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CENTER FOR ECONOMIC AND SOCIAL RIGHTS

Human Rights and Reconstruction in Afghanistan

MAY, 2002





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In the post-Cold War era, more people than ever live in abject poverty, deprived of any meaningful opportunity to fulfill their human potential. Established in 1993, the Center for Economic and Social Rights is one of the first organizations to challenge economic injustice as a violation of international human rights law. In projects abroad and in the United States, CESR combines research, advocacy, collaboration, and education. The basic aim of our work is to mobilize people to confront the policies that keep them poor. While the challenges are immense, real change is possible when communities use human rights to hold decision-makers – be they governments or corporations – accountable for their actions.



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This is becoming a familiar pattern – the US makes a mess of things and the UN is forced to come in and clean up, but without the political or military muscle to get the job done. Then when it blows up several months or years later, we get the blame while the US is busy bombing elsewhere.

– UN Official

This report presents the findings of a human rights assessment mission to Afghanistan, undertaken in January 2002 by the Center for Economic and Social Rights. To provide a snapshot of local human rights priorities, the CESR mission interviewed a cross-section of Afghans and international aid workers. Its overall purpose was to offer them a platform for defining their own human rights and reconstruction priorities.

The interview sample consisted of 134 Afghans – 25 leaders and intellectuals, 57 members of community focus group, and 52 randomly selected individuals – and 42 international aid workers. Geographic coverage in Afghanistan was limited to Kabul, Herat, Jalalabad, and surrounding rural areas, as well as Peshawar and Islamabad in Pakistan. Given these limitations, the findings are not representative or comprehensive. But the results clearly indicate that the most urgent human rights concerns of Afghans and aid workers are being systematically ignored in the reconstruction process.

The failure of the international community to act on local human rights priorities is not simply a matter of ignoring formal legal obligations. Continuing to disregard human rights abuses in the political and development spheres will undermine the basis for reconstruction in Afghanistan and set a dangerous precedent for future crises. The major influential outside powers – the United States, the World Bank, and the United Nations – must adopt urgent measures to support Afghan aspirations for peace, security and development.

HUMAN RIGHTS CHALLENGE

People are tired of war and violence. They are ready to embrace human rights and turn away from guns, but the leaders won't let them. This has to be the job of the UN.

– Villager, Peshawar refugee camp.

The attacks of 11 September 2001, and the ensuing United States-led military campaign in Afghanistan, have focused world attention on this devastated nation. For the past 23 years, foreign interventions have fueled a series of brutal wars that entrenched the power of unaccountable warlords, divided the country along ethnic lines, and destroyed its already-limited infrastructure and economic base. During this period the people of Afghanistan experienced widespread violations of all their fundamental human rights, ranging from political killings to systematic impoverishment. The contribution of outside powers to these abuses undermined the possibility of an effective international response.

Policymakers in the US have publicly described the military campaign in Afghanistan to oust the Taliban and destroy al-Qaeda as the first front in a wider war against terrorism. In this context, the international community's public commitment to help Afghans rebuild their society has assumed global significance as a precedent for the viability of humanitarian engagement after 11 September.

Inside Afghanistan, there is guarded optimism about the future, with hopes for international action to break the

power of warlords and to ensure that the benefits of development reach those in greatest need of it. Throughout the world, the reconstruction of Afghanistan is seen as a litmus test for whether the universal values of human rights and development will help define the parameters of global security, or whether the narrow military interests of powerful states will predominate. At stake is not only the ability of Afghans to enjoy their fundamental rights, but the very legitimacy of the United Nations as the unbiased guardian of international law and guarantor of peace and security for all peoples of the world.

AFGHAN HUMAN RIGHTS PRIORITIES

We are asking the international community to step forward and help us in the rehabilitation of our country. For many years you have contributed to war and bloodshed, it is your turn now to help us with peace and security.

– High school principal, Nangarhar province

The mission surveyed Afghans from all walks of life, asking them to rank their most important human rights priorities and express their views on international reconstruction. Respondents expressed different shades of hope, despair, expectation, anger and cynicism – but all shared a conviction that human rights were essential and that international assistance was not an act of charity but a moral duty to make amends for destructive interventions in the past.

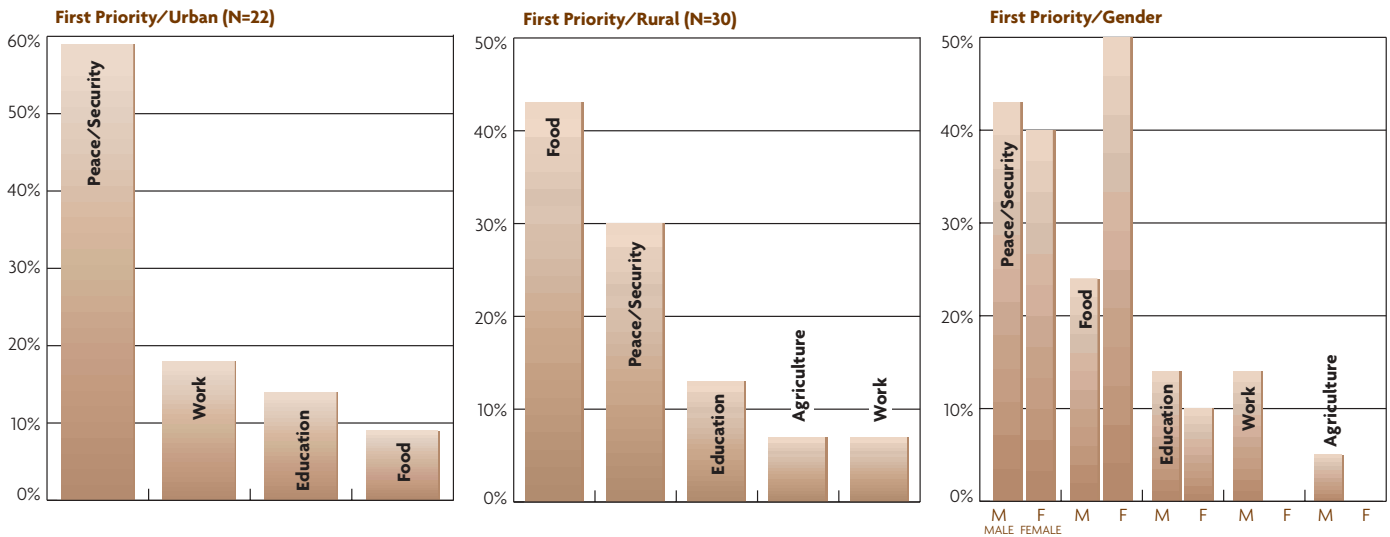
Urban respondents overwhelmingly selected peace and security as the top priority (57%), followed by work (16%) and education (12%). They viewed peace as critical because cities have borne the brunt of war damage and have the highest concentration of soldiers. Many expressed concern that the UN had sanctioned the return to power of brutal and corrupt warlords, both in Kabul and at the local level. They insisted that without an international force to maintain peace, disarm warlords, oversee the transition to a more representative government and establish mechanisms for human rights accountability, Afghanistan was likely to slide into renewed war once the world's attention shifted to the next global crisis.

By contrast, the first priority in rural areas was food security (42%), followed by peace and security (29%) and education (12%). This reflects the ongoing food crisis caused by war, displacement, drought, and poor harvests. The crisis will cause further rural to urban migration, delay the repatriation of refugees and undermine development unless there is a concerted international effort to target aid directly to remote rural areas hit hardest by hunger. For both rural and urban respondents, education was seen as the only path for their children to escape poverty. Lack of education within the current political and military leadership was blamed for the persistence of war and poverty.

Both men (42%) and women (39%) placed a high priority on peace, but for women food was the first priority (49% compared to 22% for men), whereas men placed greater value than women on work (14% to 0%). These findings indicate greater female responsibility for feeding and caring for families, and male reluctance to accept food assistance despite concerns about earning enough income for the family.

The survey also asked who should implement the reconstruction program to ensure human rights. The majority responded that the UN should be primarily responsible either on its own (49%) or together with the interim government (31%). A minority (20%) thought that Afghan authorities, either central or local, should be primarily responsible. These results reflect deep distrust of government authorities but also high hopes that the international community will follow through on public commitments to assist Afghanistan.

Afghan respondents universally disputed the importance of ethnicity as divisive factor among the general population. While acknowledging the reality of historic and ongoing discrimination against minorities, most maintained that the ordinary Afghans felt little ethnic hatred. Instead blame for ethnic tensions was attributed to military factions and their foreign sponsors, for building regional power bases along ethnic lines and continuing to manipulate ethnicity as a pretext for political revenge and looting. Many expressed fear that ongoing ethnically targeted human rights abuses by



these factions, especially against Pashtuns in the north and Hazaras in the center, could undermine the social cohesion of the country for years to come. The UN was also criticized for feeding into false ethnic divisions at the behest of Afghan leaders rather than working to bring ordinary people together around issues of common concern. According to the director of an international NGO, *I conducted a survey of 700 people on the importance of ethnicity in Afghan society. The only people who raised the issue as important were aid workers with the UN and NGOs.*

Respondents objected to continued US bombings and its arming of selected warlords. This was seen as the same mistaken policy that had already militarized their country along factional lines. International aid workers were particularly concerned that the US military policy was working at cross-purposes with UN reconstruction policy by laying the seeds for future violence and instability. In fact, many Afghan and international respondents named US policy as the prime obstacle to disarming warlords, extending international protection beyond Kabul, and instituting human rights accountability throughout the country.

RECONSTRUCTION

Before talking about reconstruction, the Americans should first stop the destruction. Then they should rebuild what they have destroyed. The same goes for Russia, Pakistan and all the other countries that talk about helping us. We first want what we had before – our homes, our roads, our farms. Rebuilding what you have destroyed is not something you do for us. That is your duty as a human being.

– Tribal elder, Peshawar refugee camp

Soon after it became clear that the US and its allies were determined to topple the Taliban, the World Bank, Asian Development Bank, and UNDP organized a series of meetings to plan reconstruction in Afghanistan. This process culminated in a major conference of donors in Tokyo on 21-22 January 2002, at which donors pledged \$4.5 billion over 2.5 years based on cost estimates from a “Preliminary Needs Assessment” prepared largely by the World Bank. The methodology for cost estimates apparently relied on examples of unidentified African and Asian countries that have received international assistance in the range of \$40-80 per capita annually for post-conflict recovery programs. In contrast, international aid to the Balkans, the Palestinian Occupied Territories, and East Timor has ranged from \$200-300 per capita annually. Comparable levels of aid would translate into an annu-

al figure of at least \$5 billion for Afghanistan – three times greater than the Tokyo pledges.

Afghans and aid workers interviewed for this report expressed strong criticism of the top-down nature of the entire reconstruction process. Despite talk in the Needs Assessment on the imperative to “see Afghanistan through the eyes of Afghans”, the key documents were prepared largely in Washington with no time for meaningful input from the field. This resulted in what was termed a “cookie-cutter” approach to development – a set of broad principles that could apply to any number of countries, without a strategic framework to guide implementation of specifically-identified priorities of Afghan communities. The generic nature of the recommendation led many respondents to fear that the World Bank might insist on a standard privatization program without adequate appreciation of the desperate need for basic public sector services throughout the country.

Most respondents agreed that effective reconstruction was key to peace and stability, and that emergency programs with quick impact were necessary to provide immediate income support, create jobs for demobilized soldiers, and provide concrete evidence of international commitment to Afghanistan. At the same time, there was concern that international pressure for visible

Peace and Security

We hope that the UN will establish a peacekeeping force throughout the country, even to protect their own citizens. I can assure you that every single ordinary Afghan would welcome this force. Only that can prevent the country from plunging into war yet again.

– Student, Herat City

I still worry about my safety and therefore have not taken off the burqa. In fact no one has taken it off because while the situation seems stable on the surface it is still unsafe for women.

– Woman, Herat City

results would skew programs towards urban areas. As an experienced UN field officer remarked, *it is far easier to spend \$100 million in Kabul than in remote areas that are much more desperate.*

HUMAN RIGHTS OBLIGATIONS

Today, the entire UN system is committed to integrating human rights in development work, and every major donor and aid agency (bilateral, multilateral and private) has publicly committed itself to doing the same.

– Office of the High Commissioner for Human Rights

There is a clear international consensus, backed by binding legal commitments, to guarantee human rights in the development process. The UN Charter links “universal respect for, and observance of, human rights” with “economic and social progress and development”, while the Universal Declaration of Human Rights joins civil, political, economic, social and cultural human rights together as “the foundation of freedom, justice and peace in the world”. Almost all states in the world, including Afghanistan, have ratified major human rights treaties obligating them to respect the full range of human rights.

All influential actors in the reconstruction process have used the language of human rights. The US and its allies have publicly committed to help the Afghan people achieve peace, security and respect for human rights. The World Bank’s Needs Assessment emphasized “promoting and protecting human rights” and “promoting social, economic and political inclusion of vulnerable groups”. In the Bonn Agreement, the international community and Afghan political representatives agreed: “The United Nations shall have the right to investigate human rights violations and where necessary, recommend corrective action.” The Security Council, in resolution 1401 of 28 March 2002, linked development aid to improved human rights performance. Moreover, Afghanistan had been named as a test case for the Secretary General’s reform process initiated in 1997, which required all UN organs and agencies to mainstream human rights into all development activities.

HUMAN RIGHTS OPPORTUNITIES

The impact of reconstruction could be huge if funds are allocated and managed properly at local levels. But that will take real needs assessment and program design with local knowledge.

— UN Official

The \$4.5 billion reconstruction process presents an important opportunity to put international commitments into practice through rights-based development that prioritizes basic needs, particularly of vulnerable communities, guarantees local participation, addresses the root causes of poverty, and establishes procedures for accountability and remedies. Political and economic conditions in Afghanistan are so desperate that any human rights measures can have immediate benefits. From Chairman Hamid Karzai on down, most Afghans support firm human rights measures. Though the interim administration in Kabul is dominated by leaders with questionable human rights records, a national *loya jirga* is meeting to establish a more representative and legitimate political authority. The UN Assistance Mission to Afghanistan (UNAMA) has made a strong public commitment to human right accountability and to implementing development programs in accordance with Afghans' human rights priorities.

Yet according to Afghans and aid workers, there remains a wide gap between rhetorical commitments and real actions on the ground. The US has rejected pleas from top Afghan and UN policymakers to limit its ongoing military campaign and support the expansion of international protection forces. The World Bank has rushed through a reconstruction plan that bypasses Afghan opinion and international field experience. Some UN agencies are designing development programs without human rights principles and safeguards. The international community as a whole had lent legitimacy to a political process through which regional and local warlords have re-imposed their rule without facing human rights accountability, even for current abuses. In short, despite strong rhetorical commitment to human rights, international policy thus far in the reconstruction process has disregarded Afghan desires to prioritize

human rights in actual practice. UNAMA is developing programs to operationalize these human rights commitments in both the political and development sphere. But it must be emphasized that until the international community fulfills its clearly established and publicly recognized human rights obligations, the prospects for peace and development in Afghanistan will remain clouded.

RECOMMENDATIONS

Afghans prefer not to receive aid. We are proud and independent. We do not easily beg. But now we are absolutely desperate. We cannot feed our families. We are watching our own children die. So what is our choice?

— Village leader, Kunar province

The international community – the US in particular – has a double responsibility towards the Afghan people: first for supplying a constant stream of arms to ruthless military commanders over the past two decades, and second, for failing to establish human rights accountability in the current reconstruction process. The main justification for minimizing human rights concerns is the fear that newly re-empowered warlords might threaten the country's stability if their dominion is challenged. But failure to establish accountability mechanisms today can only entrench a culture of impunity and undermine any hope for long-term stability. And if the international community lacks resolve to challenge human rights abuses today, it seems unlikely that such resolve will materialize in the future.

The Center for Economic and Social Rights therefore proposes the following recommendations in support of the overwhelming Afghan consensus, from Chairman Karzai to ordinary citizens, in favor of human rights accountability and rights-based development.

- 1. Support urgent human rights measures.** Urgent measures are required to support Afghan aspirations for human rights, especially during the crucial transition to more permanent political arrangements. If the international community fails to publicly support key human rights initiatives during the

convening of the national loya jirga, it is likely that the rule of impunity will become entrenched in the new government. These initiatives, which have been urgently requested by Chairman Karzai and other Afghan leaders, include:

- Conducting human right monitoring throughout the country, especially in insecure areas like the north, to document current abuses and deter future ones.
- Extending international peacekeeping forces to all major urban areas until a national army and police force is in place to assume security responsibilities.
- Launching a national disarmament program to break the power of local militias, using economic incentives such as providing demobilized soldiers with jobs in rural reconstruction.

2. Ensure UN human rights capacity. Previous UN peacebuilding efforts evidence a pattern of under-resourcing and marginalizing the human rights component for political expediency, with negative impact on people's security and enjoyment of human rights. The current structure for (UNAMA) improves on this pattern by integrating human rights into the mission's political and development pillars. However, it will require significant political will and resources to follow through on the major tasks of establishing accountability procedures that apply to all people, including current leaders, and incorporating rights-based programming throughout all UN operations. The international community should therefore support a full range of human rights activities in UNAMA, including:

- Monitoring to document patterns of abuses and identify violators.
- Protection to assist victims, spotlight insecure areas, and deter abuses.
- Education, training and support for government institutions and independent Afghan NGOs to build national and local capacity.
- Education, training and support to development actors, including multilateral banks and UN agencies, on implementing rights-based programming.

3. Ensure World Bank focus on human rights. The World Bank generally views human rights activities as outside of its mandate. Yet, in assuming leadership of the overall reconstruction effort, the Bank also assumed responsibility for incorporating human rights principles in all reconstruction programs, in tandem with implementing partners such as UN agencies and NGOs. This means giving practical effect to the Bank's rhetorical human rights commitments by dedicating sufficient resources to fulfill the main elements of rights-based programming:

- Formal public recognition of human rights obligations in all reconstruction policy and planning.
- Priority on meeting human rights obligations over other development objectives, including in staffing and budget decisions.
- Meaningful Afghan participation in all phases of the development process.
- Comprehensive field assessment to map the needs of vulnerable groups, establish baselines and benchmarks, and address root causes of economic deprivation.
- Public access to information to ensure transparency and public scrutiny of programs.
- Monitoring to ensure the progressive improvement of people's living standards as called for in human rights treaties.
- Accountability through complaint procedures, with meaningful opportunities for redress.

4. Conduct human rights assessment. Afghans have the right, and are also best placed, to determine their own priorities. The purpose of a comprehensive human rights needs assessment is to ensure that reconstruction programs are based on priorities expressed by Afghans themselves. Such assessment is also a tool for enabling community participation and providing a check against corruption and waste. The assessment should be carried out through collaboration of UN agencies, NGOs, and independent researchers, and in close consultation with Afghan authorities. Afghan experts and communities should play a leading role in all phases of the assessment aimed at:

- Reviewing existing data and undertake new surveys, focusing on the priorities of vulnerable groups.
- Identifying the root causes of human rights deficits and the major obstacles to development.
- Providing baseline data for development planning and rights-based programming.
- Proposing national development strategies responsive to specific regional and local conditions.

5. Launch a national human rights campaign. To begin addressing past abuses while promoting human rights accountability for the future, UN and Afghan authorities should launch a national campaign of human rights education. Similar to South Africa's successful campaign to increase popular participation in its constitutional process, it should center on a grassroots process of public meetings throughout the country. The campaign should begin with village level events to develop popular awareness of human rights and allow people the opportunity to express their views. These should build into regional meetings and culminate in a national truth commission to address broad issues of accountability and reconciliation. A truly participatory national process would mobilize public opinion in support of human rights accountability and rights-based development in both the international reconstruction programs and the new government structures. An Afghan national working group on education, supported by UNAMA and the office of the High Commissioner for Human Rights, is taking the first steps in this process.

6. Build Afghan human rights capacity. The international community must also provide concrete assistance to the overwhelming Afghan consensus in favor of human rights by building local capacity. This will entail political and financial support for national institutions, including the Human Rights Commission and the Judicial Commission, and measures to develop legislation and legal procedures that provide access to justice and conform to inter-

national standards. In the short term the focus should be on supporting independent monitoring and advocacy capacity among local NGOs and ensuring full participation of all elements of Afghan society, from government authorities to local communities, in all aspects of human rights and reconstruction policy.

7. Establish Afghan reconstruction monitoring institute. Independent monitoring is the best safeguard against human rights violations in development. While UNAMA's human rights program and the National Human Rights Commission will play important roles, it would also be valuable to establish an independent Afghan institution to evaluate and monitor human rights in the reconstruction process. The institute would document abuses by both Afghan and international authorities and seek to minimize the inevitable corruption and waste associated with large-scale reconstruction. Potentially affiliated to Kabul University, the institute should be staffed by independent professionals with unquestioned integrity and proven research skills.

