



## SYNTHESIS OF AFGHAN AND INTERNATIONAL CIVIL SOCIETY PAPERS FOR THE 2020 AFGHANISTAN CONFERENCE ON AFGHANISTAN

GENEVA, 23<sup>RD</sup> – 24<sup>TH</sup> NOVEMBER

### SUMMARY

This document synthesizes a series of civil society position papers prepared for the 2020 Afghanistan Conference. Civil society views are outlined in six areas: (i) Peace, Security and Intra-Afghan Talks; (ii) Afghanistan National Development and Peace Framework II; (iii) Citizen's Rights and Protection; (iv) Socio-Economic Development and COVID-19; (v) Displacement and COVID-19; and (vi) Governance and the Citizen's Charter.

Given the mutual challenges faced by the Government of Afghanistan, the international community and civil society in achieving their common goal of providing humanitarian assistance, delivering development and securing peace in Afghanistan, the following overarching recommendations are offered by Afghan and international civil society:

- Rising violence linked to an uncertain, exclusionary peace process is of deep concern to Afghan and international civil society. **To achieve sustainable peace, both a comprehensive ceasefire and an inclusive peace process should be initiated. This process should guarantee: women's meaningful participation; protection for the Constitution and human, women's and minority rights; access to justice and potentially transitional justice; and freedom of expression and the media. Civil society should also be awarded an expanded role, if not observer status, in the Intra-Afghan talks;**
- Giving ongoing challenges facing women and children in Afghanistan, and the realization of their rights, **donor countries and the GoA should strengthen the implementation of laws and legal instruments protecting women's and children's rights, whilst also investing to expand deficient health (i.e. women's sexual, reproductive and maternal health services and mental health services for children) and education services (particularly for girls);**
- Displacement due to conflict and climate change continues to be a major challenge in Afghanistan, with displaced populations disproportionately impacted by COVID-19.

**Donor countries should remain focused on displaced populations in Afghanistan and seek to meet the current and future Afghanistan Humanitarian Response Plans;**

- COVID-19 has precipitated a major public health crisis. Yet, it has also exacerbated inequalities, grown poverty and food insecurity and devastated the economy and livelihoods. **Donor countries should invest not only in the immediate response to the pandemic, but also in understanding and addressing the mid to long-term effects of COVID-19 in Afghanistan;**
- Given high and rising levels of unemployment in Afghanistan and the downturn witnessed resulting from COVID-19 measures, pro-poor economic growth is crucial. **Donor countries and the GoA should expand investment in micro, small and medium enterprises (MSMEs) and adopt the widespread use of cash-based interventions;**
- Both the pandemic and subsequent lockdown have constrained the delivery of life-saving aid across Afghanistan. **The GoA should actively work to enable humanitarian access for COVID-19 response;** and
- The enabling environment for civil society actors is diminishing. **Civil space must be preserved by donor countries and the GoA in Afghanistan.** This includes increasing civil society opportunities to participate in public planning, while ensuring the forthcoming NGO Law is collaborative, and not punitive or controlling.

## ACRONYMS

2020AC	2020 Afghanistan Conference
AMIP	Afghanistan Mechanism for Inclusive Peace
ANDPF II	Afghanistan National Peace and Development Framework II
APF	Afghanistan Partnership Framework for Development
BAAG	British & Irish Agencies Afghanistan Group
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CCAP	Citizen's Charter Afghanistan Project
CDC	Community Development Council
CSWC	Civil Society Working Committee
EVAW	Elimination of Violence against Women
GCA	Geneva Conference on Afghanistan (2018)
GoA	Government of Afghanistan
GoF	Government of Finland
IDLG	Independent Directorate of Local Governance
IDP	Internally Displaced Person
LPCR	Law on the Protection of Child Rights
MAIL	Ministry of Agriculture, Irrigation and Livestock
MoE	Ministry of Education
MoPH	Ministry of Public Health
MRRD	Ministry of Rural Rehabilitation and Development
MSME	Micro, Small and Medium Enterprise
SSAR	Solutions Strategy for Afghan Refugees
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan

## 1. PURPOSE

This paper summarises the key views and recommendations made by Afghan and international civil society organisations in position papers prepared for the 2020 Afghanistan Conference (2020AC), held on 23<sup>rd</sup> and 24<sup>th</sup> November, 2020 in Geneva. See Annex One for the list of papers reviewed. This synthesis paper has been prepared by the British & Irish Agencies Afghanistan Group (BAAG).

