



# ROAD TO NATIONAL PEACE

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Cooperation for Peace and Unity (CPAU)

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## ACRONYMS

ACC	Agriculture Conservation Corps
AIHRC	Afghanistan Independent Human Rights Commission
ANA	Afghanistan National Army
ANBP	Afghan New Beginnings Program
ANP	Afghanistan National Police
ANSF	Afghanistan National Security Forces
AOG	Armed Opposition Group
APRP	Afghanistan Peace and Reintegration Program
ATA	Afghanistan Transitional Administration
AMF	Afghanistan Military Force
ARTF	Afghanistan Reconstruction Trust Fund
CDC	Community Development Council
CSO	Civil Society Organization
DDA	District Development Assembly
DIAG	Disbanding of Illegal Armed Groups
DDR	Disarmament, Demobilization and Reintegration
FGD	Focus Group Discussion
FRIC	Force Reintegration Cell

FOCS	Financial Oversight Committee Secretariat
GIRoA	Government of the Islamic Republic of Afghanistan
HPC	High Peace Council
IAG	Illegal Armed Groups
IDLG	Independent Directorate of Local Governance
ISAF	International Security Assistance Force (NATO mission, 2001 - 2014)
JS	Joint Secretariat
MoD	Ministry of Defense
Moi	Ministry of Interior
MoLSAMD	Ministry of Labor, Social Affairs Martyrs and Disabled
NCPJ	National Consultative Peace Jirga
NDC	National Disarmament Commission
NUG	National Unity Government
PRTF	Peace and Reconciliation Trust Fund
PPC	Provincial Peace Committee
PJST	Provincial Joint Secretariat Team
PTS	Program Takhim e-Solh
RS	Resolute Support (NATO mission, 2015- )
SGP	Small Grants Projects

UNAMA United Nations Assistance Mission Afghanistan

VET Vocational Education Training

## GLOSSARY

**Arbakai**– semi-official, local self-proclaimed security forces that can function as *de facto* militias also called the Afghan Local Police (ALP). Interpretations of the term vary considerably throughout Afghanistan, and in many cases the separation between local commanders led groups, tribal militias and ex-combatants is confusing at best.

**Jirga** – a community-based process for collective decision-making that originates from traditional Pashtun culture. It is usually a temporary or ad-hoc group of respected elders that convenes when necessary to resolve disputes.

**Manteqa** – a cluster of villages. The data for this research comes from five different *manteqas* within Kunduz province.

**Mullah** – Prayer leader, someone who knows *sharia*.

**Sharia** – Islamic Law as interpreted from the Quran and the hadith (sayings of Prophet Muhammad).

**Shura**– a group of local elders or recognized leaders called to convene to make decisions on behalf of their community.

**Shura-e Nezar** – The Monitoring Council, was a group of Mujahideen fighters led by Ahmad Shah Massoud in Panjsher and few other northern provinces of Afghanistan.

Reintegree- Taliban who joined the APRP peace process.



## EXECUTIVE SUMMARY

“The goal of APRP was to promote peace through a political approach and facilitate a constructive process of reintegration and peace”<sup>1</sup> The APRP program has targeted this goal through activities that address the issue of reintegration through largely economic means, providing livelihoods support, financial assistance, facilitating employment opportunities, and undertaking development projects at the community level. However, there is growing evidence contradicting economically focused stabilization programs,<sup>2</sup> and there is a lack of empirical evidence on the effect of employment creation on the stability of the Fragile States.<sup>3</sup> Taken in the context of decades of atrocities and injustice from war and internal conflict, mass corruption and ineffective rule of law and service delivery, it is very likely that the APRP approach is vastly inadequate to holistically address the grievances of fighters and reintegrees.

What’s more, the current APRP structure has generally overlooked how communities and traditional mechanisms could support the peace process and facilitate local peace agreements. The peace process has largely focused on top-down mechanisms in an attempt to establish peace, overlooking the local dynamics of peace and conflict in Afghanistan, and the capacities and opportunities within communities. Additionally, APRP largely focuses only on the reintegrees’ grievances and AOGs, but it failed and ignored to address the needs and grievances of the people. In 2005, the AIHRC conducted a large-scale consultation on the people's desires in moving forward with the peace process called "A Call for Justice," which found that people wanted justice, truth commissions, dialogue, etc.. However, much of this was ignored on how the peace process was approached and structured by the government and the international community.

This research aims to contribute to the success of peacebuilding and reconciliation efforts in Afghanistan by creating a platform to evaluate the weaknesses and fill the gaps of peacebuilding and reconciliation endeavours. The lessons learned from the previous approaches will help to have a better understanding of the Afghan conflict by developing a roadmap for a peaceful resolution of the Afghan conflict. This research took a mixed-methods approach, utilizing both primary and secondary data and quantitative and qualitative methods. This research was implemented in Kunduz, Herat, and Panjshir provinces. Semi-structured interviews and FGDs were conducted in each district and province with APRP stakeholders, beneficiaries, community members, and reintegrees. Additionally, this research collected a number of in-depth case studies with reintegrees. Furthermore, in each province, one case study was conducted on a locally-negotiated peace agreement through traditional mechanisms.

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<sup>1</sup> “APRP Programme Document,” National Security Council, July 2010.

<sup>2</sup> Christopher Cramer, “Unemployment and Participation in Violence” (World Development Report 2011 Background Paper, 2010).

<sup>3</sup> ODI, *What is the Evidence on the Impact of Employment Creation on Stability and Poverty Reduction in Fragile States: A Systematic Review* (London: Overseas Development Institute, 2013).

## KEY FINDINGS

- The HPC and PPC are viewed with skepticism by many Afghans. They feel that the members of HPC and PPC have questionable backgrounds or they lack capacity, or else that they are corrupt or motivated by personal gains. This was discussed by several interviewees for this research.
- Other reports have noted that district and community representatives perceive the PJSTs as a purely political platforms that possess no skill in conflict analysis.<sup>4</sup> APRP Monitoring Agent findings found that some PJST and PPC leaders have additionally used community development projects for personal gain and to the benefit of only certain parts of the community, which has caused or exacerbated local conflict and further damaged the reputation of the PJSTs and PPCs.
- There have been multiple reports that those joining the APRP were not “real Taliban.” Rather, many are reported to be members of other freelance illegal armed groups, or have connections to APRP organizers. This research found similar skepticism among government officials, community leaders, community members, and reintegrees themselves.
- Reintegrees have complained of threats from multiple sources, including harassment and threats from the Afghan government when they made an effort to join the peace process, also threats from the Taliban, from arbaki and government-backed militia such as the ALP. Reintegrees, government officials, and community members interviewed for this research similarly cited insecurity for reintegrees as a major concern.
- A lack of meaningful support for reintegrees in terms of economic opportunities was noted as a major shortcoming of APRP. Reintegrees felt that the six-month salary provided through APRP is inadequate and that they were not being able to secure long-term employment opportunities.
- The lack of support from the government through APRP—especially in terms of security and financial support—appear to lead many to rejoin insurgent groups very shortly after joining the reintegration process. Several reintegrees explained their reason to rejoin the insurgent groups as limited choices with no money to support their families and limited opportunities in their communities, as well as ongoing threats and sometimes even inability to return to their homes and communities due to personal insecurity.
- Aside from the technical and implementation shortcomings of APRP, there are fundamental weaknesses in the overall approach and focus. Afghans themselves generally view the APRP as a failure. In a report covering the whole of Afghanistan, Afghans felt that they have been excluded from the peace process, implementation of the APRP, and the broader community-based development meant to accompany the program. This research similarly found that while many Afghans were aware of APRP, their knowledge of its implementation and the actual peace process was limited, with little evidence of any sort of meaningful community and citizen-level engagement.
- Much of the rationale for APRP was based on the belief that many insurgents choose to fight for economic reasons, and economic incentives would persuade them to give up fighting and choose reintegration. However, the limited success of APRP has exposed the limitations of this rationale. APRP has further demonstrated the identification of the limitations of a purely economically based analysis of insurgent motivations and potential strategies for encouraging reintegration.

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<sup>4</sup> Karim Merchant and Ghulam Rasoul Rasouli, “Afghanistan: Local governance, national reconciliation and community reintegration,” Accord, Issue 25, 82-85, [http://www.c-r.org/sites/default/files/Accord25\\_Afghanistan.pdf](http://www.c-r.org/sites/default/files/Accord25_Afghanistan.pdf).

- The APRP plans included grand visions of assessment and needs-based engagement. There has been no nation-wide follow-up on Afghan citizens' needs and perceptions regarding peace and reconciliation since the 2005 report from AIHRC, "A Call to Justice," which was itself by and large ignored.
- Afghan citizens interviewed for this research still overwhelmingly do not support amnesty for war criminals. Many feel that the amnesty provisions are a form of public betrayal and that it has a negative effect on the peace process through promoting a perception of impunity among armed actors in Afghanistan.
- Afghan citizens interviewed for this research still appear to be largely in support of documenting what has occurred in Afghanistan both prior to and since 2001, and establishing a formal historical record. This was largely viewed as necessary in facilitating a sense of justice for the people, where these historical records should form the basis of prosecutions once the government is able to effectively prosecute war criminals in an effective and uncorrupt manner.
- Though APRP includes a gender mainstreaming policy, APRP still has a low presence of women especially at the decision-making level, limited gender-specific monitoring, and evaluation of reintegration activities, and a limited understanding of the APRP among women.
- Stakeholders among all groups interviewed for this research—citizens, government officials, and reintegrees alike—felt that elders and community leaders have an important role to play in the peace and reintegration process, particularly due to their general perception as trusted, neutral parties, effective mediation skills, and access to both insurgents and the government. However, case studies for this research also revealed the potential dangers of advocating for an expanded role for local leaders, who are often unaware of the law and are not accountable of upholding Afghanistan's laws and human rights principles. One case study collected for this research resulted in the forced marriage of a widow as a means of "promoting peace" between two disputing families.
- Similarly, though several interviewees asserted that elders had played a role in negotiating local peace agreements with AOGs in their province, most of the examples provided referred to family disputes, so the unique role they play in terms of negotiating between the government and insurgent groups requires further exploration.
- Though there have been some accomplishments in terms of community recovery aspects of APRP, this is also generally perceived as inadequate and falling short of original plans and promises.
- The research found mixed results regarding the community development component of APRP. While some projects have been undertaken, evidence of their impact in terms of peace and promoting reintegration is limited. Site visits to Small Grants Projects (SGPs)—mostly in agroforestry and transportation infrastructure—found that they were of generally average quality, but the lack of maintenance and resources can jeopardize their sustainability.
- One strong point of the APRP is the relatively high level of awareness of the program among Afghan people. This can be attributed to both government actors and civil society efforts to raise awareness regarding the peace process. This research found considerable awareness of the APRP process, with the exception of Panjshir, in which the programme has a limited footprint.
- Capacity constraints were still identified in the risk log of the 2014 annual report from UNDP, acknowledged as a high probability at the provincial level. Capacity will also likely become an issue as the APRP cells in the line ministries are being closed and community recovery APRP activities will be absorbed into regular programs.
- Monitoring and tracking the reintegration process has also been problematic. According to the FRIC, the number of actual recidivists exceeds official numbers. Additionally, reintegrees are only required to contact officials for six months to receive transition assistance payments but do not need to make any further contact after that as they are then considered normal Afghan citizens.

## 1. INTRODUCTION

Since 2005 the size of the insurgency in Afghanistan has rapidly expanded. By 2010, the number of 32,000 - 40,000 were estimated as active fighters in a range of different insurgent groups, and current estimates have slightly decreased to 20,000 - 35,000.<sup>5</sup> Previous research conducted by CPAU has indicated that insurgents are motivated by a range of ideological, personal, tribal and economic incentives.<sup>6</sup> The nationwide Afghanistan Peace and Reintegration Programme (APRP) was developed with the goal of reintegrating insurgents back into communities or into relocation programs. Experience with reintegration in Afghanistan to date has highlighted a deficiency in monitoring that has allowed the disarmament and reintegration processes to be co-opted by local actors, contributed to poor implementation of program incentives, and undermined the transparency in the reintegration process. The monitoring processes that have been carried out previously have focused almost exclusively on 'progress' indicators such as the number of weapons collected or participants, rather than the impact the program is having on the communities and districts where reintegration is being carried out. Indicators of progress in implementation often have little meaning or relevance to the experience and impact of the program on communities and districts, meaning that positive opportunities that could be capitalized upon are missed and negative impacts are left to fester.

The goal of APRP was to "promote peace through a political approach. It will encourage regional and international cooperation, will create the political and judicial conditions for peace and reconciliation, and will encourage combatant foot soldiers and commanders, who previously sided with armed opposition and extremist groups to renounce violence and terrorism, to live within the laws of Afghanistan, and to join a constructive process of reintegration and peace."<sup>7</sup> The APRP program has targeted this goal through largely economic terms, providing livelihoods support, financial assistance, facilitating employment opportunities, and undertaking development projects at the community level. Countering insurgency through economic development programs is a popular approach. However, recent research from Mercy Corps that focused on youth and insurgency found no link between joblessness and willingness to engage in or support political violence across three case study countries, including Afghanistan. Instead, the research found that the principal drivers of political violence are rooted not in poverty, but in experiences of injustice, and that young people fight not because they are poor, but because they are angry.<sup>8</sup> There is growing evidence contradicting economically focused stabilization programs,<sup>9</sup> and there is a lack of empirical evidence on the effect of employment creation on the stability of fragile states.<sup>10</sup> With a legacy of atrocities and injustice throughout decades of war and internal conflict, mass corruption and ineffective rule of law and service delivery, it is very likely that the APRP approach is vastly inadequate to holistically address fighters' and reintegrees' grievances.

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<sup>5</sup> Afghanistan Peace and Reintegration Program, Programme Document, p14, Islamic Republic of Afghanistan, National Security Council, Disarmament and reintegration Commission, July 2010, Kabul, Afghanistan; and a more recent estimate by Reuters (2014) <http://www.trust.org/spotlight/Afghan-turmoil>

<sup>6</sup> Findings from the Drivers of Radicalization study, Sarah Ladbury and CPAU, 2009. Online available on: [www.cpau.org.af/publications.html](http://www.cpau.org.af/publications.html)

<sup>7</sup> "APRP Programme Document," National Security Council, July 2010.

<sup>8</sup> "Youth and Consequences: Unemployment, Injustice, and Violence," Mercy Corps, 2015, [https://www.mercycorps.org/sites/default/files/MercyCorps\\_YouthConsequencesReport\\_2015.pdf](https://www.mercycorps.org/sites/default/files/MercyCorps_YouthConsequencesReport_2015.pdf).

<sup>9</sup> Christopher Cramer, "Unemployment and Participation in Violence" (World Development Report 2011 Background Paper, 2010).

<sup>10</sup> ODI, *What is the Evidence on the Impact of Employment Creation on Stability and Poverty Reduction in Fragile States: A Systematic Review* (London: Overseas Development Institute, 2013).

What's more, the current APRP structure has generally overlooked how communities and traditional mechanisms support the peace process and local peace agreements. The peace process has largely focused on top-down mechanisms to attempt to establish peace, overlooking the local dynamics of peace and conflict in Afghanistan, and the capacities and opportunities within communities and various mechanisms such as community elders, shuras, jirgas, and CDCs to contribute to peace locally and support reintegration and the peace process. This research will assess how communities can establish peace at the local level and mechanisms for dialogue and reconciliation, and how these components should be considered and integrated with the reintegration process and larger peace framework.

Additionally, the reintegration process has ignored the needs and grievances of the people. APRP largely focuses only on reintegrees' grievances and AOGs but has generally ignored those who are victimized by the violence and instability they bring--the grievances of the people. Communities have very legitimate grievances in terms of lack of development, instability, and human costs that have been entirely unaddressed within the current peace process framework. In 2005, the AIHRC conducted a large-scale consultation on the people's desires moving forward with the peace process called "A Call for Justice," which found that people wanted justice, truth commissions, dialogue, etc.. However, much of this was ignored in how the peace process was approached and structured by the government and the international community. This research will also revisit some of these topics 10 years later to assess whether what people want has changed, or whether the peace process is still completely ignoring the people's needs by focusing on political-level dialogue and DDR-style approaches that don't address people's grievances and interests.

To pave the way for achieving a lasting peace, the research component of the project aims to contribute to the success of peacebuilding and reconciliation efforts in Afghanistan by creating a platform to evaluate the weaknesses and fill the gaps of peacebuilding and reconciliation endeavours. The lessons learned from the previous approaches will help to have a better understanding of the Afghan conflict by developing a roadmap for a peaceful resolution of the Afghan conflict.

The key research questions are:

1. What existing community resources exist to support local peace agreements, and how can communities and traditional mechanisms support the peace process?
2. Aside from reintegration and DDR, what else is still needed moving forward and establishing sustainable peace? What do Afghan people want in terms of justice, reconciliation, and grievance resolution?
3. How can these local capacities for peace and the needs of the people be addressed in the national peace process moving forward?
4. What is missing in the current APRP program and peace process? What are the shortcomings in the economic development and DDR approaches employed to date, and why have they failed to contribute to sustainable peace? What are the gaps that need to be filled?

## 1.1 APPROACH AND METHODS

This research took a mixed-methods approach, utilizing both primary and secondary data and quantitative and qualitative methods. This research was implemented in Logar, Herat, and Panjshir provinces. Though this assessment covers all peace and reconciliation processes in Afghanistan, disarmament is beyond the scope of this research, which will primarily focus on APRP.

Semi-structured interviews and FGDs were conducted in each district and province to provide more in-depth insights into the successes and failures of APRP, perspectives on reconciliation, justice, and grievances, and provide inputs regarding potential local capacities for peace. These interviews targeted a combination of APRP stakeholders, beneficiaries, community members, and reintegrees. APRP stakeholders included line ministries, PPCs, PJSTs, and site visits to SGP projects in the district. Qualitative interviews with citizens took the form of FGDs, divided into five groups: elders, male community members, female community members, youth, and reintegrees.

Additionally, this research collected a number of in-depth case studies. In each province, two in-depth case studies were conducted with reintegrated persons. These case studies focused on their personal and family background, experiences of conflict and injustice, the reason for joining an AOG, experience with the AOG, and the reason for choosing reintegration. Additionally, in each province, one case study was conducted on a locally-negotiated peace agreement through traditional mechanisms. This case study focused on the local context, background of conflict and instability, personalities and individuals involved, local capacities employed, mechanisms for engaging peace talks, the process of negotiating a peace agreement, and the aftermath of the agreement. Wherever possible, this case study included interviews with the local leader/s who negotiated the peace agreement, and a representative of the group with which the agreement was negotiated, where security permitted.

## SAMPLING

The data collection was carried out in three provinces—Herat, Logar, and Panjshir, and in eight districts (Gozarah, Herat, and Injil districts of Herat; Baraki Barak, Mohammad Agha, and Pul-e Alam districts of Logar; Anaba and Bazrak districts of Panjshir).

Participant	Number per district	Number per province	Unit of analysis	Total # Surveys/FGD /KII
<b>MRRD</b>	NA	1	Government actors	3
<b>MoPW</b>	NA	1	Government actors	3
<b>MoLSAMD</b>	NA	1	Government actors	3
<b>Small Grants Projects site check</b>	2	8	Project	24
<b>Provincial Peace Council</b>	NA	1	PPC members (3-5 members)	3
<b>Provincial Joint Secretariat Teams (PJST)</b>	NA	1	PJST members (3-5 members)	3
<b>Village leaders (10-15 per FGD)</b>	1	4	Elders	12
<b>Community members (male) (10-15 per FGD)</b>	1	4	Community members	12
<b>Community members (female) (10-15 per FGD)</b>	1	4	Community members	12
<b>Community youth (10-15 per FGD)</b>	1	4	Youth	12
<b>Reintegrees (10-15 per FGD)</b>	1	4	Reintegrated persons	12
<b>Reintegration case study</b>	X	2	Reintegrated person	6
<b>Local peace agreement case study</b>	X	1	Traditional mechanism and AOG	3

## 2. CONTEXT: GOVERNMENT PEACE INITIATIVES, BODIES AND POLICIES OUTSIDE THE APRP

### 2.1 DISARMAMENT AND DEMOBILIZATION

#### NATIONAL DISARMAMENT COMMISSION

In January 2003, President Karzai appointed four Defense Commissions—the National Disarmament Commission (NDC) to oversee the collection and destruction of weapons, the Demobilization and Reintegration (D&R) Commission, the Officer Recruiting and Training Commission, and the Soldier Recruiting and Training Commission.<sup>11</sup> The NDC launched its own disarmament initiative with the stated goal of collecting 1 million weapons and military equipment. Collection took place in five northern provinces, targeting Afghan Military forces (AMF) personnel and militias mostly from the Northern Alliance. This program had a lack of transparency in process and reported outcomes. The government claimed that 50,000 pieces of military equipment had been collected, including SALW, and items such as tanks and armored vehicles. The program also aimed to register AMF weapons, and by the end of 2002 126,051 weapons in the possession of 248 AMF formations were registered.<sup>12</sup> However, there were accusations that collected weapons were transferred to other militias rather than being stockpiled, and according to some analyses the program was largely an attempt by factional actors within the Ministry of Defense (mainly aligned with the Northern Alliance’s Shura-e Nezar militia) to assert control over military assets.<sup>13</sup> Presidential Decree 31, issued in 2005, ordered the Ministry of Defence and Ministry of Interior to hand over all that they had collected outside the DDR process to the D&R Commission, but a significant amount of weaponry never made it into government depots.<sup>14</sup>

#### AFGHAN NEW BEGINNINGS PROGRAM (ANBP) DDR, OCTOBER 2003 TO JULY 2005

The Afghan New Beginnings Program (ANBP), which was to be implemented by UNDP on behalf of the government, was given approval to proceed in October 2003, at which time the NDC was dissolved and its mandates integrated into the Ministry of Defense. The program had three objectives: to break the ‘historic patriarchal chain of command’ between former commanders and their troops, to assist former armed members of the AMF transition from military to civilian life, and to collect, store, and deactivate weapons in AMF possession.<sup>15</sup> The ANBP DDR program was designed to be voluntary and focuses solely on militias associated with the AMF. The program aimed to ‘decommission formations and units up to a total of 100,000 officers and soldiers and in the process collect, store, and deactivate weapons currently in their possession in order to be able to reconstruct the

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<sup>11</sup> Ibid.

<sup>12</sup> Michael Bhatia and Mark Sedra, *Afghanistan, Arms and Conflict*. Routledge, 2008.

<sup>13</sup> “DDR in Afghanistan: When State-building and Insecurity Collide,” in *Small Arms Survey 2009: Shadows of War*, Small Arms Survey, 2009, <http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/2009/en/Small-Arms-Survey-2009-Chapter-09-EN.pdf>.

<sup>14</sup> Michael Bhatia and Mark Sedra, *Afghanistan, Arms and Conflict*, 2008.

<sup>15</sup> Caroline A. Hartzell, “Missed Opportunities: The Impact of DDR on SSR in Afghanistan,” USIP, April 2011, [http://www.usip.org/sites/default/files/resources/SR270-Missed\\_Opportunities.pdf](http://www.usip.org/sites/default/files/resources/SR270-Missed_Opportunities.pdf).