8. Separate from US military policy. The UN's legitimacy and the effectiveness of international human rights and humanitarian action depend upon a clear separation from all military campaigns. US policy in Afghanistan has blurred this fundamental distinction, with negative consequences for future international missions. While US financial and political support is critical to the success of the reconstruction process, such support must be contributed within the framework of international law and governance. For example, US provision of food aid should be carried out through UN structures rather than under independent military authority. And despite obvious political constraints, the UN should condemn those US military policies that directly contravene the purpose and principles of the international mission.

9. Change US policies. While the foregoing recommendations are directed primarily towards the United Nations and World Bank, it is evident that little progress is possible without a significant policy shift by the United States. As the leading power in the UN system and the main external military force in Afghanistan, the US had used its decisive influence to veto the expansion of peacekeeping forces and continue arming factional warlords, at the same time failing to support human rights accountability and protection. These policies will only foster impunity, instability, and violence within and beyond Afghanistan. To avoid this outcome, the US

government must make a meaningful public commitment to peace and security in Afghanistan based on explicit recognition of and support for human rights and democratic development. Specifically the US government should agree to:

- Stop supplying arms and money to warlords throughout the country.
- Support the expansion of international peacekeeping forces.
- Accept legal and moral responsibility for damage to civilian lives and property by establishing a well-funded compensation program for Afghan victims. 🌀



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Afghans prefer not to receive aid. We are proud and independent. We do not easily beg. But now we are absolutely desperate. We cannot feed our families. We are watching our own children die. So what is our choice?

– Village leader, Kunar province

This report is based on information collected during a human rights assessment mission, conducted by the Center for Economic and Social Rights, in Pakistan and Afghanistan and January 2002. The CESR mission interviewed a cross-section of Afghan leaders and ordinary citizens, as well as international aid workers. Its main purpose was to provide a platform for Afghan and international voices to define their own priorities for human rights and reconstruction. The mission was also intended as a preliminary step towards a more comprehensive analytical profile that identifies the human rights challenges in Afghanistan and proposes concrete measures to meet these challenges.

In addition to this introduction, the report consists of the following chapters and annexes:

- **Chapter 2:** Afghan voices, presenting the results of individual and group interviews with a cross-section of Afghan society.
- **Chapter 3:** International voices, presenting the views of international aid workers, primarily with UN agencies.
- **Chapter 4:** Reconstruction in Afghanistan, outlining the chronology and main outputs of the international reconstruction process.
- **Chapter 5:** Human rights framework, describing the human rights and development obligations of Afghan authorities, UN agencies, and other development actors.
- **Annex 1:** A list of those interviewed for the mission
- **Annex 2:** The human rights questionnaire

- **Annex 3:** Biographies of mission participants
- **Annex 4:** A summary of Afghanistan's political and economic history, with recent facts and figures relating to development

BACKGROUND

Since the Soviet invasion of 1979, the people of Afghanistan have experienced an unbroken series of wars and conflicts. In a modern version of the “Great Game”, superpower and regional rivals vying for influence over strategic trade and oil pipeline routes funneled billions of dollars of advanced weapons to a ruthless clique of Afghan warlords and Islamic militants. During this period, political power shifted from traditional community-based systems that allowed for a measure of popular participation to ethnically and religiously based military factions who ruled through force of arms. As a result, the country grew increasingly divided and militarized, with outside powers fueling continuous conflict while the population sank deeper into lawlessness and poverty.

The human consequences have been disastrous. Between one and two million Afghans died in these wars, over one third of the population was forced to flee their homes, and even the limited infrastructure was destroyed. Today only one in ten Afghans has access to sanitation, one woman in five is literate, and one quarter of all children do not live to see their fifth birthday. Meanwhile, the powerful enjoy unchallenged impunity for all manner of human rights abuses.

Until 11 September 2001, the plight of Afghanistan passed largely unnoticed by the outside world. Humanitarian agencies struggled to cope with the catastrophe with limited resources, but the broader international community made little effort to address the crisis, apart from imposing economic sanctions that harmed ordinary Afghans more than the Taliban regime.

After 11 September, Afghanistan suddenly took center stage as the initial front in a newly declared global war on terrorism. Public justifications for the US-led military effort in Afghanistan focused not only on the threat posed by al-Qaeda, but also on the Taliban's abusive human rights practices, especially regarding women. However, the bombing campaign added to the nation's hardship by causing a new wave of refugees and displaced people, and disrupting international aid efforts at a time when the human security of over five million people were already deemed at risk due to drought and past conflict.

The defeat of the Taliban removed one source of human rights violations, but also restored the power of local warlords and raised the question of international involvement in nation-building. The international community appeared united on the crucial importance of addressing the devastation in Afghanistan. Over \$4.5 billion was pledged at an international conference organized by the World Bank, the Asian Development Bank, and the United Nations Development Programme. There was talk of not repeating the previous mistake when international attention turned away from Afghanistan following the defeat of the Soviet-backed regime, leading to a period of factional violence and human rights abuses that spurred the rise of the Taliban. Adding to the optimism was a sense of war fatigue and desperation among the Afghan population, with a clear public consensus in favor of ending lawlessness and impunity and rebuilding a multi-ethnic nation. The extraordinary levels of poverty throughout Afghanistan also indicated that properly targeted development programs could have a significant impact in addressing people's immediate and desperate needs.

However, several months into the reconstruction effort, the warning signs are unmistakable. The UN is backing an interim government that is widely perceived as unrepresentative and illegitimate, with many notorious human rights abusers at high-level posts. The US is arming handpicked warlords and refusing to support the expansion of international security measures outside of Kabul. Worst of all, UN and US policymakers are ignoring calls by Afghan leaders and ordinary citizens, as well as experienced international aid workers, for greater attention to human rights and security issues in the reconstruction process. There is a grave danger that, as Afghanistan is displaced from international headlines by the next crisis, these trends will undermine the entire reconstruction effort.

The success or failure of international reconstruction will have profound implications for Afghans and the world at large. The outcome is widely seen as a litmus test for whether the universal values of human rights and development will help define the parameters of global security after 11 September, or whether the narrow military interests of powerful states will predominate. At stake is not only the ability of Afghans to enjoy their fundamental rights, but also the legitimacy of the United Nations as the unbiased guardian of international law.

MISSION GOALS AND METHODOLOGY

It was in this context that CESR undertook a human rights mission to Afghanistan. The overall purpose was to provide a snapshot of human rights concerns and priorities in Afghanistan, as expressed in interviews by Afghans themselves as well as by international aid staff. The three primary goals of the mission were to:

- 1.** Develop a preliminary profile of human rights concerns based on locally expressed perspectives and priorities.
- 2.** Contribute to an understanding of Afghan perspectives on human rights so that the international aid effort is better informed and positioned to address these concerns in relief and recovery programs.

3. Identify additional research and analysis needed to develop a comprehensive analytical profile of human rights priorities, including the factors impacting the ability of Afghans to enjoy human rights.

The mission was comprised of four experts in international human rights law, public health, minority rights, and development economics, three of whom are nationals of South-Central Asia and speak local languages. Local facilitators and translators joined the team in Afghanistan. The mission divided into two assessment teams and visited the cities of Peshawar, Jalalabad, Herat, and Kabul, as well as rural areas in Herat and Nangarhar provinces. The teams were not restricted by UN security guidelines inside Afghanistan and thus able to travel freely by road and stop to interview people at random.

The mission collected and analyzed the views of a cross-section of Afghans and international aid staff in four main categories: 1) interviews with individual Afghans (n=52); 2) focus group interviews with Afghan communities (n=57); 3) interviews with Afghan leaders and intellectuals (n=25); and 4) interviews with UN and NGO personnel (n=42).

1. Individual interviews were randomly selected and efforts were made to ensure a private setting and to avoid crowds of onlookers. We often interviewed people in their homes or while walking on roads or working in fields. All individual interviews were conducted according to a standardized questionnaire (see Annex 2). The questionnaire was divided into three sections. Section One asked for personal information including name, age, sex, birthplace, and education. Section Two asked about current living conditions, such as access to food, health care, and education. Section Three focused on human rights priorities and expectations for relief and recovery from government and international authorities.
2. There is a tendency in Afghan society, especially in rural areas, to gather in groups around an interview, with elders taking the lead and speaking on behalf of the community. In several villages interviews natu-

rally assumed a group dynamic and it was considered disrespectful not to include everyone who had gathered. We also arranged several focus group discussions on human rights and development issues with tribal elders, teachers, students, and NGO directors.

3. Afghan educators, intellectuals, and political leaders, including representatives of the Afghan Interim Administration, were asked for their views on the political process and the role of human rights in relief and recovery efforts. Arranging meetings with ministry officials was a significant challenge at the time. With the Tokyo conference a few days away, the ministries had no funds to pay salaries, yet were constantly engaged in meetings with UN and aid officials to discuss development planning.
4. UN and international NGO staff in Kabul and Islamabad were asked for their views on the challenges of mainstreaming human rights in Afghanistan. These interviews were conducted at a time of uncertainty about the direction of the international mission, and reflect a high level of frustration with the planning process for relief and recovery, especially in relation to Afghan participation. Given the sensitive nature of the interviews, we agreed not to attribute direct quotations.

LIMITATIONS OF DATA

The main purpose of the interviews was to collect data on the human rights priorities and concerns of the respondents. This data is presented largely in the form of direct quotations, with contextual observations and analysis. Data from questionnaire-based interviews with Afghans are presented in a series of basic charts to categorize and compare the responses. The overall intent of this style of presentation is to allow those interviewed to speak for themselves, with minimal editorial input from the authors.

The mission was only able to collect a small sample of interviews from limited geographic areas. Within this limited sample, women and rural residents are under-



represented compared to national averages. Assessment teams did not travel more than a day by road into rural areas, so the survey did not include the views of Afghans in remote regions, many of whom experience the worst human rights conditions and suffer the most neglect from local and international authorities.

The results cannot therefore be extrapolated to represent the views of Afghans in general, and this report does not purport to present a comprehensive profile of Afghan opinion. However, the findings do suggest a common set of urgent priorities that have been largely overlooked or downplayed by major players involved in Afghanistan's reconstruction.

In examining concerns expressed by respondents it also becomes clear that priorities and preferences varied depending on region, gender, education and other factors. This points to the need to conduct a comprehensive assessment throughout the country to develop an analytical profile of human rights concerns with a focus on identifying the priorities of vulnerable communities. Such assessment can provide essential baseline information to re-orient development policies in accordance with the Afghan priorities and target programs based on the specific needs of different communities. 🌀

2

People are tired of war and violence, they are ready to embrace human rights and turn away from guns, but the leaders won't let them. This has to be the job of the UN.

– Villager, Peshawar refugee camp

This chapter highlights the results of individual and focus group interviews with Afghans. While the sample is not representative, efforts were made to include a cross-section of Afghan society within time and resource limitations. The data are presented in a series of charts and quotations, with limited analysis to supplement the information. In general, respondents were eager to express their views on human rights issues, and hopeful for increased international attention to human rights issues in the reconstruction effort.

The interviews focused on current living conditions and human rights priorities for improving those conditions. The responses, while showing urban-rural, regional, and gender differences, shared several common themes. Most important was a strong desire and high expectations for human rights protection, due in part to international pronouncements on the subject. Respondents generally favored a leading human rights role for the UN and international actors, coupled with profound distrust of Afghan authorities at all levels, from the interim government in Kabul to local warlords. While many expressed fears of renewed violence and conflict, there was also a strong sense of optimism and hope for the future, based partly on a common perception that conditions could not deteriorate much further.

The chapter is divided into the following five sections:

- **Human Rights Awareness**, describing respondents' general knowledge and perception of human rights.

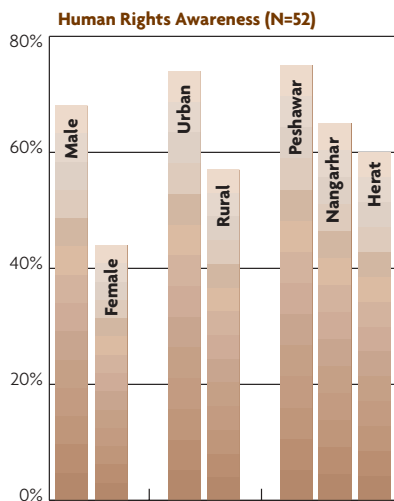
- **Human Rights Priorities**, summarizing data on key priorities identified by respondents.
- **Disaggregated Priorities**, discussing urban-rural, regional, and gender differences.
- **Analysis of Priorities**, focusing on the three main priorities of peace and security, food and agriculture, and education.
- **Reconstruction and Development**, describing Afghan preferences for a strong UN role, coupled with local implementation.

HUMAN RIGHTS AWARENESS

You [Americans] get to define who is a terrorist and who is a human rights violator, but from our perspective you do the same things that you accuse others of. — Afghan NGO Director

The first set of questions focused on familiarity with and knowledge of the human rights framework. More than two-thirds of respondents reported hearing about human rights and believed that they understood, at a basic level, what they mean. For a population with little formal education, this surprisingly high figure points to the increasingly international context in which Afghans identify themselves. Many reported hearing about human rights issues through the media, especially the radio. There was a widespread feeling, linked to their own experiences of violations, that human rights are respected in other countries but not in their own, and that this needed to change. As one refugee in Peshawar stated: *For 23 years Afghans have had no human rights so*

the concept is meaningless to them. Of course we want human rights, but who will give them to us? Even those who professed ignorance of human rights also expressed their hope that international standards of justice would finally be applied in Afghanistan. A villager near Herat said: *I can't say what human rights are, but I know that we have been deprived of them and need them urgently.*



When the responses are disaggregated (**Figure 1**), urban residents have a higher awareness of human rights than rural (74% to 53%), men higher than women (68% to 56%), and refugees in Peshawar higher than those living inside Afghanistan (75% to 62%). This reflects unequal access to education, travel, and means of communication among different sectors of Afghan society, with women and villagers facing comparative disadvantage.

HUMAN RIGHTS PRIORITIES

If my wife gets sick at night I can't take her to the city. We are afraid to travel at night.

– Villager, Nangarhar province

Respondents were asked to discuss the most important human rights issues in their lives, and rank their top three human rights priorities. Unlike Western conceptions of individualized rights, respondents generally understood human rights from a family or community perspective – for example, emphasizing the needs of their children as part of the family. They also associated

human rights with economic and social rights, especially food security, education, work and health. This reflects the fact that the daily struggle for survival remains paramount for many Afghans. The only notable exception to this trend was the premium placed on prioritizing peace and security as a precondition for survival and realization of other rights.

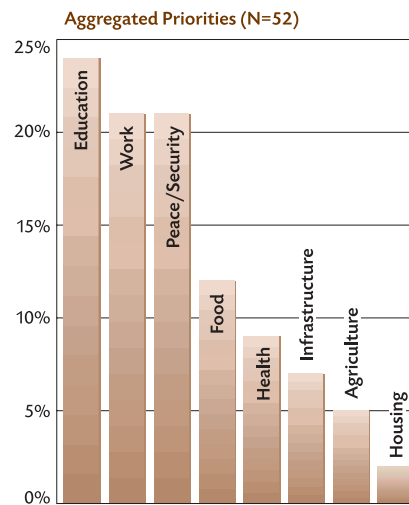


Figure 2

When total priorities are aggregated without ranking between the top three choices (**Figure 2**), respondents chose education most frequently (24%), followed by work and peace and security (20% each), food and agriculture (16% combined), and health (8%). This picture changes significantly when priorities are ranked in order of importance (**Figure 3**). As a first priority, peace (40%) and food (28%) outdistanced other concerns, with education (11%) and work (10%) dropping significantly. As the second priority, education was the most popular (36%), followed by work (20%), health (12%) and infrastructure (9%). For the third priority, work was most often selected (28%), followed by education (21%), health (14%), and infrastructure (10%).

This indicates the extent to which Afghans viewed themselves in a crisis situation, facing immediate threats of both violence and hunger. Once survival issues were addressed, education and work were seen as the main avenue for escaping poverty and improving living standards, especially for the coming generation. Among

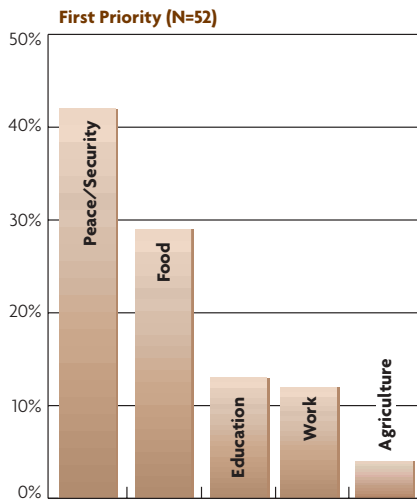


Figure 3a

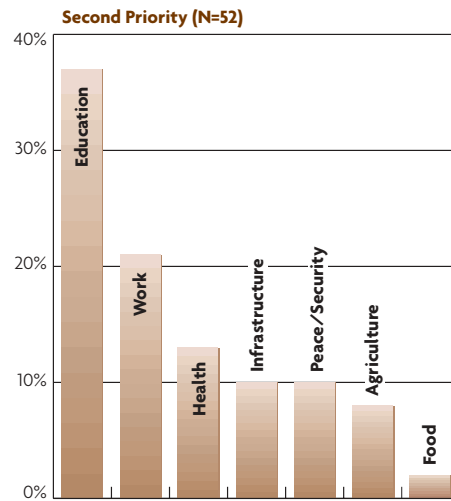


Figure 3b

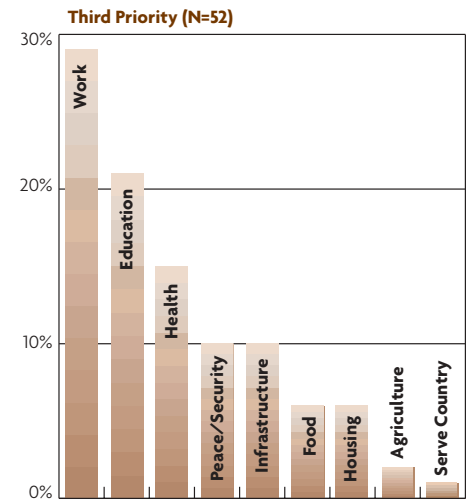


Figure 3c

basic services, health care was also prioritized, while housing was largely ignored despite extensive war damage, because Afghans often build their own homes and therefore view housing as a function of income.

PRIORITIES

The UN must train and develop a professional national army. Without a national army and peace, people will be afraid to speak their minds and we will never overcome the legacy of fear and war.

— Educator, Nangarhar province

AFGHAN ATTITUDES TOWARDS ETHNICITY

Ethnicity was not a divisive issue for most Afghan respondents. The average person first identified him/herself as an Afghan from a particular geographic area, and only upon further probing would discuss their ethnic origin. As a shopkeeper in Herat declared: *We are all Afghans and for us ethnicity is not an issue. If you need an answer for your survey, then put down that I am Tajik.* Most people pointed out that despite all the history of factional conflicts, regional secession based on ethnicity was unthinkable. Villages around Herat, for example, were ethnically mixed and there was collective responsibility for food and health for vulnerable families at times of need.

On the other hand, people readily acknowledged the reality of historic discrimination against minorities, especially Hazaras, and condemned the current violence against Pashtun communities in the north. They worried that the intensification of ethnic violence in the past 20 years might destroy the underlying unity and remaining tolerance in Afghan society. But blame for ethnic violence was laid at the doorstep of the military factions and their foreign supporters, rather than ordinary citizens. A director of an international NGO pointed out, *there might be deliberate action taken by an authority targeting a particular ethnic group, but not average people against average people.* An Afghan soldier expressed a common, if self-serving, view: *we don't have ethnic problems. It is the foreign powers and neighboring countries that have used ethnic divisions for their own interests.*

It must be emphasized that many Afghans criticized the UN, and even more the US military, for feeding into these false ethnic divisions at the behest of current political and military leaders, rather than working to undermine the power of ethnic-based factions and to bring Afghans together around issues of common concern.