## 2. CONTEXT

The 2020AC is an international ministerial-level pledging conference co-hosted by the Government of Afghanistan (GoA), the Government of Finland (GoF) and the United Nations (UN). It will be held online, with logistics coordinated from Geneva. The conference will be attended by delegations from 70 countries in addition to a range of international organisations and representatives of the private sector and civil society, including the media. The aim of the

conference is “to commit the Afghan government and the international community to shared development objectives for 2021-24, to coordinate development cooperation, and to ensure financial support for the Afghan administration”.<sup>1</sup>

Building upon earlier conferences held in London (2012), Brussels (2016) and Geneva (2018), the 2020 Afghanistan Conference also intends to ratify components of Afghanistan’s evolving aid architecture. This includes agreement of the Afghanistan National Peace and Development Framework II (ANDPF II), which lays out the GoA’s vision for development and peacebuilding for the period 2021-2024. The Afghanistan Partnership Framework for Development (APF) will also be presented for endorsement. The APF is the fourth in a series of compacts between the GoA and its international partners. It will lay out the nature of international engagement in Afghanistan, whilst also securing commitments from the GoA.

### **3. CIVIL SOCIETY CONSULTATIONS AND CONFERENCE PARTICIPATION**

Provincial-level consultations have been undertaken across all of Afghanistan’s 34 provinces. They were organized by the Civil Society Working Committee (CSWC). The products of the consultations include a report and summary of key findings, which were used to inform a civil society position paper and key messages to be delivered in the Joint Statement by the delegates at the conference.

Ten Afghan civil society delegates have been selected to participate in the 2020AC. Applications were sought across Afghanistan by BAAG and CSWC. Five female and five male delegates were chosen with a diversity in age, experience, ethnicity, language and knowledge.

In addition to this position paper, a Joint Statement has been prepared by Afghan civil society. It has been pre-recorded for delivery at the 2020AC, on November 24; in advance of statements from country delegations.

### **4. THE PAPERS**

#### **Developments since the Geneva Conference on Afghanistan (GCA) in 2018**

Civil society welcomes the progress attained by the GoA, the international community and civil society since the GCA in 2018. While a number of challenges remain and some have deepened, a number of significant achievements have been made. Examples of achievements mentioned in the position papers include:

- The commencement of Afghan Peace Negotiations which are Afghan-owned and Afghan-led, which were preceded by two temporary ceasefires and the signing of the *US-Taliban Agreement for Bringing Peace to Afghanistan*. It is also noteworthy that four female negotiators were appointed to the GoA’s negotiating team;
- Ratification of the 2019 Law on the Protection of Child Rights (LPCR), which enshrines into Afghan law almost all provisions of the UN Convention of the Rights of the Child;

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<sup>1</sup> Ministry for Foreign Affairs of Finland (2020). *2020 Afghanistan Conference*. Available at: <https://um.fi/afghanistan-conference-2020>.

- Incremental improvements in the formal justice sector; including enhancements in the legal framework and body of laws, rising numbers of qualified male and female judges, increasing GoA willingness for openness and transparency, growing public access to and legal representation at trials, and advancement in case registration and case progress; and
- Continuing delivery and expansion of the Citizen’s Charter, which is typically well-received by Afghan citizens.

