



**Afghan Civil Society Position Paper:
Geneva Conference on Afghanistan 2020
23rd -24th November 2020**

1. Context

An important component in a successful country is a thriving civil society, and Afghanistan should be no exception. Civil society actors and organizations have played a significant role in Afghanistan, in the provision of services and in advocacy for the rights of its citizens, in partnership with the international community and the Afghan government. Life has become more difficult however because of the increase in direct threats against them and indirect ones reducing their ability to operate at their best. This paper illustrates some of the reasons why they are needed.

Conflict and Peace:

Afghanistan has borne years of instability and insecurity. In 2019, talks between the Taliban and the United States started a new chapter in the life of Afghans which contained hope for peace and fear of disappointment or worse. For the first time, public and direct negotiations between the Afghan government and the Taliban began in the capital of Doha in September 2020. Since the beginning of the intra-Afghan talks between representatives of the Afghan government and the Taliban, the violence has continued to rise steadily and with a worrying new pattern of attacks on educational institutions¹. Since 2009, more than 100,000² civilians

¹ On the 18th of October, 2020 a truck-bomb explosion took place near a school in Ghor province, leaving 16 people dead and more than 150 injured. Another attack on 24th October on the educational centre in Kabul led to the death of at least 40 students and injured 70 others, mostly young people attending university entrance preparation classes. In early November, at least 22 people were killed, and 27 others were wounded when three gunmen rampaged through Kabul university spraying classrooms with bullets for several hours.

² UNAMA

have been injured and killed. Journalists, community and religious leaders, civil and human rights activists have also been targeted since the outset of the conflict³. Regular attacks have continued to take place against ethnic and religious minorities in Afghanistan, especially against Sikhs and Hazaras (Shia Muslims). Sexual and gender-based violence, have been perpetrated against women and girls.

A ceasefire is seen as essential to peace negotiations. Civilians are the most affected by the worsening security situation; UNAMA reports 5,939 civilian casualties (2,117 killed and 3,822 injured) between January and September 2020 and four million people are estimated to have been internally displaced. This means that one in every nine Afghans has been displaced within Afghanistan. The poverty rate is estimated to have increased in 2020 to an alarming 61-72%. There are 9.4 million people in need of humanitarian assistance, 56% of whom are children. An estimated 4 million people (one in every nine Afghan) live with a disability and over 14 million people are expected to face food insecurity in 2020. A lack of access to health services and to education, especially for girls in insecure areas, has been further aggravated by COVID-19 and conflict⁴. Afghanistan's population is facing a growing array of environmental problems including unrelenting deforestation and land degradation, uncontrolled urbanization and solid waste disposal, worsening air and water pollution, depletion of groundwater, illegal wildlife hunting and timber trade, expansion of the mining footprint including informal artisanal quarrying, limited renewable energy alternatives, and more frequent and severe floods, droughts, and landslides. Insecurity in large parts of the country, poor infrastructure, and the accelerating impacts of climate change are seriously limiting efforts to get a better grip on the deteriorating situation and its effects on human well-being. The prolonged impasse over the results of the recent presidential election, the continued deployment of political expediency by politicians have contributed to increased ethnic and political tension in the country among its young population. The weakness of state institutions and the widespread corruption is affecting public confidence at a time when people are hoping the intra-Afghan talks in Doha will lead to a cessation of hostilities, a permanent ceasefire, and a lasting peace. In the meantime, the space is shrinking for freedom of expression and assembly.

³ In early November, a well-known former television presenter, Yama Siawash who was an anchor on the private TV channel Tolo News, was killed along with two others when a bomb attached to his vehicle exploded in Kabul. An improvised explosive device (IED) attached to the car of Elyas Dayee, a reporter with Azadi Radio, exploded and killed him on November 11, 2020 in Afghanistan's Helmand Province.

