articles and books, including “Obstacles to Political Development in Afghanistan, with an Emphasis on Social and Cultural Factors”.

2) Mohammad Islamil Qasimyar (interview date: Monday, 18/7/2016)

Mr. Qasimyar was born in Herat and completed his degree in law and political science. Mr. Qasimyar served as the chairman of the draft committee in the emergency Loya Jirga, member of the constitution drafting and scrutiny committees, 1355, member of the committee for drafting the interim constitution of the Islamic government of Afghanistan, 1372. He is currently a member of the High Peace Council.

3) Faramarz Tamana (interview date: Tuesday, 19/7/2016)

Dr. Faramarz Tamana, 38, is director of the Center for Strategic Studies of the Ministry of Foreign Affairs. He holds two PhDs in the fields of international relations and international studies, respectively from the Tehran University and Jawaharlal Nehru University, India. Dr. Faramarz Tamana has been a lecturer in several universities during the past seven years and is currently president of a University in Afghanistan.

Since 2002, Dr. Tamana as a diplomat in the Ministry of Foreign Affairs of Afghanistan has undertaken different responsibilities including deputy spokesman of the ministry

and lecturer at the institute of diplomacy in the ministry. In 2008, he has worked as a cultural affairs specialist with the regional Economic Cooperation Organization (ECO). Dr. Tamana has published two books, "America's Foreign Policy in Afghanistan" (2008) and "Afghanistan's Foreign Policy in the Sphere of Regional Cooperation" (2014). He has also published more than 30 academic and research articles in national and international academic journals.

4) Ahmad Saeedi (interview date: Tuesday, 26/7/2016)

Ahmad Saeedi was born in Ghor province. He has completed his degree in law and political science in 1977. Currently, he is a popular analyst in TV programs in Afghanistan. He has published five books, "Pakistan, Axis of Evil", "The Inclusive Crisis, An Irretrievable Tragedy", "Afghanistan, Land of Disturbances and Grievances", "Role of Democracy in National Unity", and "We and the Future of Pakistan" and many articles in print media.

5) Abdul Salam Zaeef (interview date: Wednesday, 27/7/2016)

Maulavi Abdul Salam Zaeef was born in Panjawai, Kandahar province, in 1966. He studied in the school until ninth grade and continued his education in religious studies in Peshawar. He is fluent in English and Arabic. As a senior member of the Taliban, he has worked as administrative chief of the Ministry of Defense, Deputy Minister in the Ministry of Industry and Trade, Head of the Transport Department, and at the latest official duty, as the Ambassador of the Islamic Emirate of Afghanistan for Islamabad. After the fall of the Taliban, he was captured in Pakistan and was sent to Guantanamo prison. He was released after three years. He currently lives in Kabul and engaged in civic activities and so far established institutes such as Radio Afghan, Afghan University, Religious school of Afghan, and the Afghan Cultural and Social Institute.

6) Sayed Askar Mousvai (interview date: Saturday, 30/7/2016)

Dr. Sayed Askar Mousavi earned his PhD in Anthropology from Oxford University in 1992. His book, "The Hazaras of Afghanistan: A historical, Cultural, Economic and Political Study", was published in 1998. Mr. Mousavi created the program of Afghanistan Studies at the University of Oxford and in 1978. He founded and managed the first center for Afghan refugees in Iran. He has also worked as a consultant to the United Nations office for coordination of assistance to Afghanistan in Geneva and Islamabad. From 2003 to 2013, he served as a senior advisor at the Ministry of Higher Education. In the meantime, he has also taught Social Science in the American University of Afghanistan and other universities including Universities of Kabul, Khatam al Nabeyin, Islamic Azad University, Payam noor, Gharjistan and Dunia. He has published several articles in Persian and English magazines on various topics, including

the issues of Afghanistan, tribal and state, Islamic ideology, social conflict, identity, Persian literature and poetry.

7) Sarwar Mamound (interview date: Saturday, 30/7/2016)

Professor Sarwar Mamound was born 1954 in Kunar province of Afghanistan. He has completed his degree in engineering and mining economy in Ukraine. He has worked in several government (Ministry of Foreign Affairs) and non-governmental (UNAMA) organizations. He has also been the Chairman of the institute Afghan Movement for Peace and Democracy (APDA). He has published several academic articles that one of the most important one is "Towards Peace". He has translated several books.