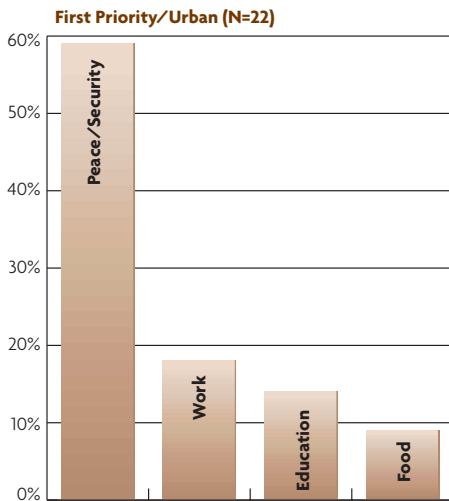


Figure 4a

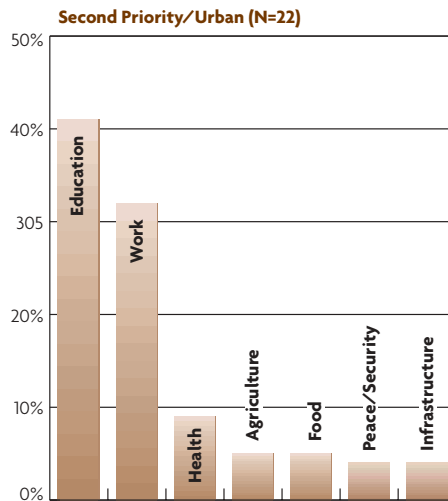


Figure 4b

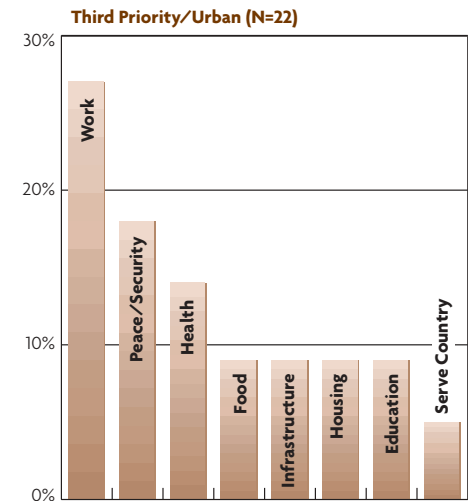


Figure 4c

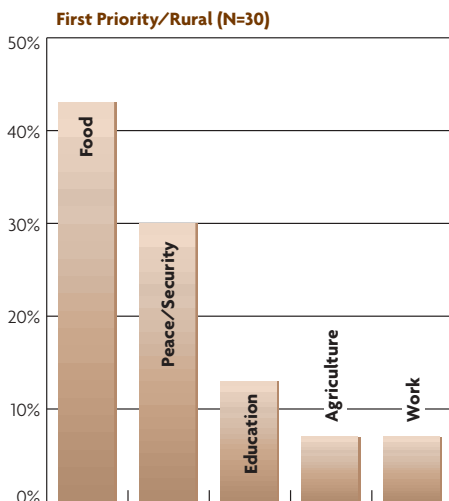


Figure 5a

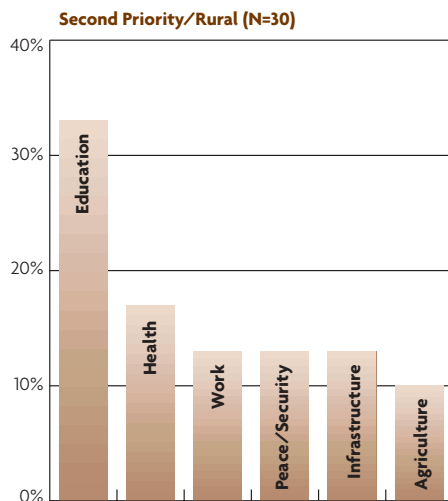


Figure 5b

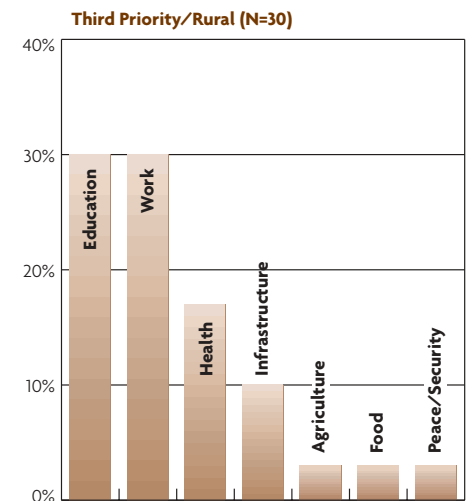


Figure 5c

When these priorities are disaggregated by urban and rural respondents, the different concerns of the two populations become apparent (**Figures 4-5**). Urban respondents overwhelmingly selected peace as the top priority (57%), followed by work (16%), education (12%), and then food (8%). The most frequently selected second priorities were education (40%) and work (31%). Third priorities were work (27%), peace (17%) and health (13%). By contrast, the first priority in rural areas was food (42%), then health (15%), followed by work, peace and infrastructure (13% each). Education and work were most often selected as third priorities (29% each), followed by health (15%).

Peace was the top concern of urban residents because cities have borne the brunt of war damage and currently have the highest concentration of soldiers. Many respondents complained about increased crime, theft, and unauthorized “taxation”, and expressed fears of a return to the violence of the 1992-96 Mujahideen government. Education and work were considered essential for earning an adequate income to support one’s family. Food was not a major concern, indicating that urban residents have relatively good access to international food distribution compared to their rural counterparts. Rural responses reflected the ongoing food crisis that has been exacerbated by drought and poor harvests. Because soldiers rarely stayed inside the villages, the

First Priority/Herat (N=25)

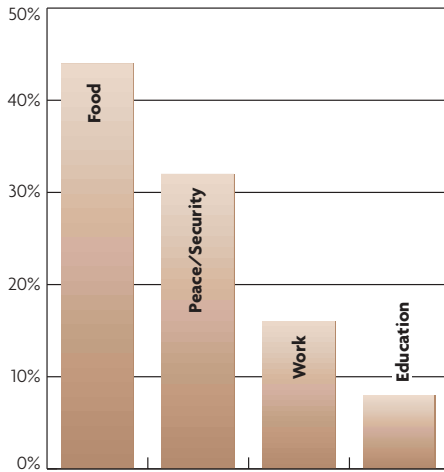


Figure 6a

First Priority/Nangarhar (N=15)

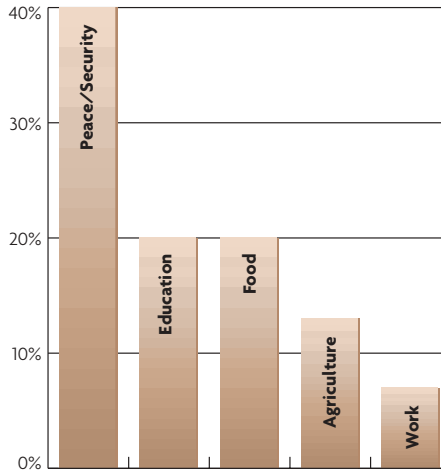


Figure 6b

First Priority/Peshawar (N=8)

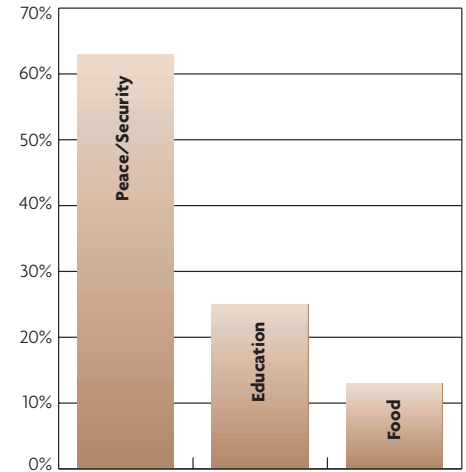


Figure 6c

emphasis on peace and security generally concerned travel between villages or to the city in case of an emergency. Education, work and health were also listed, but as less urgent.

Regional differences were also apparent (Figure 6). In Herat, food was considered the top priority by 42% of respondents, followed by peace (30%) and work (14%). In contrast, those interviewed in Nangarhar emphasized peace most (39%) and then food and education (19% each). In Peshawar, the contrast was even greater, with 60% choosing peace and 22% education. The emphasis on peace in Nangarhar likely reflects a greater distrust of local and central authorities than Herat, which has better functioning local government and closer links to Kabul. Among refugees in Peshawar, peace was seen as the precondition for the exercise of their other rights, including the ability to return home.

While there were significant gender differences (Figure 7), equality and non-discrimination were considered by most respondents as fundamental to the human rights concept and critical for the future development of Afghanistan. Both men (42%) and women (39%) placed a high priority on peace, but for women food was the highest priority (49% compared to 22% for men), whereas men placed a much greater value than women on work (14% to 0%). As a second priority, 59% of women selected education compared to 30% of men.

These findings reflect a greater female responsibility for feeding and caring for families and male reluctance to accept food assistance.

ANALYSIS OF KEY PRIORITIES

This section discusses the three main human rights priorities identified by respondents: peace and security, food and agriculture, and education.

Afghan Concerns Over U.S. Policy

If the US can defeat the Taliban, why can't they disarm the warlords? If the US believes in democracy, why support these warlords in Kabul?

– Villager, Nangarhar province

The US keeps talking about human rights, but look what they are doing in Palestine. We are not idiots. We know that they care more about our oil than our rights.

– Male villager, Herat City

We did a great service for America by destroying the Soviet, but then you helped Pakistan promote the Taliban and put a terrorist mask on our country.

– Soldier, Herat City

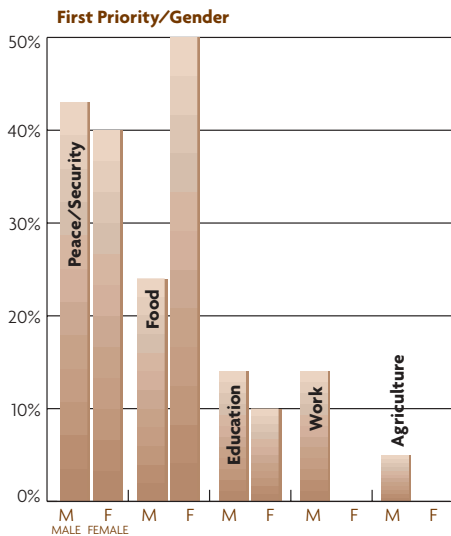


Figure 7a

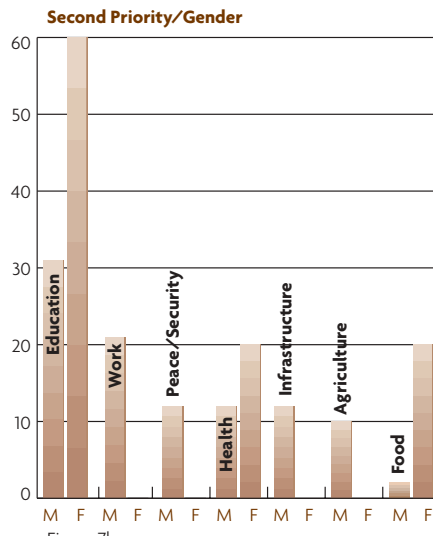


Figure 7b

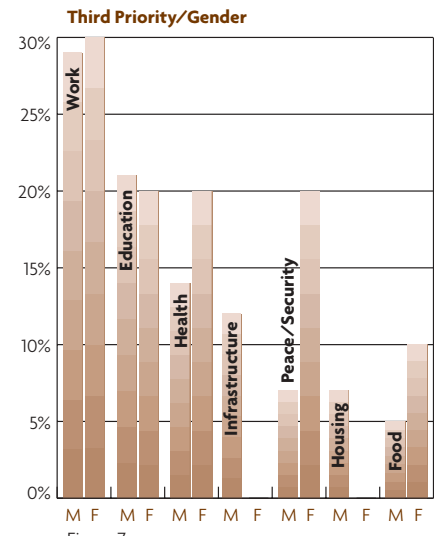


Figure 7c

Views on Gender Equality

Men and women must have equal rights since society is composed of both and needs both to function properly. In Afghanistan we have had two decades of war in which we lost many men. If only men participate in the workforce it will not be efficient. It does not make sense for a minority of the population to be responsible for the entire economic productivity.

– Student, Herat City

Human rights is to have men and women in a family eat around the same table (laughter). Yes, it is. I have heard that it is for men and women to be equal.

– Male villager, Nangarhar province

Peace and Security

Peace and security was widely seen as a precondition for all human rights and development. The main concerns of respondents included: the return to power of despoised and feared local military commanders; the unrepresentative nature of the interim government in Kabul; and the negative impact of US military strikes and support for certain factions. In particular, respondents denounced all Afghan leaders who had participated in inter-factional conflict. They were also critical of the UN and US for allowing the warlords to re-establish their rule without accountability for past crimes.

Almost everyone interviewed reported suffering from war fatigue. In Herat, a villager reported: *We are all tired of war. If the foreign powers stop supporting different factions, peace is possible.* Soldiers professed a desire to lay down their weapons, but not until there was a reliable way to earn money to support their families. One commander reported that: *To put demobilized soldiers to work you must give them jobs in construction. Everybody wants jobs outside of agriculture because the drought has caused so much suffering. Once people have work they can send their children to school and life can return to normal. This is the best way for the international community to ensure peace in Afghanistan.*

Many respondents reported a sense of insecurity and feared that fighting could erupt at any time despite the appearance of relative calm. A shopkeeper in Herat reported that *people have hidden their guns so that if insecurity and chaos returns they can use them for self-defense.* There was also general fear and distrust of local military forces. A 13 year-old girl in Nangarhar village, who is engaged to her cousin against her will and whose father was killed in fighting, reported: *I want to become a police officer when I grow up. We all want a police force that is humane, but unfortunately, most men are cruel.* People generally felt that the only hope for a sustainable peace was international intervention aimed at disarming warlords and maintaining security. Without exception, interviewees favored extending international peacekeeping force beyond Kabul.

Afghans complained that the US was continuing to supply money and weapons to selected warlords. There was also universal condemnation of continued US bombing attacks and the toll they took on Afghan civilians. Reaction to the US role in defeating the Taliban varied according to region. In Herat, most people viewed the Taliban as an occupying army and were very happy to see them gone. In Nangarhar and Kabul, respondents blamed the Taliban for economic mismanagement but also worried about the deteriorating security situation under the new government.

Finally, respondents expressed deep distrust of all Afghan leaders with any involvement in the past two decades of fighting. This extended from local and regional leaders up to the interim government. Many respondents believed that the over-representation of the Massoud faction of the Northern Alliance in Kabul would lead to repression and conflict unless this imbalance of power was corrected.

Food Security and Agriculture

Many respondents described resolving the food crisis as the most important and immediate priority in the country. Since most Afghans depend on agriculture for both their own food needs and income for other necessities, the combination of war and drought has proven catastrophic. When listing priorities, many rural respondents used water, work, food, and agriculture interchangeably. Yet even while prioritizing food above all else, only the most desperate wanted direct food aid. *We don't want your sacks of wheat*, stated a villager from Nangarhar province. *We want help with irrigation, wells, and seed so that we can feed ourselves*. Many rural families reported eating one or two meals per day, and, upon inspection, food storage areas were often found empty. While hunger was less prevalent in the cities, many urban respondents experienced food shortages. Families in Herat stated that they did not have resources to buy more than basic staple items and relied on food distribution from the World Food Program. The food crisis has also contributed to large-scale displacement as rural families migrate to cities and Internally Displaced Persons camps in search of international aid. Such aid had clearly not reached many vulnerable communities

Food Security

Things are bad now, because the fields are dry and we can't grow anything. I try to make money doing odd jobs. Same with my sons. Sometimes they collect firewood, but we worry about land-mines. We are now hungry and eat whatever we can find.

– Landless farmer, Agam, Nangarhar province

Our entire agricultural system needs complete rehabilitation and upgrading – in all the provinces, not just in Kabul. Our immediate priorities are distributing large amounts of seed, replenishing livestock and poultry stocks, assisting dairy farms and fisheries. In the longer term we must build irrigations systems as safeguard against drought and plant fruit trees and forests, since most were destroyed during war or cut down for firewood. I have also emphasized that agricultural rehabilitation is the key to this country's future security as the major means of employing demobilized soldiers. We are all happy that the long war is coming to an end, but if we don't put men to work then the same problems will come back without any doubt.

– Mr. Sayed Hussein Anwari,
Minister of Agriculture

where they lived, especially in rural areas.

Education

Education for both boys and girls was consistently emphasized by a cross-section of respondents. Adults, particularly rural men, also expressed the need for education in order to earn an income outside of agriculture. *I don't own any land but I want education not only for my children but also for myself from my government*. However, many respondents felt that they could not afford to send their children to school. Especially in rural areas, parents expressed the need for financial support, at least in the form of meals and school supplies, to offset loss of income from child labor. This reflects the fact that children are part of the family's economic life-line, and highlights the trade-off between the short-term benefit of child labor and the longer-term benefit

FOCUS GROUP OF HIGH SCHOOL TEACHERS, PESHAWAR REFUGEE CAMP

The three top priorities in education are: national curriculum, adequate salaries for teachers, and building schools and facilities especially in rural areas. While primary education is the biggest priority, we cannot forget that an entire adult generation is uneducated and even illiterate, so there must be vocational training. Even teachers need retraining to develop their skills.

Under the Taliban the UN and NGOs refused to work with the government and helped fragment our education system. Some schools were well taken care of and others didn't have paper and pencils. This is against the national interest. Funding should now go through the central government and get allocated to the regions on the basis of a national plan.

The traditional rural resistance to education has lessened a great deal lately. They have had more contact with outside world, and their traditional structures of agriculture and isolation have collapsed, so they recognize the value of an education to expand opportunity, even for girls. But it is still important that the education reflect both Afghan national values and regional customs and variations.

of educating children to be able to better provide for their families. As one villager in Nangarhar declared, *the purpose of education is to support the family.*

There was opposition to any form of private schooling or cost recovery for either primary or secondary education, based on the belief that quality education should be available equally to all people, not just the wealthy. At a focus group of professors from Jalalabad University, one stated: *We totally oppose private universities. We want help for the entire nation not just a small sector. We need to raise the standard of public universities otherwise we*

will have a two-tiered system favoring the wealthy. At the university level, professors and administrators emphasized the need for adequate salaries, reconstruction of facilities, updated textbooks and study materials, exchange of students and academics between Afghanistan and other countries, and for affiliation with international universities. The mission observed that universities in Jalalabad, Kabul and Herat were in terrible physical condition.

HUMAN RIGHTS AND RECONSTRUCTION

We are asking the international community to step forward and help us in the rehabilitation of our country. For many years you have contributed to war and bloodshed, it is your turn now to help us with peace and security.

– High school principal, Nangarhar province

The survey asked for Afghan opinion concerning who should implement the reconstruction program to ensure equity and human rights. The findings reflect a general distrust of all government authorities (Figure 8). The majority responded that the UN should be primarily responsible either on its own (49%) or together with the Afghan interim authority (31%), whereas only 20% thought that Afghan authorities, either central or local, should be primarily responsible. These results also

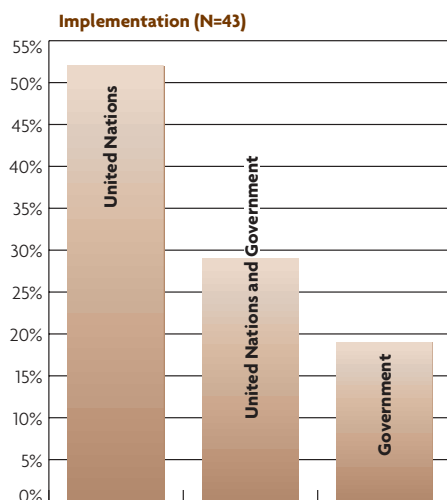


Figure 8

Education

The UN must introduce the concept of human rights to the Afghan people because the government is full of warlords. — Female teacher, Peshawar

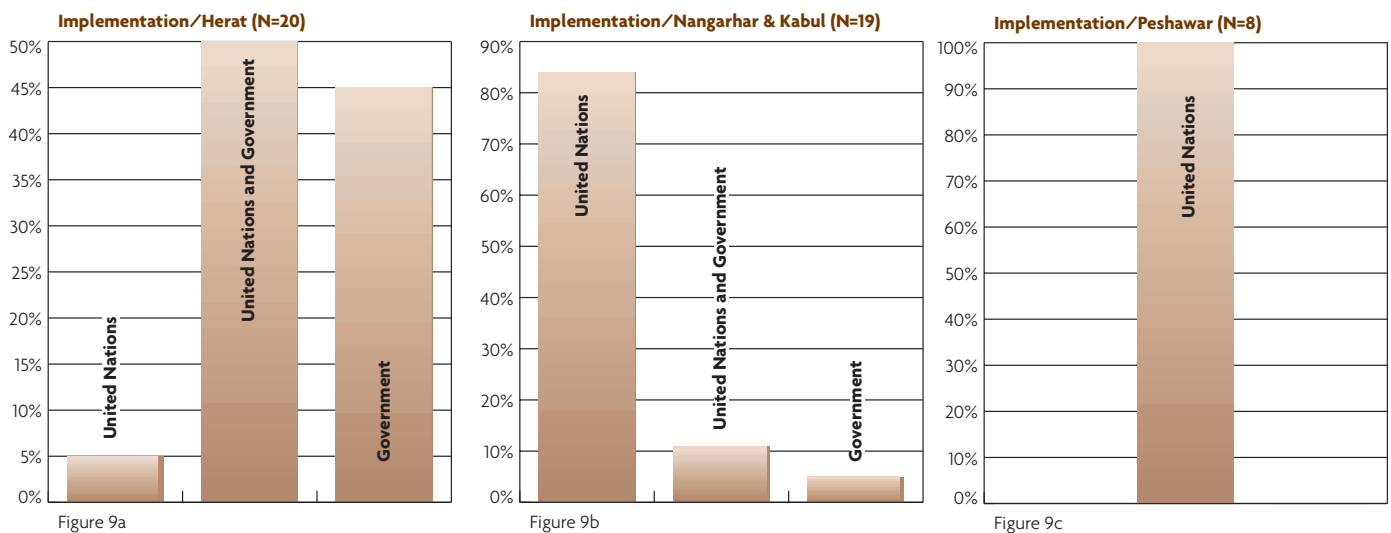
I am the minister for all Afghanistan, not just Kabul. If we really want to avoid war and terrorism, we must extend education to the rural areas. The needs are enormous. People have nothing, and have learned nothing. Many in rural areas don't feel that Kabul is their capital. They are scared of change. But they also now see the value of education more than ever. We can introduce changes step by step, always in consultation with the people... Before the Soviet invasion we had a professional class of educators, but now everything is politicized. The Mujahideen government politicized the entire system and developed new curricula to train fighters not educate people. The Taliban abolished our educational system and introduced narrow religious ideas in the place of education. Now different regional leaders are appointing their own ideological cadres in education. Furthermore, UN agencies are not working well together. Each is its own kingdom and approaches us separately. They need to develop a coordinated system to cooperate with all the departments in my ministry.