⁴ An assault by gunmen on the Dasht-e-Barchi hospital in Kabul on May 12 that killed 24 people, including 16 women and two newborn babies, prompted Médecins Sans Frontières (MSF) to announce on June 15 that it was ceasing its activities at the hospital.

a) **Transformation- youth, women, civil society, media and Government:** After 19 years of conflict, the US and the Taliban signed an agreement in February 2020 that would lead to a prisoner exchange between the Afghan government and the Taliban, the withdrawal of US and NATO forces from Afghanistan and the commencement of direct talks between the Afghan government and the Taliban (intra-Afghan talks). Following the deal, the Afghan government selected a delegation and established the High Council for National Reconciliation (HCNR) headed by Dr Abdullah Abdullah. While some of the conditions set in the agreement (such as the release of prisoners, the commencement of the intra-Afghan talks, and the reduction in the number of US troops have been met), the talks have not yet led to a cessation or reduction of violence, rather it has increased. After months of delay, partly caused by disagreement over the prisoner release, direct talks between the delegations representing the Afghan government and the Taliban began on the 12th September in the Qatari capital Doha. The talks have created hopes and fears as well as opportunities for a negotiated end to Afghanistan's decades-long violent conflict which began in the late 1970s. Since then more women and young people have entered into leadership roles and women have succeeded in developing a women-centric narrative with regards to the peace process, the media has become more transformative than ever before, civil society, including a conglomeration of research, human rights and advocacy bodies, has transformed the public space by promoting and strengthening new ideas, concepts and discourses critical to the democratic development of the country. Afghanistan has had significant achievements in the realm of sport with its cricket team racing for leadership globally and its Football Premier League connecting with different regions and creating an enormous sense of excitement, solidarity, and jubilation internally.

b) **Regional and Global Integration:** Significant investment has been made in connecting Afghanistan with Central Asia, South Asia, the Middle East and Europe. For the first time in history, a rail connection was established between Afghanistan and Iran in the west and between Afghanistan and Turkmenistan in the north. The 635-kilometer railroad runs through Attamurad and Imamnazar in Turkmenistan; Aqina, Andkhoy, Sheberghan, Mazar e Sharif, Khulm, and Kunduz in the

Afghanistan section; and finally, Panjpayan and Kolkhozabad in Tajikistan, with a total estimated cost of around \$2 billion. By October 2020, the Herat-Khaf railway, which is 225 km long, was 93% complete. The Khaf-Herat rail route has four sections, two in Iran and two in Afghanistan. Lapis Lazuli road connected Afghanistan to the Caucasus regions and Europe. The Lapis Lazuli Agreement was signed in November 2017 aiming to establish greater connectivity and enhancement of trade in the region, on the sidelines of Regional Economic Cooperation Conference on Afghanistan (RECCA- VII). The first track of Lapis Lazuli project was inaugurated by President Ghani on the 13th of December 2018. The trans-regional corridor will encompass mainly railways and highways, which will connect the city of Torghundi in the Afghan province of Herat with the port of Turkmenbashi on the shore of the Caspian Sea via Ashgabat. In the context of the response to COVID-19, Afghan diaspora mobilized globally to assist their communities to overcome the effects of the pandemic, marking Afghanistan's increased integration into a globalized world.

2. Key Issues & Messages

2.1 Civilian Protection and Ceasefire:

- a) A ceasefire is key to peace negotiations, the escalation in violence is inimical to the ongoing negotiations.
- b) Civilian protection and mitigation. Since 2009 more than 100,000 civilians have been killed and injured. Parallel with the civilians getting killed during hostilities, a pattern of assassinations of community and religious leaders, journalists, civil and human rights activists have remained uninterrupted since the outset of the conflict.
- c) The violence by all parties has escalated in recent years. but since 2015, with an added dimension of regular attacks against ethnic and religious minorities in particular the Sikhs and Shia-Hazaras.

- d) Sexual and gender-based violence, potentially amounting to international crimes, have been perpetrated against women in girls in the context of armed conflict
- e) Greater efforts should be made to protect civilians but when casualties do occur they should be recorded and government , national and international actors should be held to account for them. Responsibility should be taken and fair compensation paid to those who are affected.