8) Asadullah Walwalji (interview date: Monday, 1/8/2016)

Asadullah Walwalji completed his higher education degree in 1975 and since then served periodically in the Afghan Army till 1990. Mr. Walwalji was the chairman of the magazines "Andisha" in Mazar Sharif and "Chawosh" in Peshawar. He has been the head of Alishir Navabi Cultural Association, and the head of the Afghanistan Pen Association. He also engaged in civil activities and is one of the founders of the Afghani Civil Society Forum. Mr. Walwalji participated in Bonn Conference and after that, he had the membership of the emergency Loya Jirga and undertook the responsibility of holding elections in the northern zone of Afghanistan. He currently serves as an advisor in the Security Council.

9) Abdul Hakim Mujahid (interview date: Wednesday, 3/8/2016)

Abdul Hakim Mujahid has been a member of political department of the "Islamic Revolution Movement of Afghanistan" during the Jihad. After the victory of the Mujahidin, he served as a diplomat at the Embassy of Afghanistan in Peshawar, Pakistan. When the Taliban took the power in Afghanistan in September 1996, he was appointed as special envoy of the Islamic Emirate of Afghanistan in the United Nations. Following the events of 11 September 2001, he left America in October the same year and returned to Pakistan and started his political activities. After contact with the government of Afghanistan, he came to Kabul in 2005 and was appointed as a member of the High Peace Council by the suggestion of Mr. Karzai and he has held different positions in the Council since.

10) Wahid Mojda (interview date: Thursday, 4/8/2016)

Wahid Mojda was born in 1953 in Baghlan Province in northern Afghanistan. He has a BA in Economics from the University of Kabul and has published several poems and essays in various jihadi papers. He has worked for five years in the Foreign Ministry during the Mujahidin and the Taliban governments. He is the author of the book

“Afghanistan and the Taliban’s Five Years Reign”. After the new government took power, he is recognized as an Afghanistan expert in the media and writes articles for the press.

11)Ataullah Ludin (interview date: Saturday, 6/8/2016)

Maulavi Ataullah Ludin started his political and social activities since 1979 and has been in the battlefields during the Jihad. After the victory of the Mujahidin and withdrawal of the Soviet troops from Afghanistan, he was a prosecutor in Jalalabad for five years since 1992. After the Taliban took the power, he left Afghanistan and continued his education and obtained his Master degree. With the arrival of the new government led by Hamid Karzai, he served as the attorney general of Nangarhar, court of appeal chief. He was member of Parliament in the fifteenth Parliament, and deputy of the High Peace Council headed by late professor Rabbani. Later he served as the governor of Nangarhar. Mr. Ludin has been an advisor of the High Peace Council in recent years.

12)Zahir Azimi (interview date: Sunday, 7/8/2016)

Major General Mohammad Zahir Azimi was born in Herat. He graduated in Literature. After taking a commando training, he became a military officer and joined the ranks of Jihad in 1979. He has served as head of the South West zone of Harekat-e-Islami Party alongside other Mujahidin. After the victory of the Mujahidin, he has been in different military departments including commander of war against the Taliban under the leadership of Ismail Khan. In the new government, Gen. Azimi served as the Chief of the Parliamentary, Social Relation and Public Affairs and the Spokesman of the Defense Ministry of Afghanistan for 13 years. He currently works in one of the directories of the Defense Ministry. He has published 8 books. His book “Invasion of East and the Policies of West” which is a work of research, won the first prize of the book festival Mahmoud Tarzi.

13)Sardar Mohammad Rahimi (interview date: Sunday, 7/8/2016)

Dr. Sardar Mohammad Rahimi was born in 1977 in Uruzgan. He obtained his PhD in Geopolitical Studies from Tehran University and is currently a university lecturer in Kabul. In addition, he is a member of the group of Afghanistan policy-makers and is the head of the Afghan Association of Geopolitics. He has published several articles in academic-research journals and also two books, “The Geopolitics of Afghanistan in the Twentieth Century” and “Regional Developments of the West Asia and Geopolitics of Afghanistan”. He is currently the deputy of head of the Education Ministry literacy branch.

