

AFGHANISTAN

The Current Situation

Nine years since the international intervention, Afghanistan faces considerable obstacles to stability. 2010 marked the deadliest year on record for Afghans and international forces, with more casualties in the first nine months of that year than in the entirety of 2009. The year 2010 also saw declining confidence in the ability of President Hamid Karzai, who was inaugurated for his second term on November 19, 2009, after a highly contested election, to combat corruption and strengthen state security and governance institutions. In the months following his reelection, President Karzai presided over both Afghanistan's first National Peace Jirga, aimed at creating a stable future for Afghanistan by calling for reconciliation with insurgents, and the July Kabul Conference, which brought together the Afghan government, the United Nations, and international partners to outline necessary improvements to development and security initiatives. In addition to these initiatives to move Afghanistan closer to a political solution following three decades of conflict, a 70-member High Peace Council was announced in September 2010 to oversee the reconciliation and reintegration process.

On December 1, 2009, calling our engagement in Afghanistan a "vital national interest," President Barack Obama announced that the U.S. would commit an additional 30,000 troops to the U.S. and allied troops already in theater. The ways in which the U.S. will provide resources towards building effective Afghan security forces and strengthening governance, capacity-building, and agriculture and infrastructure projects may shift in anticipation of the conditions-based troop withdrawals expected to begin in July 2011. Within the context of anticipated troop reductions, the U.S. continues to support Afghan led efforts to achieve political reconciliation and reintegration. The September 2010 parliamentary elections subsequently took on significant importance as a benchmark of Afghanistan's ability to sustain a stable democracy. The elections were carried out despite high security threats, though turnout was low due to voter intimidation, and the number of fraud complaints significantly delayed election results. These complaints fueled the January 2011 political crisis surrounding the seating of the new Parliament, wherein President Karzai called for a delay in seating the newly elected members due to ongoing complaints from losing candidates. The refusal of the new Parliamentarians to accept this delay created optimism that improvements to governance structures may come in 2011.

Going Forward

To ensure long-term peace and stability in Afghanistan, sustained action in several key areas must be taken. Security concerns need to be addressed as reconstruction efforts cannot be successful under deteriorating security conditions. Good governance and the rule of law must be strengthened as Afghanistan cannot move forward without efficient and effective state institutions and judicial system. Investments in public education and civil society initiatives should include programs that develop indigenous capacities for dispute resolution and peacebuilding. Public awareness of and dialogue about the challenges facing Afghan society are equally important among the international community

of experts and policymakers. USIP is actively addressing these issues through four interrelated goals: strengthening peaceful reconciliation and capacity to mitigate conflict; enhancing the rule of law; improving cooperation for peace, security, and economic development; and increasing understanding and effectiveness of operations in Afghanistan. Above all, a political solution must be found to end the insurgency and provide a more stable foundation on which to build the institutions of the state.

Strengthening Peaceful Reconciliation and Capacity to Mitigate Conflict

Afghanistan Reconciliation Support Program

The Afghan government and international community have increasingly accepted the central place of reconciliation within the larger process of political resolution to the conflict in Afghanistan. Afghans cannot live peacefully without sufficient support for this vital process. USIP is conducting a special assessment led by reconciliation experts with knowledge and experience of Afghanistan's history and culture to identify key regions in the country that could be "ripe" for targeted dialogue and reconciliation efforts. This assessment includes discussions with both national government and local stakeholders.

Network of Afghan Facilitators

In Afghan provinces suffering from poverty, low literacy rates, widespread corruption, and broad cultural divides, USIP's Network of Afghan Facilitators is working to prevent and reduce violence and mediate tribal and community-level conflicts that, if allowed to fester, can become ripe for exploitation by the Taliban, warlords, and other anti-governmental forces. Formed and trained by the Institute's Academy for International Conflict Management and Peacebuilding, these Afghan nationals have also resolved family-level disputes involving gender-based violence, helped set up and been involved in active community organizations, such as the Khost Conflict Resolution Commission, and facilitated dialogue for efforts such as USIP's Cross-Border Dialogue Initiative and Afghanistan's National Consultative Peace Jirga.

Micro-Grants to the Network of Afghan Facilitators

Replicating the highly successful micro-grant program that USIP continues to operate in Iraq, the Institute's Academy for International Conflict Management and Peacebuilding provides Micro-Grant funding to members of our Network of Afghan Facilitators for local training, dialogue, conflict resolution, and problem-solving efforts in Afghanistan. Micro-Grants are highly cost-effective—for less than the price of one program using international facilitators, dozens of programs using local Afghan facilitators can be funded, supervised, and monitored. In this way, the initiative strengthens local capacity by helping local actors solve local problems.