#### 4.1 Peace, Security and Intra-Afghan Talks

On February 29, 2010 the United States and the Taliban signed the *Agreement for Bringing Peace to Afghanistan*. The agreement called for an end to violence between both parties and a phased withdrawal of foreign forces from Afghanistan. It also committed the Taliban to an Afghan dialogue on peace. As such, the US-Taliban agreement laid the foundation for Intra-Afghan talks that started on September 12, 2020. The Afghan-led peace negotiations are welcomed by civil society as a much-needed opportunity for peace. The appointment of four female negotiators to the GoA’s negotiation team is also recognized as a positive development by Afghan and international civil society.<sup>2</sup>

To date, however, little progress has been made in the peace talks. This has been ascribed to, “a weak and divided government in Afghanistan, the autonomously planned US withdrawal, ill-preparedness of Afghan security forces, and heightened armed conflict between the government and Taliban forces.”<sup>3</sup> Indeed, the Taliban have stepped up attacks on government targets and have initiated a campaign of targeted assassinations. The use of violence is central to the Taliban’s legitimacy and is their primary tool for attaining power at the negotiating table. As a result, violence and civil casualties remain high.<sup>4</sup>

The following quote, taken from the declaration emerging from a national summit on Intra-Afghan talks convened by the Afghanistan Mechanism for Inclusive Peace (AMIP), captures the sentiments of Afghan civil society vis-à-vis the peace process:

*We, the representatives of civil society and media throughout Afghanistan, demand a permanent ceasefire, protection of the achievements of the past 19 years, access to justice, ensuring the rights of all people including minorities and victims of war, protection of access to information, freedom of expression and media.*<sup>5</sup>

First, civil society strongly calls for a comprehensive, country-wide and permanent ceasefire in Afghanistan.<sup>6</sup> This will limit suffering, the soaring numbers of civilian casualties and the targeted assassination of members of civil society and the media. It will also lay the basis for

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<sup>2</sup> NWGWPS (2020).

<sup>3</sup> APPRO (2020): 5.

<sup>4</sup> SCA *et al* (2020).

<sup>5</sup> AMIP (2020a): 2.

<sup>6</sup> AMIP (2020a, 2020b); AWN (2020); NWGWPS (2020).

ongoing peace talks. While violence continues a settlement is less likely, and more easily overturned once agreed.

A second crucial element underpinning the successful outcome of the peace negotiations is an *inclusive* peace process.<sup>7</sup> One method for ensuring an inclusive process is the adoption of “living principles” applied to the process, substance and institutional support required for successful negotiations.<sup>8</sup> More fundamentally, however, civil society calls for inclusion of women, youth, victims of war, and religious, ethnic, tribal and linguistic minorities in the peace process. Only an inclusive peace is a sustainable peace. The inclusion of religious, tribal and ethnic minorities, for example, is key to addressing the underlying causes of conflict in Afghanistan.<sup>9</sup>

The meaningful participation of women is also a key aspect of an inclusive peace process. Women have knowledge, solutions and valuable contributions regarding conflict resolution, management and peacebuilding. As such, they should be engaged in peace talks. Yet, prior to the appointment of female negotiators to the GoA’s team, women were largely excluded from the peace process. Women have featured in only 22 percent of formal and informal Afghan peace negotiations and internationally-backed consultations from 2005 to 2020.<sup>10</sup> While advocating for women’s participation in peace negotiations it is important that their involvement does not become a bargaining chip between the Taliban and GoA.<sup>11</sup> It is, therefore, recommended that women’s participation is set as a precondition for peace negotiations,<sup>12</sup> and that 30 percent of all participants in peace negotiations and staff members in the newly established Ministry of Peace are women.<sup>13</sup> Finally, it is noted that increasing women’s participation in peace talks is not the only step required, but that they should become integral parts of the negotiations, actively working shoulder to shoulder with other delegates.<sup>14</sup>

Third, protections are required for the progress made since 2001.<sup>15</sup> In particular, Afghan and international civil society believes human rights, women’s rights, minority rights and rights of children and youth must be preserved. Furthermore, it is crucial that these rights and other civil, political, economic, social and cultural rights enshrined in the Constitution be safeguarded. Peace negotiations must unreservedly guarantee these protections. And, GoA negotiators should neither postpone discussions on human rights issues, nor should they compromise.<sup>16</sup>