— Prof. Rasul Amin,
Minister of Education

show a great sense of hope that this time around the international community will not repeat the mistakes of the past interventions in Afghanistan.

When responses were disaggregated by region (Figure 9), all (100%) respondents in Peshawar, 82% in Nangarhar and Kabul, and 60% in Kabul thought that the UN should have primary responsibility for reconstruction. This reflects varying degrees of regional association with the interests of the Kabul government. People in Herat were the most supportive of the interim government and also displayed some acceptance of the legitimacy of the local administration as a responsible partner for the UN. One resident expressed a common position: *Neither the UN nor the Afghan government has the ability to develop the country on its own. They both need each other so it is essential that they cooperate.* In contrast, residents of Nangarhar, and especially refugees in Peshawar, did not accept local or central leadership and were more insistent that the UN alone could be trusted.

Respondents were committed to rebuilding Afghanistan through their own efforts. They believed that implementation should be the responsibility of affected communities, working directly with the relevant authorities, whether international or Afghan. To minimize waste and corruption, respondents were very keen to bypass existing power structures and ensure a community control. Many also expressed that, while international fund-



ing and supervision were necessary, actual work should be done at the local level to be cost-effective and properly targeted. As one villager in Nangharhar said, *the UN cannot work with the same sincerity as we can. They will leave in a year or two, but this is our home.* 🌿



Voices from Maslakh IDP Camp

We lost our livestock and crops to drought. We have been here two months but still no one registers us. If we go to the health clinic they turn us away because we have no registration cards. Look at how we live, in a tent with ten other families, exposed to the cold! Just yesterday three children from our group died of cold and weakness. Please tell the camp administrators to provide us some kind of shelter.

– Woman, Ghor province

We are desperate for help here. We left our village because there was no food or aid distribution, but here we are still desperate for help. Believe me, we wouldn't stay here one extra day if food were provided in Baghdis. We would return immediately.

– Farmer, Badghis province

My son was coughing for four days but there was nothing to do. The health clinics are not open on holidays.

– Man whose infant son died during Muslim holiday of Eid.



This is becoming a familiar pattern – the US makes a mess of things and the UN is forced to come in and clean up, but without the political or military muscle to get the job done. Then when it blows up several months or years later, we get the blame while the US is busy bombing elsewhere.

– *UN Official*

This chapter summarizes the views of UN and NGO officials concerning the key challenges to and constraints on advancing human rights and development in Afghanistan. To protect sources, quotes are not attributed.

It should be emphasized that most respondents were experienced aid workers dedicated to helping the Afghan people ameliorate their conditions of life. Their critiques were aimed at correcting negative policy trends before the window of opportunity closes, and pressing UN and international agencies to live up to their own human rights commitments to advance genuine development in Afghanistan. It should also be noted that UNAMA's human rights office is currently taking concrete steps to address the shortcomings identified in this chapter. Whether these effects receive adequate support from donor countries as well as the UN itself will help determine the level of Afghans' engagement of human rights in the reconstruction process.

The interviews were conducted during a period of transition in the international aid community. UN agencies were in the process of relocating from Islamabad to Kabul, adjusting to the difficulties of operating without basic infrastructure or communications facilities. At the same time they were scaling up emergency programs in response to food and security crises throughout the country, while also rushing to meet deadlines for sectoral needs assessment reports in preparation of the Tokyo donors meeting. Offices that had operated with limited funds for emergency projects were suddenly

asked to prepare, in a matter of days, sectoral plans with a ten-year time horizon.

These factors contributed to a profound sense of frustration with the direction of the international reconstruction effort. Echoing concerns raised by Afghans in the previous chapter, many aid workers criticized the lack of local participation and the failure to consult with international field staff during the Tokyo process. The role of the US and World Bank were singled out as being decisive in terms of policy formation yet disconnected from the ground realities of development work in Afghanistan. As a result, international policies were being set without adequate knowledge of prevailing conditions and obstacles. There were also concerns that human rights issues were being downplayed for fear of upsetting the political balance in Kabul, thereby opening the door to continued impunity for abuses. And, US military policy of arming selected military commanders was seen as a particularly destabilizing factor for reconstruction.

This chapter is divided into six sections:

- **War and Insecurity**, emphasizing that the UN and US' failure to address security issues may undermine the future prospects for development.
- **Human Rights Accountability**, arguing for accountability mechanisms to challenge the culture of impunity and deter ongoing abuses.
- **Rights-Based Programming**, discussing the need to incorporate human rights principles throughout the reconstruction effort.

- **Donor-Driven Development**, criticizing the quick-results strategy of the World Bank and others and calling for long-term planning tailored to community needs on the ground.
- **Afghan Participation**, stressing the importance of incorporating local expertise into all phases of reconstruction in order to minimize waste and enhance efficiency.
- **Implementation and Coordination**, noting the challenges of linking national planning with local knowledge, and calling for coordinated implementation among UN agencies and Afghan authorities.

WAR AND INSECURITY

As long as we have externally supported warlords like Dostum getting weapons at the same time from the US, Iran and Uzbekistan, there will be war and instability. — UN Official

The first priority for international aid workers, as for Afghan respondents, was peace and security. There was considerable pessimism on this issue due to the failure of the international community and the US in particular, to challenge the resurgence of local warlordism. Peace was widely considered an indispensable precondition for development, yet little had been done to follow up on Afghan pleas for international assistance on security issues. Many respondents considered this a make-or-break issue for the entire reconstruction effort, noting that factional fighting rendered long-term development programs difficult to implement and that it diverted resources and attention to managing each new crisis. One senior UN official commented: *Of course this is politically tricky, but everyone at the UN should be screaming about disarmament and demobilization, otherwise our grand development plans will go up in smoke.*

Aid workers also disputed the public perception that the war had largely ended with the defeat of the Taliban. An aid worker commented that *things were pretty quiet in the year after the Soviet invasion, and look what eventually happened.* It was pointed out that the growing strength of local military commanders associated with different factions in the interim administration has

already led to increased fighting and widespread human rights abuses. In the north, Uzbek and Hazaran militias were killing, looting and expelling Pashtun communities without an effective response from Afghan authorities or the international community.

While a resurgence of warlordism was expected after the defeat of the Taliban, respondents expressed disappointment at the UN's failure to take advantage of the political opening to initiate significant peace and disarmament measures. It was felt that the UN needed to more visibly support Chairman Karzai's requests to expand the international peacekeeping force beyond Kabul. Timing was also an issue, given concerns that the window of opportunity for challenging the power of local warlords would close once world attention shifted to the next international crisis.

Most of the criticism was reserved for the US military's role in sustaining conflict and supplying weapons to unpopular and unaccountable warlords in the name of hunting remaining al-Qaeda and Taliban fighters. Echoing a common complaint, an aid worker remarked: *Every single Afghan wants disarmament, but the US is arming Tajik commanders to extend control over Pashtun areas in the east and south. The US no doubt has its reasons for allying with these particular mass murderers, but in the long run this policy will undermine the entire political process that the world is investing billions of dollars to support.*

The contradiction between US military policy and UN development policy is an open secret throughout the international aid community, yet UN officials are unwilling or unable to raise public questions about it. A senior UN staff member commented: *This is a question of advocacy. Since the Pentagon won't listen, we need to address the media and educate the donor community that this is the number one concern of Afghans, and our number one concern as well.*

The UN's own security measures were called into question for impeding contacts between international staff and the Afghan population, especially outside the major

cities. While the restrictive policy can be seen as a natural reaction to ongoing security problems throughout the country, its effect was to block the UN's ability provide any monitoring and protection in precisely the areas of greatest need. Another inevitable consequence was the concentration of program resources in those areas easiest to reach and work in. As one long-time aid worker noted, *heightened security restrictions in rural and Pashtun areas will skew development priorities away from these regions based on simple lack of access.*

HUMAN RIGHTS ACCOUNTABILITY

The UN must establish a human rights protection mandate and support mechanisms for accountability, otherwise there will never be a political climate that can support democracy and genuine reconstruction. — UN Official

Aid workers also challenged the failure of the international community to take seriously the importance of human rights accountability and monitoring. Many believed that human rights issues have been deliberately downplayed in order to preserve the delicate political process initiated by the Bonn Agreement, creating a perception that the UN was helping re-impose the very warlords who destroyed Kabul and the country during the previous Mujahideen government. It was recognized that the UN has less leverage over this issue than the US, whose military campaign enabled the Northern Alliance, and especially the Panjshiri group, to seize Kabul. Nevertheless, many respondents argued that in return for the political legitimacy bestowed through the Bonn Agreement the UN should have insisted on stronger human rights monitoring and accountability.

A UN policy-maker explained that *the concern here is that real human rights accountability would mean throwing half the current ministers in jail.* Respondents acknowledged the dilemma, but noted that Afghans themselves, including Chairman Karzai, took the risk of calling for a truth and reconciliation process to address past abuses, yet received little international support. Aid workers also warned that failure to introduce the concept of accountability might signal international accept-

ance of impunity even for present and future crimes. An experienced field worker stated: *We are sending a clear message that maintaining the surface appearance of stability is more important than addressing the real causes of instability. Frankly, that strategy is short-sighted in the extreme.*

The national loya jirga, scheduled to convene in June 2002, is widely seen as a crucial step towards establishing more legitimate and representative governance and laying the groundwork for national reconciliation. At the same time, international reluctance to publicly prioritize human rights places on the loya jirga the dangerous burden of confronting unaccountable warlords without any concrete signs of external support. A senior UN official warned: *The loya jirga is an important milestone for Afghan democracy. But we should not expect 1,500 Afghans to solve everything in a one-week meeting. I am very concerned that they will be pressured to rubber-stamp the existing political set-up, maybe adding a few Pashtuns.*

Human Rights Concerns

The Bonn Agreement was designed as an emergency measure to fill a power vacuum. But it gave one faction within the Northern Alliance control over the entire repressive apparatus of government simply because they got to Kabul first. The Massoud faction is now totally in charge, their traders are kicking Pashtun traders out of Kabul. These are the very same people who committed massive human rights abuses their first time in power.

— UN Official

The UN's security paranoia doesn't allow staff to get out of their compounds to observe the facts on the ground. I understand the need for precautions, but for an organization with a human rights mandate to stand on the sidelines while people's rights are being violated is unconscionable.

— UN Official



RIGHTS-BASED DEVELOPMENT

To be frank, we all talk about rights-based programming at the agencies but no one really takes it seriously. Most of us actually don't know what it means. Anyway, since there is no time or money for rights-based programming, it stands little chance of implementation in the field.

— UN Official

There is a particular urgency to establish and expand rights-based approaches to development programming in the context of the \$4.5 billion pledged for reconstruction. Yet thus far none of the major components of rights-based programming have been adopted, including:

- Conducting thorough human rights assessments throughout the country to guide reconstruction programs;
- Ensuring genuine participation of affected communities in assessments and resulting development programs;
- Focusing on the root causes of human rights abuses and prioritizing the needs of vulnerable communities;
- Developing benchmarks and goals for progressively realizing human rights in development programs;
- Establishing accountability mechanisms to monitor and ensure the achievement of these goals.

Attention to human rights has been conspicuously absent in the international development agenda, from the planning documents presented at the Tokyo meeting to the programs being contemplated by UN agencies. The remarks of a senior UN development official typified this attitude: *I don't understand the fuss about human rights. Our assistance programs are already based on participation and community needs. What does human rights add?* This was a minority view; most field staff wanted more political and financial support for rights-based programming, marked by a genuine commitment to Afghan participation.

Since early 1999, the UN Human Rights Adviser's Office in Afghanistan, together with a task force comprised of staff from UN agencies, international NGOs, and Afghan groups, has developed programs for rights-based development despite limited resources. The new human rights office in UNAMA is currently focusing on rights-based development as a top priority. This capacity must be supported and expanded to ensure effective and participatory development throughout Afghanistan.

DONOR-DRIVEN DEVELOPMENT

The impact of reconstruction could be huge if funds are allocated and managed properly at local levels. But that will take real needs assessment and program design with local knowledge.

— UN Official

Almost everyone interviewed expressed grave concerns about the funding plan, as a top-down process that ignored field experience and local priorities and did not permit real needs assessment. At the same time, most respondents understood and accepted the urgency of putting proposals before donors without delay. According to a long-time aid worker, we know full well that donor interest will fade as soon as the next crisis hits, and Afghanistan will again be neglected. So we all accept the need to move quickly on funding, even if we gripe about it.

Aid workers were most concerned that development planning and policy were being decided by those furthest removed from the ground reality, while experienced Afghan and international field staff were given almost no opportunity for meaningful input. One UN official spoke of an inverse relationship between knowledge of ground realities and access to policy-making: *The US and Japan are pressuring the World Bank, which is dictating to the UN headquarters in New York, which tells the agencies what to do, and then the field staff, and on down the line until you get to Afghans themselves, who have no say whatsoever.*

Respondents recognized the need to establish emergency projects that could be implemented immediately, but insisted that most of the programs needed to be carefully planned to address long-term needs and build sustainable local capacity. Some in the UN feared a bias toward urban projects. A UN official explained that *the rush and the demand for visible results will inevitably favor urban over rural development. It is far easier to spend \$100 million in Kabul than remote areas that are so much more desperate.*

Aid workers emphasized the capacity of international development funding and assistance to help meet the

extraordinary level of need and desperation throughout the country. Much of the criticism of donor-driven, top-down development derived from a commitment to minimize the inevitable waste and inefficiency of poorly planned development programs and to ensure that the benefits actually reach the Afghan population.

AFGHAN PARTICIPATION

I am an Afghan. I care about my country. Ask me how to address these problems. There is already experience and expertise in my country. Don't start from zero. Don't just come and dump food and concrete in my country. If you don't use our expertise you will make many mistakes and waste lots of money.

— UN Official

Aid workers uniformly criticized the lack of Afghan participation, from the community to the government levels, in all phases of development planning, on the grounds that crucial information and expertise was being ignored. While some expatriate Afghan experts were consulted and recruited, professional cadres within the country were largely overlooked. Many skilled Afghans held administrative rather than professional posts in UN agencies. As one observed: *We need financial management systems with banks and credit institutions. You can't do reconstruction with millions of dollars in bags of cash. There are Afghans with expertise in these issues, but no one asks for our help.*

Even government authorities in Kabul played a limited role in substantive planning despite lip service to their role as key partners in development. As one UN official pointed out, *it is rubbish to equate supplying salaries to central government ministries with real Afghan participation.* Ministers were often asked to review and sign off on major planning documents on the spot. A senior aid official attributed this to an accelerated timetable that prevented even UN agencies from incorporating field experience into development planning: *The fast pace of reconstruction is further limiting the already-limited capacity of the interim government and other Afghan actors.*

There was also growing local resentment based on the rapid and at times insensitive influx of UN agencies and

personnel into Kabul. A number of aid workers expressed concern about the Afghan perception that the UN's first priority was taking care of its own. One explained: *All these high-priced UN staff and consultants have parachuted into Kabul with their big cars and walkie-talkies and in a matter of weeks managed to create an enormous image problem with the local population.*

IMPLEMENTATION AND COORDINATION

The normal UN approach is decentralized agencies with symbolic coordination. The other extreme is an integrated mission approach with clear lines of authority. It is obvious that Afghanistan needs the second otherwise fragmented programs and funding will further divide and already fragmented country.

– UN Official

Aid workers agreed that managing the complexities of program implementation, and coordinating between UN agencies and central and local Afghan authorities, was the key to effective rights-based development. Most advocated channeling funds through Kabul to enhance central authority while at the same time ensuring a primary role for regional and local implementation. This balance was seen as key to avoiding the twin problems of centralization and local warlordism.

Another concern regarding implementation was accountability for development funds. While corruption and waste was viewed as inevitable, most field workers felt that the best safeguard was to ensure Afghan participation at the most local levels.

Aid workers also warned that appropriate gender and ethnic balance among field staff was essential to effective implementation. An NGO director explained: *Afghan staff of NGOs and UN agencies are almost exclusively male, which creates enormous problems for development programs that require access to women. In Nooristan, for example, where women do most farm work, it becomes impossible for development agencies to create sustainable linkages to local women.*

Development Programming

To run effective programs, whether we use the terminology of rights-based programming or sustainable development, the first thing you need is a stable government as a floor for everything. The second thing is to make a huge effort to minimize corruption, since every opportunity for graft and waste will be taken. But how can the Afghan government or even the UN manage this when they lack the experience or staff on the ground?


– UN Official

For 23 years we have been reduced to emergency life-saving operations, maybe planning 6 months in advance. Suddenly we are asked to come up with a Marshall Plan for the next 10 years. This takes time and planning, especially for agencies that have never thought about large-scale development in a systematic and inclusive way.

– Director, International NGO

We must be massively aware of the tendency towards centralization that has caused so much suffering throughout Afghan history. The essence of the past 20 years war was conflict between center and periphery. Program implementation must be done through regional mechanisms, with central oversight and coordination, and public accountability at all levels. It should be seen as an efficient and locally sensitive management system to run the country properly.

– UN Official

Aid workers were in agreement that there needed to be clear procedures to coordinate reconstruction programs and avoid duplication and competition. As a result most favored a fully integrated mission model rather than a set of independent agencies, with open communications between the central, regional and local levels. 

4

The Afghan economy could barely walk even before this all started, but the Soviet invasion crippled it. The Mujahideen then sent it to a coma and the Taliban suffocated it to its ultimate demise.

— Professor at Kabul University.

This chapter provides an overview of the chronology and main outputs of the international reconstruction process for Afghanistan. Soon after 11 September 2001, the World Bank, Asian Development Bank, and United Nations Development Program began to organize for economic reconstruction in a post-Taliban regime. They convened a number of conferences in different parts of the world,¹ and commissioned major approach papers,² in order to flesh out development options and sectoral strategies. This process culminated in the International Conference on Reconstruction Assistance to Afghanistan on 21-22 January 2002 in Tokyo, which succeeded in obtaining pledges of \$4.5 billion from the international community.

The reconstruction process has been subject to widespread criticism from the international aid community. Concerns have been raised about the failure to undertake a comprehensive needs assessment identifying specific priorities, to solicit Afghan participation and perspectives, and to provide a strategic framework for prioritizing among competing needs and projects. This chapter addresses these concerns and concludes by highlighting fundamental questions about the reconstruction process: what has been achieved, what direction is the process heading, does the planning coincide with the needs of the Afghan people, and how effective has it been so far?

The chapter is divided into four sections:

- **Planning for Reconstruction**, discussing the main themes of the initial reconstruction meetings, and the needs assessment prepared for the Tokyo conference.
- **Cost Estimates**, analyzing the sectoral breakdown of estimates in the needs assessment and providing a critique of the methodology and figures.
- **Participation in Reconstruction**, critiquing the exclusion of Afghan voices in the reconstruction process.
- **Remaining Questions**, noting the failure of the reconstruction process to answer basic questions of implementation or offer strategic guidance for prioritizing among competing projects.