Mediation and Peacebuilding Training for Afghan Religious Leaders

In recognition of the critical role spiritual leaders play in the peacebuilding process, USIP convened fifty Afghan *ulama* and religious scholars for two workshops on conflict resolution and peacebuilding. Religious leaders were taught peacemaking practices, mediation skills, approaches for using Islamic principles of nonviolence, and ways of helping communities confront histories of violence. An international summit on reconciliation focused on peacebuilding in the Islamic context and the responsibilities of mullahs in the twenty-first century was held in Kabul in the summer of 2010. The summit brought together religious scholars from Afghanistan, Egypt, Jordan, and Pakistan.

Dispute Resolution Program

USIP experts in the Kabul Office are convening and facilitating dispute resolution jirgas on an ongoing basis to address local conflicts in the Afghan provinces of Kunar, Nangarhar, and Kunduz. Project implementers meet with key stakeholders to identify local elders and Islamic legal scholars, or *ulema*, who can resolve local community level disputes. The identified key stakeholders are provided with capacity building training, facilitation training, and other

expertise. These key elders and ulema are documenting the dispute resolution process in collaboration with local offices of the Ministry of Tribal Affairs. As of November, 105 disputes were resolved through the direct involvement or facilitation efforts of Commission members. By informing the public about the results of the dispute resolution *jirgas*, USIP hopes to provide lessons learned for resolving disputes in other Afghan provinces and around the world.

Enhancing the Rule of Law

Enhancing Capabilities for Transitional Justice in Afghanistan

USIP is undertaking a series of interrelated initiatives to promote justice and accountability for serious abuses that have occurred during the decades of conflict in Afghanistan. These include developing a comprehensive documentation database framework to organize information on past crimes and human rights violations; supporting electoral and administrative vetting processes; and sponsoring a dialogue among Islamic and legal scholars to address the compatibility of Islamic and Western approaches to postconflict justice. USIP will also contribute to the planned reconciliation process with advice on how justice and accountability issues have been addressed in other peace negotiations and how these examples might be applied to the Afghan context.

Relations Between Formal and Informal Justice Systems

At present, approximately 80 percent of all legal criminal and civil cases in Afghanistan, are resolved outside the formal legal system in community forums, known as *shuras* or *jirgas*. Such forums are generally deemed more accessible, cheaper, less corrupt, and more legitimate than the formal courts. Yet these informal mechanisms can also fail to protect basic rights. As a result, the formal system has an important role to play going forward. USIP has been working since 2003 to establish positive relations between the two systems. USIP is working with the Ministry of Justice and other institutions to create a draft national policy on relations between the formal and informal justice systems. In collaboration with two implementing partners, USIP has also launched pilot projects in four districts of Afghanistan with a focus on establishing concrete relationships between the formal and informal systems. The program will help develop models for collaboration between the two systems to improve the delivery of justice, resolve disputes, and protect basic rights.

Constitutional Interpretation and Implementation

Afghanistan's success as a stable democratic state depends on the ability of legitimate Afghan authorities to establish and adhere to the rule of law in accordance with its constitution. A new constitution was ratified in 2004, yet fundamental problems concerning its interpretation and implementation remain. USIP is now establishing a new Center on Constitutional Law at Kabul University and aims to provide technical support to the Supreme Court, the Commission for the Supervision of the Implementation of the Constitution, as well as other independent bodies, including the Afghan Independent Human Rights Commission (AIHRC). USIP is also providing advice to the newly formed Commission on Constitutional Implementation on ways that it may effectively fulfill its mandate.

International Network to Promote the Rule of Law in Afghanistan

It is essential that rule of law professionals working in Afghanistan are linked to each other and to outside resources that can help provide lessons learned and other information that will respond to the difficult challenges they face. USIP supports the rule of law community in Afghanistan through its International Network to Promote the Rule of Law (INPROL). Specifically, INPROL maintains a clearinghouse of documents related to rule of law challenges in Afghanistan that serves as a read-ahead and an ongoing resource to deploying practitioners. It is also a means of creating virtual handovers in a high-turnover environment. It also allows for members to post rule of law queries online, accessing a pool of 1,500 fellow members from around the world as well as an expert facilitator and research team.

Priority Grant Competition: Rule of Law

USIP invests in civil society through grants that promote efforts to protect rights, educate the public, and create access to justice. USIP is currently working on a project with the Killid Group to empower the nascent Afghan media to inform the public on human rights abuses, transitional justice, and ending impunity. USIP is also working with the Afghanistan Justice Project (AJP), an organization that holds some of the most extensive documentation of past war crimes in the country. This project aims to update the holdings of the AJP database and to make material from the database and ongoing research available to transitional justice initiatives. In addition, the USIP Grants Program is also working with the Organization of Human Resource Development (OHRD) to strengthen traditional nonviolent dispute resolution mechanisms, enhance the capacity of local community institutions to better understand conflict and its causes, and have increased trust in their ability to deal with conflict. The grant competition has an open deadline and innovative projects are always encouraged.