2.2 An Inclusive, Transparent and Just Peace Process:

An Afghan peace process must be inclusive. Inclusivity can be defined in two different ways, first as involving the participation/representation of women, religious and ethnic minorities, war victims, civil society, the displaced population and refugees and secondly as the substantive engagement, with a cross-sections of people within each of the aforesaid groups. In a deeply polarized environment, transparency is crucial; meaning a regular and an honest line of communication with the people, highlighting the substantive issues to be addressed in any peace negotiations. Since war victims are one of the most important constituencies in Afghanistan, the negotiation process must take them, their views and requirements into account. It is important to work out an integrated accountability framework which will reflect justice, truth-seeking, compensation and reconciliation. In addition any post-peace agreement must address the demands and needs of Afghans at all levels of society; reconciliation programmes must have both top-down and bottom-up approaches to ensure conflict resolution and reintegration at local level.

Afghans have been mobilising for peace in a variety of ways. Women have mobilised in significant numbers, to advocate for a just and accountable peace and the inclusion of women in the processes leading to it, without which it would not be sustainable. To give just one example; in early September 15,000 Afghan women from across Afghanistan signed an open letter in which they thanked Afghanistan's international allies for their support in the past 19 years and shared their concern that, the gains of the past two decades are in danger of being eroded if the Taliban return to Afghanistan with the same mentality, ambition and behaviour as in the 1990s.

Afghan victims have been calling for a victim-centred peacebuilding approach in Afghanistan as they constitute one of the largest constituencies that have suffered immensely from all conflict parties. Learning lessons from comparative experience that there is a direct correlation between victims' participation and sustainable peace, victims, with the technical support of NGOs, have been working to build their capacities and create the necessary institutional frameworks and networks for their participation in peacebuilding process. Minority groups have also been mobilising, creating engagement networks and articulating their vision of an inclusive peacebuilding in the country which would include and respond to their voices.

In March 2020, Afghan civil society actors published a set of procedural and substantive "Living Principles" for an inclusive peace process after testing it through consultations with over 150 civil society representatives including religious leaders, women, youth, and victims from across Afghanistan, and an additional 17 Afghan diaspora members. This led to the establishment and launch of the 'Afghanistan Mechanism for Inclusive Peace' (AMIP).

The Afghan Women Leader's Peace Summit 2020 was also held in which a cross section of Afghan women from the provinces, Kabul and the Diaspora gathered and reiterated their call for peace. The Summit culminated in the agreement on a set of Common and Shared positions that the women of Afghanistan stand behind and a set of roles that women should play in the peace process.

Thousands of Afghan women from the capitals and the provinces have continuously raised their voices through their participation in meetings, and national and international fora, in open letters to the international community, the government and to the Taliban to ensure a comprehensive ceasefire and the meaningful participation of women, youth, minorities and victims of war in the peace process.

2.3 Fundamental Rights and Freedom

- a) The fundamental rights of the Afghan citizens, as stipulated in the Afghan Constitution, are inviolable and must be protected under all circumstances. Any deals made during a negotiation process must not involve any compromises on the fundamental rights and freedom of the Afghan citizen.

- b) Freedom of expression has been one of the landmark achievements of Afghanistan in the past two decades. Exercise of the freedom of expression has led to the growth of a transformative media sector in Afghanistan. The free media has influenced every aspect of development from war to state-building, counter-corruption, business, societal relationship and lifestyle and fashion.
- c) Civil society has been another transformative actor, opening up public space, creating linkages between communities and the government, empowering marginalized groups in communities, contributing to grassroots level peacebuilding, improving linkages and connections between the urban and rural, generating policy feedback and improving public engagements with the key processes of development, governance and peacebuilding.

2.4 Protection of Women and Minority Rights

Afghan women's fundamental rights, as enshrined in the Afghan Constitution, should not be compromised, or overlooked as negotiations take place to end the conflict. Peace processes should aim to maintain the achievements made by women. The role and participation of women in the private and public sectors has indeed increased since 2001, but now more efforts should be made to promote the position of women in leadership roles. In particular, the attention should switch from urban centers to rural communities where women face more restrictions and desperately need their voices to be heard. Women's access to healthcare and education has become more precarious due to the increase in violence and a decrease in government funding.

Acts of violence are continually perpetrated against women and are on the increase due to the escalation of the conflict and the territorial expansion of violence. The international community must ensure that conditions for continued aid all include clear commitments on the protection of women's and minority rights and must require that the Afghan government develop practical mechanisms which will further improve the inclusion of women and minority groups in the political processes.