PLANNING FOR RECONSTRUCTION

My sense from the various funding meetings is that the World Bank is mostly interested in developing the private sector even if that contributes to inhumane work and living conditions.

— Director of International NGO

Soon after it became clear that the US and its allies were determined to topple the Taliban, discussions started on the political and economic reconstruction of the post-Taliban regime. On the political front, the United Nations successfully concluded an agreement between

1 "Afghanistan of Tomorrow, Realistic Prospects for a Lasting Peace", 22-23 November, Ottawa Canada;
 "Preparing for Afghanistan's Reconstruction", 27-29 November 2001, Islamabad Pakistan.
 "Afghanistan Support Group Conference", 5-6 December 2001, Berlin Germany.
 "Afghan Women Summit for Democracy", 4-5 December 2001, Brussels Belgium.
 "Afghan Reconstruction Steering Group Conference", 20 December 2001, Brussels Belgium.
 "NGO Conference in Tokyo on the Reconstruction of Afghanistan", 11-13 December Tokyo Japan.

2 "Afghanistan World Bank Approach Paper" November 2001, World Bank.
 "Afghanistan Preliminary Needs Assessment for Recovery and Reconstruction", January 2002, UNDP, World Bank, Asian Development Bank.
 "The Reconstruction of the Health System in Afghanistan, Challenges and Opportunities", January 2002, WHO.



four rival factions on an interim administration in Kabul in December 2001 in Bonn, Germany.³ On the economic front, the US and other Western countries and Japan requested that the World Bank (WB), Asian Development Bank (ADB), and United Nations Development Programme (UNDP) develop an ambitious plan for the reconstruction of Afghanistan.

On 27-29 November 2001 the WB, ADB and UNDP organized a major conference called “Preparing for Afghanistan’s Reconstruction” in Islamabad, Pakistan. The Islamabad conference was followed by the Afghanistan Support Group Conference in Berlin on 5-6 December, 2001,⁴ which was followed by the NGO Conference in Tokyo on the Reconstruction of Afghanistan in Tokyo on 11-13 December, 2001, which

was followed by Afghan Reconstruction Steering Group Conference in Brussels on 20 December, 2001. The main objectives of these conference was to review the economic and humanitarian situation in Afghanistan and discuss the challenges of post-conflict reconstruction, as well as to assess priorities and needs in the post-crisis recovery period.

At these conferences, education, health and food (or revitalization of the agriculture sector) were prioritized and defined as human rights that should be accessible to all Afghans. Education for all children, boys and girls, was listed as a first priority. Water and sanitation needs were presented as special challenges since only 23% of the population had access to safe water and 12% to sanitation. With only 35% of districts providing any kind of mother and child health services,⁵ the establishment of a comprehensive health system with centralized management and a decentralized delivery was recommended.

In addition, the conferences repeatedly stressed the rights of women not only as fundamental human rights but also as practical and economic contributions to sustainable development in Afghanistan. The conferences proposed changes to the legal system, and in the interim, the appointment of a gender advisor to the UN Special Representative on Afghanistan. A focus on bringing professional women back to their jobs was also urged. These proposals have so far not been implemented.

The conferences stressed popular participation not only in the reconstruction but also in the planning process, based on the recognized need to “see Afghanistan through the eyes of Afghans”.⁶ Towards that end, the WB, ADB and UNDP formed a team to undertake an “urgent preliminary needs assessment for recovery and reconstruction of Afghanistan” for the Tokyo meeting. The team was meant to distil themes from previous conferences and hold consultations with members of the Interim Administration and Afghans in Pakistan and Iran.

3 The United Nations (www.un.org) Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions.

4 Afghanistan Reconstruction Conferences and Seminars, Institute for Afghan Studies (www.institute-for-afghan-studies.org).

5 The World Bank (www.worldbank.org) Preparing for Afghanistan’s Reconstruction, 27-29 November 2001.

6 *What I have heard, particularly from the Afghan voices in the working groups, gives me great hope that we in the international assistance community have the beginning of a true partnership led by the Afghan people.... We must honor this, and when a government for Afghanistan emerges, we hope it reflects the wisdom, experience and tolerance of the voices I have heard this week. That will be a leadership that supports the people of Afghanistan in building their own future.* Mieko Nishimizu, World Bank Vice-President for South Asia.

In Tokyo both the Interim Administration and the Preliminary Needs Assessment Team presented priority areas for the reconstruction of Afghanistan.⁷ The Interim Administration focused on enhancement of administrative capacity and payment of salaries. Other priorities included education, health and sanitation, the rehabilitation of infrastructure such as roads, electricity and telecommunication, currency reform, and rural development including food security, water management and revitalisation of irrigation. The Interim Administration also pledged its commitment to the centrality of human rights in the reconstruction process.

The Preliminary Needs Assessment for Recovery and Reconstruction identified a program of activities that encompassed both short-term priorities and options for longer-term development initiatives, with costs estimated for each activity. Social protection, health and education were given particular emphasis as a priority in the short and long terms. Social protection included physical security – mine removal, training for security forces, poppy eradication, and job creation for ex-combatants.

In the health sector, priority was given to preventive and public health services, including effective low-cost interventions as the expansion of immunization, access to reproductive health, and control of communicable diseases. The most urgent task in education was said to be a rapid expansion of the primary and secondary education by re-opening government schools, re-hiring and training teachers, and providing essential teaching materials and equipment. Priority was also placed on rehabilitation of universities, which are in a state of collapse.

COST ESTIMATES

We are very concerned about the Tokyo plans for reconstruction of our country. What are the priorities? How will money be allocated? What is the strategic plan? When things are rushed like this without on the ground participation, you can be sure that the end result will be lots of wasted money.

— *Director of International NGO*

The Afghanistan Preliminary Needs Assessment for Recovery and Reconstruction provided estimates for total funding requirements on a commitment basis. As shown in Table 1, the total base case financing requirements amounted to \$1.7 billion the first year, \$4.9 billion over 2.5 years (as compared to \$10 billion estimated by the Interim Administration), \$10.2 billion over 5 years and \$14.6 billion over 10 years. In Tokyo donors pledged \$4.5 billion for the 2.5 years period of the interim and transitional administration (as specified in the Bonn Agreement).

Based on their pledges, donors preferred the lower figures estimated in the Preliminary Needs Assessment to the higher estimates of the Interim Administration. Yet neither was based on field surveys. The approach in the Needs Assessment is obscure, but seems to be based on comparison to international post-conflict aid for several Asian and African countries that ranged from \$40-80 per capita per year. Following this methodology, a range of \$10-20 billion over 10 years was calculated for Afghanistan, based on a population of 25 million.⁸

However, this approach may have sent an incorrect signal to donors about aid requirements by overlooking the extent of devastation and destruction in Afghanistan. Cost estimates for reconstruction could instead have been based on successful examples of South Korea and Taiwan in the 1950s and 1960s. The United States and allies helped build their economic and military capabilities over several years, providing a total approaching \$1,000 per capita, which in Afghanistan would translate into about \$25 billion over the course of reconstruction. Also instructive are recent cases of international aid in the Balkans, Palestine and East Timor, which have ranged from \$200-300 per capita per year. This suggests an annual figure of about \$5 billion for Afghanistan – almost three times the figure pledged at Tokyo.⁹

Moreover, for a pledge to become a viable money unit it has to pass safely through several layers of bureaucratic procedures in both donor countries and implementing agencies. The end result is that reconstruction programs

⁷ The Ministry of Foreign Affairs of Japan, International Conference on Reconstruction Assistance to Afghanistan, 21-22 January 2002 Tokyo, Japan.

⁸ Afghanistan Preliminary Needs Assessment for Recovery and Reconstruction, January 2002.

⁹ Michael O'Hanlon, *The Aid and Reconstruction Agenda for Afghanistan*, The Brookings Institution, December 2001.

TABLE 1 Estimates for Recovery and Reconstruction (US\$ million)

Source: World Bank

SECTORS	1 YEAR	2.5 YEARS	5 YEARS	10 YEARS
Security				
Security force and police	180	320	320	320
Mine action	60	150	450	660
Drug control	30	110	290	380
Subtotal	270	580	1060	1360
Governance and Economic Management				
Governance and public administration	140	330	500	520
Local governance and community driven development	70	300	600	800
Private sector developmen	20	110	200	200
Gender	10	10	20	40
Environment	10	20	30	30
Cultural heritage	10	20	30	30
Subtotal	260	790	1380	1620
Social Protection, Health and Education				
Education	80	210	650	1240
Health	50	210	380	640
Social protection	130	350	400	490
Subtotal	260	770	1430	2370
Infrastructure				
Transport	50	180	1030	2390
Civil aviation	10	30	60	70
Water and sanitation	30	100	230	580
Energy	40	240	760	1330
Telecommunications	10	40	80	120
Urban management, services and housing	30	130	250	320
Subtotal	170	720	2410	4810
Agriculture and Natural Resource Management Subtotal	70	280	850	1360
Total Development Expenditures	1030	3140	7130	11520
Total Recurrent Expenditure	700	1800	3100	3100
Total Expenditure	1730	4940	10230	14620

in Afghanistan will receive only a fraction of the \$4.5 billion promised. There are also concerns that a disproportionate share of the funds will support the salaries and needs of international aid workers and peace keeping forces, as occurred in Somalia.¹⁰

PARTICIPATION IN RECONSTRUCTION

The international community has not taken Afghans seriously. We were invited to Islamabad for a World Bank meeting with over 200 foreigners and a lot of Afghan NGOs. We were invited to Bonn for a parallel meeting to

the political conference with 83 NGOs. We went to Brussels meeting to prepare for Tokyo. These meetings kept repeating the same themes with no progress. It was the face of participation without any substance.

– Director of Afghan NGO

While the WB, ADB, and UNDP emphasized the involvement of Afghans in all stages of planning, design and implementation, very few among the Afghan NGOs, community leaders, local officials, and ordinary citizens interviewed for the CESR mission were invited

¹⁰ In Somalia, the need for security and services for UN and other international personnel, often provided by foreign contractors, was so great that only small fraction of the more than \$1 billion the UN spent on its military and humanitarian mission in 1993 and 1994 went to projects such as

building schools an hospital (David Chazan, *Rebuilding Afghanistan: Spending The Billions*, BBC, 22 January 2002).

to, let alone informed about, the various conferences and meetings intended to design the development of their country. Even UN staff were confused by the process and unaware of key events.

Moreover, a series of seminars and conferences on the reconstruction of Afghanistan organised by Afghan civil society and professional organisations in different parts of the world, entirely at their expense and initiative, have largely been ignored in the official reconstruction process. This is despite the fact that the WB, UNDP and ADP well understand that the daunting task of reconstruction in Afghanistan will require the active participation of the exiled Afghan community, especially professionals.

One Afghan NGO director who attended several conferences reported that there was no co-ordination and follow up on the ideas put forward by Afghan participants from one conference to the next, leading to repetitive discussions on the same issues. While the generic plans identified in the Preliminary Needs Assessment correspond broadly with Afghan priorities, there is little attention paid to specifics of implementation or to variations within and between Afghan communities. According to another Afghan NGO director, *everybody knows what the general priorities are and should be – what we need are concrete project details – who will be the implementing agencies, who will supervise, and when should the work begin?*

REMAINING QUESTIONS

They have been talking about building reconstruction institutions with an entirely new set of actors like the multilateral banks and Afghan ministries. How does all the past experience from NGOs and even UN agencies fit in? What will the new architecture look like? Who will be the national auditor for this huge project? How will we coordinate funding mechanisms – Tokyo, ASG, and annual appeals? And where is the public discussion of these fundamental issues?

– Director of International NGO


The WB, ADB and UNDP have been slow in moving these broad ideas to the implementation stage. The slow pace to some extent can be explained by coordination difficulties between the major international agencies, the interim government, and NGOs. Another element is the lack of a field-based needs assessment throughout the country to provide details for translating vague commitments into concrete program plans and benchmarks. Such an assessment would also need to answer very basic questions:

- What specific projects within these broad sectors are worth undertaking?
- What criteria would be used for prioritizing some projects over others?
- How would the priorities of different groups and regions be weighed?
- Should the planners prioritize revitalizing the agricultural economy, exploring natural resources, or industrialization?
- How would resources be allocated among projects?
- How would funds be channeled, disbursed, and accounted for among central, regional and local authorities?
- What kind of social and environmental impact assessments would be required for major projects?
- Will rural refugees now in Pakistan and Iran, as well as the internally displaced from rural areas now living in urban centers, return to rural areas after being accustomed to living in cities?
- What population density is desirable in the cities and how could that density be obtained and maintained during reconstruction?
- How to encourage the return of critically needed expatriate professional and technical personnel?
- How will overall and specific progress be monitored and evaluated?
- What mechanisms will be put into place to ensure transparency of information and accountability in implementation?

These are fundamental questions that must be addressed before a strategic national development plan

can be designed and implemented. On the other hand, conditions in Afghanistan are desperate and require immediate attention. It therefore makes little sense to wait for ideal conditions such as a comprehensive needs assessment, improved security, a stable and capable national government, and a reconstruction commission composed primarily of independent qualified Afghan professionals. Instead, priority must be given to emergency projects certain to be included in any master plan – agricultural rehabilitation of hard-hit areas, construction of roads and highways, rebuilding of destroyed vil-

lages, homes, schools, universities, hospitals and clinics.

The importance of quick action with respect to reconstruction cannot be overstated for creating jobs and income, demobilizing armed groups, and providing a concrete indication of the seriousness of international commitments to Afghanistan. The speed and effectiveness of turning of donors' pledges into cash and cash into projects that benefit ordinary Afghans is one of the keys to peace and stability in the country. 



5

Today, the entire UN system is committed to integrating human rights in development work, and every major donor and aid agency (bilateral, multilateral and private) has publicly committed itself to doing the same.

– Office of the High Commissioner for Human Rights.

This chapter outlines the international law framework of human rights and development. This legal framework is meant to govern reconstruction in Afghanistan through a set of common obligations binding on all the main development actors – Afghan authorities, UN agencies, multilateral banks, and key donor states such as the US. It also provides an international law context for understanding the human rights priorities expressed by Afghans and international aid staff in subsequent chapters.

Given limited time and resources, the CESR mission focused on assessing human rights in the development process, especially economic and social rights and the right to development. The chapter therefore does not address other human rights issues crucial to the future of Afghanistan, such as accountability for war crimes and violations of civil and political rights. However, the crisis in Afghanistan demonstrates that all human rights are interconnected and indivisible – violations arising from war and political abuses undermine economic development, while impoverishment breeds continuing instability and violence.

The chapter is divided into seven sections:

- **Legal Status**, describing the integration of human rights and human development under international law.
- **Content**, outlining the main elements of the right to development and economic and social rights.

- **Obligations**, describing the binding human rights commitments of the Afghan government, UN agencies, and other key development actors.
- **Rights-Based Programming**, summarizing the core principles and elements necessary to incorporate human rights into development planning.
- **Violations**, discussing how to assess compliance with human rights and development obligations.
- **UN Commitments**, describing specific UN commitments to rights-based programming.
- **Moving Forward**, on the importance of incorporating human rights into the reconstruction of Afghanistan.

LEGAL STATUS

For almost all of human history, when malnutrition or diarrhoea or pneumonia claimed the life of a child... it simply would not have occurred to anyone to say that a violation of human rights had taken place.

– James Grant,
former Executive Director, UNICEF

There is a clear consensus among states and throughout the UN system, backed by binding legal commitments, to guarantee human rights in the development process. This consensus reflects the merging of human rights and human development norms, especially in the 1990s. At the foundation of both concepts is a commitment to enhance dignity, freedom and equality for all people.

Human rights bring to the development discussion a unifying set of standards - a common reference for setting objectives and assessing the impact of actions taken.

– Mary Robinson, High Commissioner for Human Rights

The United Nations Charter and the Universal Declaration of Human Rights both affirm the interconnection between human rights and development. The Charter links “universal respect for, and observance of, human rights” with “economic and social progress and development” as fundamental concerns of the entire United Nations system.¹¹ The Universal Declaration joins civil, political, economic, social and cultural human rights together as “the foundation of freedom, justice and peace in the world.”¹²

In the past 50 years, the link between human rights and development has been strengthened through a wide range of international treaties, laws, and principles, notably the International Covenant on Economic, Social and Cultural Rights, now ratified by more than 140 states.¹³ Other international human rights treaties protect the economic and social rights of disadvantaged groups, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. The link between human rights and development was reinforced

Human Rights and Development

We affirm the profound interconnection between the realization of human rights and economic development.

– First World Conference on Human Rights, Teheran

Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.

– Second World Conference on Human Rights, Vienna

in the Declaration on the Right to Development, adopted in 1986, and through a series of high-profile world summits in the 1990s. UN Secretary-General Kofi Annan elevated human rights to one of the central pillars of UN reform in 1997 and declared human rights a key component of the 2000 Millennium Development Goals.

Through this well-established human rights regime, the international community has a legal, as well as moral, mandate to challenge policies that perpetuate poverty and inequality. Just as governments and non-state actors are accountable under human rights law for denying free expression and association, so too are they accountable for denying adequate food or health care. The challenge, in Afghanistan and elsewhere, is to put these binding commitments into practice through effective rights-based development that enables people to claim their entitlement to the conditions for a dignified human life.

CONTENT OF RIGHTS

The practical content of the right to development and economic and social rights has been elaborated in authoritative interpretations from UN bodies, domestic courts and international jurists. The UN Committee on Economic, Social and Cultural Rights (the Committee) has been especially active in defining these rights.

- The **right to development** recognizes the “inalienable human right” of all individuals and all peoples to “participate in, contribute to, and enjoy economic, social, cultural and political development”.¹⁴ This means that policymakers must incorporate human rights principles such as self-determination, participation, non-discrimination, access to information, and accountability into the design and implementation of development programs to ensure equal and adequate access to the benefits of development.

11 Article 55, UN Charter.

12 Preamble, Universal Declaration of Human Rights, G.A. Res. 217A of 10 December 1948, UN Doc. A/810 (1948).

13 International Covenant on Economic, Social and Cultural Rights, UN Doc. A/RES/2200 A (XXI), (1966) (henceforth the Covenant).

14 Declaration on the Right to Development, UN General Assembly Resolution 41/128 (4 December 1986).

The right to development is a fundamental human right. Its elements are rooted in the provisions of the United Nations Charter, the Universal Declaration of Human Rights, and the two principal human rights Covenants.

– OHCHR, *Human Rights in Development: What, How and Why*

- The **right to food** protects the ability of people to feed themselves through guaranteed access to adequate food and water or the means for their procurement. Violations may occur through “prevention of access to humanitarian food aid in internal conflicts or other emergency situations”.¹⁵ The Committee recognizes the special role and responsibility of UN agencies in ensuring food security, but also cautions that “food aid should, as far as possible, be provided in ways which do not adversely affect local producers and local markets, and facilitate the return to food self-reliance”.¹⁶

[The right to food] is inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and international levels, oriented to the eradication of poverty and the fulfillment of all human rights for all.

– *Committee on Economic Social and Cultural Rights*

- The **right to education** guarantees free and compulsory primary education and equal, non-discriminatory access to secondary and higher education. It is a prerequisite for enjoyment of most other human rights. The right of children to adequate education is given special protection in the Convention on the Rights of the Child and directed towards “the development of the child's personality, talents and mental and physical abilities to their fullest potential.”¹⁷

Education operates as a multiplier, enhancing the enjoyment of all individual rights and freedoms where the right to education is effectively guaranteed, while depriving people of the enjoyment of many rights and freedoms where the right to education is denied or violated.

– Katarina Tomasevski,
UN Special Rapporteur on the Right to Education

- The right to health guarantees access to adequate health care, nutrition, sanitation, clean water and air, and healthy occupational and environmental conditions. The right contains both the freedom to control one's health and body without interference and the entitlement to a system of health services aimed at the “highest attainable standard of physical and mental health”. The Committee stresses the fundamental role of popular participation “in all health-related decision-making at the community, national and international levels”.¹⁸
- The **right to housing** guarantees access to safe and adequate housing irrespective of income or access to economic resources. The UN Committee has developed seven factors to assess the adequacy of housing: habitability, accessibility, location, affordability, legal security of tenure, cultural adequacy, and availability of services and facilities. Courts and UN treaty bodies have explicitly linked the right to housing to the right to life and right to participate in public decision-making.

The sense of security, dignity, and community gained from being able to retain a home is an essential prerequisite for the pursuit and exercise of a variety of other human rights.