Afghan National Army and return those not required to civilian life'.<sup>16</sup> However, according to SAS analysis, the program was not mandated to disarm the population, but to help AMF military personnel transition from military to civilian life, and neither commanders nor soldiers were obliged to submit all of their weapons.<sup>17</sup> The original figure of 100,000 participants was not based on a needs assessment, and after 13 months the ANBP dropped their target to 60,000.<sup>18</sup>

The program process consisted of AMF units submitting a list of the personnel to one of ANBP's regional offices in Kunduz, Kabul/Parwan, Gardez, Mazar-e-Sharif, Kandahar, Bamyan, Jalalabad or Herat, then the lists were vetted by leaders from the region. Entry into the program was limited to those who had at least eight months of military service and who would turn in a serviceable weapon to a mobile disarmament unit, with no attempts to collect or identify all the weapons held by the militia.<sup>19</sup> Collected firearms were engraved with an alphanumeric code and registered into a database in the central ANBP office in Kabul with information on the owner. The weapons were eventually moved to the national arms depot, where on completion of the program they were meant to be turned over to the ANA. After giving up a weapon, each individual was assigned a caseworker for demobilization at one of the regional offices, and required to take an oath not to engage in further fighting. Then, the individual proceeded to reintegration, which was a choice of several packages or entry into the ANA following qualification.<sup>20</sup>

According to SAS, AMF commanders manipulated the process, submitting the least loyal soldiers and the least functional weapons while maintaining control of most of their working armaments and pilfering reintegration assistance until it was discontinued. Commanders who were given official civilian roles were also able to assign militia members into police units.<sup>21</sup> In 2004, the ANBP launched the Commander Incentive Program, which gave a monthly stipend, the offer of training in Japan, and the possibility of a government post for compliance with DDR. 460 participated in the program by June 2006.<sup>22</sup>

The disarmament and demobilization process ended in July 2005, at which time 63,380 ex-combatants had been demobilized through the ANBP, 259 AMF units formally decommissioned, some 57,629 light and medium weapons collected, and 100,000 soldiers 'de-financed' (formally removed from payrolls). By the end of the reintegration phase in June 2006, benefits were delivered to around 55,804 ex-combatants, or 88 percent of those who had demobilized. Agricultural training, vocational training, and small business operations together accounted for 93.3 percent of the skills transferred. An ANBP Client Evaluation Survey of 5,000 beneficiaries who had received six to nine months of reintegration assistance found that 93 per cent of respondents were satisfied with the assistance and 90 per cent were still employed.<sup>23</sup> However, the 'patronage-based' networks survived the DDR program intact

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<sup>16</sup> "DDR in Afghanistan: When State-building and Insecurity Collide," Small Arms Survey, 2009.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

in most areas,<sup>24</sup> and of those that were formally decommissioned, the informal networks that comprise those units were considered to merely dormant and could be reactivated by commanders at any time.<sup>25</sup>

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#### HEAVY WEAPON CANTONMENT (HWC)

In January 2004, ISAF reached an agreement with the Ministry of Defense to remove all heavy weapons from Kabul to three sites outside the city. Although formal responsibility for collection of heavy weapons nation-wide was given to ANBP in 2003 this ISAF process gave it a momentum. The nationwide HWC program was formally launched by a presidential decree in March 2004 that called for the cantonment of all AMF heavy weaponry by the Ministry of Defense with ANBP assistance, followed by another presidential decree in September 2004 declaring all heavy weapons to be the property of the state.<sup>26</sup>

According to a national survey in 2004, there were 5,606 heavy weapons in circulation, including armored personnel carriers, artillery, anti-tank weapons, main battle tanks, mortars, and surface-to-air missiles. 1,604 were classified as operational, 2,600 as repairable, and 1,402 as wrecks.<sup>27</sup> Weapons were to be transported to one of 15 regional cantonment sites protected by the ANA. As of June 2006, 12,248 heavy weapons were collected and cantoned, well above the survey estimates.<sup>28</sup>

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#### DISBANDING ILLEGAL ARMED GROUPS (DIAG), JANUARY 2005 TO MARCH 2011

The ANBP DDR program only targeted AMF militia, but a large number of armed groups were outside the AMF. In February 2005, the Canadian government provided a grant to develop and implement a program to address illegal groups called Disbandment of Illegal Armed Groups,<sup>29</sup> which was under the umbrella of the former ANBP. Feasibility studies identified around 1,870 illegal militias, comprising roughly 129,000 men, estimated by the government to possess about 336,000 SALW, 56,000 of which were hidden by AMF groups during DDR. However, these numbers are likely much higher.<sup>30</sup>

DIAG had two objectives: (1) to improve security through the disarmament and disbandment of illegal armed groups, and (2) to provide basic development support to communities freed from threats posed by illegal armed groups.<sup>31</sup> DIAG was planned to run from January 2005 to March 2011, carried out through UNDP and implemented

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<sup>24</sup> Steven A. Zyck, "Peace and Reintegration in Afghanistan," Civil-Military Fusion Center, April 2012, [https://www.cimicweb.org/cmo/afg/Documents/Governance/CFC\\_Afghanistan\\_Reintegration\\_Overview\\_April2012.pdf](https://www.cimicweb.org/cmo/afg/Documents/Governance/CFC_Afghanistan_Reintegration_Overview_April2012.pdf).

<sup>25</sup> Michael Bhatia and Mark Sedra, *Afghanistan, Arms and Conflict*, 2008.

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> "DDR in Afghanistan: When State-building and Insecurity Collide," *Small Arms Survey*, 2009.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

under the leadership of the Disarmament and Reintegration Commission.<sup>32</sup> The government promoted DIAG as a means of restraining actors involved in drug smuggling, human trafficking and human rights violations. Whereas DDR was based on a monetized incentive program, DIAG approached illegal armed groups from a law enforcement perspective and provided incentives collectively to communities rather than on an individual basis. Coercive tactics were authorized for groups that did not cooperate.<sup>33</sup>

DIAG consisted of a three-stage process. The first was to force the demilitarization of illegal armed groups associated with commanders who wanted to pursue legislative careers (National Assembly and Provincial Council Elections Phase). In the 2005 legislative elections, 1,108 lower parliament and provincial council members were identified as having possible links to armed groups, of which the Electoral Complaints Commission disqualified 207 candidates conditional on their compliance with terms of disarmament.<sup>34</sup> 124 candidates turned in 4,857 weapons, but the rest chose not to comply, and only 34 candidates were ultimately excluded from the ballot, and it was estimated that more than 80% of the winning candidates in the provinces and 60% in Kabul maintained ties to armed groups (SAS, 2009).

The second stage was called the Government Officials with Links to Illegal Armed Groups phase. As of September 2005, it was estimated that at least 450 officials were connected with illegal armed groups, but a consensus was only reached with 13 of them. In the second round, another 8 groups complied and submitted over 1,000 weapons.<sup>35</sup> According to SAS, most who did not comply were employed by the Ministry of Interior, and rather than firing those who did not comply many were shifted.<sup>36</sup> The third and key stage began in May 2006, consisting of a three-phase strategy of voluntary, negotiated, and enforced compliance. Initially, all weapons turned in were required to be functional, but later the threshold was raised to weapons that could be used by security institutions.<sup>37</sup> The voluntary compliance period required 70% of weapons within 30 days, after which if an armed group refused to comply, the negotiation phase began using national and local actors, including village *mullahs* and *shuras*.<sup>38</sup> If this phase also failed, the Ministry of Interior and ANP had enforcement powers, and theoretically the ANA could assist, but according to SAS in 2009, forcible disarmament had rarely, if ever, been conducted.<sup>39</sup>

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<sup>32</sup> United Nations Development Programme Afghanistan, "Disbandment of Illegal Armed Groups (DIAG) Annual Project Report 2010," UNDP, 2010, <http://www.undp.org.af/Projects/Report2011/diag/2011-03-21-%20Annual%20Progress%20Report%20of%20DIAG.pdf>.

<sup>33</sup> "DDR in Afghanistan: When State-building and Insecurity Collide," Small Arms Survey, 2009.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

According to the DIAG Annual Project Report in 2010, a total of 759 Illegal Armed Groups (IAGs) were disbanded, 54,138 weapons were collected, and 100 districts were compliant.<sup>40</sup> 120 MoI DIAG staff were trained, and 34 provincial MoI offices and 6 regional offices were functional.<sup>41</sup> DIAG activities were merged into APRP efforts in March 2011.<sup>42</sup> According to SAS, though DIAG was theoretically meant to target IAGs not covered under DDR, most of the listed groups were retargeted ex-AMF commanders, and three-fourths of the weapons collected came from Northern Alliance areas, leaving other heavily armed areas unaddressed as of the time of the report in 2009. Additionally, there are claims that the IAG lists coming from the National Security Department were often out of date and targeted the wrong people, or former commanders had unrealistically low weapons estimates. Through this, some militia leaders were protected by government actors, and in turn protected affiliated groups from government pressure to disarm.<sup>43</sup> In May 2006, the upper house of parliament voted to halt DIAG due to alleged need for Afghans to keep their guns for self-defense, possibly a reflection of illegal armed group influence in parliament.<sup>44</sup>

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### ANTI-PERSONNEL MINE AND AMMUNITION STOCKPILE DESTRUCTION (APMASD), 2005 TO JANUARY 2009

In July 2005, the GIRoA and UNDP signed an Agreement on Anti-Personnel Mines & Ammunition Stockpile Destruction, where ammunition considered safe to be moved was to be transported to secure storage facilities and the rest to be destroyed. Program operations were supported by two implementing partners—DynCorp International and HALO Trust, responsible for ammunition disposal, and UNMACA.<sup>45</sup> By the end of 2008, APMASD surveyed nearly 37,000 metric tons of ammunition and destroyed about 20,000 metric tons, and over 500,000 anti-personnel mines were destroyed.<sup>46</sup> This undertaking also saw the creation of the Afghan Guard Force, which comprised 3,500 soldiers for protecting ammunition depots and installations, property, and land of the Ministry of Defence, and the ANA Ammunition School to train prospective Ammunition Technical Officers.<sup>47</sup> In January 2009, the Ministry of Defense assumed control of the project.

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<sup>40</sup> "Disbandment of Illegal Armed Groups (DIAG) Annual Project Report 2010," United Nations Development Programme Afghanistan, 2009, <http://www.undp.org.af/Projects/Report2011/diag/2011-03-21-%20Annual%20Progress%20Report%20of%20DIAG.pdf>.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> "DDR in Afghanistan: When State-building and Insecurity Collide," Small Arms Survey, 2009.

<sup>44</sup> Ibid.

<sup>45</sup> Michael Bhatia and Mark Sedra, *Afghanistan, Arms and Conflict*, 2008.

<sup>46</sup> "Afghanistan's New Beginnings Programme, (ANBP)," United Nations Development Programme, 2010, [http://www.undp.org.af/whoweare/undpinafghanistan/Projects/psl/prj\\_anbp.htm](http://www.undp.org.af/whoweare/undpinafghanistan/Projects/psl/prj_anbp.htm).

<sup>47</sup> Michael Bhatia and Mark Sedra, *Afghanistan, Arms and Conflict*, 2008.

## 2.2 PEACE, RECONCILIATION, AND REINTEGRATION

### PROGRAM TAKHIM-E SOLH (PTS, OR STRENGTHENING PEACE PROGRAM) 2005

The Afghanistan National Independent Peace and Reconciliation Commission (also known as Program Tahkim e-solh or PTS) was established by presidential decree in May 2005 to 'end inter-group armed hostilities, resolve unsettled national issues, facilitate healing of the wounds caused by past injustices, and take necessary measures to prevent the repeat of the civil war and its destruction'.<sup>48</sup> The program focuses mostly on releasing Afghan detainees and giving them stipends in return for giving up their arms.<sup>49</sup> Though a RAND study stated that the program ended in 2007, the Commission's website reports activities until 2008<sup>50</sup> and other sources report ongoing activities even later<sup>51</sup> and official disbandment in 2010 when it was replaced by APRP.<sup>52</sup> It was active in 11 provinces in 2008.<sup>53</sup>

The initiative claimed to have reintegrated 4,634 fighters between 2005 and 2007.<sup>54</sup> The program registered fighters and more than 500 detainees, and allowed them to return to their home communities to be monitored by local elders, receiving material compensation including land in some cases. If individuals reintegrating under PTS were found to have participated again in insurgent activities, they would be imprisoned for the rest of their lives.<sup>55</sup> However, it was found that half of the individuals benefiting from PTS were not actually insurgents, and another study furthered that individuals who reintegrated under PTS were often not kept safe and were targeted by insurgents or international forces.<sup>56</sup> The PTS program was reportedly underfunded, and a 2010 assessment found that up to 100 fighters and their commanders may have returned to fight after promises of assistance were not

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<sup>48</sup> "Afghanistan National Independent Peace and Reconciliation Commission," Programme Tahkim Suh, Islamic Republic of Afghanistan, 2009, <http://www.pts.af>.

<sup>49</sup> Caroline Wadhams and Colin Cookman, "Assessing Peace Prospects in Afghanistan: The 'Peace Jirga' and President Karzai's New Peace Plan," Center for American Progress, 2 June 2010, <http://www.americanprogress.org/issues/security/news/2010/06/02/7919/assessing-peace-prospects-in-afghanistan/>.

<sup>50</sup> "Afghanistan National Independent Peace and Reconciliation Commission," Programme Tahkim Suh, Islamic Republic of Afghanistan, 2009.

<sup>51</sup> Patrick White, "As Afghan reform effort fails, Taliban traitors return to the front lines," *The Globe and Mail*, 5 January 2010, <http://www.theglobeandmail.com/news/world/as-afghan-reform-effort-fails-taliban-traitors-return-to-the-front-lines/article1206824/>.

<sup>52</sup> "Taliban Talks: Past, Present, and Prospects for the US, Afghanistan and Pakistan," Edited by Mona K. Sheikh and Maja T.J. Greenwood, Danish Institute for International Studies Report, 2013, [http://reliefweb.int/sites/reliefweb.int/files/resources/RP2013-06-Taliban-Talks\\_web.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/RP2013-06-Taliban-Talks_web.pdf).

<sup>53</sup> Surendrini Wijeyaratne, "Afghanistan: A Study on the Prospects for Peace," Canadian Council for International Co-Operation, Discussion Paper, March 2008, [http://www.ccic.ca/\\_files/en/what\\_we\\_do/002\\_peace\\_2008-03\\_afghanistan\\_study.pdf](http://www.ccic.ca/_files/en/what_we_do/002_peace_2008-03_afghanistan_study.pdf).

<sup>54</sup> Steven A. Zyck, "Peace and Reintegration in Afghanistan," 2012.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

upheld.<sup>57</sup> The program also reportedly suffered from weak management and lack of political will, as well as being plagued by corruption.<sup>58</sup>

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#### A CALL FOR JUSTICE: A NATIONAL CONSULTATION ON PAST HUMAN RIGHTS VIOLATIONS IN AFGHANISTAN (2004-2005)

The Afghanistan Independent Human Rights Commission (AIHRC) was mandated to consider the issue of transitional justice in 2002 at the first National Human Rights Workshop. In conclusion of this workshop, the AIHRC was mandated to undertake national consultations and propose a national strategy for transitional justice and addressing past abuses. The report 'A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan,' resulted from this mandate, based on consultations through a survey with 4,151 respondents and 200 focus group discussions with over 2000 participants in 32 provinces and with Afghan refugee populations in Iran and Pakistan.<sup>59</sup>

The consultations concluded that the Afghan people had a strong desire for justice regarding past and current crimes, the Afghan government and international community should take action against known perpetrators, war criminals should be removed from positions of power, and there was a strong desire to document the truth of what has happened in Afghanistan.<sup>60</sup> However, despite these recommendations, no formal truth commission was ever established and the parliament passed an amnesty law in 2007, providing blanket immunity and pardoning former members of armed factions for war crimes and human rights abuses committed prior to December 2001.<sup>61</sup>

### 2.3 GOVERNMENT BODIES

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#### AFGHANISTAN INDEPENDENT HUMAN RIGHTS COMMISSION (AIHRC), EST. 2002

The AIHRC was established by presidential decree in June 2002. The Law on the Structure, Duties, and Mandate of the AIHRC was passed by presidential decree in 2005. (The first two lines are repetitive, it can be written in one sentence) The AIHRC functions independently within the framework of the GIROA with the objectives of: (1) monitoring the situation of human rights in the country; (2) promoting and protecting human rights; (3) monitoring the situation of and people's access to their fundamental rights and freedoms; (4) investigating and verifying cases of human rights violations; and (5) taking measures for the improvement and promotion of the human rights

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<sup>57</sup> Caroline Wadhams and Colin Cookman, "Assessing Peace Prospects in Afghanistan," 2010.

<sup>58</sup> Tarzeena Zajjad, "Peace at All Costs? Reintegration and Reconciliation in Afghanistan," Afghanistan Research and Evaluation Unit (AREU), October 2010, <http://www.areu.org.af/Uploads/EditionPdfs/1035E-Peace%20at%20all%20Costs%20IP%202010%20web.pdf>.

<sup>59</sup> "A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan," Afghanistan Independent Human Rights Commission, 2005, [http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29\\_1\\_05call4justice.pdf](http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29_1_05call4justice.pdf).

<sup>60</sup> Ibid.

<sup>61</sup> "Afghanistan – Repeal Amnesty Law: Measure Brought into Force by Karzai Means Atrocities Will Go Unpunished," Human Rights Watch, 10 March 2010, <http://www.hrw.org/news/2010/03/10/afghanistan-repeal-amnesty-law>.

situation in the country.<sup>62</sup> The Commission consists of nine male and female members appointed by the President for five years, including a Chairperson appointed by the President.<sup>63</sup>

The AIHRC has provincial branches in Kabul, Nangarhar, Gardez, Uruzgan, Helmand, Kandahar, Daikundi, Ghor, Bamyán, Badhakshan, Kunduz, Balkh, Faryab, and Herat.<sup>64</sup> Though the AIHRC is not formally mandated with addressing peace issues by law, nevertheless they are responsible for addressing the legacy of war crimes and often human rights issues overlap with peace, reintegration, reconciliation, formal and informal justice, and dispute resolution, including their formal role in the national consultations for 'A Call For Justice'. AIHRC continues to support transitional justice.<sup>65</sup>

## 2.4 PEACE, RECONCILIATION AND REINTEGRATION IN GOVERNMENT POLICIES

### ACTION PLAN OF THE ISLAMIC REPUBLIC OF AFGHANISTAN FOR PEACE, RECONCILIATION AND JUSTICE (2006)

Based on the findings of the AIHRC's report 'A Call for Justice,' the Executive office and UNAMA created the Action Plan of the Islamic Republic of Afghanistan for Peace, Justice, and Reconciliation, which was adopted by the Karzai cabinet in late 2005 as a four-year plan.<sup>66</sup> The Action Plan laid out five key activities including symbolic measures, institutional reform, truth seeking, reconciliation, and accountability measures.<sup>67</sup> It also rejected amnesty with justifications from international law and Islam.<sup>68</sup> It was publically launched in 2006, and was also included in the 2006 Afghanistan Compact and the 2008 Afghanistan National Development Strategy.<sup>69</sup> The deadline for implementing the plan was March 2009, but the government with the AIHRC and UNAMA committed to revisiting the Action Plan at the Kabul Conference in 2010 and was included in the National Priority Programme for Human Rights and Civic Responsibilities.<sup>70</sup> However, according to an update in 2012, the Action Plan had largely not

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<sup>62</sup> "Law on the Structure, Duties, and Mandate of the AIHRC," Islamic Republic of Afghanistan, 14 May 2005, [http://www.aihrc.org.af/media/files/Laws/Law\\_AIHRC.pdf](http://www.aihrc.org.af/media/files/Laws/Law_AIHRC.pdf).

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> Emily Winterthorn, "Healing the Legacies of Conflict in Afghanistan: Community Voices on Justice, Peace and Reconciliation," Afghanistan Research and Evaluation Unit, Synthesis Paper, January 2012, <http://www.areu.org.af/Uploads/EditionPdfs/1201E-Healing%20the%20Legacies%20of%20Conflict%20in%20Afghanistan%20SP%202011.pdf>.

<sup>66</sup> Zarin Hamid, "Security Council Resolution 1325: Civil Society Monitoring Report – Afghanistan," Global Network of Women Peacebuilders, n.g., [http://www.gnwp.org/sites/default/files/resource-field\\_media/Afghanistan.pdf](http://www.gnwp.org/sites/default/files/resource-field_media/Afghanistan.pdf).

<sup>67</sup> Emily Winterthorn, "Healing the Legacies of Conflict in Afghanistan," January 2012.

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

being implemented aside from creating the Presidential Special Advisory Board for Senior Appointments in 2007, a National War Victim's Day, and a conflict-mapping project by the AIHRC.<sup>71</sup>

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#### NATIONAL PRIORITY PROGRAM – HUMAN RIGHTS AND CIVIC RESPONSIBILITIES (2008)

The National Priority Program (NPP) 6 on Human Rights and Civic Responsibilities intended to introduce and implement a broad package of human rights and civic education programming, including the areas of peace and reconciliation through coordinated action by the government, CSOs, and mass media to raise public awareness on human rights and civic responsibilities.

It also noted the disconnect between formal justice institutions and local dispute resolution councils as impeding the implementation of human rights and civic responsibilities in Afghanistan, and committed the MoJ to continue working on a draft policy for linking formal justice institutions and local dispute resolution councils (see next section on the NPP on Justice). It also outlined IDLG's Afghan Social Outreach Program (ASOP) for bringing traditional tribal shuras and religious leaders closer to modern government structures. It furthermore outlined a plan for IDLG to work with AIHRC to create a series of workshops on peacebuilding, human rights and civic responsibilities to the newly formed committees under ASOP. According to USAID's final report on the ASOP program in 2012, 9,752 DCC members received a training course on Conflict Resolution, Peace Building, and Disaster Risk Reduction, though it is unclear what IDLG or AIHRC's role was in their design and implementation.<sup>72</sup> Another expected result of the NPP was the promotion of human rights and civic responsibilities among tribal, religious, and community-level civil society institutions, particularly for the informal adjudication of disputes.

The NPP also acknowledged a continued culture of impunity and lack of accountability, especially for past human rights violations, and lack of rule of law as undermining the demand of the Afghan people for justice, rule of law, and government accountability. It acknowledged that the GIROA had failed to implement the Action Plan on Peace, Reconciliation and Justice, and stated the intent to revisit the plan and other measures. It furthermore outlined a National Peace, Justice and Reconciliation Awareness Raising and Capacity Building Program to target leaders, NGOs, CSOs and the general public spearheaded by the AIHRC. This campaign was intended to include a research study by the AIHRC and HPC on linkages between justice, peace, accountability and the people; a workshop on the findings of this study to inform CSOs, advocates, and community leaders on the findings and recommendations; a public outreach campaign to be conducted by the government ministries.<sup>73</sup> AIHRC was mandated to work with the ministries and government institutions to develop strategic guidelines and an Action Plan to implement the campaign within three years. However, no such report or publication can currently be found on either the HPC or AIHRC's website; also there is no updated information on the capacity building and awareness program available; the Action Plan expired in March 2009 despite AIHRC request to the government to extend its timeline and it seems the plan was not revisited as planned.<sup>74</sup>

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<sup>71</sup> Ibid.

<sup>72</sup> "Afghanistan Social Outreach Program (ASOP): Final Report," USAID, January 2012, [http://pdf.usaid.gov/pdf\\_docs/pdact585.pdf](http://pdf.usaid.gov/pdf_docs/pdact585.pdf).

<sup>73</sup> "National Priority Program for Human Rights and Civic Responsibilities (NPP6)," Government of the Islamic Republic of Afghanistan and AIHRC, October 2011, <http://www.thekabulprocess.gov.af/images/npps/gov/gov-hr-and-civic-education.pdf>.

<sup>74</sup> Mariam Safi, "Is transitional justice a forgotten issue in Afghanistan?" *Transconflict*, 17 March 2014, <http://www.transconflict.com/2014/03/transitional-justice-forgotten-issue-afghanistan-173/>.



The goal of the NPP 5 on Law and Justice for All was “to restore the trust of Afghan citizens in the ability of the justice system to protect and defend their personal, economic, social and national interests through its demonstrated and faithful adherence to the rule of law.”<sup>75</sup> The NPP includes in its targeted outcomes traditional dispute resolution (TDR) mechanisms incorporated into the national justice approach in ways that conform to fundamental standards of fairness, human rights and enacted laws of Afghanistan. NPP acknowledged the necessity of demonstrating the formal justice system as an efficient avenue for resolving disputes to increase user satisfaction and confidence in the formal justice system.

The NPP includes a large section on TDR, addressing the prevalence of dispute resolution through community-based TDR mechanisms such as peace councils or shuras. It discussed MoJ efforts to establish a legal framework for the government to recognize decisions made by peace councils and to direct resources to ensure that decisions are made in compliance with laws and according to international human rights standards. It acknowledged the necessity of enabling legislation before the MoJ could interact more directly with TDR mechanisms, and put forth the *Huquq* as a good point for establishing government-TDR linkages, and asserted that efforts to register peace council decisions with local courts have been successful and should continue. The *Huquq* is a MoJ department that provides mediation, arbitration, and other dispute resolution services for non-criminal matters. Though much work was done on the Draft National Policy on Relations between the Formal Judicial System and Dispute Resolution Councils from 2008 to 2010,<sup>76</sup> but soon after the appointment of a new Minister of Justice in 2010 the work on the policy was discontinued and replaced by a new draft law that is still pending in the Ministry of Justice.<sup>77</sup>

The section also stated the need to raise awareness of community members about their rights under Sharia, formal law, and international treaties to increase public demand to improve the quality of peace council resolutions and decrease the number of decisions violating basic tenets of the law.<sup>78</sup> Some initiatives in this area appear to have been implemented, such as raising legal awareness of community religious leaders on laws, human rights and women’s rights and a public awareness campaign on the formal justice system and messaging on basic legal, human, and women’s rights in the Justice and human Rights in Afghanistan (JHRA) program implemented by UNDP.