Access to justice is also an important issue in regard to the ongoing peace negotiations.<sup>17</sup> Justice underpins a lasting peace. Securing access to justice is, therefore, central to the sustainable

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<sup>7</sup> AMIP (2020a, 2020b); AWN (2020); CARE (2020); CCB-Peace (2020); CSHRN/HREVO (2020); Kamminga, J., Boswinkel, L. and Göth, T. (2020); NWGWPS (2020).

<sup>8</sup> For further details see AMIP (2020b).

<sup>9</sup> CSHRN/HREVO (2020).

<sup>10</sup> CARE (2020); Kamminga, J., Boswinkel, L. and Göth, T. (2020).

<sup>11</sup> CARE (2020); NWGWPS (2020).

<sup>12</sup> NWGWPS (2020).

<sup>13</sup> CARE (2020).

<sup>14</sup> Kamminga, J., Boswinkel, L. and Göth, T. (2020).

<sup>15</sup> AMIP (2020a, 2020b); APPRO (2020); AWN (2020); CSHRN (2020); NWGWPS (2020).

<sup>16</sup> NWGWPS (2020).

<sup>17</sup> AMIP (2020a, 2020b); CSHRN (2020). See also EPD (2020). *Afghan Women Demand a Just and Accountable Peace*. Kabul: Equality for Peace and Development.

outcome of the peace negotiations. Civil society calls upon both parties to the negotiations to define the framework for access to justice in accordance with national and international laws; clearly describing and supporting the roles of judicial institutions.<sup>18</sup>

While all civil society actors believe justice is highly important, some go so far as to call for transitional justice. Noting Afghanistan is a party to the Geneva Conventions, they call for the establishment of a mechanism to overcome impunity and address past injustices.<sup>19</sup> Others believe that seeking transitional justice from the parties involved in peace negotiations is unrealistic given individuals on both sides have participated in unlawful activities. Instead they call for fostering debate on the issue amongst ordinary citizens and the media.<sup>20</sup>

Fifth, freedom of expression and the media is seen as a fundamental right of the Afghan citizenry. A free media ensures the voices of the Afghan people are shared, the GoA is held accountable and people have access to information.<sup>21</sup> Civil society demands that all parties to the peace negotiations accept this on principle.

Finally, civil society has a comparative advantage in representing the Afghan citizenry, including marginalized groups and diverse perspectives. This is a valuable function that can ensure an increasingly inclusive peace process and therefore sustainable outcomes. Yet, to date, civil society actors have had little engagement in the peace negotiations. The GoA, and more so the Taliban, are reluctant to have civil society engage or monitor Intra-Afghan talks. As such, Afghan and international civil society request an expanded role; being engaged in regular consultations and being awarded a formal monitoring role in negotiations or “observer status”.<sup>22</sup>

#### **4.2 Afghanistan National Development and Peace Framework II**

Civil society recognizes that significant progress has been made in Afghanistan. The comments proposed here are a step toward protecting these hard-earned gains and are offered as a contribution toward transparency and inclusiveness in finalization of ANDPF II.

A number of general comments were outlined by civil society. First, while much progress has been made in Afghanistan, there are still key concerns experienced by the GoA, civil society and donor countries. These include increasing poverty, poor governance, poor accountability and transparency and widespread corruption. It is recommended that the document reflect this.

Second, while the ANDPF II is aligned with globally recognized frameworks for human rights and development, civil society calls for a more comprehensive integration of the rights based approach throughout the Framework. Currently, the ANDPF II discusses “the needs”, rather than “the rights”, of the Afghan people.

A number of other points require mainstreaming throughout the document. These are: (i) the importance of a diverse and vibrant civil society and free media both as a value in itself, and

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<sup>18</sup> AMIP (2020a).