– Rajinder Sachar,
Special Rapporteur on the Right to Housing

- The **right to work** guarantees the opportunity to earn a living wage in a safe work environment, and also provides for the freedom to organize and bar-

¹⁵ Right to Food, General Comment 12, para. 19.

¹⁶ *Id.* para. 39.

¹⁷ Convention on the Rights of the Child, Art. 29(1).

¹⁸ Right to Health, General Comment 14, para. 11.

¹⁹ The Covenant, art. 6.

gain collectively. The right recognizes work as an essential component of human dignity and emphasizes “the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts”.¹⁹ Other key elements include availability and accessibility of work, adequate wages, a healthy, safe and non-discriminatory work environment, and freedom to associate, organize, and strike.

HUMAN RIGHTS OBLIGATIONS

[Human rights obligations] are multidimensional. At the macro-level, they affect: (1) national and local governments and agencies, as well as third parties capable of breaching those norms, (2) the international community of States, and (3) inter-governmental organizations and agencies.

– *Committee on Economic, Social and Cultural Rights*

Almost all states have human rights obligations by virtue of having ratified international treaties. These treaties require state parties to continuously improve respect for human rights and to report on progress to UN monitoring committees. Afghanistan, for example, has ratified the Covenant on Economic, Social and Cultural Rights and other treaties. Even the handful of states that have refused to ratify the major human rights treaties, such as the US, are obligated to respect “customary international law”, including human rights principles contained in the UN Charter and the Universal Declaration.²⁰

States can also be held accountable for policies that violate human rights and humanitarian law beyond their own border. The World Court found the US responsible for abuses committed by the Contras in Nicaragua by virtue of political and financial support.²¹ Similarly, the Inter-American Court of Human Rights has ruled that states have positive duties to prevent human rights violations occurring in territory subject to its effective control, even if carried out by third parties.²²

UN Agency Human Rights Commitments

UNDP expresses its commitment to strengthen its support for all human rights – civil, cultural, economic, political and social – in a holistic way, and to mainstream human rights into its work in support of sustainable human development.

– *UNDP, Integrating Human Rights with Sustainable Human Development (1997)*

The FAO strategy takes the right to food as its point of departure, stressing the importance of human rights, democracy, peace and good governance, including effective decentralization as essential to achieving long-term food security.

– *FAO, The Right to Food in Theory and Practice (1998)*

UNICEF is mandated by the United Nations General Assembly to advocate for the protection of children’s rights, to help meet their basic needs and to expand their opportunities to reach their full potential.

– *UNICEF, Guidelines for Human Rights-Based Programming Approach (1998)*

Non-state actors, including UN agencies, also have duties under human rights law even though they have not ratified specific treaties. The Universal Declaration calls for “every individual and every organ of society [to]... promote respect for these rights and freedoms”.²³ The Committee has extended this broad concept of human rights responsibility to international financial institutions and the international community as a whole.²⁴

RIGHTS-BASED PROGRAMMING

A rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development.

– *Office of the High Commissioner for Human Rights*

20 See Alston and Simma, “The Sources of Human Rights Law: Custom, *Jus Cogens* and General Principles.” *Australian Yearbook of International Law*, vol. 12 (1992).

21 Case Concerning Military and Paramilitary Activities in and against Nicaragua, Judgment of 27 June 1986, ICJ Rep. Para. 107-109.

22 Velasquez-Rodriguez Case, 28 ILM 291, para. 166 (1989); Case 7615 Inter-Am. Ct. H.R., OAS/ser.L/V/II.66, Doc. 10.

23 Universal Declaration of Human Rights, Preamble.

24 UN Doc. E/CN.4/Sub.2/1991/17, 18-19.

Too often policymakers are willing to sign on to human rights obligations without taking the concrete steps necessary to give them effect. Rights-based programming is the process by which the legal obligations of states, UN agencies, and other development actors to incorporate human rights into development planning are put into practice. This is a procedural rather than a conceptual challenge, requiring the mobilization of resources and political will sufficient to fulfill human rights obligations.

Rights-based programming gives priority to the realization of rights over other development objectives and, by definition, is framed in a context of obligations (both national and international) rather than of assistance. It includes express human rights safeguards in all phases of the development process to ensure the equitable distribution of the benefits of development, and to avoid violating people's rights in the name of development.

Rights-based programming requires instituting a set of processes that provide the infrastructure for effective development:

- **Process of recognizing rights.** The first step is to formally and publicly recognize human rights obligations in development. For Afghan authorities, this means not only ratifying relevant human rights treaties, but also giving them practical effect through a set of domestic laws, policies, and institutions. For UN and development agencies, this means translating formal human rights commitments into all planning and policy documents for reconstruction in Afghanistan.
- **Process of participation.** Most development projects pay lip service to local participation. For participation to be effective, information must be made publicly available through active outreach, including adoption of “right-to-know” laws. Rights-based programming must also devote resources to build informed participation into all phases of development, especially on the part of affected communities located far from governmental and UN headquarters where policies are made.
- **Focus on vulnerable groups.** Political exclusion and economic exclusion are generally at the root of

inequitable access to the benefits of development. Rights-based programming must assess which communities are vulnerable and what prevents them from accessing essential goods and services. This requires disaggregated analysis of vulnerability to address causes and not just symptoms of economic deprivation, and to guard against reinforcing existing power imbalances.

- **Process of accountability.** Development actors are obligated to subject their performance to outside scrutiny. For Afghan authorities, this means establishing legal and administrative institutions and procedures allowing for public exposure and redress in the case of violations. For UN and development agencies,

Human Rights Accountability

The defining attribute of human rights in development is accountability... All partners in the development process – local, national, regional and international – must accept higher levels of accountability.

– Mary Robinson, High Commissioner for Human Rights

Accountability in the use of funds and accountability to people's needs are also integral dimensions of pro-poor governance.

– Mark Malloch Brown, UNDP Administrator

this means opening programs to public scrutiny and establishing procedures for both internal and public complaint and redress. Without public access to remedies, there is little prospect for accountability and little incentive for policy-makers to comply with the goals of rights-based development.

Rights-based programming is effective when these processes are incorporated into all phases of development:

- **Needs assessment** that defines specific human rights conditions affecting different communities, undertaken with the meaningful participation of local communities as well as government authorities. Such assessment is the first step in identifying



priority targets for development and defining clear and benchmarks to measure future progress.

- **Planning** that incorporates specific human rights findings into the design of all development programs. This step is essential to ensure that programs are tailored to meet needs on the ground.
- **Implementation** that respects basic human rights principles of participation, access to information, and focus on vulnerable groups. This process is not only a legal obligation, but also the most efficient safeguard against corruption and waste, which thrives in non-transparent and non-participatory development.
- **Monitoring** that ensures the progressive realization of rights and improvement of people's living standards. The monitoring process, including outside participation and review, should assess progress and determine why certain benchmark targets are or are not being met.
- **Remedies** for violations that enable people to claim

their rights and provide a credible check against impunity.

ASSESSING VIOLATIONS

In a country as economically devastated as Afghanistan, it is clearly not possible to suddenly raise substandard health care or housing to an adequate level without step-by-step measures and continuous progress. The human rights framework therefore calls for “progressive realization” of rights according to the “maximum of available resources”.²⁵ While this language recognizes that less developed states in particular have real economic constraints, it does not permit the perpetuation of economic injustice and disparity. All states are required to take “deliberate, concrete and targeted [steps] towards the full realization” of human rights.²⁶ For example, South Africa's Constitutional Court recently held that the government's failure to develop a viable national housing plan prioritizing the needs of the homeless was a violation of the obligation to progressively realize the right to housing.²⁷

²⁵ The ESCR Covenant, Art. 2(1).

²⁶ General Comment 3, UN doc. E/C.12/1990/12, paras. 8-11.

²⁷ Grootboom case.

There are circumstances that constitute immediate violations of economic and social rights without reference to the principle of progressive realization. First are policies that deprive people of a basic level of subsistence – *the principle of minimum core content*. Second are deliberate measures that worsen people’s human rights enjoyment – *the principle of non-regression*. Third are policies that discriminate in access to rights – *the principle of non-discrimination*.

1. Failure to satisfy a minimum core of economic and social rights, upon which people depend for their survival, cannot be justified by a country’s level of development.²⁸ The Committee has affirmed that “a State party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education, is, prima facie, failing to discharge its obligations under the Covenant”.²⁹ The very first priority of Afghan and international authorities must therefore be meeting survival needs of vulnerable communities.
2. States and development actors are also prohibited from adopting regressive policies that harm people’s enjoyment of human rights, for example through “a general decline in living and housing conditions directly attributable to policy and legislative decisions”.³⁰ The principle of non-regression would prohibit development actors in Afghanistan from cutting back on, or imposing user fees for, basic services such as health care or primary education, even under pressure from donors, if such cut-backs lessened people’s access to their human rights.
3. The principle of non-discrimination is not subject to the limitation of progressive realization. Discrimination in access to food, health care, housing, work, education and other human rights on grounds of “race, color, sex, language, religion, political or other opinion, national or social origin,

property, birth or other status” may not be justified under any circumstances, such as low levels of development.³¹ Failure to provide the same standard of health care or education to girls as to boys – a pervasive phenomenon in Afghanistan – violates human rights irrespective of economic conditions.

UN COMMITMENTS

A major task for the future will be to enhance the human rights programme and integrate it into the broad range of [UN] activities.

– Secretary-General Kofi Annan, *Renewing the United Nations: A Programme for Reform (1997)*

In 1997 the Secretary-General designated human rights as a cross-cutting issue in his reform program for the UN system as a whole.³² The main focus was to enhance the UN’s human rights capacity by integrating rights into the broad range of UN activities, especially in the areas of development and humanitarian action. The UN Development Group (UNDG), with representatives from a cross-section of UN agencies, is at the center of reform initiatives aimed at strengthening cooperation for development and implementing the right to development. The High Commissioner for Human Rights is responsible for spearheading the integration of human rights into the work of constituent agencies and programs of the UNDG.

Afghanistan provides an especially compelling case for international implementation of rights-based development. As a test case for the UN reform process, Afghanistan is meant to be a model for integrating human rights in development. The protection and promotion of human rights is one of five key objectives specified in the Strategic Framework document for UN activities in Afghanistan. This led to the establishment in 1998 of a 40-member Human Rights Thematic Group and a 24-member Consultative Group, both comprised of Afghan and international representatives from UN agencies, donors, and NGOs.

28 Danilo Turk, Second Progress Report of the UN Special Rapporteur on Economic, Social and Cultural Rights, UN Doc. E/CN.4/Sub.2/1991/17, p. 18, para. 10.

29 General Comment No. 3, para. 10.

30 General Comment No. 4, para. 11.

31 The ESCR Covenant, Art. 2(2).

32 Report of the Secretary-General to the General Assembly, *Renewing the United Nations: A Programme for Reform*, A/51/950, 14 July 1997.

Country Targets under MDGs

1. Halve the proportion of people living in extreme poverty between 1990 and 2015
2. Halve the proportion of people who suffer from hunger between 1990 and 2015
3. Reduce child mortality rates by two-thirds by 2015
4. Reduce maternal mortality ratio by three-quarters by 2015 and achieve universal access to safe and reliable contraceptive methods by 2015
5. Achieve universal access to primary education by 2015
6. Empower women and eliminate gender disparities in primary and secondary education by 2005
7. Halve the proportion of people unable to reach or afford safe drinking water by 2015
8. Implement national strategies for sustainable development by 2005 so as to reverse the loss of environmental resources by 2015.
9. Halt and reverse the spread of HIV/AIDS by 2015.

The Human Rights Adviser's Office was established in 1999 to coordinate human rights activities in Afghanistan, provide limited monitoring and protection functions, and undertake education and capacity-building for international and Afghan aid agencies. However, the scope and effectiveness of these human rights activities are severely limited by lack of financial and political support from the UN system and the larger international community. UNAMA has established a new human rights office with a mandate for monitoring, protection, education and training. Expansion of human rights capacity in UNAMA and throughout all the work of UN and international agencies will be critical to the success of the reconstruction effort.

United Nations Development Assistance Framework

UNDAF is a common framework for UN development agencies and programs, including the UNDG. Its purpose is to maximize the development impact of UN assistance by introducing goal-oriented collaboration in response to national development priorities. UNDAF is meant to enhance coordination among and between UN programs and national and local development actors. The UNDAF process in each country is based on a Common Country Assessment (CCA), an overview of national development prepared in the light of a common set of indicators reflecting the internationally agreed goals set by the various world conferences, including the 1993 World Conference on Human Rights. The CCA seeks to identify the major trends in development within the country and respond to key development challenges through a plan to meet targeted benchmarks. A Country Strategy Note, prepared by governments with UN assistance, completes the UNDAF package. It establishes the national perspective and indicates how the UN can contribute to the country's development objectives. Progress under UNDAF can be measured by reference to the Millennium Development Goals (MDG), a set of target benchmarks derived from various world conferences and endorsed in 2000 by the UN, OECD, World Bank, and IMF in the publication, "A Better World for All". UNDG has been assigned the responsibility of supporting UN country teams to assist national governments implement and report on the realization of MDGs.

World Bank Comprehensive Development Framework

The poor want desperately to have their voices heard, to make decisions, and not to always receive the law handed down from above... The right to participate must be enshrined in law.

– World Bank

Voices of the Poor: Crying Out for Change


Recognizing that economic growth may all too often have been pursued at the expense of social development, and that open, transparent, and participatory processes play an important role in sustainable development, the

World Bank proposed the Comprehensive Development Framework in 1999. The idea is to base national development and poverty reduction strategies on a holistic approach to development and to seek better balance in policy-making by highlighting the interdependence of the social, structural, human, environmental, economic and financial elements of development as well as governance. Thus, some of the concerns that underpin rights-based approaches to development played a role in the World Bank's development of the CDF. The High Commissioner for Human Rights welcomed the CDF in February 1999 and stressed the need for the Bank and the United Nations system to work together closely to ensure that the UNDAF process and the new CDF are linked through appropriate coordination.

MOVING FORWARD

The reconstruction of Afghanistan presents an important opportunity to put international human rights commitments into practice. Since 1979 the Afghan people have experienced extraordinary poverty and hardship, largely attributable to war, violence, oppression,

and discrimination by both Afghan authorities and foreign powers. The culture of impunity and lawlessness that has developed around these systemic human rights abuses is the single greatest impediment to political and economic development throughout the country.

The international community has publicly pledged \$4.5 billion to help the Afghan people rebuild their country. The first test of this promise will be whether the reconstruction program is designed and implemented in accordance with the human rights priorities of Afghans themselves. This will require the establishment of mechanisms for accountability and for rights-based development – not merely as a matter of good policy, but in fulfillment of binding legal obligation on the part of Afghan authorities, UN agencies, governments and donors. Without a renewed commitment of political will and resources to translate human rights obligations into concrete programs on the ground, systematic human rights abuses will continue to undermine the political and economic aspirations of the Afghan people. 

QUESTIONNAIRE INTERVIEWS WITH AFGHANS

ANNEX 1

TABLE 2

	NAME	AGE	EDUCATION	GENDER	LOCATION
1	Radillah Babak	45	University	F	Peshawar
2	Najiya Fegarzada	35	University	F	Peshawar
3	Mohammed Youssef	22	University	M	Peshawar
4	Mohiburrachman	55	Primary	M	Peshawar
5	Dal Mohammed	55	University	M	Peshawar
6	Abdullah	45	None	M	Peshawar
7	Najib	65	Primary	M	Peshawar
8	Ghulam Haidar	30	University	M	Peshawar
9	Amena Jan	30	High school	F	Kabul
10	Abdul Rasul	45	University	M	Kabul
11	Safiullah	31	University	M	Kabul
12	Nadia	23	High school	F	Kabul
13	Azim Khan	48	Primary	M	Nangarhar
14	Malik Amir Khan	55	Primary	M	Nangarhar
15	Mohibullah	70	None	M	Nangarhar
16	Zahoor	35	None	M	Nangarhar
17	Dilagha	16	Primary	M	Nangarhar
18	Gulwali	45	Primary	M	Nangarhar
19	Bakhtiar	22	University	M	Nangarhar
20	Said Daud	63	None	M	Nangarhar
21	Niamat	45	None	M	Nangarhar
22	Nasrullah	40	None	M	Nangarhar
23	Ezat	33	None	M	Nangarhar
24	Gulalee	40	None	M	Nangarhar
25	Haji Ghulam Rahman	60	None	M	Nangarhar
26	Ghulam Mohammed	50	High school	M	Nangarhar
27	Batinshah	40	High school	M	Nangarhar
28	Mohammad Nadir	67	None	M	Herat
29	Abdul Haleem	63	Primary	M	Herat
30	Faraidun	17	High school	M	Herat
31	Santa	26	University	F	Herat
32	Santa's Mom	60	None	F	Herat
33	Abdullah	22	High school	M	Herat
34	Abdul Haroon	46	Primary	M	Herat
35	Nauz Bagh	40	None	F	Herat
36	Gozar	34	None	F	Herat
37	Unnamed	65	None	F	Herat
38	Jumma Gul	28	None	M	Herat
39	Gul Bibi	55	None	F	Herat
40	Abdul Jabbar	70	None	M	Heart
41	Shakoor	50	Primary	M	Herat
42	Sayed Yusuf	65	High school	M	Herat
43	Mohammad Tariq	23	University	M	Herat
44	Abdul Karim	35	None	M	Herat
45	Ne'matullah	33	High school	M	Herat
46	Rashid	28	None	M	Herat
47	Abdul Halim	26	Primary	M	Herat
48	Abdul Basir	32	None	M	Herat
49	Abdul Ghiam	28	None	M	Herat
50	Arbab Yusuf	44	None	M	Herat
51	Rahmdil	30	None	M	Herat
52	Abdul Rahman	35	Primary	M	Herat

INTERVIEWS WITH AFGHAN LEADERS

TABLE 3

POLITICAL AND MILITARY LEADERS		
1	Prof. Rasul Amin	Minister of Education
2	Prof. Lutfullah Safi	Advisor to Ministry of Education
3	Mr. Anwar	Minister of Agriculture
4	Ghulam Mustafa Jawad	Deputy Minister of Agriculture
5	Pir Syed Hamid Gilani	National Islamic Front
6	Jabar Naeemi	Political Adviser to Pir Gilani
7	Karim Khuram	Economic Adviser to Pir Gilani
8	Dr. Sheragha	Deputy Commander, Nangarhar
9	Mr. Pahlawan	Deputy Commander, Nangarhar
NGO DIRECTORS AND EDUCATORS		
10	Dr. S. Fazel Rabbani	Director, Afghanistan Rehabilitation And Development Center
11	Eng. Jawad	Director, Hafo
12	Dr. Qamaruddin	Director, Foundation For Rehabilitation And Development Of Afghanistan
13	Eng. Hakim Gul Ahmadi	Director, Engineering Services For Afghan Reconstruction
14	Dr. Sana Ul-Haq	Director, Committee For Rehabilitation Aid To Afghanistan
15	Eng. Ahmad Shah	Director, Afghanistan Reconstruction And Engineering Committee
16	Mr. S. Farid Elmi	Director, Afghan Technical Consultants
17	Ali Nawaz	Director, Human Concern International
18	Qazi Amin	President, Jalalabad University
19	Prof. Allah Dad Ismailzai	Vice-Chancellor, Jalalabad University
20	Prof. Shah Mohammad Hamdard	Vice-President Administration, Jalalabad University
21	Mr. Sayed Hussain	Principal, Farmi Hadda Girls School
22	Prof. Abul Karim	Former Professor, Kabul University
23	Mr. Mozamil	Former Advisor To Gulbuddin Hekmatyar
24	Mr. Sattar Hayat	Educator And Ngo Director
25	Mr. Zubair Shafique	Editor, Sahar Daily (Peshawar Newspaper)