Religious minorities such as Sikhs, Hindus and the Shias have been more regularly targeted in urban areas as distinct faith and identity groups. Preliminary discussions on the frameworks of peace negotiations have targeted the fundamental religious rights of these groups. The violation of fundamental rights of these groups in any form can lead to further exclusion and violence. There have for example been many attacks specifically targeting Hazara minorities in west Kabul⁵ , In early March, gunmen opened fire at a ceremony in Afghanistan's capital attended by prominent political leaders, killing at least 32 people and wounding dozens more before the two attackers were killed by police. The Islamic State group claimed responsibility for the attack in a statement on its website.

Afghanistan's dwindling community of Sikhs and Hindus has shrunk to its lowest level. With growing threats from the local Islamic State affiliate, many are choosing to leave the country of their birth to escape the insecurity and a once-thriving community of as many as 250,000 members now counts fewer than 700. The community's numbers have been declining for years because of a deep-rooted discrimination in the majority Muslim country. without the adequate protection from the government, the attacks by the Islamic State group may complete the exodus⁶.

2.5 Political Reform and Governance

The Afghan government has weak foundations and has not been able to generate broad-based legitimacy and the development of a democratic state. A substantive number of political groups and ethnic communities are feeling marginalized and disenfranchised. To increase the legitimacy of the current government, marginalized groups and communities should be provided with opportunities to participate in the decision-making processes of state institutions. Several key state institutions with significant capacity, such as the Ministries, have been sidelined by parallel structures. For government initiatives to be effective, the restoration of authority of key Ministries is imperative.

⁵ .5 In October, a suicide bomber tried to enter a private academic institute, Kawsar-e-Danish, but was spotted by security guards and detonated his explosive device killing 24 and injuring another 57 people. The attack occurred in the Dasht-e-Barchi neighborhood, an area largely inhabited by the Shia Hazara community.⁵ A few weeks after the attack on the students, twin suicide bombings at a nearby wrestling club killed at least 20 people. On 11 November, six people were killed in an IS attack on a Shia-led protest near the presidential palace in central Kabul. At the tuition centre sandbags line the windows and armed guards watch over the students as they head home.

⁶ An attack in March by gunmen on the community's temple killed 25 Sikhs. Aside from the March attack by IS gunmen, a 2018 Islamic State suicide attack in the city of Jalalabad killed 19 people, most of them Sikhs, including a longtime leader who had nominated himself for the Afghan parliament.

Corruption remains the biggest impediment to effective, accountable, and responsive governance in Afghanistan. The key drivers of corruption include personalised and non-institutional decision-making process, entrenched ethnic and political patronage, and politicization of the judiciary, development, and appointments. Corruption has interrupted almost every aspect of public service delivery. For instance, in the past few days, the media reported massive corruption in the Covid-19 fund. In the Special Inspector General for Afghanistan Reconstructions words, the government's fight against corruption seems to have yielded no concrete results, other than "drafting regulations or holding meetings" and creation of parallel anti-corruption institutions.

The fight against corruption must be institutionalized and the independence of oversight and anti-corruption agencies must be ensured. The government did not establish an Anti-Corruption Commission according to its commitments. The commissioners should be appointed through a transparent and competitive process where only civil society, independent institutions such as the Access to Information Commission and Parliament have a role in the selection process. Instead there is a proliferation of institutions which do not have the elements needed to function and be accountable.

Corruption has also crippled the justice system, the majority of people in the provinces and especially in remote areas, prefer to resolve their legal disputes in the informal justice systems, including referring their cases to Taliban courts, rather than going to corruption-ridden formal prosecution offices and courts. Furthermore, the culture of impunity for government officials and other powerful people has collapsed the rule of law. Corruption has also severely impacted the delivery of public services, the education and health sectors, business, the economy and the implementation of development projects.

Corruption is doing great harm in the natural resources sector. Mining especially is still affected by widespread abuses, which fuel conflict, and do far more to fund the insurgency and illegal armed groups than government policies. There is an urgent need for full transparency, including on beneficial ownership as defined by international best practice. Public audits are necessary, especially of state-owned enterprises. Better contract allocation processes are needed, including public consultation, alternative models of community ownership and

community benefit, better enforcement, and natural resources to be a greater consideration in security planning.