Improving Cooperation for Peace, Security, and Economic Development

Peacebuilding Across Borders: Cross-Border Dialogue Initiative

In partnership with Afghan and Pakistani civil society organizations, USIP's Academy for International Conflict Management and Peacebuilding has initiated a series of dialogues among key actors, including traditional leaders, religious leaders, civil society organizations, local government, and businesspeople from both sides of the Afghanistan-Pakistan border to generate confidence building and a common agenda for peacebuilding, development, and security. The dialogue participants have received training in facilitation, negotiation, and advocacy from USIP experts. The initiative culminated in two conferences, one in Islamabad and one in Kabul, at which the dialogue participants and relevant government officials came together to discuss the recommendations developed through the dialogues.

Leveraging Mobile Phones for Peacebuilding in Afghanistan

A decade ago, mobile phone usage in Afghanistan was almost nonexistent; today there are thirteen million mobile subscribers for a total of twenty nine million citizens. The annual growth rate of subscription is estimated at 53 percent. Expert research and analysis of these trends has been limited, though it is undeniable that the proliferation of instant communication in Afghanistan has opened up new avenues for social change in support of peacebuilding. To explore these trends and opportunities, the Center of Innovation for Science, Technology and Peacebuilding cohosted the event "Can You Help Me Now?: Mobile Phones and Peacebuilding in Afghanistan" with cell phone pioneer Mobile Accord, the National Defense University, the UN-mandated University for Peace, and TechChange. The June 24, 2010, event brought together a cross-section of the leading innovators in the use of mobile phones in difficult environments as well as Afghanistan specialists and government policymakers. The meeting highlighted the potential use of mobile phones in improving governance, countering extremism, and providing essential services. A report providing additional research and analysis on the key points of the discussion was published by USIP in October 2010.

Responsible Resource Management in Afghanistan's Mining Sector

Afghanistan's mining sector could play a key role in promoting peace and broad-based prosperity if its resources are managed prudently and its accrued revenues used to benefit all citizens. This entails the development of effective monitoring mechanisms, strident anticorruption initiatives, and a commitment to investing in human capacity and infrastructure. USIP's Center for Sustainable Economies focuses on the development of conflict-sensitive approaches to mitigate corruption at all levels of Afghanistan's society, facilitate the development of community-based monitoring mechanisms in Afghanistan's mining sector, and evaluate potential impacts of corporate activity in mining communities.

Increasing Understanding and Effectiveness of Operations in Afghanistan

Support to Peacebuilding in Higher Education

The Institute in partnership with Kabul University and the Center for Policy and Human Development (CPHD) in Kabul, helped create Afghanistan's first international peer-reviewed academic research journal, published in Dari, Pashto, and English. After the success of a 2008 "Teaching Peacebuilding" workshop in Kabul for university teachers from all over Afghanistan, USIP is sponsoring a series of similar workshops in the provinces. These workshops are being carried out with our partner, Cooperation for Peace and Unity (CPAU), a prominent think-tank widely recognized as Afghanistan's leading research institution in the area of conflict resolution. USIP has also sponsored a Peace Fellow at UPEACE Costa Rica in a master's program for the academic year 2009–2010 who has returned to Afghanistan to work on peace studies and human development. Finally, USIP is sponsoring the identification and translation of key materials used for teaching peacebuilding and human development by our partners at the University of Kabul.

Priority Grant Competition: Civil Society Capacity Building for Dialogue and Conflict Resolution

Through its Priority Grant Competition, USIP is helping strengthen the capacity of local communities to analyze and resolve conflicts through peaceful means, integrating best practices in negotiation and mediation with traditional means of conflict resolution. USIP is working on a project with the Centre for Peace and Conflict Studies (CPCS) to develop professional foundations for twelve Afghan peace practitioners to conduct and utilize research for peace practice in the Afghan context. USIP is also working with Women & Youth for Peace & Development Organization (WAYPADO) to enhance trust among youth and encourage them to take part in peacebuilding and networking for peace.

Afghan Fellowship

USIP Fellowships support the work of outstanding scholars, policymakers, journalists, and practitioners. The Jennings Randolph Senior Fellowship Program recruits high quality candidates for fellowships through an extensive process of consultation with the USIP Afghanistan working group, the Afghanistan team lead, and others. Past and current fellows include Mr. Mohammad Masoom Stanekzai, adviser to Afghan President Hamid Karzai, and Ms. Palwasha Hassan, Country Director for Rights & Democracy in Afghanistan.

Afghanistan, Pakistan, and their Neighbors

Afghanistan's future is tied closely to the future of the broader region and a secure and functioning Pakistan has lasting implications for regional stability. This initiative, in conjunction with the World Bank and New York University's Center on International Cooperation, will entail an examination of the relationship between Afghanistan, Pakistan, and neighboring states, as well as the influence of U.S. policy in regional dynamics. The Institute will commission a series of essays from some of the world's top regional experts, and an edited volume and a series of special reports will be published.



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USIP provides the analysis, training and tools that prevent and end conflicts, promotes stability and professionalizes the field of peacebuilding.

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