<sup>19</sup> AWN (2020); CSHRN (2020).

<sup>20</sup> APPRO (2020).

<sup>21</sup> AMIP (2020a); AWN (2020).

<sup>22</sup> CCB-Peace (2020); UNAMA (2020b).

as an important factor in nation and statebuilding; (ii) the need to move beyond a reactive approach to corruption; incorporating a focus on prevention; and (iii) a stronger emphasis on education.

The impacts of COVID-19 are recognized throughout the strategy. Yet, little emphasis is placed on lessons learned. Therefore, fourth, civil society recommends that not only are lessons drawn from the COVID-19 response, but that they are firmly institutionalized in preparedness of future pandemics.

Fifth, the role of civil society as partners in the delivery of the Framework is understated. Civil society provide a valuable role in supporting service provision, in rapidly responding to the pandemic, and in representing marginalized peoples and, more broadly, Afghan citizens. The work of civil society alongside the GoA and the private sector should be enabled to deliver more effective and efficient collaboration.

Focussing on significant successes to date, civil society recommend, sixth, a renewed focus on mutual accountability and “whole-of-society” approaches adopted with regard to the relationship between the government, private sector and civil society. This also has the effect of avoiding duplication, inefficiencies and the waste of resources and sets all actors on an increasingly coordinated path to achieving national priorities.

Seventh, it is important to ensure that gains in women’s leadership roles – across all sectors of society – be preserved. The ANDPF II should incorporate steps to maintain an enabling environment that continues to provide incentives and motivation and contribute to preventing Afghan women experiencing discrimination and harassment.

The reintegration of former members of armed groups and that of refugees and internally displaced persons (IDPs) warrant different approaches. Yet, the Framework groups them together. As such, eighth, civil society recommends that two separate sections be developed for these differing modes of reintegration. Moreover, mention of the Solutions Strategy for Afghan Refugees (SSAR) would be appropriate in relation to refugee integration (and would also serve to reaffirm the GoA’s commitment to the Strategy).

Ninth, while the ANDPF II mentions challenges to accessing energy – particularly in accessing the national electricity grid – it makes no mention of renewable energy sources. This should be remedied, with renewable sources – such as solar and wind – highlighted as reliable and achievable alternatives.

Finally, a number of specific comments are also offered by civil society. These comments relate to: (i) citizen-centred policy making and subnational governance; (ii) the Afghan peace process; (iii) women’s economic empowerment; (iv) combating corruption; (v) the Implementation Support Program; (vi) justice for all; (vii) the Security Sector National Priority Program (NPP); (viii) reintegration; (ix) mutually accountable partnerships; and (x) education. They are detailed in the paper supplied by the United Nations Assistance Mission in Afghanistan (UNAMA) titled, *Consolidated Comments of Civil Society on ANDPF II*.<sup>23</sup>

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<sup>23</sup> UNAMA (2020a).



### 4.3 Citizen's Rights and Protection

While significant progress has been made with regard to citizen's rights over the past 19 years – including the 2019 ratification of the Law on the Protection of Child Rights (LPCR) – the rights of women and children continue to be of major concern for Afghan and international civil society groups.

Five hundred and fifty children have lost their lives this year, as a result of conflict. Beyond this death toll, violence has affected all aspects of children's lives. Girls and boys in hard-to-reach areas still face enormous challenges in accessing basic services such as healthcare and education. An estimated 3.7 million children do not attend school in Afghanistan. Moreover, roughly 10 percent of children struggle with education and development due to mental health challenges. This is very difficult to address, given limited mental health service provision in Afghanistan. Girls are particularly badly affected by the challenges posed by violence and deprivation in Afghanistan. Fewer girls attend school than boys and they face additional barriers to other services. This is the product of not only conflict, but also limited funding and conservative social norms.<sup>24</sup>