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<sup>75</sup> “National Priority Program: Law and Justice for All (NPP5),” Government of the Islamic Republic of Afghanistan, Governance Cluster, 23 June 2013, <http://www.thekabulprocess.gov.af/images/npps/gov/GOV-NPP5-JFA.pdf>.

<sup>76</sup> Noah Coburn, “Informal Justice and the International Community in Afghanistan,” United States Institute of Peace, PeaceWorks, 2013, <http://www.usip.org/sites/default/files/PW84-Informal%20Justice%20and%20the%20International%20Community%20in%20Afghanistan.pdf>.

<sup>77</sup> “Justice & Governance in Eastern Afghanistan: Review of Government Engagement,” The Liaison Office (TLO), n.g., [http://www.tloafghanistan.org/2014%2001%2016%20Provincial%20%20Kabul%20Level-Government%20Engagement\\_formatted.pdf](http://www.tloafghanistan.org/2014%2001%2016%20Provincial%20%20Kabul%20Level-Government%20Engagement_formatted.pdf).

<sup>78</sup> “National Priority Program: Law and Justice for All (NPP5),” Government of the Islamic Republic of Afghanistan, June 2013.

The National Reconciliation, General Amnesty and National Stability Law was passed by Parliament in 2007, but was not confirmed publicly until 2010.<sup>79</sup> Despite the fact that President Karzai had promised not to allow such an act to pass, the bill was quietly published in the Afghanistan's national gazette in 2008, making it law. The law purports that it is "adopted for the purpose of strengthening the 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 enforced laws of the country."<sup>80</sup> While it calls on AOGs to join the peace process, it also provides blanket general amnesty to all political factions and hostile parties involved in any way in hostilities before establishing the Interim Administration.<sup>81</sup> It allows individuals to bring cases, but in the context of Afghanistan this is virtually inconceivable.<sup>82</sup> While this law largely applies to macro-level actors, it can generally be regarded as an obstacle to local-level peace and conflict issues in a number of ways by creating a serious trust deficit between Afghan citizens and the government.<sup>83</sup>

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<sup>79</sup> "Afghanistan Says it Enacted Law to Pardon Crimes," Reuters in The New York Times, 16 March 2010, [http://www.nytimes.com/2010/03/17/world/asia/17kabul.html?\\_r=0](http://www.nytimes.com/2010/03/17/world/asia/17kabul.html?_r=0).

<sup>80</sup> "National Reconciliation, General Amnesty, and National Stability Law," Government of the Islamic Republic of Afghanistan, n.g., <http://dkiafghanistan.um.dk/da/~media/dkiafghanistan/Documents/Other/National%20Reconciliation%20and%20Amnesty%20Law.ashx>.

<sup>81</sup> Ibid.

<sup>82</sup> "Afghanistan – Repeal Amnesty Law," Human Rights Watch, March 2010.

<sup>83</sup> Ibid.

### 3. THE AFGHANISTAN PEACE AND REINTEGRATION PROGRAM

#### 3.1 DEVELOPMENT OF THE APRP

The 'Programme Document' for the Afghanistan Peace and Reintegration Program (APRP) was issued by the Afghan National Security Council in July 2010, and was formally launched at a national consultative peace jirga comprising 1,600 participants in June 2010. APRP aims to 'promote peace through a political approach' and targets combatant foot soldiers and commanders who previously sided with armed opposition and extremist groups.<sup>84</sup> Emphasis is placed on the reasons that encouraged fighters to join the insurgency and the need for 'local agreements' and 'grievance resolution'.

The peace and reintegration process in Afghanistan includes a number of institutions, including the High Peace Council, Provincial Peace Committees, Provincial Governors, Provincial Joint Secretariat Teams, DDAs and CDCs. Therefore, at the community level, APRP is meant to work with existing bodies rather than creating new ones, and involves activities such as mapping and resolving grievances and implementing development projects meant to benefit both reintegrating insurgents and their communities.<sup>85</sup>

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#### NATIONAL PRIORITY PROGRAM – PEACE AND RECONCILIATION (2008)

The NPP on Peace and Reconciliation largely outlines the APRP. It states the objective of promoting peace through a political approach and outlines a plan to encourage regional and international cooperation, create political and judicial conditions for peace and reconciliation, and encouraging combatant foot soldiers and commanders to live within the laws of Afghanistan and join the peace and reintegration process. Its pillars include security; governance, rule of law and human rights; social and economic development.<sup>86</sup> This document outlines the coordination and M&E of APRP; APRP national strategic communications plan; political and social outreach, confidence building, and negotiation; demobilization process, transition assistance, and security; the Community Recovery Program; civic education, literacy and technical and vocational education and training; a plan to establish a Public Works Corps.<sup>87</sup>

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#### NATIONAL CONSULTATIVE PEACE JIRGA (2010)

Following the London Conference in 2010, President Karzai announced a plan to convene a Consultative Peace Jirga (NCPJ) to discuss the way forward for engaging the Taliban and armed opposition groups. The National Consultative Peace Jirga was convened from 2-4 June 2010 at the Loya Jirga Tent in Kabul with 1,600 delegates in 13 categories, including Members of Parliament, Provincial Council members, religious scholars, tribal leaders, civil society representatives, and Afghan refugees from Iran and Pakistan.<sup>88</sup> The Jirga was chaired by Professor

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<sup>84</sup> Steven A. Zyck, "Peace and Reintegration in Afghanistan."

<sup>85</sup> Ibid.

<sup>86</sup> "APRP Programme Document," National Security Council, July 2010.

<sup>87</sup> Ibid.

<sup>88</sup> "The National Resolution Adopted at the Conclusion of the National Consultative Peace Jirga," High Peace Council, 4 June 2010, [http://www.hpc.org.af/english/index.php?\\_\\_\\_option=com\\_content&view=article&id=28&Itemid=12&option=com\\_content](http://www.hpc.org.af/english/index.php?___option=com_content&view=article&id=28&Itemid=12&option=com_content).

Burhanuddin Rabani,<sup>89</sup> and the Taliban were not invited to participate.<sup>90</sup> Some criticized the NCPJ, asserting that the participants were handpicked by the government and did not adequately represent the Afghan people.<sup>91</sup> Others similarly noted that the jirga was dominated by “presidential appointees, former warlords and veterans of the anti-Soviet jihad period, many of whom are widely criticized for their abuses and corruption.”<sup>92</sup>

The jirga largely aimed at building domestic consensus on conditions for direct negotiations between the Afghan government and AOGs, including the Taliban, and building support for Karzai’s reintegration strategy.<sup>93</sup> The resulting resolution was divided into three parts: (1) Understanding, Negotiation and Agreement for Sustainable Peace; (2) Framework for Talks with the Disaffected; (3) Developing Mechanism for Negotiation with the Disaffected.<sup>94</sup> Among other recommendations, the resolution concluded that insurgents joining the peace process should be removed from the UN blacklist, a high commission should be established to pursue peace efforts with the Taliban, there should be greater investment in income opportunities and poverty reduction and Islamic education programs for all, and the government should guarantee the security of militants during peace talks and arrange for a better life for them afterwards.<sup>95</sup> Though the outcomes of the NCPJ received mixed reviews, most tangibly it endorsed the creation of the High Peace Council (HPC)<sup>96</sup> and legitimized the APRP program.<sup>97</sup>

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#### TRADITIONAL LOYA JIRGAS (2011 AND 2013)

A Traditional Loya Jirga was held in November 2011, to gain public support for signing the Strategic Partnership Agreement with the US and for discussing peace with the Taliban. The jirga was attended by 2,030 delegates, and reiterated a commitment to the APRP and recognized the need to revise the composition of the HPC, including reappointing members and reviewing its structure and size.<sup>98</sup> This jirga was also criticized for being dominated by government loyalists and not being a representative body.<sup>99</sup> Though the primary focus of the 2013 Traditional Loya

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<sup>89</sup> Ibid.

<sup>90</sup> Ann-Kristin Otto, “Afghanistan: Developings in Justice & Reconciliation,” Civil-Military Fusion Centre, 10 June 2010, [http://www.operationspaix.net/DATA/DOCUMENT/6346~v~Afghanistan\\_\\_Developments\\_in\\_Justice\\_\\_\\_Reconciliation\\_\\_Peace\\_Jirga\\_on\\_Reconciliation\\_May\\_2010.pdf](http://www.operationspaix.net/DATA/DOCUMENT/6346~v~Afghanistan__Developments_in_Justice___Reconciliation__Peace_Jirga_on_Reconciliation_May_2010.pdf).

<sup>91</sup> Ibid.

<sup>92</sup> Caroline Wadhams, ‘Afghanistan’s fluffy peace jirga,’ Foreign Policy, 4 June 2010, [http://southasia.foreignpolicy.com/posts/2010/06/04/afghanistans\\_fluffy\\_peace\\_jirga](http://southasia.foreignpolicy.com/posts/2010/06/04/afghanistans_fluffy_peace_jirga).

<sup>93</sup> Ibid.

<sup>94</sup> “The National Resolution Adopted at the Conclusion of the National Consultative Peace Jirga,” High Peace Council, June 2010.

<sup>95</sup> Ibid.

<sup>96</sup> Mariam Safi, “Afghan Peace Process: Are We On the Right Path?” Diplomatic Courier, 24 Jan 2013, <http://www.diplomaticcourier.com/news/regions/central-asia/386-the-afghan-peace-process-are-we-on-the-right-path>.

<sup>97</sup> Emily Winterbotham, ‘Healing the Legacies of Conflict in Afghanistan,’ January 2012.

<sup>98</sup> Ibid.

<sup>99</sup> Tom A. Peter, “Afghanistan ‘loya jirga’ endorses lingering US presence, but in what form?” The Christian Science Monitor, 20 November 2011, <http://www.csmonitor.com/World/Asia-South-Central/2011/1120/Afghanistan-loya-jirga-endorses-lingering-US-presence-but-in-what-form>.

Jirga was the Bilateral Security Agreement between the US and Afghanistan, the Loya Jirga members also demanded that the international community and the GIROA accelerate the Afghan-led peace process to bring peace and security throughout Afghanistan.

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#### HPC PEACE PROCESS ROADMAP TO 2015 (2010)

In 2012, the HPC released the Peace Process Roadmap to 2015 (Roadmap 2015), an ambitious document outlining a plan envisioning the Taliban, Hizb-e Islami and other armed insurgent groups in Afghanistan to give up armed opposition and be active participants in Afghanistan's political and constitutional processes, and all foreign troops to leave Afghanistan by 2015.<sup>100</sup> Roadmap 2015 includes provisions for incorporating the Taliban and other armed groups into peace talks, measures for balancing regional relations, in particular enhancing security ties with Pakistan, and a timescale for the peace process.

The document outlines a multi-step process. Step one, which was planned to be achieved by March 2012, was to continue to strengthen support for an Afghan-led and Afghan-owned peace process, focusing on security collaboration with Pakistan and other regional and international countries regarding Roadmap 2014. Step two, slated for the first half of 2013, was to help build momentum in the peace process by undertaking confidence building measures (referring to other countries, not the Afghan people), and taking steps to initiate a process of direct negotiations. Step 4, in the first half of 2014, was to consolidate the outcomes and agreements from direct negotiations between the Afghan government, the Taliban, and other AOGs to secure a peaceful end to conflict. Lastly, by 2015 step five is to expand regional and international cooperation in areas critical for the long-term security and sustainability of Afghanistan and the region.<sup>101</sup>

Roadmap 2015 has been criticized as unrealistic and for its strong focus on the Taliban. Notably, civil society and the Afghan public were not consulted in the development of Roadmap 2015, and involvement of the Afghan people is largely missing from the process outlined in the document, which focuses almost exclusively on macro-level actors. Despite Afghanistan entering a critical political and security transition phase, many of the provisions have not been achieved.<sup>102</sup>

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<sup>100</sup> "Peace Process Roadmap to 2015," High Peace Council, 2010.

<sup>101</sup> Ibid.

<sup>102</sup> Hannah Partis-Jennings and Marie S. Huber, 'Women, Peace and Security in Afghanistan: Looking Back to Move Forward', 2014, EQUALITY for Peace and Democracy, <http://www.epd-afg.org/wp-content/uploads/2014/03/WPS-paper.pdf>.

## 3.2 APRP STRUCTURE

### APRP GOAL, OBJECTIVES, PILLARS, AND PROGRAMS

The goal of the Afghan Peace and Reintegration Program is to “promote peace through a political approach. It will encourage regional and international cooperation, will create the political and judicial conditions for peace and reconciliation, and will encourage combatant foot soldiers and commanders, who previously sided with armed opposition and extremist groups to renounce violence and terrorism, to live within the laws of Afghanistan, and to join a constructive process of reintegration and peace.” Specifically, the objectives of APRP include: communicating and building confidence with Afghans, combatants, and communities; set the international, regional, national and local political and judicial conditions and support for peace and reintegration to occur; develop government and non-state capacity in assessment, demobilization, recovery, peacebuilding and conflict resolution, and leadership; deliver local security and freedom of movement guarantees for both communities and those who join the peace process; consolidate peace for all Afghans by assisting the transition of society from conflict to peace and provide access to services, employment, and justice.<sup>103</sup>

In the original Program Document, this was envisioned through three pillars: security; governance, rule of law, and human rights; social and economic development. The Security Pillar of APRP consists of providing security for villages and districts participating in the APRP through the MoI (ANSF) and ISAF/Coalition Forces. The second pillar—governance, rule of law, and human rights—focuses on ensuring the transparency of the APRP process and compliance with the Afghan Constitution, as well as coordination with the IDLG Afghanistan Social Outreach Program (ASOP) and District Delivery Program (DDP) and a social outreach plan led by the HPC. The Social and Economic Development Pillar outlines the development of a National Community Recovery Program as a component of the National Solidarity Program, and further facilitation through MRRD with the National Rural Access Program.<sup>104</sup>

### APRP STAGES

The APRP proposed a three-stage peace and reintegration process.

#### STAGE ONE: SOCIAL OUTREACH, CONFIDENCE BUILDING AND NEGOTIATION

In Stage One, provincial and district leaders were meant to conduct outreach to individuals and their communities that demonstrate intent to join the peace process and facilitate confidence-building activities, negotiations and grievance resolution among the GIRoA, communities, victims and ex-combatants. This stage was also meant to include the funding of technical and operational assistance for developing peacebuilding capacities at the national, provincial and district levels, assessments and surveys in priority areas, strategic communication, oversight, monitoring and evaluation, conflict and grievance resolution, and human rights monitoring.<sup>105</sup> The first phase involves peacebuilding capacity development of government institutions, subnational governance and outreach,

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<sup>103</sup> “APRP Programme Document,” National Security Council, July 2010.

<sup>104</sup> Ibid.

<sup>105</sup> Ibid.

and negotiation and grievance resolution. These grievances commonly deal with conflicts between insurgents and government institutions or local commanders, elders, or ethnic/tribal groups.<sup>106</sup>

Key to Stage One was the proposed APRP National Strategic Communications Plan, which was planned to mobilize the men, women and children of Afghan communities to support and enable the program and to motivate disenfranchised brothers to reintegrate into their communities. This was envisioned to be supported through a communications cell in the CEO of the Joint Secretariat to coordinate messaging and an APRP media campaign. It was meant to include mobilization, lobbying and networking, consolidation and promotion, and public dialogue.

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## STAGE TWO: DEMOBILIZATION

In Stage Two, those who have joined the peace process would be demobilized through a social and political process including an initial assessment, biometrics, vetting and weapons management and registration. It also includes immediate support (120USD/month for three months) and weapons management and community security activities. However, fighters are allowed to keep their weapons if they live in insecure areas or could face retaliation from other insurgents.<sup>107</sup> According to the “Amnesty Law” of 2009, once an individual formally agrees to live within Afghan law, accepts the Constitution, and renounces violence and terrorism, they are eligible to receive political amnesty. Once demobilized, the ex-combatant is registered in the APRP and should receive an identification card guaranteeing freedom of movement and freedom from arrest for past armed actions against the GIRoA. At this stage, some ex-combatants would simply return home, but in other cases reintegration would consider local security and consolidating peace and the process of community recovery.<sup>108</sup>

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## STAGE THREE: CONSOLIDATION OF PEACE

Finally, in Stage Three, following the political and security processes of stages one and two, a standard needs assessment would be implemented to assist communities, districts, and provinces to decide on conflict recovery options supported by the national programs of the executing ministries of the Joint Secretariat. The third stage comprises religious, literacy and vocational education, community recovery, Agriculture Conservation Corps and Public Works Corps involvement, and integration into the ANSF.<sup>109</sup> The APRP includes a Development Department, which is responsible for leading the planning and implementation of Community Recovery Projects.<sup>110</sup>

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<sup>106</sup> “APRP Development Department,” High Peace Council, 2011, [http://www.hpc.org.af/english/index.php?option=com\\_content&view=article&id=90&Itemid=49](http://www.hpc.org.af/english/index.php?option=com_content&view=article&id=90&Itemid=49).

<sup>107</sup> Ibid.

<sup>108</sup> “APRP Programme Document,” National Security Council, July 2010.

<sup>109</sup> Ibid.

<sup>110</sup> “APRP Development Department,” High Peace Council, 2011.

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## LINE MINISTRY SUPPORT

This three-stage approach was planned to be supported by a number of programs through various line ministries. This included coordination with other programs such as ASOP, the Performance Based Governor's Fund, and the Afghanistan Stabilization Program managed by IDLG. It also included the National Community Recovery Program, which initially targeted 4,000 villages in 220 districts to support community recovery and provide needed resources and livelihoods opportunities. This program is aligned with MRRD and its National Solidarity Program (NSP), coordinating with Community Development Councils (CDCs) at the local level.

The APRP was also aligned with the Civic Education, Literacy and Technical and Vocational Education and Training (TVET), to transform ex-combatant into respected members of society by teaching moral, religious, and vocational skills to support their reintegration and contribution to building peaceful communities. This area included roles for service delivery ministries including the Ministry of Education (MoEd), Ministry of Labor, Social Affairs, Martyrs and the Disabled (MoLSAMD), Ministry of Agriculture, Irrigation and Livestock (MAIL), Ministry of Public Works (MoPW), and MRRD.

This phase also outlines the creation of a Public Works Corps to provide skills, training, and employment opportunities for ex-combatants and their communities. The priority would be to provide trained workers for infrastructure projects aligned with priorities from the ANDS, such as road construction and maintenance, construction of bridges and culverts, and emergency response. As such, it was linked to the Ministry of Transport (MoT), MoPW, and the MRRD National Rural Access Program (NRAP).<sup>111</sup>

Additionally, MAIL and MRRD outlined a plan to rehabilitate the agrarian and natural resources sector through a national Agriculture Conservation Corps (which was established in 2003)<sup>112</sup> and Community-Based Natural Resources Management. These activities were meant to support reforestation, rehabilitation of watersheds, irrigation infrastructure, grazing and range land, providing training and employment opportunities, improve food security, and building community and institutional capacities to manage natural resources.<sup>113</sup>

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<sup>111</sup> "APRP Development Department," High Peace Council, 2011.

<sup>112</sup> Kangying Guo, "Thousands benefit from pistachio farms in Afghanistan," One World South Asia, 29 January 2010, <http://southasia.oneworld.net/news/thousands-benefit-from-pistachio-farms-in-afghanistan#.VRXG0ZFfYg0>.

<sup>113</sup> "APRP Programme Document," National Security Council, July 2010.



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## APRP BODIES

APRP Joint SecretariatThe Joint Secretariat is the main coordination, oversight and monitoring body of the APRP. According to the APRP Programme Document, the Joint Secretariat is managed by a CEO with the assistance of three Deputy CEOs for: administration and logistics; program delivery; local conflict resolution and reconciliation. ISAF and UNAMA are participants in the Joint Secretariat to provide support on information, security operations, strategic communications, and government delivery down to the local level.<sup>114</sup> The Joint Secretariat is meant to provide support and information to both the CEO and the HPC.<sup>115</sup>

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## INTERNATIONAL ACTORS

The primary role of ISAF was envisioned as providing the GIRoA assistance in improving security, and the UN in mobilizing political, technical, financial and diplomatic support behind the Afghan-led APRP.

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## HIGH PEACE COUNCIL

The High Peace Council (HPC) is comprised of 70 members appointed by presidential decree, and is structured with a General Assembly, Executive Body, Special Committees, and the Secretariat.<sup>116</sup> The HPC is meant to advise the president and oversee the implementation of the APRP and progress towards reintegration of ex-combatants. It was meant to seek to represent the views of all Afghans and provide political and strategic leadership to the program. It should include state and non-state actors, women and minorities, military, civilian and respected individuals, including representation from both Afghan Houses of Parliament. The HPC was formed with space for existing and potential reconciles, contingent upon their acceptance of the laws of Afghanistan.<sup>117</sup>

There has been wide speculation that the High Peace Council (HPC) might be ended with the new administration. However, over six months into the new administration there is no update on this speculation, though the US-Afghanistan Joint Statement from March 2015 outlines plans for the US to provide continued financial support for the APRP program, but makes no mention of the HPC.<sup>118</sup> Furthermore, the HPC has largely been excluded from President Ghani's recent efforts to initiate peace talks with the Taliban.<sup>119</sup>

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<sup>114</sup> Ibid.

<sup>115</sup> Ibid.

<sup>116</sup> "The First Principles of Internal Duties for the High Peace Council," Islamic Republic of Afghanistan, The High Peace Council Secretariat, October 2010, <https://ronna.apan.org/FRIC/APRP%20Policy%20Documents%20Structures%20and%20SOPs/The%20High%20Peace%20Council%20ToRs.pdf>.

<sup>117</sup> "APRP Programme Document," National Security Council, July 2010.

<sup>118</sup> "US-Afghanistan Joint Statement," The White House, Office of the Secretary, 24 March 2015, <https://www.whitehouse.gov/the-press-office/2015/03/24/us-afghanistan-joint-statement>.

<sup>119</sup> Shashank Bengali and Ali M. Latifi, "Afghan president pursues peace with Taliban—his way," Los Angeles Times, 22 March 2015, <http://www.latimes.com/world/afghanistan-pakistan/la-fg-afghanistan-ghani-us-20150322-story.html>.

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## PROVINCIAL PEACE COMMITTEES AND PROVINCIAL JOINT SECRETARIAT TEAMS

Most of APRP implementation occurs at the subnational level under the provincial governors and Provincial Peace Councils (PPCs), which consist of 25-30 members appointed by the provincial governor, at least two of which are women. These were meant to include members of the Provincial Council, departments of line ministries, ANA, ANP, NDS, Ulema, and other influential leaders, including civil society and elders. The Committee is meant to use their connections to initiate political and social outreach to combatant groupings and to conduct negotiations leading to demobilization. Governors are meant to direct security and development activity in support of reintegration through the security and provincial development committees.<sup>120</sup>

The PPCs are supported by Provincial Joint Secretariat Teams (PJSTs), which are responsible for implementing reintegration at the provincial level, working with district- and community-level bodies like the Community Development Councils (CDCs).

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## FINANCIAL OVERSIGHT COMMITTEE

The Financial Oversight Committee (FOC) is tasked with ensuring transparency and accountability of donor funds. It comprises the Minister of Finance, the APRP CEO, the Minister of Agriculture, Irrigation and Livestock, and two donor representatives. The FOC is responsible for all decisions regarding the allocation of P&RTF funds, and should meet at least quarterly. The MoF established a Financial Oversight Committee Secretariat (FOCS) based in the Ministry of Finance to provide support to the FOC.<sup>121</sup>

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## EXECUTING MINISTRIES

The APRP is a proposal by the National Security Council on behalf of the executing ministries of the Joint Secretariat for Peace and Reintegration: Ministry of Interior (MoI); Ministry of Defense (MoD); National Directorate of Security (NDS); Independent Directorate of Local Governance (IDLG); Government Media Information Centre (GMIC); Ministry of Border and Tribal Affairs (MoBTA); Ministry of Hajj and Religious Affairs (MoHRA); Ministry of Education (MoEd); Ministry of Rural Rehabilitation and Development (MRRD); Ministry of Agriculture, Irrigation and Livestock (MAIL); Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAMD); the Ministry of Public Works (MoPW), as well as the Demobilization and Reintegration Commission.<sup>122</sup> Provincial and District Governors will play a pivotal role in coordinating the support of the line ministries with local peace and reintegration processes.