2.6 Democratic Developments

- a) Electoral institutions and frameworks have been badly discredited in Afghanistan. Democratic development is impossible without solid, impartial and accountable electoral institutions. A reform of electoral law and electoral bodies must be prioritized as a strategy to encourage democratic development.
- b) Many in Afghanistan believe that the way state institutions have been developed will not be conducive to an enabling environment for the development of political parties, neither in their public appeal nor in the electoral system itself. If political parties are to be developed then both the framework and the attitudes to them will have to change.
- c) Public participation in democratic development must be encouraged through constitutionally defined processes such as Municipalities, District Councils elections and increasing the competence of the Provincial Councils.

2.7. Development & Humanitarian Aid

The pursuit of development in Afghanistan has been very challenging, both at the macro and at the micro level. At the macro level, according to the World Bank the growth rate of the economy was expected to decrease by 5 percent in 2020 but had already done so by the first half of the year.⁷ With the economy shrinking and a reduction of revenues, which will be further exacerbated by the effects of the Covid-19 pandemic the outlook without international aid for basic services would be grim. The pandemic has also affected the economies of the donors to Afghanistan and it remains to be seen what impact this will have on the levels of aid to

⁷ <https://www.worldbank.org/en/country/afghanistan/overview>

Afghanistan. The level of unemployment is expected to reach 12.5 percent by the end of 2020⁸, In 2019 the investment rate was 17.75 percent of GDP.⁹

At the micro level, due to COVID-19, access to education has decreased. Indeed, the majority of Afghan children enrolled in public school have no access to remote learning through the tv, the radio, or online, in addition to the children already not attending school before COVID-19.¹⁰ and most of the population have to reduce spending on other essential needs to afford any medical care. On a positive note, Afghanistan has made significant progress in other sectors such as telecommunications, water management, revenue collection as well as having a slight rise in its GDP.

The number of Afghans that need humanitarian assistance has increased from 6.3 million in 2019 to 9.4 million in 2020, approximately 56% of them are children. An estimated 4 million Afghans live with disabilities, it was projected that at least 14.28 million people would face food scarcity in 2020 (OCHA, 2020 -Humanitarian Needs Overview-Afghanistan).

In 2020, it was predicted that 500,000 civilians would be displaced by conflict¹¹. Recent statistics show that an estimated 150,000 people have been displaced in the first half of this year, more than 9,000 Afghans have returned due to deportation¹², an estimated 600 or more of whom have come from Europe, and 406,801 have returned from elsewhere, the majority of from Iran, 404,868.¹³

The continuing drought has had a significant impact on the environment; undermining rural livelihoods, causing displacement, increasing flooding, and creating health vulnerabilities. Displacement from rural to urban areas has caused multiple problems including shelter, housing, and a strain on services. The implementation of development projects has been significantly impacted by the increasing insecurity, the imbalance in the allocation of development budgets and the unequal distribution of development projects. Ultimately, there are deep grievances felt by different communities and regions.

⁸ <https://tradingeconomics.com/afghanistan/forecast>

⁹ https://www.theglobaleconomy.com/Afghanistan/capital_investment/

¹⁰ <https://www.humanitarianresponse.info/en/operations/afghanistan/document/afghanistan-humanitarian-response-plan-2018-2021-june-2020-revision>

¹¹ https://reliefweb.int/sites/reliefweb.int/files/resources/afg_humanitarian_needs_overview_2020.pdf

¹² <https://www.statewatch.org/news/2020/october/eu-deportations-to-afghanistan-member-states-want-to-simplify-expulsion-of-vulnerable-groups/>

¹³ <https://tolonews.com/afghanistan/nearly-340000-afghans-repatriated-iran-january-iom>

Drug addiction has become one of the most complex problems in Afghanistan, wreaking havoc within families and increasing the crime rate. Indeed, an estimated 3.5 million people are addicted to drugs, constituting about 12% of the Afghan population, of which about 800,000 are estimated to be women.