To remedy the challenging circumstances children in Afghanistan face, civil society calls for: (i) increased mainstreaming and investment in delivery of LPCR; (ii) continued investment and expansion in the provision of children's health and education services, in particular for girls, and with a focus on expanding mental health and psycho-social support programs; (iii) provision of funds to meet the needs of out-of-school children and those with disabilities; and (iv) prioritizing funding for child protection.<sup>25</sup>

Conflict in Afghanistan has also taken a sizeable toll on Afghan females: “70 percent of Afghan women are illiterate, 35 percent of girls are forced to marry before the age of 18, 87 percent of Afghan women have already experienced at least one form of gender-based violence, and women and girls are less likely to have access to quality health services and treatment, particularly in rural areas.”<sup>26</sup> In 2019-2020, Afghanistan is ranked second worst on the Women, Peace and Security Index.<sup>27</sup> While women's rights were enshrined in the Constitution and a number of laws have been passed – including the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the law on Elimination of Violence Against Women (EVAW) and National Action Plan on UNSCR 1325-Women Peace and Security – gender-based violence remains pervasive.

As mentioned above, women suffer from poor access to adequate healthcare services. In addition to the limited number of existing health facilities and a lack of money to access services where available, this is caused by conservative cultural norms that limit women's mobility. The small number of trained female doctors, nurses and midwives also restricts women's access to health, as norms in many parts of Afghanistan mean that female patients can only be treated by health professionals of the same gender. Most notably a significant lack of sexual, reproductive

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<sup>24</sup> STC (2020).

<sup>25</sup> STC (2020).

<sup>26</sup> NWGWPS (2020): 1.

<sup>27</sup> CARE (2020).

and maternal health services stand as a major obstacle to fulfilling women’s rights.<sup>28</sup> Female mortality rates, for Afghan women of reproductive age (15-49 years), are 50 percent higher than for similarly aged men. Half of those women die due to pregnancy related reasons. As such, civil society recommends that continued efforts are undertaken to increase the number of female healthcare professionals, while also incentivizing them to work in hard-to-reach areas. In addition, funding should be allocated for the expanded provision of lifesaving sexual, reproductive and maternal health services.<sup>29</sup> A successful example of maternal healthcare provision and women’s empowerment is the Emergency Anabah Maternity Centre.<sup>30</sup>

#### 4.4 Socio-Economic Development and COVID-19

Prior to the onset of the pandemic, in 2016, an estimated 55 percent of Afghans lived below the poverty line and roughly 45 percent were food insecure. COVID-19 and the lockdown measures that the response engendered have led to a significant downturn in the economy; Afghanistan’s GDP is projected to contract by between 5.5 and 7.4 percent by the end of 2020.<sup>31</sup> This economic decline is also marked by decreasing daily labour opportunities, closing access to markets, increasing prices of basic commodities (in some cases by up to 30 percent),<sup>32</sup> reducing household purchasing power and access to food. Poverty rates are expected to rise to 72 percent in 2020.<sup>33</sup> By the end of the year, almost 17 million Afghans will face acute food insecurity with 5.5 million at “emergency” levels.<sup>34</sup> This rise in poverty will have direct carry-over effects on the ability of households to secure housing and access health and education services.

The impacts of COVID-19 have also intensified existing vulnerabilities. The impacts on children, for example, include growing malnutrition, heightened risks of neglect, exploitation, violence and abuse. Child labour and early marriage for girls, already used as coping mechanisms by vulnerable households, is likely to increase.<sup>35</sup>

The impacts of the pandemic have also interrupted education in Afghanistan. Lockdown measures closed schools for nearly seven months for more than 7.5 million Afghan children. These students had limited educational alternatives, given the low levels of access to TV, Internet and smartphones experienced by children in Afghanistan. At the same time, the economic effects of COVID-19 mean that many families may not be able to afford to send their children back to school. They may send them to work, instead.<sup>36</sup>

To address the significant impacts of the pandemic, efforts must be funded and initiated to not only respond to immediate needs, but also to understand and respond to the mid to long-term effects of COVID-19. It is also important to grow civilian economies and create employment in

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<sup>28</sup> CARE (2020); EMERGENCY (2019).