14) Mohammad Akbari (interview date: Monday, 8/8/2016)

Mohammad Akbari was born in 1945 in Waras, Bamian. He completed his primary education in religious schools of Panjab and Waras districts and his higher education in Islamic studies in Qom and Najaf. He is one of the founders of Islamic Struggles' Guards of Afghanistan (hezbe-e Pasdaran, one of the Shiite parties in the central regions of the country) and the leader of this party which joined Islamic Unity Party (Hezb-e Wahdat-e-Islami) in 1368 and was active in Bamian as the deputy and the head of the decision-making council of this party. Later during the government of Hamid Karzai, he registered The National Islamic Unity Party of Afghanistan (Hezb-e Wahdat-e Melli) and is currently the leader of this party. He is one of the founders of Afghanistan's Council of Islamic Brotherhood, an influential member of Shia Ulema Council, the leader of the commission for the proximity between Islamic sects, and a leading member of the High Peace Council. He has also served as the representative of the people of Bamian in fifteenth and sixteenth Wolesi Jirga.

15) Mohammad Karim Khalili (interview date: Tuesday, 9/8/2016)

Mohammad Karim Khalili was born in Maidan Wardak Province in 1950. He completed his primary education in his hometown and his higher education in religious studies in Kabul. Mr. Khalili started his organized and coherent cultural-political activities after the Saur Coup. Since 1987 till the victory of the Mujahidin, he was a member and the spokesman of the coalition council of Afghanistan. He also served as Minister of Finance of Afghanistan during the Mujahidin government and after the Taliban took over he has selected as the leader of Wahdat political party and assumed the resistance against the Taliban in the central fronts of the country. In the new government he has served as the deputy of the transitional government and the second vice president in the administration of Hamid Karzai. He speaks Persian, Pashto and Arabic. Mr. Khalili is currently the leader of Wahdat Party.

16) Abdul Hadi Khalid (interview date: Thursday, 11/8/2016)

Gen. Abdul Hadi Khalid was born in Farah province of Afghanistan. He completed his secondary education at the Kabul military school and later obtained his master degree in military college of Minsk, Belarus. General Khalid has served in the government of Afghanistan as deputy commander of border battalion in Kandahar, different positions in Kabul garrison supreme commanding, chief of 95 division of Afghan Army. During the post-Taliban Government, General Khalid has served as the Chief of the First Battalion of Afghan National Army, Commanding Officer of Afghan Special Counter-Narcotics, and Deputy in the Ministry of the Interior. Since 2014 he has been a senior

advisor to the ministry of interior and at the same time has been working as a researcher with the Afghan Institute of Strategic Studies.

17)Ali Amiri (interview date: 14/8/2016)

Ali Amiri has a Master's Degree in Philosophy and currently is the Professor of Philosophy and Islamic Studies at the University of Ibn-e-Sina. Mr. Amiri has published many articles in the national and international journals and has been working in some political figures and trends such as Wahdat party and National Front of Afghanistan. He has also written and published important books in the field of ideas, like "Khab-e Khirad", "Khirad-e Awara", and "Islam".

18)Amir Ramin (interview date: Sunday 14/8/2016)

Amir Ramin is currently the director general of regional cooperation at Ministry of Foreign Affairs. He has also served in different positions such as senior advisor to the foreign minister on strategic plans for regional cooperation, membership of the Quadrilateral Coordination Group, deputy chief executive and a member of the High Peace Council, political advisor to the High Peace Council, member of the European Union delegation and special representative for Afghanistan on matters relating to peace and security, governance and rule of law. He has published articles in different international press such as World Policy Blog, Foreign Policy, and McClatchy Newswire. Mr. Ramin obtained his Master of International Affairs from Tufts University School of Law and Diplomacy.

19)Habibullah Rafi (interview date: Monday, 15/8/2016)

Habibullah Rafi was born in 1945 in Wardak province. He completed his primary and religious education in private schools and his higher education in the Higher Education Institute of Afghanistan. Mr. Rafi is recognized as a political figure, writer, poet and a scholar. He is a lecturer in Pashto literature at the faculty of literature of Kabul University and has published many cultural, literary, philosophical and political articles. He was the editor of several academic and literary journals and was the director of the World Association of Pashto. He is a member of the Afghan Academy of Sciences. Mr. Rafi has published more than 70 books in different fields such as Pashto literature, history and politics of Afghanistan.