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<sup>120</sup> "APRP Programme Document," National Security Council, July 2010.

<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

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## FINANCING

The APRP is financed through the Peace and Reintegration Trust Fund (P&RTF). Funding can be released to line ministries, provincial, district, and community governance mechanisms, and to civil society groups. Funding is subject to the approval of implementation plans and budgets from the CEO of the Joint Secretariat, and budgets are submitted to the Financial Oversight Committee for disbursement of funds.<sup>123</sup>

The P&RTF consists of three windows. Window A allows contributions to a Ministry of Finance Special Account and to the Afghanistan Reconstruction Trust Fund. Window B channels resources through UNDP. Window C is managed by a private trustee, and payments are made to the Afghan Central Bank, commercial banks, or other recipients as required for the purposes of the program.<sup>124</sup> Payments through each of these windows can only be made under the instruction of the Financial Secretariat, under the direction of the Financial Oversight Committee.<sup>125</sup>

Donors include Denmark, Germany, Italy, Japan, Japan Supplementary, the Netherlands, South Korea, Spain, and UNDP interests.<sup>126</sup> The United States provides support to APRP through contributions to community recovery efforts administered by the World Bank.<sup>127</sup>

### 3.3 APRP UNDER THE NATIONAL UNITY GOVERNMENT

Under the National Unity Government, the GIRoA has decided to focus its peace program on high-level reconciliation and negotiation in efforts to reach a peace agreement, with a vision of building peace through a political solution, promoting dialogue, and taking necessary measures to reintegrate armed groups. The APRP Technical Committee approved a strategy for this approach in November 2014, consolidating this approach with support from the APRP donors. APRP will continue to focus on consolidating its achievements through efforts at two levels: 1) pursue dialogue at the political level for reaching peace settlement with Taliban and other insurgent groups, including initiatives to create conditions for direct peace negotiations and promote national, regional and international support for Afghan led peace process and 2) continue as the Government's most viable institution for facilitating the reintegration of armed groups.<sup>128</sup> Contrary to the speculation of an overhaul of the peace process from the National Unity Government, aside from excluding the HPC, this approach is consistent with the largely political-level engagement of previous efforts and the general focus of the HPC.

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<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> Ibid.

<sup>126</sup> "Afghanistan Peace and Reintegration Programme (APRP)," United Nations Development Programme, 2015, [http://www.af.undp.org/content/afghanistan/en/home/operations/projects/crisis\\_prevention\\_and\\_recovery/aprp.html](http://www.af.undp.org/content/afghanistan/en/home/operations/projects/crisis_prevention_and_recovery/aprp.html).

<sup>127</sup> "Report to the United States Congress," Special Inspector General for Afghanistan Reconstruction (SIGAR), 30 January 2014, <http://www.sigar.mil/pdf/quarterlyreports/2014-01-30qr-section3-governance.pdf>.

<sup>128</sup> "Afghanistan Peace and Reintegration Programme (APRP)," UNDP, 2015.

The Afghanistan Peace and Reintegration Programme (APRP) Plan and Strategy for 2015 defined the focus and expected impact of APRP in 2015 and beyond, and extended the current phase of APRP through December 2015 to provide time for the new leadership to provide input for future peace and reconciliation efforts.<sup>129</sup>

### 3.4 SUCCESSES, SHORTCOMINGS, AND LESSONS LEARNED

#### ACHIEVEMENTS

Prior to addressing the multiple weaknesses and shortcomings of peace processes and APRP, it is important to acknowledge the successes and lessons learned to build on in future efforts.

#### ACCOMPLISHMENTS IN NUMBERS

According to UNDP, who operate the Support Project for the APRP, as of 31 December 2014 key accomplishments of the APRP includes:

- 9,512 former combatants have renounced violence, including local commanders and leaders.
- 9,320 former combatants have received livelihood support through transitional financial assistance.
- 156 Small Grants Projects have been implemented and 130 projects have been completed. The projects are designed to provide livelihood assistance to former combatants and to reach out to more than 181,939 beneficiaries in communities around the country.
- 820 former insurgents and 1,058 community members in eight provinces work on road maintenance jobs provided by the MoPW.
- 1,965 former insurgents and 3,435 community members (2,220 male and 1,215 female) in 20 provinces have benefited from vocational training projects.
- 805 former insurgents and 2,867 community members in nine provinces were provided by with labor opportunities implemented by MAIL generated by 57 reforestation projects, 1200 Ha of land in pistachio projects, and 55 irrigation projects.

According to the 2014 Annual Report, 1,806 reintegrees were biometrically enrolled in 2014, totaling 9,512 since 2011. 871 key commanders had been brought into the APRP process, and there were 851 ongoing negotiations. 7,332 weapons had been collected and registered. In total, since the start of APRP, 9,320 Transitional Assistance Packages have been delivered.<sup>130</sup>

<sup>129</sup> "Afghanistan Peace and Reintegration Programme (UNDP Support): 2014 Annual Project Progress Report," United Nations Development Programme, 2014, <http://www.af.undp.org/content/dam/afghanistan/docs/crisisprev/APRP/APRP-APR-2014.pdf>.

<sup>130</sup> "APRP 2014 Annual Project Progress Report," United Nations Development Programme, 2014.

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## AWARENESS RAISING

One strong point of the APRP is the relatively high level of awareness of the program among Afghan people. As early as the beginning of 2012, a survey conducted by PTRO in a sample of provinces from all regions of Afghanistan found that 76% of men and 65% of women had heard of APRP, with little difference between respondents from district centers and those in outlying districts. Additionally, a study on public awareness of APRP conducted by UNDP in 2013 indicated that most Afghans have heard of APRP.<sup>131</sup> This can be attributed to both government actors and civil society efforts to raise awareness regarding the peace process. In 2014, PPCs conducted and recorded over 200 outreach activities, including elections-related activities.<sup>132</sup> Despite women's limited role in national-level peace processes, in 2014, the Women's Committee of the HPC initiated a campaign through the High Peace Council called "Afghan Women's Call for Ceasefire and Peace." According to Golalei Nur Safe, a member of parliament, women went door to door and arranged meetings between women. Hundreds of women volunteered to take signatures and more than 300,000 signatures were collected for presentation to UNAMA, President Karzai, UN Secretary General Ban Ki-moon, and Taliban representatives.<sup>133</sup>

There have also been a number of efforts outside the formal APRP program, such as the Afghan People's Dialogue on Peace initiative undertaken by thirteen civil society organizations and the AIHRC, which aimed to empower people by raising awareness among the Afghan population about peace and reconciliation processes, ensure that people's legitimate grievances, concerns and aspirations are heard, amplified and incorporated by policy-makers into all processes and plans for achieving sustainable peace in Afghanistan.<sup>134</sup> There have been considerable efforts to raise awareness of the peace process among women and promote their involvement, such as through trainings and workshops from organizations such as AWN, N-Peace, and EPD, among others. Additionally, extensive research on the peace process from Afghan civil society has furthered awareness raising on the APRP program. These efforts have been largely supported by the international community.

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## UNDERSTANDING REASONS FOR REINTEGRATING

The APRP and preceding peace and reintegration efforts have provided valuable insights on the reasons for reintegrating. In a 2011 RAND study, of 36 instances where insurgents left an armed group and reintegrated before APRP, at least three main factors were identified with the potential to increase the probability of reintegration: (1) increasing the perception of winning at the national level and especially at the local level, (2) utilizing coercion, and (3) addressing grievances. Of the 36 instances studied, 36% reintegrated because they believed the Taliban or other groups were losing the war, at least in their specific area. In 33%, coercion was a critical factor. However, in

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<sup>131</sup> "Afghan reintegration scheme in the spotlight," Integrated Regional Information Networks (IRIN), 4 June 2013, <http://www.refworld.org/docid/51b5b1844.html>.

<sup>132</sup> "APRP 2014 Annual Project Progress Report," United Nations Development Programme, 2014.

<sup>133</sup> "Women's wing of Afghan peace council launches signature campaign calling for ceasefire and peace," United Nations Assistance Mission in Afghanistan, 2014, <http://unama.unmissions.org/Default.aspx?ctl=Details&tabid=12254&mid=15756&ItemID=37691>.

<sup>134</sup> "Afghan People's Dialogue on Peace: Laying the Foundations for an Inclusive Peace Process," December 2011, <http://mfa.gov.af/Content/files/People's%20Dialogue%20FINAL%20report.pdf>.

71% of these cases, combatants reintegrated because of grievances, where Afghan and ISAF units addressed key grievances or effectively exploited grievances that had surfaced among or between insurgents/insurgent groups.<sup>135</sup>

According to the SOP and vetting procedures for APRP, vetting of ex-combatants is done to determine not only eligibility, but also motivations for reintegration. While there appears to be no publicly available resources from APRP on the key motivations for reintegration among APRP participants, and the issues with monitoring and vetting noted below cast reasonable doubts, there is a chance that meaningful analysis and publication of such information could help inform improved reintegration efforts moving forward.

Though perhaps not a strength of the APRP, much of the rationale for the program was based on the simple (and generally not credibly substantiated) belief that many insurgents choose to fight for economic reasons, and economic incentives would persuade them to give up fighting and choose reintegration.<sup>136</sup> However, the limited success of APRP has exposed the limitations of this rationale, which has been further exposed in recent research such as the 2015 report published by Mercy Corps which found that injustice, rather than unemployment or economic hardship, is a key contributor to youth engagement in conflict, drawing on three country case studies, including Afghanistan.<sup>137</sup> Without advocating for reckless trial and error approaches to peacebuilding, APRP has at least exposed and corroborated the identification of the limitations of a purely economically based analysis of insurgent motivations and potential strategies for encouraging reintegration.

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## WEAKNESSES AND LIMITATIONS

There was a mid-term evaluation of the APRP in 2013, though it is currently unpublished and was not reviewed for this desk study.<sup>138</sup> However, an aid performance report from the Australian government acknowledged that the APRP evaluation found that overall the APRP had not been performing well. There are major delays in the implementation of community development projects due to poor budget execution and project management, with minimal reporting on project outcomes. There were also concerns expressed by stakeholders regarding recidivism and that reintegrees tracking are not comprehensive. Recommendations from the evaluation included the need to deliver disengagement training to reintegrees in order to facilitate long-term reintegration.<sup>139</sup> According to some analysis, PTS and APRP have had even less impact on Taliban networks than DIAG and DDR had on former AMF networks.<sup>140</sup>

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<sup>135</sup> Seth G. Jones, "Reintegrating Afghan Insurgents," RAND National Defense Research Institute, 2011, [http://www.rand.org/content/dam/rand/pubs/occasional\\_papers/2011/RAND\\_OP327.pdf](http://www.rand.org/content/dam/rand/pubs/occasional_papers/2011/RAND_OP327.pdf).

<sup>136</sup> Matt Wladman, "Golden Surrender? The Risks, Challenges, and implications of Reintegration in Afghanistan," Afghanistan Analysts Network, 2010, [http://www.afghanistan-analysts.org/wp-content/uploads/downloads/2012/10/2010\\_AAN\\_Golden\\_Surrender.pdf](http://www.afghanistan-analysts.org/wp-content/uploads/downloads/2012/10/2010_AAN_Golden_Surrender.pdf).

<sup>137</sup> "Youth and Consequences: Unemployment, Injustice and Violence," Mercy Corps, 2015, [https://www.mercycorps.org/sites/default/files/MercyCorps\\_YouthConsequencesReport\\_2015.pdf](https://www.mercycorps.org/sites/default/files/MercyCorps_YouthConsequencesReport_2015.pdf).

<sup>138</sup> Deedee Derksen, "Reintegrating Armed Groups in Afghanistan: Lessons from the Past," United States Institute of Peace, Peace Brief 168, 7 March 2014, <http://www.usip.org/sites/default/files/PB168-Reintegrating-Armed-Groups-in-Afghanistan.pdf>.

<sup>139</sup> "Aid Program Performance Report 2012-13: Afghanistan," Australian Government, Department of Foreign Affairs and Trade, 2013, <http://www.dfat.gov.au/about-us/publications/Documents/afghanistan-appr-2012-13.pdf>.

<sup>140</sup> Deedee Derksen, "Reintegrating Armed Groups in Afghanistan," March 2014.

## CAPACITY

Capacity issues created long delays in APRP implementation. Establishing local infrastructure such as bank accounts, the PPCs, and support teams took longer than scheduled. By May 2011, though the government had received USD 133 million of the funding committed for reintegration, they had only spent just under USD 8 million.<sup>141</sup> According to a 2013 report, only USD 63 million of the more than USD 176 million set aside for the program had been spent so far.<sup>142</sup> According to the 2014 annual report from UNDP, in 2014 only two FOC meetings were held compared to the required quarterly basis, and the final FOC did not take place though this was largely due to the difficult ongoing political transition at the time. The FOCs prepared and submitted monthly liquidation financial reports to UNDP for all on-budget line ministries for the entire year, and 80% of Trust Fund reports were submitted on time. The execution rate in 2014 for the budget of APRP programs under all outputs was 75%,<sup>143</sup> which while still indicating one fourth of the budget unspent can generally be perceived as positive compared to the overall budget execution rates of the Afghan government in 1393 of 66% of the operating budget and 35% of the development budget.<sup>144</sup>

Though the APRP was launched in 2010, by May 2011, there was still no finalized standard operating procedure (SOP) for vetting potential fighters to reintegrate and ISAF was still in the process of developing the Reintegration Tracking and Monitoring Database. Though the SOP and vetting procedures were introduced in mid-2011 according to the UNDP third quarter 2011 report, there are still widely noted concerns regarding the rigor and transparency of the vetting process to exclude known human rights violators without accountability. In July 2011 the HPC adopted some recommendations from OHCHR/UNAMA regarding the vetting process,<sup>145</sup> though in January 2013 UNAMA observed that the vetting process still was sometimes not applied until late in the reintegration phase of the program rather than the initial stage,<sup>146</sup> and due to the protections of the Amnesty Law and lack of political will, combatants who are reintegrated are still not adequately vetted for human rights abuses. Though there is some indication that the Reintegration Tracking and Monitoring Database are functional,<sup>147</sup> there is little information about what it contains or how it is maintained, and its effectiveness.

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<sup>141</sup> Deedee Dirksen, "Impact or Illusion? Reintegration under the Afghanistan Peace and Reintegration Program," United States Institute for Peace, Peace Brief 106, 22 September 2011, <http://www.usip.org/sites/default/files/PB%20106.pdf>.

<sup>142</sup> "Afghan reintegration scheme in the spotlight," IRIN Asia, 4 June 2013, <http://www.irinnews.org/report/98154/afghan-reintegration-scheme-in-the-spotlight>.

<sup>143</sup> "APRP 2014 Annual Project Progress Report," United Nations Development Programme, 2014.

<sup>144</sup> Marie S. Huber, Maurits Rade, and Shamsia Noori, "Independent Review of Afghanistan 1394 Draft National Budget," EQUALITY for Peace and Democracy, November 2014, [http://www.epd-afg.org/wp-content/uploads/2014/03/1394-Budget-Snapshot\\_English.pdf](http://www.epd-afg.org/wp-content/uploads/2014/03/1394-Budget-Snapshot_English.pdf).

<sup>145</sup> "UNHCR Eligibility Guidelines for Assessing the International Protection needs of Asylum Seekers from Afghanistan," United Nations Commissioner for Refugees, 6 August 2013, [http://www.unhcr.ch/fileadmin/infolegales/1\\_droit\\_des\\_refugies/6\\_information\\_sur\\_payes/6\\_2\\_asie/frz\\_afghanistan\\_eligibility\\_guidelines.pdf](http://www.unhcr.ch/fileadmin/infolegales/1_droit_des_refugies/6_information_sur_payes/6_2_asie/frz_afghanistan_eligibility_guidelines.pdf).

<sup>146</sup> "Report of the United Nations High Commissioner for Human Rights on situation of human in Afghanistan," United Nations General Assembly, Human Rights Council, 28 January 2013, <http://www.ohchr.org/Documents/Countries/AF/A-HRC-22-37.pdf>.

<sup>147</sup> "Report to the United States Congress," SIGAR, January 2014.

Compounding these capacity issues, UNDP has noted issues in capacity development approaches where training impacts were weakened where materials did not match participant needs or profiles.<sup>148</sup> Capacity constraints were still identified in the risk log of the 2014 annual report from UNDP, acknowledged as a high probability at the provincial level.<sup>149</sup> Capacity will also likely become an issue as the APRP cells in the line ministries are being closed and community recovery APRP activities will be absorbed into regular programs, given noted constraints regarding PFM capacities, especially at the program level across the line ministries and at the subnational level, though Small Grants Projects (SGPs) will continue to be implemented directly by the PJSTs.<sup>150</sup>

## HPC AND PPC MEMBERSHIP

The HPC met opposition from civil society, as many of its members were alleged to have committed war crimes and human rights violations, and have questionable records in the area of peacemaking.<sup>151</sup> Of the 70 members appointed in 2010, 53 formerly or currently were linked to political groups that were armed factions involved in the civil wars of the 1980s-90s, 13 with links to Hezb-e Islami and 8 with links to Jamiat-e Islami/Shua-ye Nazar.<sup>152</sup> 12 HPC members held positions in the Taliban Emirate's government between 1996 and 2001.<sup>153</sup> It has also been criticized as not being representative of the views of Afghan people.<sup>154</sup>

Similarly, the HPC and PPC are viewed with skepticism by many Afghans, who feel that the members have questionable backgrounds or they lack capacity, or are corrupt or motivated by personal gain.<sup>155</sup> In a public statement in 2011, civil society groups stated that HPC members have "better experience in war rather than peace." Even the head of the Joint Secretariat of the HPC acknowledged that there are people involved in the peace process who are associated with past violence.<sup>156</sup> In a 2014 report, public perception still holds that APRP is led by individuals with a vested interest in the actual continuation of conflict for personal gain.<sup>157</sup>

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<sup>148</sup> "Afghanistan Peace and Reintegration Programme (UNDP Support): 2013 Annual Project Progress Report," United Nations Development Programme, 2013, <http://www.af.undp.org/content/dam/afghanistan/docs/crisisprev/APRP/APRP-APR-2013.pdf>.

<sup>149</sup> "APRP 2014 Annual Project Progress Report," United Nations Development Programme, 2014.

<sup>150</sup> Marie S. Huber, Maurits Rade and Shamsia Noori, "Independent Review of Afghanistan 1394 National Budget," 2014.

<sup>151</sup> Emily Winterbotham, "Healing the Legacies of Conflict in Afghanistan," January 2012.

<sup>152</sup> Thomas Ruttig, 'The Ex-Taliban on the High Peace Council,' Afghanistan Analysts Network, 2010, [http://www.afghanistan-analysts.org/wp-content/uploads/downloads/2012/10/20101020TRuttig\\_ExT\\_in\\_HPC.pdf](http://www.afghanistan-analysts.org/wp-content/uploads/downloads/2012/10/20101020TRuttig_ExT_in_HPC.pdf).

<sup>153</sup> Ibid.

<sup>154</sup> Ibid.

<sup>155</sup> Hannah Partis-Jennings and Marie S. Huber, "Women, Peace and Security in Afghanistan," EQUALITY for Peace and Democracy, August 2014.

<sup>156</sup> Patricia Grossman, "Afghan High Peace Council Fails to Reflect Civil Society," United States Institute of Peace, Peace Brief 74, 10 January 2011, [http://www.usip.org/sites/default/files/PB74-Afghan\\_High\\_Peace\\_Council\\_Fails\\_to\\_Reflect\\_Afghan\\_Civil\\_Society.pdf](http://www.usip.org/sites/default/files/PB74-Afghan_High_Peace_Council_Fails_to_Reflect_Afghan_Civil_Society.pdf).

<sup>157</sup> "Afghan People's Dialogue on Peace: Building the Foundations for an Inclusive Peace Process," June 2014, [http://unama.unmissions.org/Portals/UNAMA/human%20rights/Eng\\_%20Report%20-%20Afghan%20Peoples%20Dialogues.pdf](http://unama.unmissions.org/Portals/UNAMA/human%20rights/Eng_%20Report%20-%20Afghan%20Peoples%20Dialogues.pdf).



Corruption is not only an issue with the HPC, but also with the PPCs at the provincial level. According to one report from a former reintegrees in Faryab, the PPC asked the reintegrees to tell the media that he had less weapons than he was actually surrendering so that they could take them for themselves.<sup>158</sup> It was also observed in Helmand province that PPC members are extremists and unreliable guarantors for peace for the people.<sup>159</sup> These mistrusting views of PPC members are not an exception, but rather the norm in a country where one person's mujahid is another's war criminal and many of those involved in the peace process have former or current links to various alliances or armed groups. Similarly, other reports have noted that district and community representatives perceive the PJSTs as purely political platforms that have no skill in conflict analysis.<sup>160</sup> APRP Monitoring Agent findings found that some PJST and PPC leaders have additionally used community development projects for personal gain and to the benefit of only certain parts of the community, which has caused or exacerbated local conflict and further damaged the reputation of the PJSTs and PPCs.<sup>161</sup>

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### QUALITY OF REINTEGREE ENGAGEMENT WITH APRP

There have been multiple reports that those joining the APRP were not "real Taliban." Rather, many are reported to be members of other freelance illegal armed groups, or have connections to APRP organizers.<sup>162</sup> This speculation is compounded by the fact that as of 2011, 85 percent of reintegration had occurred in provinces where the insurgency was less intense.<sup>163</sup> Those who joined the program in the early stages included a group of 100 reintegrees who presented themselves as Hizb-I Islami that sought to join APRP after losing a battle against the Taliban in the area, and another 100-160 reintegrees were from a pro-government unit, who reintegrated in order to enlist in the ALP.<sup>164</sup>

According to one analysis, this is because despite the HPC approaching Taliban leaders, without a political strategy inclusive of talks with insurgent leaders, mid-level commanders were reluctant to join the peace process out of loyalty or risk of assassination by former comrades.<sup>165</sup> Again, the observation is noted that many APRP participants are not Taliban but rather criminals or self-defense groups, and there has been little footprint in the south and southeast, the core of the insurgency.<sup>166</sup>

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<sup>158</sup> Ibid.

<sup>159</sup> Ibid.

<sup>160</sup> Karim Merchant and Ghulam Rasoul Rasouli, "Afghanistan: Local governance, national reconciliation and community reintegration," Accord, Issue 25, 82-85, [http://www.c-r.org/sites/default/files/accord25\\_Afghanistan.pdf](http://www.c-r.org/sites/default/files/accord25_Afghanistan.pdf).

<sup>161</sup> "2APRP 014 Annual Project Progress Report," United Nations Development Programme, 2014.

<sup>162</sup> "Afghan reintegration scheme in the spotlight," IRIN Asia, June 2013.

<sup>163</sup> Deedee Dirksen, "Impact or Illusion?" 2011.

<sup>164</sup> Ibid.

<sup>165</sup> Deedee Derksen, "Reintegrating Armed Groups in Afghanistan," March 2014.

<sup>166</sup> Ibid.

According to the UNDP reports, sometimes reintegrees surrender unserviceable weapons, and security ministries sometimes swap serviceably weapons with dysfunctional ones.<sup>167</sup> Despite the fact that the APRP is in its fourth year, UNDP acknowledges that there is still a “lack of depth” of information on AGEs and their weapons prior to reintegration.<sup>168</sup> According to one civil society activist, in the APRP process “Many insurgents view it as a joke: they sign up for the process, hand in a useless old gun, get some money, keep a low profile for a few months and then re-join the insurgency.”<sup>169</sup>

According to a 2011 report, many reintegrees have been admitted into the Afghan Local Police (ALP).<sup>170</sup> By many accounts, this has amounted to the empowerment of local militias, and created new problems due to the lack of accountability.<sup>171</sup> This issue is also viewed as offering rewards to insurgents and legitimizing combatants and local militias through formal state mechanisms.<sup>172</sup>

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## INABILITY TO GUARANTEE SECURITY OF FORMER FIGHTERS

Reintegrees have complained of threats from multiple sources, including harassment and threats from the Afghan government when attempting to join the peace process, threats from the Taliban, and threats from arbaki and government-backed militia such as the ALP.<sup>173</sup> According to a 2011 report, though some commanders were in safe houses and others had returned to their villages, the program did not yet have any systematic way of protecting them.<sup>174</sup> In the UNDP 2014 Annual report, it was acknowledged that due to the unavailability of funds and safe houses, the APRP is still unable to support reintegrees who are unable to return to their homes for extended periods of time.<sup>175</sup> However, given the aforementioned capacity constraint regarding the execution rate of APRP funding, the excuse of unavailability of funds seems over-exaggerated. This issue has a multitude of related consequences. In the first instance, it disincentivizes participation in APRP. Even when combatants do seek participation in the peace process despite lack of confidence in the government’s ability to provide their security, combatants are generally on their own once they leave urban areas. Because of this, many want to remain in safe houses, which are insufficient to accommodate the need of combatants already involved in the program, let alone any increase in APRP participation. Previous research has noted that many reintegrees want to move their families to urban areas, but are deterred by lack of employment opportunities and high cost of living, so often the

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<sup>167</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

<sup>168</sup> Ibid.