<sup>29</sup> CARE (2020).

<sup>30</sup> For further details see EMERGENCY (2019).

<sup>31</sup> SCA *et al* (2020).

<sup>32</sup> APPRO (2020).

<sup>33</sup> APPRO (2020).

<sup>34</sup> NRC (2020).

<sup>35</sup> APPRO (2020).

<sup>36</sup> NRC (2020).

Afghanistan. One method for doing this is expanded support to micro, small and medium enterprises (MSMEs) involved in productive, value-adding economic activities. Another is to lean heavily into the use of cash-based interventions. Finally, the GoA should actively work to facilitate humanitarian access for COVID-19 response.

#### **4.5 Displacement and COVID-19**

More than 155,000 Afghans have been displaced by conflict since the start of the pandemic in March 2020. This is in addition to the 4.1 million Afghans displaced since 2012 who remain in protracted displacement.<sup>37</sup>

COVID-19 has had devastating impacts on displaced populations in Afghanistan. A recent survey indicated that 78 percent of displaced respondents had lost a job as a result of the crisis.<sup>38</sup> Further displacement can be expected as people move to find work. As mentioned above, food insecurity is rising considerably in Afghanistan as a result of COVID-19, with vulnerable groups such as displaced populations being disproportionately impacted. These same displaced populations are also falling in deep states of indebtedness. Eighty percent of vulnerable displaced families have reported growing debts that leads to further borrowing to fund food, education and rent. This creates a downward spiral in indebtedness, and potentially further displacement if rental payments cannot be paid. This has been compounded with diminishing remittances to Afghanistan, which is the product of the wider global economic downturn resulting from COVID-19.<sup>39</sup>

Over forty years of conflict in Afghanistan have produced one of the world's most complex humanitarian emergencies. COVID-19 has not only deepened this crisis – straining public services and disproportionately impacting highly vulnerable displaced communities – but has also interrupted humanitarian response. Needs have risen steeply, while humanitarian access shrinks. At the same time, the 2020 Humanitarian Response Plan remains only 38 percent funded and funding for 2021 is uncertain. It is crucial that displaced populations are not left behind. They must be prioritized in donor commitments at 2020AC. Finally, the GoA should ensure that displaced populations have access to safe and appropriate housing.<sup>40</sup>

#### **4.6 Governance and the Citizen's Charter**

Afghanistan suffers from “endemic, entrenched, systematic and institutionalized corruption”.<sup>41</sup> Likewise, Afghanistan experiences significant challenges in the formal justice sector, despite the noticeable progress which has been made in this sector over the past few years. These include numerous officials in the Ministry of Justice and Criminal Investigation Department having no legal background, high levels of bribery and nepotism functioning in the sector, the availability of judicial personnel being uneven (and a function of the degree to which conservative and local customs allow for the presence of the formal justice structures at the community level), with

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<sup>37</sup> NRC (2020).

<sup>38</sup> NRC (2020).

<sup>39</sup> NRC (2020).

<sup>40</sup> NRC (2020).

<sup>41</sup> APPRO (2020): 8.

noticeably limited access to these structures for women. Furthermore, there is persistent competition between Afghanistan’s three legal systems: the formal government system, “shadow” Taliban courts and traditional dispute resolution mechanisms.<sup>42</sup>

Civil space is diminishing in Afghanistan. This is a result of limitations set in place following the onset of the pandemic, but also other constraints emerging from government policy and the closing down of consultative opportunities for civil society in government planning. The draft NGO Law will result in significant restrictions upon Afghan civil society actors. Likewise, limited efforts have been made to engage civil society actors in the preparation of ANDPF II. It is important that civil space be preserved in Afghanistan and the GoA ensures civil society actors have continued engagement in development planning and are enabled to represent Afghanistan’s citizenry.