3. Ways Forward

- a) We ask that the international community makes a clear commitment to supporting strict compliance with IHL, to strengthening prevention and reporting mechanisms and to hold the parties violating IHL rules accountable.
- b) We expect the international community to ensure that conditions for continued aid will include clear provisions for protecting the rights of women, minorities and those with disabilities and will require the Afghan government to develop practical mechanisms in order to further improve their inclusion in political processes.
- c) We ask that the international community makes a clear commitment to supporting the substantive participation of the victims in peacebuilding processes and their access to justice.
- d) Preserving the gains of the last 20 years in different sectors, especially freedom of expression and women's rights, must be placed at the heart of conditions for a peace agreement.
- e) Investing in security and prevention of criminality and violence at both city and local level must be a key consideration.
- f) Development programs, especially those that are health and education related, must expand their reach to rural and semi rural areas of Afghanistan, not only the cities. Aid must be equitably distributed throughout Afghanistan.

- g) Development should be implemented in a way that will strengthen the key institutions to provide the effective delivery of services and must encourage self-reliance rather than dependency on aid.
- h) Development programs following a peace deal must address the needs of Afghans at all levels of the society; and reconciliation programs must have both top-down and bottom-up approaches to ensure conflict resolution and reintegration takes place at a local level.
- i) Corruption must be regularly assessed by the donor community to ensure that it is reducing and that there is transparency and efficiency in government services.
- j) Investing in improving the quality of education in schools and universities throughout Afghanistan and the creation jobs for young people should be both short-term and long-term priorities.
- k) A meaningful fight against corruption will involve the removal of corrupt officials, the recovery of stolen assets and the development of a comprehensive and functioning anti-corruption strategy.
- l) All anti-corruption institutions should be consolidated, in a phased manner, under one existing institution, to include the Anti- Corruption Commission, the Ombudsperson's Office, the Special Anti-Corruption Secretariat, and the Monitoring and Evaluation Committee.

Conclusions

There is a continuing role for civil society in Afghanistan and ways must be found to ensure that this is understood and supported and its members are safe to carry out their work.

The International community must ensure that the conditions for continued aid include clear provisions for the protection of the rights of women and minority groups and must encourage the Afghan government to develop practical mechanisms which will further

increase their inclusion in political processes. It is essential to preserve the gains made over the last 20 years in all different sectors, more specifically the freedom of expression and women's rights.

Investing in security and in the prevention of crime and violence at both city and local level must be a core consideration. Development programs, especially those for health and education must expand in reach to cover local and rural areas of Afghanistan, not only cities. Aid must be distributed equitably in Afghanistan. Development should be implemented in a way which would strengthen the key institutions, leading to the effective delivery of aid. At the same time, it is important to encourage self-reliance rather than dependency on aid. After the signing of a peace treaty, development initiatives should address the needs of Afghans at all levels of society, reconciliation programs must have both top-down and bottom-up approaches to ensure the resolution of conflicts and reintegration at the local level. The level of corruption and accountability should be regularly assessed and evaluated by the international community to ensure transparency, the efficiency of government services and the fair distribution of aid. Investments to improve the quality of education in schools and universities throughout Afghanistan and to create jobs for young people should be both short-term and long-term priorities.

We believe that the 2020 Afghanistan Conference is an important opportunity for all the stakeholders engaged in Afghanistan. It gives the chance to the GIRoA to renew its commitments and discuss its key priorities for the next four years. It gives the opportunity to the international donors to declare their principles and commitments to aid and nation and state building processes in Afghanistan.

In the meantime, Afghan civil society is herewith declaring its commitment in continue to accompany the GIRoA and its international supporters during the transformation period. To play this role to the best of its ability, the Afghan civil society recommends:

1. That the roles of civil society, in advocating for freedom of information, in advising and lobbying the government and international community on policy development and the consequences of legislation, in monitoring the outcomes and in reporting on the views of citizens should be recognized and respected.

2. That civil society should be included in all phases of development projects as respected partners. While continuing our role as monitors, we reiterate the importance of entering tripartite commitments between the Government of Afghanistan, the International Community and civil society to increase understanding and boost efficiency and mutual accountability.