<sup>169</sup> “Afghan People’s Dialogue on Peace: Building the Foundations for an Inclusive Peace Process,” June 2014.

<sup>170</sup> Deedee Dirksen, “Impact or Illusion?” September 2011.

<sup>171</sup> Remi Clavet, “Norway in Afghanistan: new policy opportunities in the post-2014 context,” NOREF Norwegian Peacebuilding Resource Centre, Expert Analysis, October 2013, [http://www.peacebuilding.no/var/ezflow\\_site/storage/original/application/58ba9792cc5515cbb4c30f4bf6d31f1d.pdf](http://www.peacebuilding.no/var/ezflow_site/storage/original/application/58ba9792cc5515cbb4c30f4bf6d31f1d.pdf).

<sup>172</sup> “Afghan People’s Dialogue on Peace: Building the Foundations for an Inclusive Peace Process,” June 2014.

<sup>173</sup> “Afghan reintegration scheme in the spotlight,” IRIN Asia, June 2013.

<sup>174</sup> Deedee Dirksen, “Impact or Illusion?” September 2011.

<sup>175</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

reintegree must stay in the city while their families remain in the home community.<sup>176</sup> Recent reports indicate that many reintegrees feel used, unsupported, and vulnerable to retributive attacks for their cooperation with government.<sup>177</sup>

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## LACK OF EMPLOYMENT AND COMMUNITY RECOVERY

Though there have been some accomplishments in terms of community recovery aspects of APRP, this is also generally perceived as inadequate and falling short of original plans and promises.<sup>178</sup> Since 2012, MoLSAMD VET projects have provided vocational training to 5,400 people, of which 1,965 reintegrees, 2,200 male community members and 1,215 female community members in 20 provinces. However, most of these projects were completed in 2013, and in 2014 the main focus was to determine the impact of the projects. The survey was conducted with 30% of trainees in 12 provinces, of which 75% were supposedly employed, though the correlation between the trainings and their employment was not controlled for.<sup>179</sup>

The planned Agriculture Conservation Corps seems to have a minimal footprint, with no mention in UNDP APRP reports. It was presented as a UNOPS-supported program, but there is little to no information publicly available online, aside from a pistachio reforestation project attributed to the ACC, though this was from 2007.<sup>180</sup> It remains unclear to what extent the ACC has been linked with APRP activities, or whether it has been linked at all. However, since 2012, the Agricultural Support Peace and Reintegration (ASPR) Program has supported reforestation of 1,200 Hectares of land in eight provinces through transplanting and watering of pistachio saplings, and in 2014 MAIL took responsibility for watering 1,200 Hectares of land “in order to make a contribution to peace and reintegration.”<sup>181</sup>

In 2013, the Public Works Corps (PWC) operated by MoPW employed 1,878 workers—820 reintegrees and 1,058 community members—in eight provinces. However, in 2014, MoPW was only able to support 1,359 workers in nine provinces according to budget allocations, of which 705 were reintegrees and 654 were community members.<sup>182</sup> Over 1,400 kilometers of road have been maintained through the PWC scheme.<sup>183</sup>

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<sup>176</sup> Zubra Bahman and Stina Torjesen, “Double Disillusionment: Disengaging from the insurgency in Afghanistan,” University of Tromsø Centre for Peace Studies, 2012, [http://uit.no/Content/307294/Afganistan\\_Report\\_Final.pdf](http://uit.no/Content/307294/Afganistan_Report_Final.pdf).

<sup>177</sup> “Afghan People’s Dialogue on Peace,” June 2014.

<sup>178</sup> Ibid.

<sup>179</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

<sup>180</sup> “Pistachio Woodlands Rehabilitated,” US Agency for International Development, 17 February 2007, <http://www.usaid.gov/results-data/success-stories/pistachio-woodlands-rehabilitated>.

<sup>181</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

<sup>182</sup> Ibid.

<sup>183</sup> Ibid.

According to a 2014 SIGAR report, US contributions in support of APRP via MRRD NSP Community Recovery Intensification and Prioritization (CRIP) mechanism had still not been linked to the APRP due to concerns regarding endangering NSP governmental facilitating partners. Instead, these funds have been used in the broader ATRF budget.<sup>184</sup> Instead, much of the community recovery aspect of APRP has been channeled through Small Grants Projects (SGPs), meant to provide assistance to reintegrees to bridge the gap between receiving transitional assistance and involvement in line ministry community recovery projects. The SGPs were initiated in 2011 under the management of the Joint Secretariat, and are initiated by the reintegrees community, usually through the CDC. Communities can apply for as many grants as they need up to USD 50,000 with no single grant exceeding USD 25,000. The administration of the SGP seems rather complicated, however, with the PJST development officer managing the process, and decision-making on SGPs the responsibility of the Small Grants Committee at the Provincial level, which should be chaired by the head of the Provincial Development Committee,<sup>185</sup> though it is not clear whether it actually follows this process in practice. However, by the end of 2014, only 130 SGPs had been completed, with 156 being implemented and 26 currently ongoing. Only 485 reintegrees were directly participating in SGP project implementation.<sup>186</sup> Overall, these figures indicate a moderately light footprint for the program considering the scale and duration of the APRP.

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## ASSESSMENT AND MONITORING SHORTCOMINGS

The APRP plans included grand visions of assessment and needs-based engagement. There has been no nationwide follow up on Afghan citizens' needs and perceptions regarding peace and reconciliation since the 2005 report from AIHRC, "A Call to Justice," which was itself by and large ignored. The APRP Program Document planned: to incorporate 'bottom up' assessments of the possibilities for peace and reintegration; assessments and surveys in priority areas; a standard needs assessment to assist communities, districts and provinces to select from conflict recovery options; assessment of civil society and other organizations as potential partners for the program; commissioning independent third-party political assessment and monitoring and evaluation of the process supported by civil society organizations; assessment of local political potential and commitment to peace and reintegration; needs assessment of ex-combatants and their communities. However, annual reports only mention a vocational training needs assessment and a staff qualification assessment over the four years of the project. The only civil society assessments and monitoring of APRP have been funded by organizations unaffiliated with the APRP and the government.

Monitoring and tracking the reintegration process has also been problematic. According to the FRIC, the number of actual recidivists exceeds official numbers (16 in 2014). Additionally, reintegrees are only required to contact officials for six months to receive transition assistance payments, but do not need to make any further contact after that as they are then considered normal Afghan citizens.<sup>187</sup>

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<sup>184</sup> "Report to the United States Congress," SIGAR, January 2014.

<sup>185</sup> "A Guide to the Afghanistan Peace and Reintegration Program (APRP)" Force Reintegration Cell, HQ ISAF, March 2012, [https://www.pksoi.org/document\\_repository/Handbook-Guide/ISAF\\_Reintegration\\_Guide\\_\(March%202012\)-CDR-539.pdf](https://www.pksoi.org/document_repository/Handbook-Guide/ISAF_Reintegration_Guide_(March%202012)-CDR-539.pdf).

<sup>186</sup> "APRP 2014 Annual Project Progress Report," United Nations Development Programme, 2014.

<sup>187</sup> "Report to the United States Congress," SIGAR, January 2014.

However, in 2014 an independent monitoring agent for APRP was established, procuring services of a local NGO for fieldwork.<sup>188</sup> The Monitoring Agent was required to include line ministry projects, SGPs, PPC activities, the JS and PJS activities, and community stakeholders including community members, reintegrees, local government, CDCs, local civil society organizations, and other beneficiaries. The 2014 annual report indicates that the findings from the Monitoring Agent were presented in 2015, based on field monitoring in Nangarhar, Kunduz, Uruzgan and Badghis, with the final timeframe only allowing for a single set of visits and reporting with plans to expand field monitoring to a more “reiterative” monitoring process. The JS monitoring team made 17 field visits in 2014.<sup>189</sup> However, the limited scope of this Monitoring Agent scheme so far into the APRP implementation indicates a significant shortcoming in monitoring practices for the program.

Additionally, the PJSTs are meant to undertake conflict mapping, which should be incorporated into the Provincial Development Plan (PDP). Though the Monitoring Agent report on the four aforementioned provinces indicated that the PJSTs all reported that they are undertaking conflict mapping and utilizing these in programmatic decision-making processes, the form of conflict mapping was varied. For some, conflict mapping only meant using the list of reintegrees in recruiting workers for projects. For others it was more thorough, entailing a more detailed and diverse gathering and analysis of information. In some provinces, mapping occurred after the provincial planning schedule and could not be incorporated into the PDP.<sup>190</sup> The diversity of these findings based on only four provinces likely indicates large issues with the practice across Afghanistan.

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## APPROACH AND FOCUS

Aside from the technical and implementation shortcomings of APRP, there are fundamental weaknesses in the overall approach and focus. Afghans themselves generally view the APRP as a failure. In a report covering the whole of Afghanistan, Afghans felt that they have been excluded from the peace process, implementation of the APRP, and the broader community-based development meant to accompany the program.<sup>191</sup>

This is perhaps most aptly illustrated by comparing the focus of APRP to the findings of the AIHRC report ‘A Call for Justice’ undertaken in 2004-2005 based on comprehensive national consultations with over 6,000 Afghans and 400 Afghan refugees. This report found that 40% of all respondents understood justice primarily as criminal justice before the courts, and placed great importance on criminal trials for violations as a critical component of any transitional justice strategy. 45% wanted trials held immediately, and 61% reported that they would not support amnesties or pardons for anyone who confessed their crimes before a transitional justice institution. 27% felt that everyone who had committed crimes should be tried, 28% only those who had committed serious crimes and commanders, and 27% only commanders. Perhaps even more importantly, an overwhelming 95% of respondents felt that it is important to establish the truth of wartime violations, and 60% saw the recording of human rights violations as a means of bringing about justice. 88% indicated that reparations should be awarded to victims of past crimes. 79% felt there was a need for reconciliation among the people of Afghanistan, with only 9% feeling

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<sup>188</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

<sup>189</sup> *Ibid.*

<sup>190</sup> *Ibid.*

<sup>191</sup> “Afghan People’s Dialogue on Peace,” June 2014.

there was no need, with 41% feeling that reconciliation should be initiated through a Truth and Reconciliation Commission, 28% through social justice for victims, and 26% through local jirgas and shuras.

However, despite these clearly articulated needs and inputs from the Afghan people, APRP incorporates virtually none of these, focusing instead on the needs and grievances of the insurgents. In this context, the Amnesty Law, or the “National Reconciliation, General Amnesty and National Stability Law” was a blatant violation of the will of the people. Additionally, the “grievance resolution” mechanisms of APRP only address the resolution of insurgents’ grievances, without having any means for victims to seek redress and address their grievances.<sup>192</sup> Furthermore, in many cases the Amnesty Law could act as a barrier in this regard as well,<sup>193</sup> especially as it provides no end date for the provision of amnesty and can be applied to current or very recent violations.<sup>194</sup> According to the Civil-Military Fusion Center report, the HPC has focused more on negotiations with the Taliban than on reintegration activities.<sup>195</sup>

The Peace, Reconciliation and Justice in Afghanistan Action Plan developed by the Afghanistan Independent Human Rights Commission (AIHRC), the office of the President, and UNAMA in 2005, outlines reconciliation and national unity as one of 4 key actions and paid lip service to a number of concepts such as “heal[ing] the wounds and pains of the victims” and introduces the idea of establishing truth-seeking mechanisms or reconciliation committees. However, the Action Plan had little impact in practice and subsequent initiatives, including APRP, paid little or no attention to the concept of reconciliation.<sup>196</sup> In the absence of any meaningful reconciliation mechanisms for the Afghan people, APRP and other similar programs are not actually aimed at peace, but rather only address counterinsurgency, and are unlikely to have any meaningful impact on national healing and sustainable peace. The fundamental framing of “reconciliation” as a peace agreement between the GIROA and the Taliban prevalent throughout APRP documents and peace process rhetoric is indicative of this critical shortcoming, where themes of reconciliation actually address not negotiated agreements, but rather healing, truth, justice, and reparation, which should be addressed at the political, national, and local levels.<sup>197</sup>

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<sup>192</sup> “Transitional Justice in Afghanistan: ‘We should not repeat old issues?’” Afghanistan Justice Organization and Global Partnership for the Prevention of Armed Conflict, Policy Note, October 2013, <http://www.gppac.net/documents/130492842/0/GPPAC+AJO+Policy+Note+Transitional+Justice+in+Afghanistan+final.pdf/300e8c02-6e10-445a-9e19-8bfe91fbd7c5>.

Hannah Partis-Jennings and Marie S. Huber, “Women, Peace and Security in Afghanistan,” 2014.

<sup>193</sup> Ibid.

<sup>194</sup> “National Reconciliation, General Amnesty, and National Stability Law,” Government of the Islamic Republic of Afghanistan.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

<sup>197</sup> Hannah Partis-Jennings and Marie S. Huber, “Women, Peace and Security in Afghanistan,” 2014.

## INCLUSIVITY

Building on the issue of lack of consultation and representation of the people in the peace process, there is a major issue of the inclusivity of APRP and associated programs. There is wide consensus in Afghanistan and internationally that successful peace processes must involve women. However, there is fairly conclusive evidence that women are still not being adequately considered in these processes in Afghanistan. For example, women hold only 13% of seats on the High Peace Council and only two Provincial Peace Council seats are reserved for women in each province. Women are similarly missing from important decision-making bodies at the grassroots levels, such as the male-dominated shuras and jirgas and religious leaders.

The National Consultative Peace Jirga only had 334 women participants (20%).<sup>198</sup> At the Peace Jirga, women activists introduced their list of concerns and demands, to the acceptance of those present in the clusters. Items on the list includes demands for protection of the gains women have made in the past nine years during the event of reconciliation with the current parties in conflict; national programs must contain 30% women; participation and inclusion of women in national policy and programs must be allowed; female participant voices must not be benegated based on gender; and decisions and policies without social justice and gender justice are unacceptable.<sup>199</sup>

In 2014, PTRO conducted research on the role of women in the APRP. Though APRP includes a gender mainstreaming policy, APRP still has a low presence of women especially at the decision-making level, limited gender-specific monitoring and evaluation of reintegration activities, and a limited understanding of the APRP among women. PTRO's research found that women's role in reintegration across Afghanistan is varied, where in some areas women peace councils meet with both formal and informal governance structures, though most identified their role as being confined to the family unit. They mostly explained involvement in household disputes as mediators. The research found that in Kunduz, where reintegrates have joined the ALP, these were opposing women taking a public role in the community or addressing complaints with the government. Importantly, the research found that women have no right to accept or reject reintegrates from their community.<sup>200</sup> The aforementioned HPC "Afghan Women's Call for Ceasefire and Peace" campaign, though an interesting case of representing women through official government-sponsored activities is still a long way from women's meaningful participation.

This points to the larger issue of a lack of gender-sensitive frameworks at all levels of the peace process in Afghanistan. At the national level, women are still a minority in efforts at peace, reintegration, and reconciliation in institutions such as the HPC. At the local level, many decision-making and dispute resolution bodies are highly patriarchal. Community leadership is often comprised almost exclusively of men, aside from some female CDCs which are largely only allowed to address "women's projects" in the community. Both the formal and informal justice sectors have mixed records on women's rights and adjudicating fairly with respect to gender sensitivity and respect for women's and human rights.

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<sup>198</sup> Zarin Hamid, "Security Council Resolution 1325."

<sup>199</sup> Ibid.

<sup>200</sup> "The Home Front: The Role of Women in Afghanistan's Peace and Reintegration Programme," Peace Training and Research Organization, March 2014, [http://www.ptro.org.af/site\\_files/13990989651.pdf](http://www.ptro.org.af/site_files/13990989651.pdf).

Afghanistan is a very young society. According to the Central Statistics Organization (CSO) in 2011, 68 percent of Afghanistan's population of around 26.5 million people was under the age of 25, with people between the ages of 15 to 24 years accounting for 40 per cent of the total population.<sup>201</sup> Therefore the importance of catering for the needs of the youth and involve them in decision-making is an important aspect of the peace process in Afghanistan.

The **JIRGA-YE MELLI-YE SOLH-E JAWANAN-E AFGHANISTAN** or National Youth Peace Jirga of Afghanistan, held in July 2012, was, according to its organizers, 'a completely Afghan movement arising from the country's youth who think sympathetically about the future of the country and who have made a determination to save their country and their people from disaster and misery'.<sup>202</sup> The Jirga, among other issues pertaining to youth and peace, addressed the reconciliation process and the development of an 'alternative' peace strategy. Despite its long preparation time and extensive deliberations, the National Youth Peace Jirga, however, proved to be controversial from the beginning, particularly over whether it was independent, financially and politically and with members taking political positions primarily on ethnic grounds.<sup>203</sup>

Recognizing the specific needs of youth especially in a society consisting of mainly young people, a national policy on youth followed in 2013. Among the key policy issues addressed, was calling for involvement of young men and women in the peace process which was advanced as crucial for ensuring security. More specifically the policy calls for research about youth and extremism; promotion of civic education among youth at risk of radicalization; involvement of youth in the national work of unity, peace, and security; develop opportunities for participation in ANSF; promotion of youth in local dispute resolution.<sup>204</sup> However, there is no youth component to the APRP or any of its associated programs, nor any mechanism for facilitating youth involvement in the APRP-driven peace process.

Apart from women, youth, and the disabled, marginalized groups in Afghanistan include the semi-nomadic and nomadic Kuchi (estimated at three million),<sup>205</sup> Jats (including Jogis, Chori Frosh, etc., estimated at less than 30,000). Additionally, marginalization is complicated by the fact that some ethnicities could be marginalized depending on whether they are a majority or minority in a certain area. For example, a study found the marginalization of Pashtun communities in the province of Parwan where these were a minority.<sup>206</sup>

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<sup>201</sup> "Afghanistan Statistical Yearbook 2012-2013", Central Statistics Organization, 2013, <http://cso.gov.af/en/page/4722/2012-2-13>.

<sup>202</sup> Reza Kazemi "Split Unity: Afghanistan's Controversial Peace Jirga", AAN, 12 July 2012, <http://www.afghanistan-analysts.org/split-unity-afghanistans-controversial-youth-peace-jirga/>

<sup>203</sup> Ibid.

<sup>204</sup> "Afghanistan National Policy on Youth", Ministry of Information and Culture, Islamic Republic of Afghanistan July 2013, [http://countryoffice.unfpa.org/filemanager/files/afghanistan/2015/reports/youth\\_policy\\_english\\_fianl\\_low\\_res.pdf](http://countryoffice.unfpa.org/filemanager/files/afghanistan/2015/reports/youth_policy_english_fianl_low_res.pdf).

<sup>205</sup> "National Risk and Vulnerability Assessment (NRVA)", Central Statistics Organization, 2011/12, <http://cso.gov.af/en/page/nrav-report>.

<sup>206</sup> Marie Huber, "If You Built Your Own House, Would You Then Destroy It?" Integrity Watch Afghanistan, 2013.



A peace process inclusive of Taliban is seen as threat to gained rights. Fears of marginalization are confirmed by a study conducted by PTRO where Hazara respondents identified the Taliban as the most important spoiler of the peace process behind Pakistan and Iran. Such findings speak towards the ill feeling that Hazaras have towards the Taliban due to atrocities and marginalization suffered by Hazaras at the hands of the Taliban.<sup>207</sup>

The High Peace Council produced the Peace Roadmap to 2015 in 2012. The document gives some concessions to the Taliban and to Islamabad, ranging from the Taliban's recognition as a political party to a role for Pakistan in Afghan affairs, and dangles the carrot of cabinet posts and provincial governorships to prominent Taliban figures.<sup>208</sup> Minorities are concerned that their rights can be sacrificed just to make a peace settlement. Since the past Taliban policies curtailed women and minority's rights and they did not issue any statement on their future policies if they join the government, the fear of return to suppression and marginalization is strong.<sup>209</sup> Furthermore, the aforementioned lack of grievance mechanisms undermines any efforts at reconciliation and national healing without providing mechanisms for addressing ethnic and geographic historical grievances as well as legacies of loss and disability stemming from historical, recent, and present conflict.

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<sup>207</sup> PTRO, "Unheard Voices: Afghan Challenges to the Peace Process", PTRO, March 2012, [http://www.ptro.org.af/site\\_files/13979724091.pdf](http://www.ptro.org.af/site_files/13979724091.pdf).

<sup>208</sup> Brahma Chellaney "A partitioned Afghanistan is better than chaos", The Globe and Mail, March 18 2014, <http://www.theglobeandmail.com/globe-debate/a-partitioned-afghanistan-is-better-than-chaos/article9831353/>.

<sup>209</sup> Mohammad Rassoli "Afghanistan Peace Process and Minority Rights", Khaama Press, March 5 2013, <http://www.khaama.com/afghan-peace-process-and-minorities-concerns>

## 4. FINDINGS: PROVINCIAL CASE STUDIES

### 4.1 HERAT

#### BACKGROUND AND CONTEXT

##### DEMOGRAPHICS, GEOGRAPHY AND RESOURCES

Herat province is located in the western part of Afghanistan, bordering the countries of Iran and Turkmenistan, encompassing a total land area of 63,097 square kilometers. It borders Badghis, Ghor, and Farah provinces. It is partially flat or semi-flat (60%) and partially mountainous or semi-mountainous (39%). The predominant ethnic group is Tajik, followed by Pashtuns and minority Hazara, Turkmen, and Baloch ethnic groups.<sup>210</sup> Dari or Pashto is spoken by 98% of the population, with the remaining speaking primarily Turkmeni or Uzbek.<sup>211</sup>

Herat has 16 administrative units, including the capital Herat city, with a population estimated at 1,852,800, of which 71% live in rural areas.<sup>212</sup> In the winter, around 4% of the Kuchi population stays in Herat, of which around 75% are short-range partially migratory.<sup>213</sup>

##### CURRENT CONFLICT AND INSURGENCY

Historically, Herat is home to influential mujahed Ismail Khan, who waged a guerilla war against the Soviet occupation for over a decade and eventually disarmed the population and established his own administration in three western provinces of Afghanistan. Ismail Khan also led the fight against the Taliban until his capture in 1997, then escaped and fled to Iran before returning to Herat after the fall of the Taliban. Unlike other commanders, Khan does not have the same reputation for massacres and atrocities, or involvement in trafficking.<sup>214</sup> However, there have been rumors that he had encouraged rearmament and the formation of new militias as the security transition approached.<sup>215</sup>

In recent times, Herat has been known for its relative safety, though terrorist attacks, kidnappings, and the killing of foreigners have undermined its security situation. Herat was an early focus of the DDR process. Though it was reported that Ismail Khan was not completely cooperative, he reportedly allowed many of his militiamen to enter

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<sup>210</sup> "Herat provincial profile," Davis, n.g. <http://afghanag.ucdavis.edu/country-info/Province-agriculture-profiles/hirat-herat/fsnhlpheratpdf.pdf>.

<sup>211</sup> "Herat Provincial Profile," MRRD NABDP.

<sup>212</sup> "Estimated Settled Population by Civil Division, Urban, Rural, and Sex, 2014-2015," Central Statistics Organization.

<sup>213</sup> "Herat Provincial Profile," MRRD NABDP.

<sup>214</sup> Thomas H. Johnson, "Ismail Khan, Herat, and Iranian Influence," Strategic Insights, Volume III, Issue 7, July 2004.