20)Zakia Adeli (interview date: Monday, 15/8/2016)

Dr. Zakia Adeli is currently Dean of the Faculty of Political Science at Kateb University and Director of the Center for Women's Studies at Andisha Foundation. She is a lecturer in both undergraduate and master's degree in political science and international relations. Mrs. Adeli obtained her PhD in Political Science (political thought) from

Tarbiat Modarres University in Tehran and her doctoral thesis titled “Analysis of the Relationship of Dependency and Postcolonial Situation with the Constitutions of Afghanistan (1921-2004)” which is published as a book. She has also published another book, “The United Nations Security Council and Developments in Afghanistan” and many academic articles for the national and international journals.

21) Abdul Hamid Mubariz (interview date: Tuesday, 16/8/2016)

Abdul Hamid Mobariz started his cultural and political activities since 1950 and has worked in the newspapers “Neda-I Khalq” and “Anis” and also in various journals. He is also a member of the Historical Society. Mr. Mubariz has served as the general manager of the ministry of education, governor of Bamian, Logar and Nimruz. He left Afghanistan during the civil wars and continued his works in the field of culture. After the fall of the Taliban, he returned to the country and was appointed as the Director and Deputy Director of Publications in the Ministry of Education.

22) Nahid Farid (interview date: Thursday, 18/8/2016)

Nahid Farid was born in Herat province. She obtained her Bachelor of Law and Political Science from the University of Herat and her Master’s Degree of International Relations from George Washington University. After her return from America, she nominated herself as a candidate for the parliamentary election by the suggestion of her family and entered the Wolesi Jirga as the representative of Herat in the Sixteenth Parliament. Mrs. Farid is currently a member of International Relations Committee of the Parliament.

23) Nazar Mohammad Motmaen (interview date: Saturday, 20/8/2016)

Nazar Mohammad Motmaen was born in 1973 in Helmand. He completed his primary and secondary education in Pakistan and then entered the faculty of engineering at Kabul University and at the same time informally learned his seminary education. Mr. Motmaen has served as the director of the radio and TV station in Nangarhar, deputy director of Kabul public library, head of the Bayhaqi library, head of the information and culture department in Helmand, and also worked in the construction sector in Kandahar and Kabul. After fall of the Taliban, he has participated in different meeting and conferences on Afghanistan in different countries such as Japan, Turkey, Pakistan and Poland, especially on the matter of peace. He presents in the Afghan media as an Afghanistan analyst. He also writes articles for different presses.

24) Shah Mahmoud Miakhel (interview date: Sunday, 21/8/2016)

Shah Mahmoud Miakhel has been the country director in Afghanistan for the US institute of Peace (USIP) for seven years and before that he served as the deputy of the ministry of interior. He has also worked with different departments of the United

Nations, with civil society organizations in Belgium and as a correspondent for Voice of America for eight years. He is a researcher and has published eight books in relation to Afghanistan issues.

25)Wahidullah Sabawoon (interview date: Monday, 22/8/2016)

Mr. Sabawoon was born in Kunar province. Before the Coup of Mohammad Daoud Khan he was studying in engineering faculty in Kabul, but based on his opposition with the government of Daoud Khan, could not complete his education. During the Jihad, he had different tasks including military and security head and commander. After the arrival of the mujahidin to Kabul, he served in the Kabul military council and commanding headquarters. During the government of Mr. Rabbani, he was the minister of defense and later the minister of finance. After fall of the Taliban, Mr. Sabawoon has worked as the advisor of Mr. Karzai. Wahidullah Sabawoon has the military rank of major general and is currently the leader of Hizb-e Mutahed Islami Afghanistan (United Islamic Party of Afghanistan).