AFGHAN FOCUS GROUPS

TABLE 4

CAMP ELDERS: PESHAWAR			9	Qayi Mohammad Omar	B
1	Abdul Qahar	Board Camp – B	10	Zabto Khan	NB
2	Abdul Karim Jabarkhel	Narsir Bagh Camp – NB	11	Malik Amanullah	KG
3	Ghulam Khan	Kacha Gari Camp – KG	12	Haji Habib	KG
4	Mullah Eshad	KG	13	Haji Mahmood	KG
5	Jafar Khan	Tajabad	14	Haji Sahzadgul	NB
6	Haji Ewaz	KG	15	Naqibullah	KG
7	Haji Sarwar	B			
8	Attalullah	NB			
AL-TAQWA HIGH SCHOOL TEACHERS: PESHAWAR			11	Abdul Baset	Mazar-I Sharif
1	Habibullah	Kabul	12	Mirwais	Nangarhar
2	Mawlavi Noormalang	Nangarhar	13	Amanullah	Nangarhar
3	Mawlavi Noor Hassan	Nangarhar	14	Hamdullah	Wardak
4	Shamaz Khan	Nangarhar	15	Mozamil	Nangarhar
5	Fazel Baqi	Nangarhar	16	Dr. Arman	Nangarhar
6	Ahmad Qudus	Logar	17	Mohammad Ibrahim	Nangarhar
7	Ghulam Faruq	Nangarhar	18	Redwanullah	Nangarhar
8	Tahseen	Nangarhar	19	Mohammad Tahir	Nangarhar
9	Yar Mohammad	Kabul			
10	Israrullah	Nangarhar			
TRIBAL ELDERS: NANGARHAR, LAGHMAN AND KUNAR PROVINCES					
1	Arbab Tahir Khalil		7	Ghafor Wayand	
2	Wakil Amir Behsoodwal		8	Malik Gulam Khan Baba	
3	Gen. Gulrang Maroof		9	Haji Noorahman	
4	Morad Snagarmal		10	Dagarwal Qasim Khalil	
5	Ghulam Nabi Cheknawri		11	Assadullah Sylab Safi	
6	Muhibullah		12	Asef Khalil	
PROFESSORS: JALALABAD UNIVERSITY					
1	Prof. Rahman	Engineering	7	Prof. Sher Ali Amn	Economics
2	Prof. Mohsenshah Falal	Agriculture	8	Prof. Maroofshah Shinwari	Literature
3	Prof. Said Taib	Agriculture	9	Prof. Ezatullah	Education
4	Prof. Khoshdel	Agriculture	10	Prof. Amin	Veterinary
5	Prof. Akram Omakhil	Education	11	Prof. Ismail	Agriculture
6	Prof. Thir Kakar	Veterinary			

INTERVIEWS WITH INTERNATIONAL STAFF

TABLE 5

UNITED NATIONS STAFF			INTERNATION NGOS		
1	Norah Niland	UNCO, Human Rights Advisor	1	Ian Ferbes	ACBAR
2	Guido Galli	UNCO, Human Rights Officer	2	Carol LeDuc	Swedish Committee for Refugees
3	Aziz Hakimi	UNCO, Human Rights Assistant	3	Rafael Robilliord	IOM
4	Mervyn Patterson	RCO Fayzabad	4	Hubert Binon	IOM Camp Manager Maslakh
5	Michael Semple	RCO Hazarajat	5	Jonathan Ameyaw	World Vision
6	Lesli Oqvist	RCO Kandahar	6	Peter	Feed the Children
7	Abu Diek	RCO Herat	7	Marilyn	MEDAIR
8	Dr. Rana Graber	WHO	8	Jan-Erik Vann	Swedish Committee for Afghanistan
9	Elke Wische	UNICEF	9	John Fairhurst	Oxfam UK
10	Baba Danbappa	UNICEF	10	Haneef Atmar	International Rescue Committee
11	Erminio Sacco	WFP	11	Tim Mindling	IAM
12	Pascale Najimi	WFP	12	Bahador Khaplwak	CHA
13	Umar Daudzai	UNDP	13	Lisa Laumann	Save the Children*
14	Sven Ostby	UNDP	14	Christine Nadori	MSF International**
15	Nasib	UNDP	15	Antoine Gerard	MSF International**
16	Salim Qayum	UNDP	16	Christophe Coeckelberg	ICRC
17	Hangama Anwari	UNCHS			
18	Samantha Reynolds	UNCHS			
19	Rick Ragland	UNCHS			
20	Bernard Frahi	UNDCCP			
21	Anders Fange	UNSMA			
22	Fatemeh Ziai	UNSMA			
23	Martin Hadlow	UNESCO			
24	Faiz	UNESCO			
25	Jacques Fronquein	UNHCR*			
26	Katharina Lumpp	UNHCR*			

*Interviews conducted in Pakistan, November 2001

**Interviews conducted in New York, December 2001

HUMAN RIGHTS QUESTIONNAIRE

Introduction

Thank you for agreeing to speak with me. My name is [name]. I work with a human rights group based in New York called the Center for Economic and Social Rights. We are doing a survey of conditions in Afghanistan sponsored by the United Nations. Our delegations are traveling to Herat, Kabul, Mazar-i-Sharif, Jalalabad, and other parts of Afghanistan. In all these areas we are asking ordinary Afghans their views about human rights conditions in the country, especially about access to food, health care, and education. Our purpose is to present the results to the international community and to organizations involved in the reconstruction of Afghanistan. I will now ask you several questions about your life here in [city/village name]. The interview will take about 30 minutes. Please keep your answers brief so that I will be able to record them faithfully.

SECTION 1: Personal Information

Name _____ Age _____ Gender _____

Ethnicity _____

Birthplace _____ Now living _____

When and why relocated? _____

Schooling _____

Work/employer _____

SECTION 2: Conditions for Food, Health and Education

Does your family have access to adequate food/health/education/housing? _____

Where is the nearest facility? _____

Who runs it? _____

What type and quality of service? _____

Is it accessible to women? _____ Can your family afford it? _____

SECTION 3: Human Rights

Do you know what human rights are? Where and when did you learn about them? _____

What are the three most important human rights for you? Your family? Afghanistan? Why? _____

Should human rights be part of the reconstruction plan for Afghanistan? Why?

Who should guarantee and fulfill these rights? Local/central government authorities? The UN? The US? Why? _____

When do you think your family's human rights will be fulfilled? _____

What are the three biggest obstacles? Why?

How should these obstacles be overcome? _____

Do you have any message for your government authorities? The UN? The US? _____

BIOGRAPHIES

Dr. Hadi Ghaemi (Ph.D. in Physics, Boston College) was born in Iran and lived there through the tumultuous events of the 1978-79 revolution. He came to the U.S. in 1983 to complete his studies. He attended Hampshire College where he majored in Iranian Studies under the supervision of Professor Eqbal Ahmed. He received his Ph.D. in Physics from Boston University in 1995 and afterwards he was a visiting scientist at NEC Research Institute in Princeton, NJ. He was appointed an Assistant Professor of Physics at the City University of New York in 1998. His interest in Iranian history and contemporary politics led him to change the focus of his research. He currently holds a writing grant from the MacArthur Foundation to research the post-revolutionary intellectual developments in Iran.

Roger Normand (J.D., Harvard law School, M.T.S., Harvard Divinity School) is co-founder and Executive Director of the Center for Economic and Social Rights (CESR), a human rights group that advocates against poverty and economic injustice. He oversees policy, program and outreach, and directs projects in the Middle East and Central Asia. In recent years he has led human rights fact-finding missions to Iraq, Israel and Palestine, and Afghanistan. In 1991, Mr. Normand organized the Harvard Study Team, which produced the first comprehensive assessment of the impact of war and sanctions on Iraq's civilian population. Prior to that, he worked with Human Rights Watch-Asia and Catholic Relief Services on refugee issues in Southeast Asia. He has written widely on human rights and refugee issues for publications including the *Harvard International Law Journal*, the *Journal for Refugee Studies*, the *Harvard Human Rights Journal*, *The Nation*, the *Washington Post*, the *Middle East Report*, *USA Today*, and the *Guardian*.

Dr. Sarah Zaidi (M.Sc., Sc.D. in International Health, Harvard School of Public Health) is co-founder and Director of CESR. She is responsible for coordinating

scientific assessments for projects in the Middle East, Central Asia, Latin America, and the United States. She has conducted research in the areas of sanctions, population, and environmental health in various countries, including Iraq, Haiti, Ecuador, Palestine and her native Pakistan. Most recently, she has been working in the area of women and economic and social rights. She also oversees general management and administration for CESR. In 1991, Dr. Zaidi helped organize the Harvard Study Team, which produced the first comprehensive assessment of the impact of war and sanctions on Iraq's civilian population. She has published articles on health and human rights in, among others, the *Environmental Impact Assessment Review*, *Medicine and Global Survival*, the *New England Journal of Medicine*, the *Lancet*, *The Washington Report on Middle East Affairs*, and *Ms. Magazine*.

Dr. Omar Zakhilwal (Ph.D. in Economics, Carleton University) is a Senior Research Economist with the Government of Canada and a Lecturer of Economics at Carleton University in Ottawa. He is a founding member and Deputy Director of the Institute for Afghan Studies (www.institute-for-afghan-studies.org). He has also served as advisor and/or consultant to numerous Canadian and international organisations, including the Canadian Ministry of Foreign Affairs and the World Bank. He recently organized "Afghanistan of Tomorrow: Realistic Prospects for a Lasting Peace" (www.dfait-maeci.gc.ca). Prior to arriving in Canada in 1991, Dr. Zakhilwal lived in various parts of Afghanistan and then left for Peshawar as a refugee in 1985. In Peshawar he worked as a teacher and later as a program manager for the International Rescue Committee, responsible for 35 schools with 6,000 students in Afghan refugee camps across Pakistan. He has written numerous articles in English, Pashto and Dari for different journals and papers over the past few years.

HISTORY OF AFGHANISTAN

Recorded history in Afghanistan dates back at least 5,000 years. Various religious traditions such as Zoroastrianism, Graeco-Buddhism, and more recently Islam have flourished under a succession of ruling dynasties, including the Ghaznavid, Ghorid, Lodhi, Safavid and Moghul empires. In 1747, Ahmad Shah Abdali unified Afghanistan and a Loya Jirga was convened that chose him as the king. Ahmad Shah established the Durrani Pashtun dynasty that ruled Afghanistan continuously until Zahir Shah was deposed in 1973.

Afghanistan's economy is predominantly agricultural, contributing more than 50% of Afghanistan's Gross Domestic Product (GDP) and employing 85% of the Afghan population before the war. However, even in times of peace the agricultural base was very narrow—the soil is generally fertile but water is scarce; only about 12% of land was cultivated and only one-third of that was irrigated. The rest of the country consists of mountains and deserts. Nevertheless, Afghanistan is well endowed with minerals such as iron ore, copper and bauxite, which have not yet been exploited, natural gas (estimated reserve 100 billion cubic meters) and some oil (estimated at 11.63 million tons), coal and salt as its resource potential.

Classified as one of the least developed and now the poorest countries, landlocked Afghanistan never had a modern, integrated economy. Although the mountainous nature of the country has been an obstacle to national economic integration, geopolitical consequences of the distribution of natural resources among other factors such as cultural diversity among Afghans lead to political instabilities, civil wars fueled by foreign interventions.

The conquest of the Indian subcontinent by the British Empire accentuated the geopolitical importance of

**MODERN AFGHAN HISTORY
AT A GLANCE: 1747-1973**

- 1747 Ahmad Shah Abdali unifies Afghanistan and establishes the Durrani dynasty
- 1840 the British invade and occupy Kabul.
- 1841 British are defeated.
- 1878 British invade Afghanistan for a second time.
- 1880 Amir Abu Rahman, the "Iron Amir" ascends to the throne. His legacy includes brutal suppression of minorities in the north and enhancing the powers of the mullahs.
- 1878 British draw the Durand Line separating Pashtun tribes.
- 1919 Afghanistan declares its independence after the third Anglo-Afghan war.
- 1933 Zahir Shah, the last Durrani king, takes power at the age of 18.
- 1953-63 . . Daud Khan, Zahir Shah's nephew and brother in law, institutes reforms and modernization as prime minister
- 1963 Daud is removed from power by Zahir Shah.
- 1965 People's Democratic Party Of Afghanistan (PDPA) is founded.
- 1973 Daud stages a coup and Zahir Shah is exiled.

Afghanistan, as it was located at the frontiers of the British and Russian empires in Asia. Throughout the nineteenth century, the British and Russians competed

MODERN AFGHAN HISTORY AT A GLANCE: 1973-2001

- 1973 Islamic fundamentalists, Hekmatyar and Rabbani are exiled to Pakistan. First groups of Mujahideen are formed and armed by Pakistan.
- 1977 Daud introduces a new constitution and bans PDPA.
- 1978 A military coup led by PDPA removes Daud from power. Taraki becomes president.
- 1979/Sep . . . Taraki is assassinated on the orders of his deputy, Amin. Amin becomes president.
- 1979/Dec. . . The Soviet Union occupies Afghanistan. Amin is killed and Babrak Karmal assumes the presidency.
- 1980-89 . . . The US funds and arms anti-Soviet Mujahideen fighters who engage the Soviets in a bloody and prolonged conflict.
- 1989 The Soviets withdraw from the country, leaving behind Najibullah as the president.
- 1992 The Mujahideen capture Kabul and install a coalition government.
- 1992-1994 . . The country is engulfed by chaos as the Mujahideen factions fight each other.
- 1994 The Taliban emerge as a disciplined fighting force trained and funded by Pakistan.
- 1994-2001 . . The Taliban capture more than 80% of the country and institute a harsh and cruel interpretation of Islamic law.

for influence in Afghanistan as a buffer against the other's expansion in what came to be referred to as the Great Game. The British twice attempted to subdue the Afghans by sending their army into Kabul. However, both of these military campaigns proved disastrous and resulted in heavy casualties for the British. In 1840, the British army marched into Kabul and installed Shah Shoja as the ruler. The British occupation lasted for only one year; in 1841 an uprising in Kabul routed the British army and brought Dost Mohammad Khan back to power.

In 1878 the British once more embarked on a military campaign into Afghanistan. Their army ruthlessly destroyed towns and villages on its way committing numerous massacres. When criticism of the war mounted in England, Winston Churchill, who personally fought on the Afghan front, responded to the critics of the war, accusing them of "seem[ing] to imagine that the tribesmen consisted of a regular army who fought, and a peaceful law-abiding population who remained at their business."¹

After these two spectacular military failures, the British decided on a strategy to subdue the Afghans by dividing them along tribal lines and to secure influence through an influx of arms and cash. Also in order to secure the frontier areas between Afghanistan and the Indian subcontinent, the British established the so-called Durand Line in 1893, an artificial boundary between present day Pakistan and Afghanistan that still divides the ethnic Pashtun tribes. This colonial division was cited approvingly by Sir Thomas Holdich, head of the Russo-Afghan Border Commission: "We have contributed much to give a national unity to that nebulous community which we call Afghanistan...by drawing a boundary all around it and elevating it to the position of a buffer state between England and Russia."²

In 1880, Amir Abdul Rahman ascended to the throne with the blessing of the British. He was the first to attempt to centralize and strengthen the state. His ruth-

¹ Eqbal Ahmad and Richard Barnett, "The Bloody Games," *The New Yorker*, 1989.

² Quoted in Dr. James Ingalls, US Foreign Policy in Afghanistan, <http://www.sonaliandjim.net/politics/>.

less campaigns to crush the autonomous north populated by Tajiks, Uzbeks, and Hazaras earned him the title of “Iron Amir”. His legacy included the establishment of the first secret police, settlement of Pashtuns in the north, and an “emphasis on Islam by enhancing the powers of the Pashtun mullahs and introducing the concept of a divine right to rule rather than the traditional concept of election by Loya Jirga”.³

Afghanistan formally declared its independence from Britain in 1919 and drafted its first constitution. After Afghanistan gained its full independence, King Amanullah Khan embarked on a very ambitious program to reform and modernize the Afghan state. During his reign Afghanistan witnessed a considerable change.

However, King Amanullah Khan’s attempts at domestic reforms and modernization all ended in vain as they were met by clerical opposition. The conservative reaction to his Western innovations exploded into a rebellion in 1928, which led to his abdication of power and exile in 1929 and brought the Saqaoists into power.

During the short space of nine months the Saqaoists spread devastation and ruin all over the country: “Trade and agriculture were badly crippled, people half starving and diseased and many dressed in rags with their skin showing through the rents and imploring for food, villages deserted, houses burnt, thousands of people rendered homeless, schools and colleges entirely closed, some of them burnt and demolished.”⁴

On the accession of King Nadir Shah - the man who defeated the Saqaoists and was the father of the ex-monarch King Zahir Shah now living in exile in Rome - the country’s economy was literally defunct. “It was the first case of a national exchequer being absolutely bankrupt, unlined with even a silver coin...It was literally the case of a monarch ruling at Kabul without possessing so much as even the price of a meal for himself.”⁵

It took nearly two years and an army of 40,000 to pull the

DEMOGRAPHIC INDICATORS

- **Projected 2001 Total Population**
Approximately 22.5 million¹
- **Population Distribution²**
Rural: 78% • Urban: 22%
- **Refugees and Internally Displaced Persons (IDPs)**
Since 1980, Afghanistan has had the world’s largest recorded refugee population.³ During the Soviet invasion and occupation, **2 million** were displaced internally and **6 million** refugees fled the country.⁴ Today, **3,695,000** Afghans remain refugees and nearly **1 million** are internally displaced.⁵
- **Location of Refugees as of 10 September 2001⁶**

Pakistan:	2,000,000
Iran:	1,500,000
Russia	100,000
Central Asian Republics:	29,000
Europe:	36,000
North America/Australia: ...	17,000
India:	13,000
TOTAL	3,695,000

1,2 Population Division and Statistics Division of the United Nations Secretariat, “Indicators on population”, <http://www.un.org/Depts/unsd/social/population.htm>. Other estimates range as high as 25.5 million.
3 UNHCR Media Office, Geneva, background, <http://www.unhcr.ch/world/mide/afghan.htm>.
4 John F. Burns, “Afghan Capital Grim as War Follows War”, *New York Times*, 5 February 1996.
5,6 UNHCR, “Afghan Refugee Statistics”, 10 September 2001 <http://www.unhcr.ch/news/media/afghan/stat0917.pdf>

country together again. By 1932 schools had reopened, the few government factories built during the reign of King Amanullah Khan were made operational, trade took place between Afghanistan and the British India as well as between Afghanistan and the former Soviet Union. In 1933, the last of Durrani kings, Zahir Shah, came to power at the age of 18. However, the economy still remained basically traditional and no large-scale attempts were made either to modernize the agriculture

3 Ahmad Rashid, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*, New Haven, CT: New Haven Press, 2000

4 Maxwell J. Fry, *The Afghan Economy*, 1974.
5 Ibid.

HEALTH

The health situation in Afghanistan is amongst the worst in the world.

■ Life Expectancy at Birth, 2000-05¹:

	Female	Male
Afghanistan	43.5 years	43.0 years
Iran	70.8	68.8
Pakistan	60.9	61.2
Tajikistan	70.8	65.2
Turkmenistan	70.4	63.9
Uzbekistan	72.5	66.8
United States	80.4	74.6

- **1 in 4 children** under 5 (1995-2000) suffer from moderate and severe wasting, a condition where the ratio of weight to height is abnormally low.³
- Afghanistan has the world's **4th worst child mortality rate - 257 of every 1000** children born die before reaching age 5.³
- Between 1995 and 1999, **1 in 5 infants** were born with low birthweights.⁴
- Each year approximately **16,000 mothers** die in childbirth. The maternal mortality rate is the **2nd worst in the world**. For every **1,000 live births, 17 mothers** die.⁵
- **70%** of the population is malnourished.⁶

1 Population Division and Statistics Division of the United Nations Secretariat, "Indicators on Health", <http://www.un.org/Depts/unsd/social/health.htm>

2. UNICEF, "State of the World's Children 2001", pg. 77, <http://www.unicef.org/sowc01/pdf/fullsowc.pdf> or <http://www.unicef.org/sowc01/tables/mortality.htm>

3. UNICEF, "State of the World's Children 2001", pg. 82, <http://www.unicef.org/sowc01/pdf/fullsowc.pdf> or <http://www.unicef.org/sowc01/tables/table2.htm>

4. Ibid.

5. Office of The UN Humanitarian Co-Ordinator For Afghanistan, "Afghanistan Appeal 2001", http://www.pcpafg.org/appeal/appeal2000/Documents/Provision_of_Basic_Social_Services.shtml and Office of The UN Humanitarian Co-Ordinator For Afghanistan, "Vulnerability and Humanitarian Impact of UN Security Council Sanctions In Afghanistan Summary Report", Islamabad, 17 August 2000, http://www.pcpafg.org/news/Sanctions/sanction_news/Vulnerability_and_humanitarian.htm

6. WFP, "Country Brief: Afghanistan", http://www.wfp.org/country_brief/indexcountry.asp?country=33

sector or develop the industrial sector until 1956.