<sup>215</sup> Christian Neef, "Interview with Former Afghan Warlord Ismail Khan," Spiegel, 25 September 2013, <http://www.spiegel.de/international/world/interview-with-former-afghan-warlord-ismail-khan-a-923913.html>.

the DDR program after he was removed as governor in August 2004.<sup>216</sup> The main phase of DIAG was launched in Herat province in 2006.<sup>217</sup>

According to members of the Herat Provincial Council, more than 100 terrorist attacks and 30 kidnappings took place in Herat over six months of 2014.<sup>218</sup> Herat was the site of multiple high-profile incidents in 2014, including the Taliban cutting fingers of 11 voter's after the election,<sup>219</sup> the mass kidnapping of over 60 Afghan de-miners by unknown gunmen,<sup>220</sup> and the fatal shooting of two Finnish aid workers in a taxi in a marketplace of Herat city.<sup>221</sup> Kidnapping has become increasingly common throughout the province, with nearly 500 people in Herat arrested on kidnapping charges in 2012, compared to only a dozen five years before.<sup>222</sup>

Insecurity has been a growing problem in certain areas of Herat such as Shindand district, where insurgent threats led to the closure of girl's schools and health centers in 2014.<sup>223</sup> In addition to Shindand, Oaba, Adraskan, Keshk-Kohna, and Robat-Sangi have been identified as falling into the hands of insurgents.<sup>224</sup> Also in late 2014, growing insecurity and deteriorating law and order in Herat province marked by a series of murders and assassinations prompted protests in front of the Provincial Governor's house.<sup>225</sup>

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<sup>216</sup> Kenneth Katzman, "Afghanistan: Post-War Governance, Security, and US Policy," CRS Report for Congress, 4 May 2006, <http://fpc.state.gov/documents/organization/67157.pdf>.

<sup>217</sup> "Afghanistan: DIAG main phase to be launched in Herat and Farah," Afghanistan New Beginnings Program, 18 May 2006, <http://reliefweb.int/report/afghanistan/afghanistan-diag-main-phase-be-launched-herat-and-farah>.

<sup>218</sup> Aref Karimi, "No longer a safe haven," Afghanistan Today, 22 September 2014, <http://www.afghanistan-today.org/article/?id=784>.

<sup>219</sup> Yaroslav Tofimov, Margherita Stancati, and Nathan Hodge, "Afghans Turn Out to Vote Despite Taliban Violence," The Wall Street Journal, 16 June 2014, <http://www.wsj.com/articles/afghans-turn-out-to-vote-despite-taliban-attacks-which-killed-68-people-1402833350>.

<sup>220</sup> Dylan Welch, "More than 60 deminers seized in mass Afghan kidnapping," Reuters, 21 January 2014, <http://uk.reuters.com/article/2014/01/21/uk-afghanistan-kidnap-herat-idUKBREA0K0E620140121>.

<sup>221</sup> Emma Graham-Harrison, "Finnish aid workers shot dead in Afghanistan," The Guardian, 24 July 2014, <http://www.theguardian.com/world/2014/jul/24/finnish-aid-workers-shot-dead-herat-afghanistan-civilians-killed-bomb>.

<sup>222</sup> Kevin Sieff, "In model Afghan city, kidnappings surge," The Washington Post, 24 April 2013, [http://www.washingtonpost.com/world/asia\\_pacific/in-model-afghan-city-kidnappings-surge/2013/04/24/2cf88976-a6b4-11e2-9e1c-bb0fb0c2edd9\\_story.html](http://www.washingtonpost.com/world/asia_pacific/in-model-afghan-city-kidnappings-surge/2013/04/24/2cf88976-a6b4-11e2-9e1c-bb0fb0c2edd9_story.html).

<sup>223</sup> Saboor Ghafoory, "Shindand Residents Protest Over Increasing Insecurity," Tolo News, 17 August 2014, <http://www.tolonews.com/en/afghanistan/16003-shindand-residents-protest-over-increasing-insecurity>.

<sup>224</sup> "5 Herat districts falling into insurgents' hands: Provincial Assembly," ATN News, 6 November 2012, <http://ariananews.af/regional/5-herat-districts-falling-into-insurgents'-hands-provincial-assembly/>.

<sup>225</sup> Storai Karimi, "Protest against spiraling insecurity held," Pajhwok Afghan News, 10 December 2014, <http://www.pajhwok.com/en/2015/03/10/protest-against-spiraling-insecurity-held>.

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## PEOPLES' PERCEPTIONS ON PEACE AND SECURITY<sup>226</sup>

In 2014, 14% of those in Herat felt that insecurity and violence were the biggest problems in their local area, with around 1% of respondents reporting the presence of warlords and 4% the Taliban as the biggest problem, as well as some regarding drug smuggling (4%) and crime (3%). Around 2% also noted the kidnapping of children.

Herat residents also noted unemployment (46%), poverty (22%), and a poor economy (4%) among the biggest problems in their area. Herat residents were also concerned about education (9%), electricity (17%), roads (10%), healthcare (3%), drinking water (11%), indicating a considerable degree of socioeconomic obstacles in the province. However, regarding their perceptions on the whole of Afghanistan, 50% of those in Herat felt one of the biggest problems facing Afghanistan was insecurity and violence, 11% the presence of the Taliban, 5% the existence of al-Qaeda, 11% drug smuggling, 8% suicide attacks, 5% crime, and 2% presence of warlords.

In Herat, 15% of respondents always feared for their own personal security or the security of their family, while an additional 68% often or sometimes feared for their personal or family's safety. Only 5% reported that they never experienced fear of this nature. 13% of respondents had themselves or a member of their family been the victim of violence or crime in the past year. Of those who had experienced violence or crime, 28% had experienced physical attacks or beating, 15% kidnapping, 8% murder, 17% suicide attacks, and 4% sexual violence.

74% of Herat respondents believed that reconciliation efforts between the Afghan government and armed opposition groups can help to stabilize the country. Respondents in Herat believed that main reasons the armed opposition groups are fighting include a desire to gain power (18%), for money (4%), and due to the presence of foreign troops (26%), among other reasons. 8% of Herat respondents had a lot of sympathy for armed opposition groups when asked to think generally about why they have been fighting during the last year, and an additional 12% a little sympathy. However, 58% in Herat had no sympathy at all.

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## SECURITY IN HERAT

Respondents in Herat assessed security as being average, with most respondents placing it at a 2<sup>227</sup> or 3<sup>228</sup> on a scale from 1 to 5 where 1 is very secure and 5 very insecure. However, it seems that women perceived security to be worse than men, where in two focus group discussions (FGDs) with female community members, the security situation as assessed as a 4. Overwhelmingly, those interviewed in Herat felt that the security situation has worsened compared to last year.<sup>229</sup> In Herat, kidnapping was one of the main security issues discussed.<sup>230</sup> Robbery<sup>231</sup> and AOG activities<sup>232</sup> were also mentioned as key security issues. Women and youth particularly

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<sup>226</sup> "Visualizing Afghanistan: A Survey of the Afghan People," The Asia Foundation, 2014, <http://afghansurvey.asiafoundation.org>.

<sup>227</sup> Four FGDs with male community members, one FGD with female community members, one FGD with community leaders, one FGD with youth, two FGDs with reintegrees, and interviews with the PPC and PJST in Herat

<sup>228</sup> Two FGDs with youth, three FGDs with community leaders, one FGD with female community members, and interview with DRRD in Herat

<sup>229</sup> Three FGDs with female community members, four FGDs with male community members, four FGDs with community leaders, two FGDs with youth, one FGD with reintegrees, interview with DRRD in Herat

<sup>230</sup> Mentioned as one of the biggest security issues in 18 out of 23 interviews conducted in Herat

<sup>231</sup> Mentioned in 11 interviews

mentioned women's security as an indicator of a declining security situation, explaining that women can't move about freely and are harassed.<sup>233</sup>

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## APRP AND THE PEACE PROCESS

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### APRP

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#### AWARENESS AND PERCEPTIONS OF APRP

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Herat was one of the first provinces for introducing APRP, reportedly because it was one of the provinces where the insurgency was most serious and also where communities had shown commitment to finding peace.<sup>234</sup> According to the PPC and PJST interviewees, 1,200 insurgents have joined the peace process in Herat. However, this figure seems likely to be somewhat inflated, as according to APRP documents, in Herat, 666 reintegrees till date by the end of 2013 had participated in APRP, and 15 negotiations with local insurgent groups had been undertaken.<sup>235</sup>

Most of the interviewees in Herat were aware of the APRP process, and that is the means by which the government aims to reintegrate fighters. In a 2012 survey, over 95% of respondents in Herat had heard of the APRP.<sup>236</sup> However, feelings were mixed regarding its effectiveness. Though many interviewees at the community level felt the process could help support peace and stability, knowledge of the program was also somewhat limited, and largely amounted to support for a peace process in theory. Skepticism regarding the program's effectiveness was especially notable among government actors:

“Reintegration is a useful and a positive step but have no effect on security. Those who violate and conflicts never want to join this process and cooperate with government I can say this process did nothing for peace”.<sup>237</sup>

Some participants expressed doubts regarding the legitimacy of the militants who are joining the peace process through APRP.

“Yes, we have witnessed of some militants joining government I haven't found out either they are real or fake militants. I think the process must be eliminated because they did nothing to make security better it is just a process by name”.<sup>238</sup>

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<sup>232</sup> Mentioned in 7 interviews

<sup>233</sup> FGD with female community members and FGD with youth

<sup>234</sup> “APRP Frequently Asked Questions,” ISAF, n.g., <http://www.rs.nato.int/images/APRP/aprp%20faqs%20english%20dec%202012.pdf>.

<sup>235</sup> “APRP 2013 Annual Project Progress Report,” United Nations Development Programme, 2013.

<sup>236</sup> “Unheard Voices: Afghan Challenges to the Peace Process”, PTRO, March 2012.

<sup>237</sup> Interview with DoLSAMD in Herat

<sup>238</sup> FGD with male community members in Herat

And another:

“The national peace process has been working for ten years in Afghanistan, but unfortunately it has done nothing positive. A real group of antigovernment elements haven’t joined this process yet. This process is only wasting the national budget and that’s it”.<sup>239</sup>

Several also noted corruption as a barrier to the effectiveness of the process, explaining that those who do not work honestly should be fired and replaced with honest and effective officials.<sup>240</sup> One government official explained:

“If I talk reality, this process only benefits those who work in this process and it has done nothing for a real security. There is corruption and the militant never receive any benefits. Anti-government elements never want to join peace process and continue their conflicts”.<sup>241</sup>

## DEVELOPMENT PROJECTS

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According to a member of the PPC interviewed in Herat, 560-600 development projects have been implemented through APRP. However, they also explained that only 350 families were direct beneficiaries of these projects.<sup>242</sup> Examples of projects included the rehabilitation of a bridge and pistachio gardens in Injil district, as well as other small and large projects.<sup>243</sup> However, many interviewees also clarified that the development projects that have been undertaken have largely been small-scale and short-term.<sup>244</sup> Interviewees explained that various sectoral line ministries are involved in the planning and implementation of APRP development projects in Herat, including DAIL,<sup>245</sup> DoLSAMD,<sup>246</sup> and DRRD.<sup>247</sup>

The interviewee from DRRD gave the example of road built through coordination between the HPC, DRRD, and local CDCs, and an interviewee from DoLSAMD discussed a series of projects being managed by DAIL building gardens. In these projects, monitoring is the responsibility of the line ministry.<sup>248</sup> The Public Works Corps has also

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<sup>239</sup> FGD with male community members in Herat

<sup>240</sup> FGD with community leaders, FGD with male community members, FGD with female community members

<sup>241</sup> Interview with DoLSAMD in Herat

<sup>242</sup> Interview with PPC in Herat, one FGD with reintegrees

<sup>243</sup> Interview with PPC in Herat

<sup>244</sup> Interview with PJST, DoLSAMD, DoPW, one FGD with female community members

<sup>245</sup> One FGD with reintegrees

<sup>246</sup> Ibid.

<sup>247</sup> Ibid

<sup>248</sup> Interview with DRRD, DoLSAMD in Herat

been active in Herat as a component of APRP, as well as MAIL reforestation APRP projects.<sup>249</sup> According to APRP reporting, 117 reintegrees had benefited from Small Grants Projects (SGPs) by the end of 2013.<sup>250</sup>

For this project, researchers conducted site visits to eight SGPs in Herat province. Of these projects, six were agroforestry projects, one the construction of a road, and one was the construction of a bridge. According to observation checklists, the six agroforestry projects were all establishing pistachio plantations, implemented through CDCs with oversight and monitoring from DAIL. No budget information was provided for these projects, but most were said to be of high or average quality. However, particularly regarding agroforestry projects, lack of irrigation was noted as affecting the sustainability of multiple projects. In one area, the condition of the orchard as decent, but the DAIL official explained that if it is not irrigated, it will dry out and DAIL has already said that they will not be able to continuously irrigate this orchard. According to the observation of the researcher, reintegrees were given work on all of the projects visited, though it was largely observed to have been at the discretion of the CDC as to who was hired for the project.

#### ***Case Study: Building a Road in Koshti Rabat Sangi***

In Koshti Rabat Sangi district of Herat province, from November 2013 to January 2014 MRRD was given funding through APRP to build a road connecting two villages. The project was implemented by the village CDCs with technical support from MRRD. In total the road was 5.6 km long with a width of 5 meters. As the implementing body responsible for the project, the CDC hired workers for this project, which included among 260 people working directly on the road reintegrees. The total budget of the project was 29,933, 588 million AFN, and the project benefits approximately 7,890 people living in the area. According to the observation of the project researcher, the road was originally built at a very high level of quality, and has been adequately maintained, currently in very good condition.

## SUPPORT FOR REINTEGrees

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The biggest issue with APRP noted in the interviews at all levels—the community, government, and reintegrees—was the lack of meaningful support for reintegrees who do join the peace process, especially in terms of their security and economic opportunities. Though there were some SGPs and projects providing employment for reintegrees, almost every interview conducted in Herat cited poverty and unemployment as major factors that motivate people to join AOGs, and many felt that the six-month salary provided through APRP cannot compensate for their loss and provides little to no economic opportunity once this stipend expires. According to one government interviewee, some militants in Herat receive up to 40,000 Pakistani rupees (380 USD) per month,<sup>251</sup> compared to the 120USD per month stipend provided through APRP.<sup>252</sup> One reintegree explained, “Our

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<sup>249</sup> “APRP 2014 Annual Project Progress Report,” United Nations Development Programme, 2014.

<sup>250</sup> “APRP 2013 Annual Project Progress Report,” United Nations Development Programme, 2013.

<sup>251</sup> Interview with DRRD in Herat

economic got worse. When we were insurgents we receive proper food, salaries, and good weapons. Currently we don't have enough food for eating."<sup>253</sup> Another explained, "We received six months of salary and worked in short-term projects that were provided through the Peace Council. For the first six months it [our economic situation] was good, but now no one asks us."<sup>254</sup>

What's more, several interviewees, particularly those in government and reintegrees themselves, noted that the government's inability to provide for reintegrees' physical security in the face of threats from AOGs is a major deterrent for those who consider joining the peace process. This was the most commonly discussed concern among reintegrees in two focus group discussions in Herat, who had formerly been involved in armed opposition under local strongmen for more than 10-20 years.<sup>255</sup> One explained, "I am warned by Taliban militants and they threaten to kill me. The government doesn't help me as well; they only assisted us for 6 months and jobless now."<sup>256</sup> Several felt that this predicament—being unable to stay securely where they were or go home, and having no financial means to improve their situation—left them no choice but to rejoin militant groups.<sup>257</sup> One explained:

I cannot go back to the area if the government does not consider the state of our security and for the security of people we do not work continuously to ensure the government stability. I am forced to go back to join militants.<sup>258</sup>

The issue of reintegrated militants rejoining, particularly after their salary was no longer provided to them, was mentioned in several interviews.<sup>259</sup>

Another explained, "The government's opposition is strong and will never join peace process. I regret joining the reconciliation and peace process as well."<sup>260</sup> The PPC and PJST similarly acknowledged that security threats are a huge problem facing those who join the APRP process. They explained that reintegrees regularly receive threats, and that their families are often threatened as well if the AOG—namely the Taliban—find out that they want to join the peace process, which deters fighters from joining. The PPC and PJST fully acknowledged that they are unable to provide support for reintegrees security, which was also mentioned by a number of other government

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<sup>252</sup>"APRP Development Department," High Peace Council, 2011, [http://www.hpc.org.af/english/index.php?option=com\\_content&view=article&id=90&Itemid=49](http://www.hpc.org.af/english/index.php?option=com_content&view=article&id=90&Itemid=49).

<sup>253</sup> FGD with reintegrees in Herat

<sup>254</sup> FGD with reintegrees in Herat

<sup>255</sup> Two FGDs with reintegrees in Herat

<sup>256</sup> FGD with reintegrees in Herat

<sup>257</sup> Two FGDs with reintegrees in Herat

<sup>258</sup> FGD with reintegrees in Herat

<sup>259</sup> Interviews with PPC, two FGDs with reintegrees, DoPW and DRRD in Herat

<sup>260</sup> FGD with reintegrees in Herat



officials interviewed.<sup>261</sup> An official from DoLSAMD explained, “Insurgents really threatened those who joined the reintegration process. The real insurgents will never want to join this process.”

On top of these concerns, the general support provided by the government was noted as weak, and some interviewees noted that reintegrees are not accepted or supported when they attempt to join the peace process and reintegrate into their communities, with one government official explaining, “The people don’t treat well those who join peace and reconciliation process.”<sup>262</sup> Similarly, as will be discussed in the next section, these interviews revealed a low level of support for amnesty among the public and a strong desire for criminal prosecutions and establishing a historical record, which would ultimately indicate a lack of support for reintegrees at the community level, many of whom are viewed by their peers as having committed crimes and human rights abuses.

### ***Case Study: Reintegration in Herat***

I was with Taliban insurgents for 14 years. But then I found out that those who cooperate with them are totally illiterate and work for Pakistan and Iran. As Afghanistan was in violence and conflict for three decades, and is still in progress, I started to feel like a patriot and I realized that I would not receive any benefit in continuing to partake in violence. My children were growing up uneducated; we destroyed schools, and these kinds of violence made me want to join the peace process.

I was aware from this process but could not trust anyone, but finally I contacted village elders and they told us that they would contact NDS and then let me know. Soon after that the elder took responsibility for us and finally we had meeting with director of the Provincial Peace Council. He mostly welcomed us and promised us the following privileges: (1) an identity card that indicates our membership of joining with the Peace Council; (2) 6000 AFN monthly salary; (3) the opportunity to find work on a project; and (4) to keep us safe. For a short time after I joined the peace process and returned to my community, people called me Talib and I was really suffering but soon this problem was resolved.

When I was a member of an anti-government element, my children were uneducated and I was in conflict against the government. I have four sons and three daughters; all of them were uneducated and didn’t go to school when I was involved in violence. When I joined the peace process, my children started going to school and now they are busy in their lessons, all because of the Peace Council. I joined the peace process in 1390 At first I had no financial problems as I received a salary, but now I don’t live normally and I am involved in lots of problems as there is no work. No one helps me and it is not secure to go my village.

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<sup>261</sup> Interviews with PPC, PJST, DoLSAMD, DoPW, and DRRD in Herat

<sup>262</sup> Interview with DRRD in Herat

## AMNESTY AND ESTABLISHING A HISTORICAL RECORD

In 2005, AIHRC published the report 'A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan,, based on consultations through a survey with 4,151 respondents and 200 focus group discussions with over 2000 participants in 32 provinces and with Afghan refugee populations in Iran and Pakistan.<sup>263</sup> The consultations concluded that the Afghan people had a strong desire for justice regarding past and current crimes, the Afghan government and international community should take action against known perpetrators, war criminals should be removed from positions of power, and there was a strong desire to document the truth of what has happened in Afghanistan.<sup>264</sup> However, despite these recommendations, no formal truth commission was ever established and the parliament passed an amnesty law in 2007, providing blanket immunity and pardoning former members of armed factions for war crimes and human rights abuses committed prior to December 2001.<sup>265</sup>

Though another decade has passed, this research found that in Herat, the public is still not in support of amnesty, and still have a strong desire to document the truths of what has happened in Afghanistan both prior to and since 2001, as well as to see those responsible prosecuted criminally.<sup>266</sup> Among community members, there was a prevailing opinion that the people had no sense of justice for past and current crimes and the violence and actions that had taken place over the past several decades, in which people were displaced, injured, killed, and lost their livelihoods, land, property, families, and much more. Many interviewees felt that amnesty for those who had participated in the violence would further undermine any hope for ever feeling a sense of justice, and that it would have a bad effect on the peace process through instilling a sense of impunity among those involved or considering involvement in AOG activity. In one discussion with female community members, participants explained:

People had horrible experiences in the last four decades, and the criminals must be prosecuted. Some people were forced to leave their house and were buried, and during the fighting thousands of innocent people were killed and wounded, so there was no sense of justice. I think the criminals must be punished to be a lesson for others. If the criminals are forgiven it increases the crimes and encourages them to repeat their violent actions again. The peace process hasn't done anything useful yet.<sup>267</sup>

However, some interviewees—namely the PPC, PJST, some community leaders and youth—felt that amnesty promotes the peace process. The PPC member explained, "When the insurgents hear about amnesty, they join peace process with much interest and quit fights and violence. Amnesty is for those who really want to have stable peace in our country."<sup>268</sup> Some felt that amnesty would convince others to join the process. One group of youth explained, "They should be forgiven because they are also Afghans even though they carried out crimes. The

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<sup>263</sup> "A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan," Afghanistan Independent Human Rights Commission, 2005, [http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29\\_1\\_05call4justice.pdf](http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29_1_05call4justice.pdf).

<sup>264</sup> Ibid.

<sup>265</sup> "Afghanistan – Repeal Amnesty Law: Measure Brought into Force by Karzai Means Atrocities Will Go Unpunished," Human Rights Watch, 10 March 2010, <http://www.hrw.org/news/2010/03/10/afghanistan-repeal-amnesty-law>.

<sup>266</sup> Interviews with PPC, four FGDs with female community members, four FGDs with male community members, two FGDs with village leaders, two FGDs with youth, one FGD with reintegrees

<sup>267</sup> FGD with female community members in Herat

<sup>268</sup> Interview with PPC member in Herat

forgiveness should be shown publically through media to convince others to give up the conflict.”<sup>269</sup> Though this rationale seems logical, the other findings of this research—that many fighters join the peace process only to rejoin militant groups later—would support the more dominant assertion among interviewees that amnesty hurts the peace process by giving the impression to former and current fighters that they will not be held accountable for their actions.

Similarly, there was a prevailing opinion among community members that the crimes and transgressions of the past four decades should be systematically documented.<sup>270</sup> It was most commonly believed that this should be done through an impartial government commission and that all evidence and documentation should be kept in a safe place, such as the national archive, and should be made public but only at the appropriate time when it would not risk reigniting conflict and could serve as a basis for credible prosecutions through the formal justice system in Afghanistan. However, though many felt that though these should be documented, they also felt they should not be made public, at least not at present. One group of reintegrees explained:

This evidence must be kept secret even if they are related to any groups because the government is not currently capable of prosecuting warlords. When there would be appropriate time then they should be disclosed.<sup>271</sup>

In another discussion with youth, though they agreed that any records should be collected, they also felt that “If these documents are not disclosed I think it would be good. If they are, then the anger and fighting may be strengthened.”<sup>272</sup>

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## LOCAL PROSPECTS FOR PEACE

There was nearly unanimous perception that local communities, and particularly traditional leaders, have an important role to play in the peace process that is not currently being fully maximized through the APRP structure and process.<sup>273</sup> This was largely perceived due to the longstanding traditional role that elders, shuras, and jirgas have played in mediating conflict in Afghanistan.<sup>274</sup> The PPC member explained, “It can have a positive impact as it is a traditional culture in Afghanistan to solve conflicts and violence through these kinds of methods. These methods can really work in peace and reconciliation process.”<sup>275</sup> Some also specifically mentioned religious leaders,<sup>276</sup> and some female community members felt that teachers and students could play a very good role in

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<sup>270</sup> Three FGDs with female community members, four FGDs with male community members, two FGDs with community leaders, two FGDs with youth, and two FGDs with reintegrees in Herat

<sup>271</sup> FGD with reintegrees in Herat

<sup>272</sup> FGD with youth in Herat

<sup>273</sup> Mentioned in 18 out of 23 interviews in Herat

<sup>274</sup> Mentioned in 17 out of 23 interviews in Herat

<sup>275</sup> Interview with PPC member in Herat

<sup>276</sup> FGD with reintegrees and interview with PPC in Herat

the peace process.<sup>277</sup> However, one discussion with male community members felt that though elders and traditional bodies could make contributions and are useful, it would be better if the peace process were independent and went through honest officials at the government level.<sup>278</sup>

Traditional leaders and bodies were felt to have a number of qualities and capacities that would make them well-suited to take on a larger role in the peace process—namely their influence, relationship with the people of the community, neutrality, awareness of local problems and dynamics, and that they are generally considered honest, moral, and have the trust of the people. However, the most notable contribution that was discussed was their unique position where in many cases they have access to both the government and AOGs,<sup>279</sup> and in many cases are also respected and trusted by AOGs, their leaders and members themselves.<sup>280</sup> One discussion with community leaders explained: “At the first step when a militant wants to join reconciliation and peace process, he refers to religious and local leaders who he really trusts. After that the leaders contact the PPC.”<sup>281</sup> Multiple reintegrees also described a similar process, whereby they were able to join the peace process through first approaching local leaders that were able to both assure them of the process and formally introduce them to the appropriate bodies.<sup>282</sup> In 17 interviews conducted in Herat, participants were aware of specific cases of peace agreements that had been locally negotiated regarding AOGs.