26)Sulaiman Layeq (interview date: Saturday, 27/8/2016)

Mr. Layeq was born in 1930 in Katawazai district of Paktika province. He has the bachelor of philosophy from the Kabul University. After he was graduated, he started working in the independent directorate of press, Anis newspaper, Zoandoon magazine, Radio Kabul, the institute for the development of Pashto, and Parcham newspaper. Until 1978, besides his political activities, he was working in the field of literature, including writing poems. After the Saur Coup, by the command No.2 issued by the revolutionary council of the Democratic Republic of Afghanistan, he was appointed as the minister of Broadcasting. Mr. Layeq the head of the Academy of Science for one year and then was appointed as minister of frontiers, nations and tribal affairs. In the Najibullah's national reconciliation plan, Mr. Layeq served as the negotiator of the government. With the fall of the Najubullah government, he found refuge in one of the western countries and came back to Kabul after the elected government was formed in Kabul and started his political activity. He is currently an advisor the Afghan Academy of Sciences.

27)Saleh Mohammad Registani (interview date: 17/8/2016)

Mr. Registani was born in 1963. He attended Istiqlal High School and studied in the College of Mechanic in Kabul. Mr. Registani joined the ranks of the Mujahidin in 1980 and started the Jamiat Military Academy in 1981 and studied there for one year. He was the head of the operation of Shura-e Nizar. He served as the military attaché in Tajikistan and Russia. Mr. Registani was elected as the representative of Panjshir province in 2005. He was one of the closest companions of Ahamd shah Massoud and

joined him on many trips and risks. The book “Massoud and freedom” is one of his works which is the result of this friendship with Massoud.

28) Kabir Ranjbar (interview date: Tuesday, 30/8/2016)

Dr. Kabir Ranjbar was born in Kabul. After completing his primary and secondary education, he advanced his studies to PhD. He obtained his master’s degree in History and his PhD in law and political science from Germany. He returned to country by the late of Babrak Karmal government and started work as an ordinary employee at the academy of sciences. He worked in the Afghan Academy of Science as researcher, academician, and deputy of the social sciences and was selected as the chairman of the academy in 1990. Later he immigrated to another country but three months after the fall of the Taliban came back to Kabul during the interim government and was elected at the election of the general association of lawyers as the head of the association. He was a member of the constitutional Loya Jirga and was elected as the representative of Kabul for the fifteenth parliament. Later he worked in the Afghanistan Investment Support Agency (AISA) as a senior legal advisor till the formation of the National Unity Government. Mr. Ranjbar currently works as the chairman of the democratic lawyers association of Afghanistan.

29) Mohammad Mohaqiq (interview date: Thursday, 1/9/2016)

Haji Mohammad Mohaqiq was born in 1955 in Charkent district of Balkh province. He has graduated from Islamic studies. Mr. Mohaqiq has served as minister of interior of the Islamic government (1998-2000), vice president and planning minister of the interim administration (2001-2002), Wolesi Jirga member representing the people of Kabul in fifteenth and sixteenth parliaments, a member of the High Peace Council, and a member of the Jihadi leaders’ council. He was a candidate in the presidential election of 2004 and with 11.7% came third, after Karzai and Qanooni. Mr. Mohaqiq is the founder and leader of “Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan” (Islamic Unity Party of the People of Afghanistan). He currently serves as the second deputy chief executive officer of Afghanistan.

30) Farooq Azam (interview date: Saturday, 3/9/2016)

Dr. Farooq Azam has studied at universities in America and England and is graduated from economics and agriculture. He was the minister of education in 1989 and minister of refugees in the administration of Rabbani in 1993. During Jihad, he was the deputy of Mahaz-e Melli-Islami party led by Pir Sayed Ahmad Gailani. He played an important role in holding the known meeting of Jalalabad in which Afghan leaders gathered and is currently working for bringing peace in Afghanistan and cooperates with different

parties and social groups. Farooq Azam is an expert in water studies but he mostly works in the field of peace.

31)Sima Samar (interview date: Tuesday, 20/9/2016)

Dr. Sima Samar was born in Jaghori, Ghazni province in 1957. She has completed her primary and secondary studies in Jaghori and Helmand and was graduated from college of medicine of Kabul University. By the escalation of war and violence in the country, she went back to her hometown and engaged in health services and building hospitals. In 1984 she immigrated to Pakistan and continued her activities out of the country and established “shuhada” organization in 1989. After collapse of the Taliban government, she was selected as deputy head of the state and the first minister of women’s affairs of Afghanistan in Bonn conference. After the end of the interim government, Mrs. Samar was appointed as the chairwoman of the Independent Afghanistan Human Rights Commission and is still works at the same position. She won dozens of national and international prizes. She was also appointed as special rapporteur of the UN Human Rights on Sudan by the Commission of Human Rights of the United Nations in 2005.