With regard to subnational governance, Afghan civil society offers recommendations on the Citizen’s Charter Afghanistan Project (CCAP). A position paper prepared by national and international civil society actors stated that, “on the whole, the programme has been quite well received by the target communities”.<sup>43</sup> Communities reported social changes, including the emergence of new roles for women and how greater awareness of poverty translated into efforts to aid vulnerable community members. These efforts included vulnerable community members being given priority access to wage labour during the construction of project infrastructure and benefits linked to grain banks as newly established mechanisms to support those in need.

Notable challenges still exist for women’s participation in CCAP. Insecurity and cultural norms continue to constrain the role of women in Community Development Councils (CDCs). In severe cases, this resulted in, “the falsification of data related to the participation of women in elections or the CDCs: female office bearers at times only hold their positions on paper, with the positions being left empty or filled by some male community member in their stead”.<sup>44</sup> Despite these challenges, civil society actors believe continuing engagement with CDCs presents a valuable entry point in enhancing women’s participation in governance.<sup>45</sup>

In addition, CCAP had also resulted in an effective framework for the coordination of the government entities (i.e. Ministry of Agriculture, Irrigation and Livestock [MAIL], Ministry of Education [MoE], Ministry of Public Health [MoPH], Ministry of Rural Rehabilitation and Development [MRRD] and the Independent Directorate of Local Governance [IDLG]) that deliver the programme.

More broadly, it was found that the quality of CCAP implementation varied. In many cases mechanisms for follow up and accountability were limited and should be strengthened. This included taking steps to address inflated figures for voter turnout and participation in social mobilization activities, and to limit community-level corruption and local-level capture of project infrastructure approval processes.

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<sup>42</sup> APPRO (2020).

<sup>43</sup> ACBAR/SCA/IWA (2020).

<sup>44</sup> ACBAR/SCA/IWA (2020): 5.

<sup>45</sup> CARE (2020).

## 5. ANNEX: Position Papers for 2020 Afghanistan Conference

ACBAR/SCA/IWA (2020). *Experiences and Expectations in Community-Driven Development: Monitoring Research on Citizen's Charter, Afghanistan Project*. Aid Effectiveness in Afghanistan Series. Kabul: Agency Coordinating Body for Afghan Relief, Swedish Committee for Afghanistan and Integrity Watch Afghanistan.

AMIP (2020a). *Declaration of the National Summit of Civil Society and the Media on the Occasion of Intra-Afghan Peace Negotiations*. September 10. Kabul: Afghanistan Mechanism for Inclusive Peace.

AMIP (2020b). *Living Principles for an Inclusive Afghan Peace Process*. Kabul: Afghanistan Mechanism for Inclusive Peace.

APPRO (2020). *"Between Fear and Hope": COVID-19, Peace Negotiations and Longer Term Prospects for Development Assistance*. Kabul: Afghanistan Public Policy Research Organization.

AWN (2020). *Shared Message of Afghan Women*. Kabul: Afghan Women's Network.

CARE (2020). *2020 Afghanistan Conference: Recommendations on Women, Peace and Security*. Kabul: CARE.

CCB-Peace (2020). *Civil Society Joint Position Paper in Relation to the Afghan Peace Process*. Kabul: The Civil Society Consultative Board for Peace.

CSHRN (2020). *Position Paper in Connection with the Start of Intra-Afghan Negotiations*. Kabul: Civil Society and Human Rights Network.

CSHRN/HREVO (2020). *Only an Inclusive Peace can lead to Lasting and Just Peace*. Kabul: Civil Society and Human Rights Network and Human Rights and Eradication of Violence Organization.

EMERGENCY (2019). *A Quiet Revolution: The Emergency Anabah Maternity Centre and Women's Empowerment*. Kabul: EMERGENCY.

EPD/AWPFO/WILPF (2020). *Provincial Women Religious and Community Leaders Statement for Geneva Donor Conference on Afghanistan*. November 11. Kabul: Equality for Peace and Development, Afghan Women Peace and Freedom Organization and Women's International League for Peace and Freedom.

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