#### ***Case Study: Negotiating Peace Locally in Herat***

For many years there was enmity between two tribes in neighboring Faryab Province. This conflict had resulted in the killing of 20 people from both rivaling parties as well as the displacement of dozens of families to Herat. Using these conflicts, insurgents intensified their activities and started recruiting young men from the rival parties.

First elders talked with both sides and later they talked with the High Peace Council and a local agreement between the two tribes was reached within a few days. Both groups co-mediated with elders to ensure their efforts were in collaboration with the High Peace Council. Elders also made recommendations and explained to them the bad consequences of the war. These were detailed and the local agreement included penalties for repeating these actions. The agreement of principles of negotiation, mediation, and peace was made through the experience of the elders of the village is a local peace agreement signed between both groups came peace. To preempt this fertile recruitment ground from AOG and to arrest insecurity in the district and neighboring province, based on an instruction from Kabul HPC, the Herat PPC was instructed that since majority of the tribe have taken refuge in Herat, therefore it fell under the Herat PPC authority to address this conflict

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<sup>277</sup> FGD with female community members in Herat

<sup>278</sup> FGD with male community members in Herat

<sup>279</sup> Two FGDs with female community members, three FGDs with male community members, two FGDs with community leaders, three FGDs with youth, two FGDs with reintegrees, and interviews with PJST and PPC in Herat

<sup>280</sup> FGDs with community leaders, youth, female community members, and interview with PPC in Herat

<sup>281</sup> FGD with community leaders in Herat

<sup>282</sup> Two FGDs with reintegrees in Herat

and help resolve it. Consequently, in a big gathering organized in the provincial government's auditorium, in the presence of the Provincial Governor, a Memorandum of Peace was signed between the parties in ten articles. After signing of this Memo both parties withdrew their complaints and cases from the courts and returned to their district peacefully.

When the agreement was made, people in the area were secure and free, and children on both sides could go to school, go to and fro in the city, etc. Both sides of the local peace agreement agreed with the decision of the High Peace Council, and both sides are very happy. It is enough.

## 4.2 LOGAR

### PROVINCIAL OVERVIEW

#### DEMOGRAPHICS, GEOGRAPHY AND RESOURCES

Logar province is located to the south of Kabul, encompassing a total land area of 3,955 square kilometers. It borders Nangarhar, Paktia, Kabul, Wardak and Ghazni provinces. It is partially flat or semi-flat (58%) and partially mountainous or semi-mountainous (37%). The predominant ethnic groups are Pashtun, Tajik, and Hazara. Pashto is the predominant language for 60% of the population, while the remaining 40% speak primarily Dari.<sup>283</sup>

Logar has 7 administrative units, including the capital Pul Alam, with a population estimated at 385,600, of which 97% live in rural areas.<sup>284</sup> In the winter, around 4% of the Kuchi population stays in Logar, of which around 94% are long-range migratory. Logar has the second-highest Kuchi population in the summer, mostly from Nangarhar, Khost, Kunar and Laghman provinces.<sup>285</sup>

#### CURRENT CONFLICT AND INSURGENCY

Gulbuddin Hekmatyar, leader of Hezb-i-Islami, fought the Taliban from his stronghold in Logar province, which the Taliban took in 1996. Key to the Taliban capture of Logar and Wardak was the capture of Charasyab and Baraki Barak districts in Logar, areas that have remained largely insurgent-controlled.<sup>286</sup> The Haqqani Network also has a presence in Logar province, where ISAF officials captured a Haqqani leader and a large cache of weapons and explosives in 2012.<sup>287</sup>

The security situation in Logar has been deteriorating, with local representatives reporting more than 95 percent of Charkh, Kharwar, and Azra being in control of armed opposition groups.<sup>288</sup> The Taliban have a generally strong hold in the province, having been responsible for mines and attacks on police officials in the past year. In August, as many as 700 heavily armed Taliban insurgents battled Afghan security forces in Charkh district of Logar province.<sup>289</sup> Due to its proximity to Kabul, Logar has been used as a Launchpad for attacks and suicide bombings in

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<sup>283</sup> "Logar Provincial Profile," MRRD NABDP, n.g. <http://www.mrrd-nabdp.org/attachments/article/243/Logar%20Provincial%20Profile.pdf>.

<sup>284</sup> "Estimated Settled Population by Civil Division, Urban, Rural, and Sex, 2014-2015," Central Statistics Organization.

<sup>285</sup> "Logar Provincial Profile," MRRD NABDP.

<sup>286</sup> "The Insurgency in Afghanistan's Heartland," International Crisis Group, Asia Group No. 207, 27 June 2011, [http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/207%20The%20Insurgency%20in%20Afghanistans%20Heartland.pdf](http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/207%20The%20Insurgency%20in%20Afghanistans%20Heartland.pdf).

<sup>287</sup> Ghanizada, "Haqqani Network leader detained in Logar province," Kaama Press, 17 March 2012, <http://www.khaama.com/haqqani-network-leader-detained-in-logar-province-858>.

<sup>288</sup> Mirabed Joyenda, "Logar Districts on the Edge of Collapse: Officials," Tolo News, 12 December 2014, <http://www.tolonews.com/en/afghanistan/17443-logar-districts-on-the-edge-of-collapse-officials>.

<sup>289</sup> Ahmad Sultan, "Hundreds of Taliban fighters battle Afghan forces near Kabul: officials," Reuters, 19 August 2014, <http://www.reuters.com/article/2014/08/19/us-afghanistan-taliban-offensive-idUSKBN0GJ0SV20140819>.

recent years,<sup>290</sup> and ANSF twice reported the presence of Chechen fighters in Logar and Kabul in 2014 related to al Qaeda.<sup>291</sup> However, Logar province has been poppy-free since 2008.<sup>292</sup>

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## PEOPLES' PERCEPTIONS ON PEACE AND SECURITY<sup>293</sup>

In 2014, a considerable 37% of those in Logar felt that insecurity and violence were the biggest problems in their local area, with 3% reporting suicide attacks, 5% of respondents reporting the presence of warlords and 5% the Taliban as the biggest problem, as well as some regarding drug smuggling (1.5%) and crime (1%). While Logar residents also noted high levels of insecurity, they also felt that unemployment (46%), poverty (6%), and a poor economy (2%) were among the biggest problems in their area. Logar residents were also concerned about education (14%) roads (11%), healthcare (3%), and drinking water (4%) indicating a considerable degree of socioeconomic obstacles in the province. However, regarding their perceptions on the whole of Afghanistan, 47% of those in Logar felt one of the biggest problems facing Afghanistan was insecurity and violence, 8% the presence of the Taliban, 4% roadside bombings, 2% drug smuggling, 2% crime, and 3% presence of warlords.

In Logar, 22% of respondents always feared for their own personal security or the security of their family, while an additional 59% often or sometimes feared for their personal or family's safety. Only 3% reported that they never experienced fear of this nature. An overwhelming 38% had themselves or a member of their family been the victim of violence or crime in the past year. Of those who had experienced violence or crime, 47% had experienced physical attacks or beating, 5% kidnapping, 5% militant or insurgent actions, 7% murder, and 22% suicide attacks.

80% of Logar respondents believed that reconciliation efforts between the Afghan government and armed opposition groups can help to stabilize the country. Respondents in Logar believed that main reasons the armed opposition groups are fighting include a desire to gain power (13%), to create insecurity (7%), to create fear or terror (3%), for money (7%), unemployment and poverty (5%), or the presence of foreign troops (17%), among other reasons.

A deeply concerning 20% of Logar respondents had a lot of sympathy for armed opposition groups when asked to think generally about why they have been fighting during the last year, and an additional 46% a little sympathy. Only 34% in Logar had no sympathy at all.

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<sup>290</sup> Ibid.

<sup>291</sup> "Letter dated 9 June 2014 from the Chair of the Security Council Committee established pursuant to resolution 1988 (2011) addressed to the President of the Security Council," UN Security Council, 10 June 2014, [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2014\\_402.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2014_402.pdf).

<sup>292</sup> "Afghanistan Opium Survey 2014," UNODC and Ministry of Counter Narcotics, November 2014.

<sup>293</sup> "Visualizing Afghanistan: A Survey of the Afghan People," The Asia Foundation, 2014, <http://afghansurvey.asiafoundation.org>.

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## SECURITY IN LOGAR

Respondents in Logar assessed security as being very poor, with most respondents placing it at a 4<sup>294</sup> or 5<sup>295</sup> on a scale from 1 to 5 where 1 is very secure and 5 very insecure. Overwhelmingly, those interviewed in Herat felt that the security situation has worsened compared to last year.<sup>296</sup> In Logar, the biggest security issues identified by respondents were AOG activity<sup>297</sup> and acts of terrorism such as suicide bombings.<sup>298</sup> Other key security issues discussed were kidnapping,<sup>299</sup> smuggling,<sup>300</sup> and one reintegrees participant named coalition bombings as a security concern.<sup>301</sup>

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## APRP AND THE PEACE PROCESS

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### AWARENESS AND PERCEPTIONS OF APRP

According to the PPC and PJST interviewees, approximately 318 insurgents have joined the peace process in Logar.<sup>302</sup> According to APRP documents, in Logar, 170 reintegrees to date by the end of 2013 had participated in APRP, and 12 negotiations with local insurgent groups had been undertaken.<sup>303</sup> Most of the interviewees in Logar were aware of the APRP process, and that is the means by which the government aims to reintegrate fighters. Respondents in Logar demonstrated little faith in APRP, and generally felt it had limited impact and effectiveness. Many respondents had limited knowledge of the program, with a few having heard about it through media and feeling generally that a peace process is positive, but with little insight as to the effectiveness of the program.<sup>304</sup>

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<sup>294</sup> Two FGDs with female community members, one FGD with male community members, interviews with PPC, DRRD, and DAIL in Logar province

<sup>295</sup> Two FGDs with male community members, one FGD with female community members, one FGD with community leaders, two FGDs with reintegrees in Logar province

<sup>296</sup> Discussed in 18 interviews

<sup>297</sup> Three FGDs with female community members, three FGDs with male community members, two FGDs with community leaders, one FGD with reintegrees, interviews with DoPW, DRRD, PJST, and PPC in Logar province

<sup>298</sup> Four FGDs with female community members, three FGDs with male community members, one FGD with community leaders, one FGD with reintegrees in Logar

<sup>299</sup> Two FGDs with female community members, two FGDs with male community members, one FGD with reintegrees, one FGD with community leaders in Logar

<sup>300</sup> Two FGDs with female community members in Logar

<sup>301</sup> FGD with reintegrees in Logar

<sup>302</sup> Interview with PPC and PJST in Logar

<sup>303</sup> "APRP 2013 Annual Project Progress Report," United Nations Development Programme, 2013.

<sup>304</sup> Two FGDs with male community members, FGD with female community members, FGD with community leaders



However, others were dissatisfied with the program, feeling it had little impact and made no contribution to establishing peace.<sup>305</sup> Participants explained:

Reintegration did nothing in our area and we are not fully aware of this process, because this process is failed. This process must be eliminated as it was not effective for bringing peace and the security is still getting worse. These process did not affect anything either negatively or positively because it did nothing for the betterment of peace and security. Some people joined this process but it is a kind of exhibition (...) These processes only benefit those who are officials and works in these councils but did nothing for the people of Afghanistan.<sup>306</sup>

Some also noted that the legitimacy of the insurgents who join the peace process is questionable, noting that only “fake” insurgents join the peace process and feeling that real AOGs would never join the peace and reintegration process.<sup>307</sup>

## DEVELOPMENT PROJECTS

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According to a member of the PJST interviewed in Logar, 120 development projects have been implemented through APRP. Participants mostly discussed the building of boundary walls, public buildings such as meeting halls, and wells.<sup>308</sup> However, very few were aware of or discussed development projects implemented through APRP. Among those who were aware of development projects, most felt that the development projects that have been undertaken have largely been small-scale and short-term.<sup>309</sup> Interviewees explained that all development projects implemented through APRP in Logar are coordinated through DRRD,<sup>310</sup> with no involvement of other line ministries.<sup>311</sup>

For this project, researchers conducted site visits to eight SGPs in Logar province. Of these projects, three were construction of boundary walls, two road gravelling, two agroforestry, and one construction of a community center. According to the observation checklists, all eight projects were implemented through CDCs with oversight and monitoring from DRRD, and reintegrees were only employed on one of the eight projects, where the CDCs generally decided who got to work on the projects and did not include reintegrees, despite the projects being supported by APRP funding. All of the projects were assessed as having been built of average to high quality, and the majority were still assessed as being in average to good condition. However, in one agroforestry project where

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<sup>305</sup> FGD with female community members, two FGDs with male community members, three FGDs with community leaders, interview with PPC in Logar

<sup>306</sup> FGD with male community members in Logar

<sup>307</sup> FGD with community leaders in Logar

<sup>308</sup> Interview with PJST, FGD with reintegrees in Logar

<sup>309</sup> FGD with female community members, two FGDs with reintegrees, FGD with community leaders, interview with DAIL, DRRD, PJST, and PPC in Logar

<sup>310</sup> Ibid

<sup>311</sup> Interview with DAIL, DoPW, DRRD, and PPC in Logar

a pistachio plantation was established, lack of irrigation was noted as affecting sustainability, where DAIL explained they can no longer irrigate the orchard constantly and if it is not irrigated it will eventually dry out.

### **Case Study: Constructing a Community Center in Norakhail Village**

In Norakhail village in November 2013, a community center was constructed with a budget of 16,364 USD. The project was implemented by the PPC through the local CDC with technical assistance from MRRD. No reintegrees worked on the construction of this project, where the workers were hired by the CDC. The building was assessed as having been originally constructed of a very high quality, and is currently in good condition, benefiting 2,364 people in the local community.

## SUPPORT FOR REINTEGREGES

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The biggest issue with APRP noted in the interviews was the lack of meaningful support for reintegrees who do join the peace process, especially in terms of their security and economic opportunities. As noted in the previous section, there have been few SGPs and development projects associated with APRP, and those that were assessed generally did not provide work for reintegrees. In many of the interviews conducted in Logar, participants cited poverty and unemployment as major factors that motivate people to join AOGs.<sup>312</sup> One reintegree explained:

When we joined the peace process they gave 13,000 AFN for the group commander and 8,000 AFN for members for 6 months since then no one has helped us. Our life was facilitated before joining to the peace process, and it was great when we were receiving 13,000 or 8,000 AFN per month, but no employment opportunities have been provided for us yet.<sup>313</sup>

Several reintegrees discussed their personal security as a key concern after having joined the reintegration process.<sup>314</sup> They are threatened by militants, which were also acknowledged as a key problem facing reintegrees by the PJST and DoPW in Logar. All reintegrees interviewed in Logar had formerly been involved in armed opposition with the Taliban for 5-10 years.<sup>315</sup> Some felt that the lack of financial stability and insecurity they faced left them no choice but to rejoin militant groups.<sup>316</sup> One explained, "If the government does not attend us and won't address our poverty, we must join the insurgents again and will restart fighting against the government because at least the insurgents gave us enough money."<sup>317</sup>

Reintegrees generally regarded the support provided by the government as inadequate. One explained "our main problems are unemployment and security; the government can't survive themselves, so how is it possible for them

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<sup>312</sup> Poverty cited in 13 interviews; unemployment cited in 10 interviews

<sup>313</sup> FGD with reintegrees in Logar

<sup>314</sup> Two FGDs with reintegrees in Logar

<sup>315</sup> Two FGDs with reintegrees in Logar

<sup>316</sup> Two FGDs with reintegrees in Herat

<sup>317</sup> FGD with reintegrees in Logar

to keep us safe?”<sup>318</sup> Reintegreees had primarily chosen to reintegrate because they felt patriotism and wanted the fighting to stop in their province, and one group explained that when they found out the foreign troops were leaving Afghanistan they decided to stop fighting because they felt that jihad is lawful against foreign troops, but not with Afghans.<sup>319</sup>

### ***Case Study: Reintegration in Logar***

Before joining peace process, I had security, developmental and educational problems. I am forty years old and I have 18 family members. I was active in an anti-government element, but after I found out the facts about the conflict I stopped violence and joined the peace process in 2013. Our village and other surrounding areas were insecure when I was with militants, but since I joined peace process the local people don't feel threats about security.

Since I joined the peace process, they started implementing development projects in our area. By joining the reintegration process, the security got better and some public welfare projects have been implemented such as building a school, bridge, and water dam. The bridge solved the transportation problem of the local residents and created work opportunities for local people.

Finally the locals were really satisfied from the Peace Council projects and advised anti-government elements to stop their conflicts and to join peace process such as I had done. I am a religious scholar as well, and I was a teacher in village madrassa. I served through the field of Islamic teaching. Now I founded a Madrassa in Gardez, central city of Paktia province and I'm busy in directing and teaching in the mentioned Madrassa.

I am satisfied and live happily since I joined peace process. I was inspired by my father to join the peace process; he is a member of developmental council of the local village. I want to say to the anti-government elements, the jihad and fight was lawful with foreign troops that occupied our country. The coalition forces withdraw from Logar province and there are no soldiers now, so that's why I stopped fighting against the government. I didn't want to fight with the national police and army. I ask insurgents to please stop violence, fighting against your brothers and join the peace process. Your beliefs and ideas are not stronger than mine, and I joined the peace process and you should do so too.

## **AMNESTY AND ESTABLISHING A HISTORICAL RECORD**

In 2005, AIHRC published the report 'A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan,, based on consultations through a survey with 4,151 respondents and 200 focus group discussions with over 2000 participants in 32 provinces and with Afghan refugee populations in Iran and Pakistan.<sup>320</sup> The consultations concluded that the Afghan people had a strong desire for justice regarding past and current crimes,

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<sup>318</sup> FGD with reintegreees in Logar

<sup>319</sup> Two FGDs with reintegreees in Logar

<sup>320</sup> "A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan," Afghanistan Independent Human Rights Commission, 2005, [http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29\\_1\\_05call4justice.pdf](http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29_1_05call4justice.pdf).

the Afghan government and international community should take action against known perpetrators, war criminals should be removed from positions of power, and there was a strong desire to document the truth of what has happened in Afghanistan.<sup>321</sup> However, despite these recommendations, no formal truth commission was ever established and the parliament passed an amnesty law in 2007, providing blanket immunity and pardoning former members of armed factions for war crimes and human rights abuses committed prior to December 2001.<sup>322</sup>

In Logar, many are still not in support of amnesty.<sup>323</sup> Though members of one FGD with community leaders felt some sense of justice, explaining it was “rather a sense of justice, not its actual shape,” and the PJST felt that the public has some sense of justice, most community members had no sense of justice for the violence and atrocities committed over the past several decades.<sup>324</sup> Female community members explained:

I don’t think any Afghans feel justice in last four decades because the same injustice is in progress up until now. People didn’t have equal access to their rights, and no criminal has been prosecuted, so how they can feel justice?<sup>325</sup>

Many interviewees felt that amnesty for those who had participated in the violence would further undermine any hope for ever feeling a sense of justice, and that it would have a bad effect on the peace process through instilling a sense of impunity among those involved or considering involvement in AOG activity. In one discussion, participants explained:

All criminals must not be forgiven before 1380. They made hundreds of women and children widowed and orphaned so they cannot be forgiven. Amnesty and forgiveness is not responsibility of a person. The war affected people and victims who lost their sweet family members, and they are responsible to forgive or not forgive the criminals. If public amnesty is given, then it means betrayal.<sup>326</sup>

Another tied this issue to corruption and the involvement of former or current war criminals in the government:

Amnesty will bring no positive impact for our peace and security as the criminals are still working in high posts in the government. Actually the criminals don’t want peace and prosecution, if they did they would be prosecuting themselves.<sup>327</sup>

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<sup>321</sup> Ibid.

<sup>322</sup> “Afghanistan – Repeal Amnesty Law: Measure Brought into Force by Karzai Means Atrocities Will Go Unpunished,” Human Rights Watch, 10 March 2010, <http://www.hrw.org/news/2010/03/10/afghanistan-repeal-amnesty-law>.

<sup>323</sup> Three FGDs with female community members, three FGDs with male community members, one FGD with community leaders, interview with PPC in Logar

<sup>324</sup> Four FGDs with female community members, three FGDs with male community members, three FGDs with community leaders, interview with PPC in Logar

<sup>325</sup> FGD with female community members in Logar

<sup>326</sup> FGD with male community members in Logar

<sup>327</sup> FGD with male community members in Logar

However, some interviewees—namely reintegrees, the PJST, and some community leaders—felt that amnesty promotes the peace process. One reintegree explained, “Amnesty should be given for criminals as they have done their violence and conflicts by mistake. Islam recommends that forgiveness is better than revenge.”<sup>328</sup> Some felt that amnesty would convince others to join the process. One reintegree explained, “Yes amnesty impacts, because the insurgents fear that government will prosecute them one day. If the government forgives them, it will really impact the process well.”<sup>329</sup>

Similarly, there was a prevailing opinion among community members that the crimes and transgressions of the past four decades should be systematically documented.<sup>330</sup> Participants felt that the government should be responsible for this process, and that they must be kept in a safe place and should not be destroyed. One group of community members explained:

From Soviet occupation of our country till 1394, all evidence must be collected as all regimes had their own crimes and betrayals. Especially the Mujaheddin committed crimes that cannot be forgotten and forgiven. Even though there is no evidence from the time of Mujaheddin regime, they must not be forgiven. If there would be an independent government and judiciary they should be responsible for collecting and managing this evidence. It would be great to broadcast the criminal evidence through media in order that everybody will recognize the criminals and then it should be up to public to forgive or prosecute them.<sup>331</sup>

Several also felt that this historical record should be a basis for prosecution,<sup>332</sup> explaining “No one wants this evidence that proves crimes to be kept and hidden, but only for a chance that one day all these criminals will be prosecuted.”<sup>333</sup> However, some also felt that though there should be a historical record established, it should be kept secret, an opinion held chiefly by the reintegrees interviewed in Logar.<sup>334</sup> One group of male community members explained, “The evidence must be kept secure forever and should not be disclosed. If they are public, fights and conflicts will increase.”<sup>335</sup> Another group of community leaders also explained their opinion that they should be kept secret out of fear of inciting further violence:

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<sup>328</sup> FGD with reintegrees in Logar

<sup>329</sup> FGD with reintegrees in Logar

<sup>330</sup> Four FGDs with female community members, four FGDs with male community members, three FGDs with community leaders, interviews with PPC and PJST in Logar

<sup>331</sup> FGD with male community members in Logar

<sup>332</sup> Two FGDs with male community members, FGD with female community members, FGD with community leaders, interview with PPC in Logar

<sup>333</sup> FGD with male community members in Logar

<sup>334</sup> Two FGDs with reintegrees, FGD with community leaders, FGD with male community members

<sup>335</sup> FGD with male community members in Logar

If these evidential documents are disclosed it can bring more conflicts. It is better to keep them secure. All these documents must be kept secure and safe, if not it will bring more and more violence and conflicts.<sup>336</sup>

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## LOCAL PROSPECTS FOR PEACE

There was widespread perception that local communities, and particularly traditional leaders, have an important role to play in the peace process that is not currently being fully maximized through the APRP structure and process.<sup>337</sup> This was largely perceived due to the longstanding traditional role that elders, shuras, and jirgas have played in mediating conflict in Afghanistan.<sup>338</sup> A group of female community members explained, “The traditional jirga method can play an important role in the peace and reconciliation process. Since these kinds of jirgas are in people’s local area it can really have a positive impact on the peace process.”<sup>339</sup> However, one group of community leaders felt that activities undertaken through local councils are slow and don’t have a fundamental role, and that qualified government officials are better suited to mediate issues regarding ethnicity and religion. However, they felt that elders could play a role through reaching out to convince local people and insurgents who are unable to communicate directly with the government.<sup>340</sup> Some also specifically mentioned religious leaders,<sup>341</sup> with community members explaining “Religious scholars and spiritual leaders have an influence on anti-government elements and can make them join the peace process through good mediation.”<sup>342</sup> Some community members also felt that teachers and students could play a very good role in the peace process.<sup>343</sup>

Traditional leaders and bodies were felt to have a number of qualities and capacities that would make them well-suited to take on a larger role in the peace process—namely their influence, relationship with the people of the community, legal expertise, awareness of local problems and dynamics, and that they are generally considered honest, moral, and have the trust of the people. They were also felt to be in a unique position where in many cases they have access to both the government and AOGs,<sup>344</sup> and in many cases are also respected and trusted by AOGs.<sup>345</sup> A PPC member explained:

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<sup>336</sup> FGD with community leaders in Logar

<sup>337</sup> Mentioned in 15 out of 23 interviews in Herat

<sup>338</sup> Mentioned in 15 out of 23 interviews in Herat

<sup>339</sup> FGD with female community members in Logar

<sup>340</sup> FGD with community leaders in Logar

<sup>341</sup> FGD with reintegrees and interview with PPC in Herat

<sup>342</sup> FGD with community leaders in Logar

<sup>343</sup> FGD with female community members, FGD with male community members in Logar

<sup>344</sup> Two FGDs with male community members, two FGDs with reintegrees, FGD with community leaders, interview with PPC in Logar

<sup>345</sup> Two FGDs with male community members, interview with PJST and PPC in Logar

The elders play an important role. The peace process is a national process and everybody can take a part in this process, but if there weren't elders and local leaders here it would be impossible to carry out this process in Logar properly.<sup>346</sup>

Reintegrees also explained that they would join the peace process through first approaching local leaders, explaining, "The elders and local leaders can affect the peace process greatly as the militants contact them for their first step to join peace process."<sup>347</sup> In 8 interviews conducted in Logar, participants were aware of specific cases of peace agreements that had been locally negotiated regarding AOGs. Though the following case study is documented as a positive example of a locally mediated agreement, it also highlights the potential dangers of involving informal dispute resolution bodies, who are not necessarily accountable to upholding rule of law and adhering to national and international human rights standards. In the case outlined below, though the dispute was resolved, it was resolved through force marriage, highlighting the potential dangers of involving traditional bodies which are largely patriarchal and have a history of resolving disputes in ways that can constitute gross violations of human rights and women's rights. It also demonstrates considerable issues regarding the mandate and practice of the PPC, who involved themselves in a family dispute beyond the scope of their mission, and supported a resolution that violated Afghan law and resulted in the forced marriage of a woman, and men deciding to sacrifice a woman in the interest of "peace."