32)Sadeq Moddaber (interview date: Friday, 30/9/2016)

Dr. Sadeq Modabber was born in 1961 in Maidan Wardak province. He has a Bachelor of Pharmacy from the University of Kabul. He is one of the Jihadi leaders who were in charge of a front known as “Siah Pitab”. He served in the administration of the Mujahidin as the deputy and acting minister of labor and social affairs. After the Taliban took power he negotiated with this group but with the failure of talks, he left the country and returned in 2001. In this period of time he has served as a member of the commission for holding the emergency Loya Jirga, chairman of the foreign relations, deputy of the ministry of planning, deputy of the secretariat of the constitutional commission, deputy of secretariat of electoral commission, policy deputy and then Director General of the Office of Administrative Affairs and Council of Ministers Secretariat. He was also the head of the commission for holding the advisory Loya Jirga and the commission for the transfer of power to the new government. Mr. Modabber is the leader of Hezb-e Insijam-e Melli.

About the Authors

Dr. Mohammad Qasim Wafayezada

Mr. Wafayezada was born in 1980 in Waras district of Bamian province. He completed his secondary education in Panjab High School of Bamian province and graduated from the faculty of journalism of Kabul University in 2005. He obtained his Master's degree in International Relations from the University of Kanazawa, Japan, in 2009 and his PhD in International Relations from the same University. Dr. Wafayezada has done several academic researches on state-building, nation-building, ethnic policies, democratic transition and peacemaking in the multi-ethnic countries after war.

Dr. Wafayezada has also been active in media and was the director of journals including "Mardom" and "Misaq-e Wahdat" and cooperated with other media. He has worked in the Office of Administrative Affairs & Council of Ministers Secretariat as the cultural affairs expert. He is currently the deputy of policy and plan in the independent directorate of civil aviation. He has published many academic articles and researches in English and Farsi, including "ethnic politics and peacemaking in Afghanistan: the motif of political struggle and difficulties of democratic transition".

Ghulam Reza Ebrahimi

Ghulam Reza Ebrahimi holds a Bachelor of Sociology (research trend) and a Master's degree of Urban Planning. He completed his education in Iran and worked in several research projects during his study. He has done his master thesis on "analysis of sense of place and belonging between Afghan refugees residing in Mashhad" and defended his thesis with a mark of excellent. Before joining the Afghan Institute of Strategic Studies, Mr. Ebrahimi was the editor of "Sadaye-e Shahrvand" newspaper. He has worked on the "corruption mapping in Afghanistan" survey which was conducted in 12 provinces, and "Afghan people attitudes and perceptions toward peace talks between the government and the Taliban" survey which was conducted in 15 provinces, in this institute.

Hussain Ali Karimi

Mr. Karimi was a lecturer before joining the AISS in October 2014. He holds a Master's degree in Urban Planning and completed his education in Iran. During his studies at the

Tehran University, he has assisted on two research projects titled “Second Generation of Afghan Refugees in Iran” (2010) and “Social Adaptation and Family Developments among Afghan Refugees in Iran” (2011). Prior to this research, Mr. Karimi has worked on the “corruption mapping in Afghanistan” survey which was conducted in 12 provinces and “Afghan people attitudes and perceptions toward peace talks between the government and the Taliban” survey which was conducted in 15 provinces, in this institute.

Safiullah Taha (Research Assistant)

Mr. Taha completed his secondary education in Sulan Ghorri High School in Herat. He has a Bachelor of Political Sciences from Cairo University, faculty of Economics and Political Sciences. Prior to this research, he has worked as a research assistant on the research titled “Afghanistan’s constitution and the society in transition”. He is currently a master’s student at the faculty of economics and political science, Cairo University.

CONTACT

Afghan Institute for Strategic Studies (AISS)

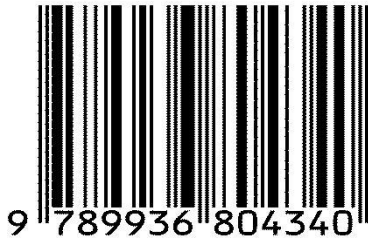
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