#### ***Case Study: Negotiating Peace Locally in Logar***

The elders and local leader in two areas of Logar province engaged to solve a conflict between two families. They had been in conflict for at least 20 years. The daughter of one family was married to the son of another family. However, her husband passed away 20 years ago, and their families agreed to reengage her to his nephew, who they said was not too young, with direction of her husband's family, but the widow did not agree to this arrangement. Their families and villagers celebrate the engaged ceremony, and all villagers were aware of the engagement agreement. The widow was still in her brother's home, and her brothers would not allow them to force her to remarry. Though the widow's deceased husband's family repeatedly came to marry her, her brother wouldn't allow them.

Eventually, the local elders evaluated this issue three times in the Logar peace council. They agreed to hold a mediation session with the involved families, and every family member attended. The widow brought a lawyer, and the deceased husband's nephew and all of his family gave their authority as mediators to local elders without any condition. All of those involved gave their fingerprints on a paper to consent to a decision about reaching a solution to their problem, and they agreed to attend the next gathering.

The issued was discussed in three gatherings, after which the agreement took place and both families made peace with each other. The resolution was for that the widow over whom they had conflict is now the spouse of the nephew of her deceased husband. Both families' children now go to school, as they were formerly unable to as fugitives. The local elders and Provincial Peace Council advised them that fighting is not the way of peace. After this, they agreed to accept the decision of Logar peace council. The elders took complete responsibility for

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<sup>346</sup> Interview with PPC member in Logar

<sup>347</sup> FGD with reintegrees in Logar

the conflict agreement, and if anyone did not accept the regulation of the agreement they will lose their benefits.

The elders gathered in Logar peace council at 16-12-1391. They talked for hours on this issue and reached agreement on the following conditions:

1. All local elders got information about the woman, that was engaged again to her husband's nephew when after the death of her husband.
2. The elders agreed to give enough time to the widow for counseling and marriage.
3. All elders agreed that the widow is the spouse of her deceased husband's nephew and can't become engaged or marry anyone else.
4. Elders agreed that the both involved families can't have further conflict.
5. The mentioned conditions and agreement were confirmed by the facilitators, including two local commanders and village elders from both communities, all male. These elders agreed and added that the widow should talk and negotiate with her brother and all conflicts have been removed from both families.
6. If the Gods willing we are going to obtain the satisfaction of the widow as well.



## 4.3 PANJSHIR

### PROVINCIAL OVERVIEW

#### DEMOGRAPHICS, GEOGRAPHY AND RESOURCES

Panjshir province is located in the center of Afghanistan, encompassing a total of 3,531 square kilometers. It borders Nooristan, Kapisa, Parwan, Baghlan, Takhar, and Badakhshan provinces. It is mostly mountainous (78%), semi-mountainous (13%), and the remaining land is flat (4%), semi flat (3%), or not reported (2%). The predominant ethnic group is Tajik, with a very small population of Pashtun Kuchis.<sup>348</sup> Dari is the predominant language.<sup>349</sup> Panjshir has 7 administrative units with a population estimated at 146,100, of which 100% live in rural areas.<sup>350</sup>

#### CURRENT CONFLICT AND INSURGENCY

Panjshir is generally regarded as one of the safer provinces in Afghanistan, with a history at the center of Afghanistan's decades of conflict, home to Ahmad Shah Massoud and a stronghold against the Taliban.<sup>351</sup> The province has been generally stable since the fall of the Taliban, likely largely due to its general insularity and geographic structure, where one paved road carves through the long, narrow valley of Panjshir province in the Hindu Kush mountains,<sup>352</sup> with a deep and narrow gorge at the valley's mouth that helps to guard the province from obstruction and ambush.<sup>353</sup> Additionally, in recent years, a new reinforced checkpoint was built across the road at the gorge.<sup>354</sup> There have been some isolated security incidents in Panjshir, such as a rocket attack that inflicted no casualties from the Taliban in May 2015,<sup>355</sup> and a suicide attack in the Dalan Sang area of Panjshir Valley that killed 12 in May 2014.<sup>356</sup>

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<sup>348</sup>"Panjshir Provincial Profile," MRRD NABDP, n.g.<http://www.mrrd-nabdp.org/attachments/article/248/Panjshir%20Provincial%20Profile.pdf>.

<sup>349</sup> Ibid.

<sup>350</sup> Ibid.

<sup>351</sup> "The Green Valley of Panjshir—Afghanistan's Secure Province," CIGI, 27 September 2010, <https://www.cigionline.org/blogs/2010/9/green-valley-panjshir---afghanistans-secure-province>.

<sup>352</sup> Ibid.

<sup>353</sup> Matthew Rosenberg, "Recalling Past threats, Afghans in Tranquil Valley Work to Keep it That Way," New York Times, 13 January 2014, <http://www.nytimes.com/2014/01/14/world/asia/afghan-panjshir-Valley.html>.

<sup>354</sup> Ibid.

<sup>355</sup> "Taliban Fired Rocket on Panjshir Province," Bakhtar News Agency, 16 May 2015, <http://www.bakhtarnews.com.af/eng/security/item/17431-taliban-fired-rocket-on-panjshir-province.html>.

<sup>356</sup> Haris Kakar, "Suicide Attack Kills 12 in Afghanistan's Panjshir Valley," The New York Times, 1 May 2014, [http://www.nytimes.com/2014/05/02/world/asia/suicide-attack-kills-12-in-afghanistans-panjshir-valley.html?\\_r=0](http://www.nytimes.com/2014/05/02/world/asia/suicide-attack-kills-12-in-afghanistans-panjshir-valley.html?_r=0).

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## PEOPLES' PERCEPTIONS ON PEACE AND SECURITY<sup>357</sup>

In 2014, security was not considered a major concern in Panjshir. In the 2014 Survey of the Afghan People, no respondents in Panjshir named insecurity, violence, attacks, warlords, crime, drug smuggling, or the Taliban as among the two biggest problems in their local area. Instead, 32% considered electricity as among the province's biggest problems, 29% roads, 20% education, 17% healthcare, 17% unemployment, and 8% water for irrigation.

In Panjshir, only 2% of respondents said they sometimes feared for their own personal security or the security of their family, while 5% rarely feared for their personal or family's safety and a considerably 93% never. Less than 2% (6 respondents) had themselves or a member of their family been the victim of violence or crime in the past year. Of those who had experienced violence or crime, three did not know what type of crime or violence it was, two had experienced a physical attack or beating, and only one said the incident was related to militants or insurgent actions.

Only 26% of Panjshir respondents believed that reconciliation efforts between the Afghan government and armed opposition groups can help to stabilize the country. Respondents in Panjshir believed that main reasons the armed opposition groups are fighting include a desire to gain power (14%), because of support from Pakistan (13%), because of the present of foreign troops (10%), ethnic problems (9%), injustice (6%), and to implement law (8%). Respondents from Panjshir showed little tolerance for armed opposition, with 99% of respondents reporting that they have no sympathy at all for armed opposition groups fighting during the past year.

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## SECURITY IN PANJSHIR

Respondents in Panjshir assessed security as being very good, with most respondents placing it at a 1<sup>358</sup> or 2<sup>359</sup> on a scale from 1 to 5 where 1 is very secure and 5 very insecure. Participants were mixed on how the present security situation compares to last year, with some assessing it as having improved,<sup>360</sup> others worsened,<sup>361</sup> and others still perceiving that it had stayed the same.<sup>362</sup> Though there was general consensus that security is not a major issue in Panjshir, the main security issues noted were some AOG activity in Rokha district, mainly Hizbi Tahrir with some Taliban activity,<sup>363</sup> ethnic tensions,<sup>364</sup> and landmines and unexploded ordnances.<sup>365</sup>

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<sup>357</sup> "Visualizing Afghanistan: A Survey of the Afghan People," The Asia Foundation, 2014, <http://afghansurvey.asiafoundation.org>.

<sup>358</sup> 12 interviews

<sup>359</sup> 5 interviews

<sup>360</sup> FGD with community leaders, FGD with youth, interview with PPC

<sup>361</sup> FGD with male community members, FGD with community leaders, FGD with female community members, interview with MRRD and MAIL

<sup>362</sup> FGD with male community members, three FGDs with youth

<sup>363</sup> FGD with youth, two FGDs with female community members, three FGDs with male community members, two FGDs with community leaders, interviews with DAIL, DoPW, DRRD, and the PPC in Panjshir

<sup>364</sup> FGD with youth, FGD with female community members, FGD with male community members, FGD with community leaders, interview with DRRD in Panjshir

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### AWARENESS AND PERCEPTIONS OF APRP

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APRP has had a very light footprint in Panjshir province, likely due to the relative security there and limited AOG activity. According to APRP documents, in Panjshir, no reintegrees to date by the end of 2013 had participated in APRP, and no negotiations with local insurgent groups had been undertaken.<sup>366</sup> Though many interviewees in Panjshir were aware of the APRP process, they were mostly only aware that a peace process exists and their knowledge was limited<sup>367</sup> or had heard about it through media<sup>368</sup> and were unaware of any APRP activities in their area. A group of youth explained:

We have heard of APRP through national television and some other TV ads that have been broadcast. We saw that in some provinces there is opposition to the peace process. It would be a good process in Panjshir province, but because there is no opposition in the province so far the process not been implemented.<sup>369</sup>

However, in two FGDs with male community members and one with community leaders, participants had no knowledge of APRP. As such, participants in Panjshir had little insight as to the effectiveness of the program. The biggest complaints that participants had about APRP was the perception that it is corrupt,<sup>370</sup> and that it could be improved by recruiting better officials,<sup>371</sup> with some also feeling that longer-term projects are needed. The PPC member interviewed also acknowledged that the biggest challenge they face is a lack of public confidence in the peace process, as well as the committee's ethnic and religious conflicts and a lack of cooperation from provincial authorities in Panjshir.

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### DEVELOPMENT PROJECTS

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Interviewees in Panjshir explained that to date no development projects have been undertaken through APRP.<sup>372</sup> According to APRP-related reporting, in 2013, three bore wells and one pipe scheme were undertaken through DRRD related to APRP,<sup>373</sup> benefiting the total beneficiaries were 117 households.<sup>374</sup> However, no further

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<sup>365</sup> FGD with youth, FGD with female community members

<sup>366</sup> "APRP 2013 Annual Project Progress Report," United Nations Development Programme, 2013.

<sup>367</sup> Two FGDs with youth, three FGDs with female community members, FGD with male community members, two FGDs with community leaders

<sup>368</sup> Two FGDs with youth, FGD with female community members

<sup>369</sup> FGD with youth

<sup>370</sup> FGD with male community members and interview with DAIL in Panjshir

<sup>371</sup> FGD with female community members, FGD with male community members, FGD with community leaders, interview with DAIL in Panjshir

<sup>372</sup> Interview with DAIL, DRRD, DoPW, and PPC in Panjshir

<sup>373</sup> "MRRD/APRP Newsletter," Ministry of Rural Rehabilitation and Development, December 2013, [http://hpc.org.af/english/images/Media/PdfFiles/MRRD\\_Profile\\_English.pdf](http://hpc.org.af/english/images/Media/PdfFiles/MRRD_Profile_English.pdf).

information was available regarding APRP-related development projects in Panjshir and no observation visits were conducted.

## SUPPORT FOR REINTEGREGES

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As there have been few (if any) reintegrees in Panjshir, there was limited insight regarding support for reintegrees, and no FGDs or in-depth interviews were conducted with reintegrees in Panjshir province. Those who did mention issues with APRP support for reintegrees in Panjshir discussed their need for financial support and economic stability, the issue of insecurity and threats from AOGs, and the need for longer-term projects through APRP.<sup>375</sup>

## AMNESTY AND ESTABLISHING A HISTORICAL RECORD

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In 2005, AIHRC published the report 'A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan,, based on consultations through a survey with 4,151 respondents and 200 focus group discussions with over 2000 participants in 32 provinces and with Afghan refugee populations in Iran and Pakistan.<sup>376</sup> The consultations concluded that the Afghan people had a strong desire for justice regarding past and current crimes, the Afghan government and international community should take action against known perpetrators, war criminals should be removed from positions of power, and there was a strong desire to document the truth of what has happened in Afghanistan.<sup>377</sup> However, despite these recommendations, no formal truth commission was ever established and the parliament passed an amnesty law in 2007, providing blanket immunity and pardoning former members of armed factions for war crimes and human rights abuses committed prior to December 2001.<sup>378</sup>

In Panjshir, many are still not in support of amnesty.<sup>379</sup> Generally, those in Panjshir felt at least some sense of justice for the violence and conflict that has occurred over the past several decades.<sup>380</sup> A female community member explained, "Afghanistan is almost at a sense of justice, but it does not learn from its past life of war and misery. The peace process is a national process and it will lead to positive changes"<sup>381</sup> However, some still felt that there was no sense of justice.<sup>382</sup>

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<sup>374</sup> "Afghanistan Peace and Reintegration Programme (APRP) Line Ministry Summary Statistic Report," MRRD and Ru-WatSIP, 2013, [http://hpc.org.af/english/images/Media/PdfFiles/MRRD\\_Profile\\_English.pdf](http://hpc.org.af/english/images/Media/PdfFiles/MRRD_Profile_English.pdf).

<sup>375</sup> Interview with DoPW, DRRD, and PPC in Panjshir

<sup>376</sup> "A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan," Afghanistan Independent Human Rights Commission, 2005, [http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29\\_1\\_05call4justice.pdf](http://www.aihrc.org.af/media/files/Reports/Thematic%20reports/rep29_1_05call4justice.pdf).

<sup>377</sup> Ibid.

<sup>378</sup> "Afghanistan – Repeal Amnesty Law: Measure Brought into Force by Karzai Means Atrocities Will Go Unpunished," Human Rights Watch, 10 March 2010, <http://www.hrw.org/news/2010/03/10/afghanistan-repeal-amnesty-law>.

<sup>379</sup> Three FGDs with youth, three FGDs with female community members, two FGDs with male community members, two FGDs with community leaders

<sup>380</sup> Two FGDs with youth, three FGDs with female community members, FGD with community leaders, interview with PPC in Panjshir

<sup>381</sup> FGD with female community members

<sup>382</sup> Two FGDs with youth, FGD with community leaders, FGD with male community members

Some interviewees felt that amnesty for those who had participated in the violence would further undermine any hope for ever feeling a sense of justice, and that it would have a bad effect on the peace process through instilling a sense of impunity among those involved or considering involvement in AOG activity.<sup>383</sup> In one discussion, participants explained, “These criminals must be tried and punished for their actions so that others see this lesson. If amnesty is given to them positive change will not come and courage will be given to the criminals.”<sup>384</sup>

However, some interviewees felt that amnesty helps to support the peace process.<sup>385</sup> The PPC member from Panjshir explained, “For peace, it is worth considering the issue of amnesty for the opposition; it is time for those who want peace.” Some felt that amnesty is aligned with Islamic values, which prioritizes forgiveness over revenge.<sup>386</sup>

Similarly, there was a prevailing opinion among community members that the crimes and transgressions of the past four decades should be systematically documented.<sup>387</sup> Participants felt that the government should be responsible for this process, and that they must be kept in a safe place and should not be destroyed. The PPC member in Panjshir explained, “When the issue of violations from all periods is presented, it should be preserved rather than kept secret, because all the parties in the country have committed criminal offenses.”<sup>388</sup>

Some also felt that this historical record should be a basis for prosecution, but that such matters must proceed with caution to avoid renewed conflicts and violence.<sup>389</sup> One group of youth explained:

If the actual state of the evidence on the basis of their war crime is collected, it should be left to national justice authorities to prosecute criminals for the war crimes that have been committed. Otherwise they should be submitted to international courts. The evidence should be kept in a safe place. If the the government or institutions publish documents regarding various feuds and revenge, a new round of civil war will break out.<sup>390</sup>

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<sup>383</sup> Two FGDs with community leaders, FGD with male community members, FGD with female community members

<sup>384</sup> FGD with community leaders

<sup>385</sup> FGD with community leaders, FGD with female community members, FGD with male community members, interview with PPC

<sup>386</sup> FGD with female community members, FGD with male community members

<sup>387</sup> Discussed in 15 interviews

<sup>388</sup> Interview with PPC in Panjshir

<sup>389</sup> FGD with female community members, FGD with youth, FGD with male community members, FGD with community leaders

<sup>390</sup> FGD with youth

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## LOCAL PROSPECTS FOR PEACE

There was widespread perception that local communities, and particularly traditional leaders, could play an important role to play in the peace process.<sup>391</sup> A discussion among female community members explained, “The jirga plays an important role in Afghanistan because Afghanistan is a traditional country and all disputes will be resolved through these mechanisms at the village level.”<sup>392</sup> In another discussion with female community members, participants stated:

When there are two families in the area that have family disputes and anytime in between fights local village council for mediation is called to negotiate peace between the two families. Elders work between the two families for mediation and to facilitate peace and reconciliation. This is how we maintain peace at the village level, so up to the national level in the peace process elders can play an important role.<sup>393</sup>

This was largely perceived due to the longstanding traditional role that elders, shuras, and jirgas have played in mediating conflict in Afghanistan.<sup>394</sup> Several also specifically mentioned religious leaders.<sup>395</sup> A PPC member clarified “Because Afghanistan is an Islamic country and its people have strong beliefs, the mullahs and religious scholars can be very useful as useful mechanism involved in this process.”<sup>396</sup>

Traditional leaders and bodies were felt to have a number of qualities and capacities that would make them well-suited to take on a larger role in the peace process—namely their neutrality, being aware of local problems and potential solutions, influence, morality and religious beliefs, and being respected and trusted. They were also felt to be in a unique position having access to both the government and AOGs,<sup>397</sup> and can also be respected and trusted by AOGs.<sup>398</sup> A group of youth explained:

Traditional society has a positive role in Afghanistan and most people will have their traditional acts and respect their elders, so people bring their social problems to the Peace Councils from local councils in most parts of Afghanistan. Their problems are resolved, and in the peace process and reintegration the elders can play an important role. They can help give a sense of confidence to the leaders of insurgent groups through their local councils so that they can cooperate in the peace process.<sup>399</sup>

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<sup>391</sup> Four FGDs with youth, four FGDs with female community members, three FGDs with male community members, two FGDs with community leaders, interview with PPC in Panjshir

<sup>392</sup> FGD with female community members

<sup>393</sup> FGD with female community members

<sup>394</sup> Three FGDs with youth, four FGDs with female community members, three FGDs with male community members, two FGDs with community leaders, interview with PPC in Panjshir

<sup>395</sup> FGD with youth, two FGDs with female community members, FGD with male community member, three FGDs with community leaders, interview with PPC in Panjshir

<sup>396</sup> Interview with PPC in Panjshir

<sup>397</sup> Two FGDs with youth, FGD with community leaders, interview with PPC in Panjshir

<sup>398</sup> Two FGDs with youth

<sup>399</sup> FGD with youth

Another group of youth stated:

The traditional methods have an important role because the local councils work with both the government and the opposition to peacefully together to make this work. The Taliban respect elders and community councils, so that's why this is effective, in fact, due to their experience and role in interpersonal conflict resolution. More traditional methods can help government agencies and a peaceful area itself is created.<sup>400</sup>

Some youth in Panjshir felt that for local and traditional bodies to have a meaningful role in the peace process, they need more support from the government, both in terms of their role as well as for their physical safety since they can be threatened by AOGs sometimes for their involvement in the process.<sup>401</sup>



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<sup>400</sup> FGD with youth

<sup>401</sup> Two FGDs with youth

## 4. CONCLUSION

This research largely echoed many of the previously drawn conclusions about APRP, finding limited results, a failure to adequately consider political, employment and security concerns, lack of credibility of reintegrees, and a lack of higher-level reconciliation matched by a lack of local-level engagement and means of addressing the grievances of the people. Afghan citizens and civil society view the HPC, PPCs, and PJSTs with skepticism, and there are clear capacity gaps across APRP implementation and monitoring. Reintegrees face major issues when joining the peace process, most notably security issues and financial hardship. They are faced with threats from AOGs, and several interviewed for this research found themselves regretting joining the peace process at all, considering prospects for rejoining the insurgency. Several stakeholders noted recidivism as an ongoing concern in the reintegration process.

Furthermore, this research found fundamental flaws in the overall approach and focus of APRP. The program looks almost exclusively at the peace process from the perspective of reintegrees' and grievances of insurgent groups, ignoring the grievances and needs of the people for true reconciliation. Despite clear messages in the 2005 consultation of the people regarding amnesty, establishing a historical record, and the involvement of citizens in the peace process, APRP forged ahead with a vision for a peace process that largely went against the will of the people and did not open any doors for future consultation and involvement of the Afghan people. Though over a decade has passed, this research found that peoples' views have largely not changed, with many still feeling a desire for establishing an official record and seeing prosecution of human rights violators over the past several decades, without which many felt a sense of justice cannot be facilitated and a culture of impunity will continue to thrive.

Following over a decade of research, lessons learned, best practices and failures in Afghanistan's peace process, this research further supports calls for a new approach to the peace process in Afghanistan entering the transformation decade—one that sees bottom-up mechanisms to match the current top-down approach that has seen little to no success after several attempts to engage in senior-level dialogue with armed opposition groups. The administration, international community, and Afghan civil society have an opportunity and responsibility to take a new approach that reflects both the will of the people and the structural issues that contribute to continued violence and instability in Afghanistan.



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