By the end of the British colonial rule in India, the British influence in the region was ebbing and the United States was emerging to replace the British on the world stage. Following the Second World War, the US did not show any particular interest in Afghanistan. Sardar Muhammad Daud Khan, Zahir Shah's cousin and brother-in-law, who was prime-minister from 1953-1963 turned to the Soviet Union for military and economic aid. Indeed the Soviets had a longstanding history of cooperation with the Afghan government: when Lenin came to power, Afghanistan was the first country to receive Soviet aid. Daud Khan embarked on a policy of modernization and introduced reforms and established the first institutions of higher education. Daud instigated economic policy geared towards rapid economic growth. As a result, the first five-year plan was launched in 1956 and the second five-year plan was initiated in 1962. He was successful in encouraging foreign economic competition in Afghanistan so that he could finance his ambitious five-year development plans. During his administration, Afghanistan received the highest levels of technical assistance on a per capita basis of any country in the world.

Although Daud Khan's five-year development plans did produce some positive results, their effects on the population at large were not that significant. Certain aspects of his policy prevented the benefits of these plans from reaching the common people. The centralization of economic activities had a dampening effect on the embryonic private sector. Protected from competition, insulated from market forces, and staffed and run by civil servants, most public sector enterprises failed to contribute to development. Another important factor for the failure of Daud Khan's development plans was the lack of public identification with the government's development program and the fascination of the government with large-scale projects that often remained under-utilized. Typically, public industrial enterprises operated at 30 to 40% of capacity.

Additional factors responsible for the failure of the

development plan included:

- the failure of agriculture productivity to rise, which, in an agriculture-based economy like Afghanistan acts as a critical constraint to economic development;
- the lack of incentive for farmers to move from subsistence to cash crop farming largely due to inadequate information, poor transportation facilities and state control;
- neglecting to develop the capital market whereas there is no greater stimulus to industrial development than credit availability;
- the failure of the plans to create jobs because the projects were largely capital-driven rather than labor intensive.

Thus the benefits that have come from these projects have often made their way out of the country into the hands of those who financed them. Politically, Daud Khan's rigid policy on Pakhtunistan and his very close relation with the former Soviet Union are believed to have contributed significantly toward the lack of success of his development plan. The latter two factors were also instrumental in the downfall of his government in 1963.

From 1963 to 1973, Afghanistan witnessed four prime ministers, each with a package for economic development. Their policies were to a large extent identical and different from that of Daud Khan. They subscribed to the philosophy of a mixed economy with a strong support for private enterprises and with particular emphasis upon small and short-term agricultural and irrigation projects, establishment of multi-purpose cooperatives, expansion of agriculture credit and establishment of basic power and heavy industries. Other features of their policy statements included balanced regional development and community development programs. This was the most appropriate development program ever sketched for Afghanistan. However, the political uncertainties during that decade prevented much of it from being implemented.

In 1973, Muhammad Daud Khan overthrew King Zahir Shah with the help of the pro-Soviet communist parties and proclaimed the country a republic and named him-

ECONOMIC INDICATORS

- **GDP Per Capita in 1999: \$178¹**
- **85% of Afghanistan's population is dependent on agriculture.²**
- **Debt in 1998: US \$5.59 billion.³**
- **Main Exports⁴**
Opium, fruits and nuts, handwoven carpets, wool, cotton, hides and pelts, and gems.
- **Number of Telephone Lines per 1,000 people: 1⁵**

EDUCATION ⁶

- **Adult Literacy Rate (2000): 36%**
Female: 21% Male: 51%

WATER ⁷

- **% of Population with Drinking Water Coverage (not necessarily "safe" or "adequate"):**
Overall: 13% Urban: 19% Rural: 11%
- **% of Population with Sanitation Coverage (not necessarily "safe" or "adequate"):**
Overall: 12% Urban: 25% Rural: 8%

1. Statistics Division of the United Nations Secretariat and International Labour Office, <http://www.un.org/Depts/unsd/social/inc-eco.htm>
2. WFP, "WFP Launches Emergency Appeal For Afghanistan", News Release, 6 September 200
3. OECD, "External Debt Statistics: Historical Data 1988-1999", pg. 31
4. Source: CIA, "The World Factbook 2001", <http://www.cia.gov/cia/publications/fact-book/geos/af.html>
5. UNESCO, "World Culture Report 2000", table 19, pg. 364, http://www.unesco.org/culture/worldreport/html_eng/stat2/table19.pdf
6. UNESCO, "World Culture Report 2000", table 26, pg. 391, http://www.unesco.org/culture/worldreport/html_eng/stat2/table26.pdf
7. WHO and UNICEF, "Global Water Supply and Sanitation Assessment 2000 Report", pg. 47.

self both President and Prime Minister of Afghanistan. This was alarming news for the already fragile private sector and therefore had a deteriorating impact on the private investment and hence on the economy.

During the period of Daud's ouster and return to power,

a new political force was organizing itself under the banner of The People's Democratic Party of Afghanistan (PDPA), a Marxist party that originally operated clandestinely. The members of PDPA, including Babrak Karmal a popular leftist, were instrumental in the 1973 coup and installing Daud in power. But soon thereafter, Daud turned against his supporters in the PDPA as suspicions grew that it was an instrument of Soviet Union.

Beginning in 1974 Daud began to look to the West for assistance and his attempts were boosted by the Shah of Iran who offered Afghanistan two billion dollars in aid over a ten-year period. This was larger than the entire aid received by Afghanistan since the Second World War. Daud's attempts to draw Afghanistan into the fold of Western-supported governments had a mixed outcome. While he secured aid from Iran, the West's most important ally in the region, Daud failed to establish friendly relations with Pakistan, another regional ally of the West. The tensions between the two countries were particularly heightened by the dispute over their border, the Durand Line that separated Pashtun tribes. Daud began to give aid and encourage uprisings against the Islamabad government in Pashtun areas. In return, Pakistan started to give refuge to Islamic fundamentalists who detested Daud as a modernizer and even a communist. The first armed groups of Mujahideen were set up in Pakistan as early as 1973 when the Islamic opposition leaders Gulbudin Hekmatyar and Rabbani were exiled there. However, by 1976 Daud Khan in a surprising move had begun to normalize ties with Pakistan and tried to shift away from the Soviet sphere of influence.

By 1977, Daud's break from PDPA was complete and members of PDPA were purged from power. In the same year, Daud announced a new constitution that banned PDPA and he appointed two well-known anti-communists to the Defense and Interior Ministries. These actions fueled the need for urgent action by PDPA to wrestle power from Daud Khan. However, the PDPA leadership had to overcome its internal divisions first. From its inception, the party was divided into two factions of Khalq (masses) and Parcham (flag) led by Taraki and Karmal respectively. Their differences were

chiefly based on personal rivalries between the leaders. Taraki had a devoted disciple by the name of Hafizullah Amin and Karmal had his own deputy named Najibullah. All of the four men played important roles during the reign of the party in the 1980s.

The tensions between Daud's government and PDPA reached their climax on April 19, 1978 when fifteen thousand protestors sympathetic to PDPA took to the streets of Kabul. A week later, the leaders of PDPA were arrested and jailed. The next day the military staged a coup that removed Daud from power and installed Taraki as the president of Afghanistan. Daud and his family were killed in the presidential palace during the coup. The new government was originally composed equally of both factions within PDPA. But disagreements soon followed between the two factions. Furthermore competition for supremacy in each faction was also developing between Taraki and Amin and also between Karmal and Najibullah.

Taraki began to solidify his hold on power by moving closer to the Soviet Union and encouraging it to take a more active role in supporting his administration. In December of 1978 Afghanistan signed a Treaty of Friendship, Good Neighborliness, and Cooperation with USSR that obliged the Soviets to provide military aid if called for by Afghanistan.

The new regime adopted radical social and economic measures, including a drastic land reform law that limited an individual's maximum holding to 15 acres. The government's rushed policies to modernize and dismantle the traditional structure of Afghan society were met by stiff resistance throughout the country. Throughout different regions, armed resistance to the new government confronted its policies and engaged it in guerrilla warfare.

The incompetence of the new government and the constant bickering between its leaders was making the Soviet Union desperate to find a solution to stabilize its southern neighbor and cement its control in Afghanistan. But personal rivalries within the PDPA were consuming it from within while the Mujahideen

guerrillas who had been operating in Pakistan since 1973 began to intensify their armed campaign and to link with resistance forces that had sprung up around the country since the communists' coup. Intrigue in the halls of power resulted in a number of unsuccessful attempts by Taraki to assassinate his once devoted disciple, Amin, who was jockeying with him for power. Finally, Amin prevailed and ordered the assassination of Taraki in September of 1979. Soon after assuming the presidency, Amin resolved to bring the Soviet military to his aid. In December 1979, he asked for Soviet troops to protect Kabul so that he could free up the Afghan army to fight the Mujahideen. The Soviets who were getting impatient with their client regime invaded Afghanistan in full force on December 1979 and ironically assassinated Amin who had asked for their help and installed Babrak Karmal as the president.

The invasion inflamed the nationalist and Islamic sentiments of the population, which led to a popular uprising and war throughout the country. In response, the Soviet troops adopted a policy of ruthless air attacks on towns and villages, which turned more than one third of the population into refugees, farming fields into wasteland and destroyed villages. More than half of Afghanistan's farming villages were abandoned because of war and aerial bombing, and only 20 to 25% of Afghanistan's arable land was being cultivated. Livestock breeding also declined dramatically as millions of animals were killed in the course of the war. Afghanistan's industrial sector, which was never well-developed and relied heavily on the processing of produce from the rural sector, was as hard-hit as agriculture. This marked the beginning of the collapse of the Afghan economy.

The Soviet invasion of Afghanistan, its first military campaign outside of Eastern Europe, provided the United States a precious opportunity to engage the Soviets indirectly using the Afghan resistance and the Mujahideen fighters based in Pakistan. Indeed, immediately following the invasion, President Carter stated his policy of protecting the energy resources of the Persian

Gulf against Soviet threats by any means necessary in what became known as the Carter Doctrine. On January 23, 1980, Carter declared that: "An attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America, and such an assault will be repelled by any means necessary, including military force."⁶ The immediate reaction to the Soviet invasion was to view it as a first step towards asserting Soviet supremacy in the Persian Gulf with either Iran or Pakistan as its next targets. The US policy of engaging the Soviets in a prolonged regional conflict with heavy human loss was termed as "bleeding the Russians".

In 1979 President Carter issued a classified directive to initiate covert operations in Afghanistan.⁷ The CIA established close working relations with Pakistan's Inter-Service Intelligence Agency (ISI), which was responsible for the daily operations in Afghanistan. Between 1980-85 the CIA funded the recruitment and training of thousands of volunteers from three-dozen Muslim countries to fight in Afghanistan. Among these "Afghan Arabs" was Osama bin Laden, heir to a Saudi construction fortune, as well as top officials from Islamic movements throughout the Middle East and Asia. Many of these fighters and groups later joined forces to form the al-Qaeda network and turn against their former American and Saudi sponsors.⁸ President Reagan justified his support of the Mujahideen by stating "The resistance of the Afghan freedom fighters is an example to all the world of the invincibility of the ideals we in this country hold most dear, the ideals of freedom and independence."⁹

In 1985, the Reagan administration sharply escalated covert action in Afghanistan. Through the 1980s the US channelled \$2-3 billion in weapons and supplies through the CIA and ISI as part of the largest US covert action program since World War II.¹⁰ By 1987, the US was sending more than 65,000 tons of arms annually to the Mujahideen, especially the faction of Gulbuddin Hekmatyar. CIA and Pentagon operatives helped the ISI

6 Eqbal Ahmad and Richard Barnett, "The Bloody Games," *The New Yorker*, 1989.

7 Steve Coll, "Anatomy of a Victory: CIA's Covert Afghan War", *Washington Post*, 19 July 1992.

8 Jon Sawyer, "Past Policies Got US Here, Provide Cautionary Tale," *St. Luis Post Dispatch*, 22 September 2001.

9 President Ronald Reagan, Proclamation 5034, 21 March 1983.

10 Steve Coll, "Anatomy of a Victory: CIA's Covert Afghan War", *Washington Post*, 19 July 1992. Mary Ann Weaver, "The Real Bin-Laden", *The New Yorker*, 24, January 2000.

establish a network of schools in Pakistan and bases in Afghanistan to train the Mujahideen in secure communications, covert financial transactions, guerrilla warfare, urban sabotage and heavy weapons. An important turning point in the war was the shipment in 1986 of Stinger anti-aircraft missiles to the Mujahideen, who skillfully utilized them to neutralize Soviet air power.

During that period, Afghanistan's economy increasingly integrated with the Soviet bloc and became more dependent upon it with each passing year. By late 1980s, Moscow and the Soviet Central Asian Republics, despite their own problems, were supplying some US\$300 million worth of goods to Kabul every month. There were no major development activities during the course of the communist regime - the government's economic policy was limited to day-to-day survival.

Following UN-mediated negotiations, the Soviet army withdrew from Afghanistan in 1989, leaving behind a proxy government headed by Dr. Najibullah. The Mujahideen factions refused to negotiate with the government and continued their fight for another three years until Najibullah was toppled and Kabul was captured.

Towards the end of the communist rule, the government took dramatic steps - perhaps because it could no longer manage otherwise - of lifting the state monopoly over the import of food and fuel allowing the private entrepreneurs to take over. Afghanistan by now relied on foreign sources for virtually all its food. Afghan traders succeeded in providing Kabul with food and fuel with both paid for in US dollars. Hard currency came largely from the narcotics trade and the sale of weapons. Large amounts of hard currency also stemmed from goods coming to Kabul and then smuggled into Pakistan.

With the Soviet withdrawal from Afghanistan, US interest in the region diminished and the large CIA presence in Pakistan was withdrawn. The entire focus of US policy was to defeat the Russians and with that goal achieved Afghanistan was left to face its intractable problems on its own. The huge flow of armaments to the region, the lucrative drug trade, destruction of infra-

structure, and a poverty-stricken population were legacies of the Soviet occupation and the United States' covert operations. Once the conflict between the super-powers came to an end, Afghans were left on their own to deal with these problems. This period signifies one of the worst failures of the international community to hold outside powers responsible for the destruction they caused in Afghanistan.

After the fall of the communist regime, the Mujahideen factions formed a tenuous coalition with Burhannudin Rabbani as its president, Hekmatyar as the Prime Minister, and Ahmed Shah Masood as the Defense Minister. However, that only brought more war and devastation as the infighting amongst different factions erupted into a full-scale civil war. The meagre infrastructure that once existed in Kabul was demolished or looted. This once-civilized and highly cosmopolitan Asian capital became a "cultural wasteland". Frequent rocket attacks by rival factions reduced Kabul to rubble and resulted in 50,000 civilian casualties and new refugee flows.

With no electricity almost anywhere in the country, all the factories in the country were either destroyed or stopped working. Schools and colleges closed and education on all levels came to a standstill. Water, power, the telephone system, roads and airports were heavily damaged or completely ruined in the fighting and there was no functioning government apparatus to repair the damage.

Moreover, many of the country's professionals had fled the country. There was virtually nobody left in the city qualified to undertake repair of the damaged infrastructure. Kabul's destruction led a reporter to compare it to post-Hitler Berlin. The Afghan State was divided into several war zones controlled by different warlords. The government in Kabul was barely in contact with the warlords, much less able to exercise any political or economic control. Every region made its own arrangements to feed and supply itself on its own.

The lack of legitimate sources of income forced many

families to grow poppy or join criminal gangs or local militias to survive. By the mid-1990s, Afghanistan's annual opium crop topped 3,000 tons, making it the world's largest producer of raw opium. The already enormous trade in smuggled goods expanded even further and so did the trade in narcotics as each warlord, including the government, established links with international crime organizations exporting heroin and hashish to the West. Afghanistan's entire economy became, in effect, engaged in illegal production.

The chaos and lawlessness brought by the Mujahideen paved the way for the emergence of the Taliban movement. In 1994, the Taliban marched into Afghanistan as a unified fighting force after being trained by Pakistan's ISI in the same religious schools and military camps as the Mujahideen. Under the leadership of Mullah Mohammed Omar in Kandahar, disciplined Taliban forces swept through Afghanistan, defeating Mujahideen factions and securing control of 27 of 30 provinces. The Taliban gained a reputation for military invincibility and strict adherence to an extreme form of Sunni Islam closely associated with Saudi Wahhabism.

Several ethnically based Mujahideen factions, led by Massoud (Tajik), Abdur Rashid Dostum (Uzbek) and Karim Khalili (Shiite Hazara) formed the Northern Alliance and continued to fight the Taliban from the north. Iran, Russia and India supplied arms and funds to the Northern Alliance under Massoud's leadership, enabling them to control 5-10% of the country.

The Taliban restored law and order in most of the country, however, like the previous warlords they had no economic agenda for Afghanistan. Having no other source of hard cash, the Taliban increasingly depended on the narcotics trade to keep them in cash so that they could finance their military activities. An estimated 90% of the Taliban cash resources were spent on financing the civil war.

As if all these miseries were not enough, nature slapped Afghanistan with a severe and long draught about three

years ago. Harvest after harvest of crops failed and most of the livestock died. On top of all this, the Taliban banned opium under international pressure, the only cash crop for Afghans. However, it is alleged that the Taliban, the main traders of the narcotics, had hoarded hundreds of tons of opium and by banning the production they restricted supply and pushed up the market price. The combination of these factors has pushed Afghanistan into a widespread hunger and a looming famine.

By spring of 2001, the harvesting of opium was greatly reduced in Afghanistan. In May 2001, US officials visited Afghanistan and praised the Taliban's efforts to limit opium production. Two months later Secretary of State Colin Powell announced a \$43 million emergency aid grant to Afghanistan to cope with the effects of a prolonged drought, and stated that the US will "continue to look for ways to provide more assistance to Afghans."¹¹

Although the Taliban captured more than 80% of the country, they failed to achieve international recognition as the legitimate government of Afghanistan. The UN continued to consider Rabbani's government as the representative of Afghanistan and only Pakistan, Saudi Arabia, and United Arab Emirates extended diplomatic recognition to the Taliban government. Initially the US responded to the Taliban government with cautious optimism, based on the view that, "the Taliban will probably develop like the Saudis did. There will be...pipelines, an emir, no parliament and lots of Shari'a law. We can live with that."¹²

International attention was focused again on Afghanistan due to the Taliban's harsh rule and also due to a proposed pipeline to connect the energy resource-rich countries of Central Asia to the Persian Gulf and Arabian sea. In 1997, the World Bank proposed that large gas reserves discovered by Unocal in Turkmenistan be routed through Afghanistan. It was argued that this rout would be much cheaper and easier to control than the existing pipelines through Russia.

11 Robert Scheer, "CIA's Tracks Lead in Disastrous Circle", *Los Angeles Times*, 17 September 2001.

The Taliban's sole focus for the revival of the economy was Turkmenistan's cross-country gas pipeline project. It was expected that this pipeline would create around 30,000 – 50,000 well-paid jobs within the country. It was hoped that the road to be built along the pipeline at the expense of outsiders would serve as trade route between Central Asian countries and Pakistan and possibly India. Once the project was completed, the royalties from pumping gas through the pipeline would create a steady inflow of foreign currency. Moreover, the pipeline could also be used to pump Afghan gas to foreign markets. The project never went beyond initial planning stages, however.

After the attacks on the US embassies in Kenya and Tanzania in 1998, the US held Bin Laden personally responsible and ordered attacks on his bases in Afghanistan. Under Operation Infinite Reach, the US launched over 200 cruise missiles into Afghanistan, killing 34 people but not Bin Laden or his associates. Unocal officials who had been negotiating with the Taliban government withdrew from plans to build the gas pipeline and the Clinton administration supported construction of an alternative route through Turkey to the Mediterranean.

In October 1999, UN Security Council passed

Resolution 1267 imposing economic sanctions on Afghanistan for offering sanctuary to Bin Laden. However, a report by the UN Humanitarian Coordinator for Afghanistan stated that the freezing of funds has had a minimal impact on the Taliban but concluded that “sanctions have had a tangible negative effect on the Afghan economy and on the ability of humanitarian agencies to render assistance to people in the country”.¹³ Additional sanctions were imposed in December 2000 because of the Taliban's continuing support for terrorism and narcotics cultivation.¹⁴ Further international condemnation of the Taliban followed after two giant Buddhist statues dating from the 5th century were destroyed in Bamiyan.

At present, Afghanistan has no functioning economy. Most of the essential infrastructure has been virtually destroyed. In most areas, few attributes of a modern state such as roads, electricity, telephones, schools or transport exist. The two decades of war, a crippling three-year drought and the recent heavy US bombing has also led to the depletion of its social and human capital and has made Afghanistan one of the poorest country in the world. Most Afghans inside the country are left to subsist on a diet of bread and tea for which they pay astronomical prices. It is against this background the large-scale reconstruction efforts for Afghanistan

12 US diplomat quoted in Ahmad Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia*, New Haven, CT: New Haven Press, 2000

13 Office of the UN Humanitarian Coordinator for Afghanistan, “Vulnerability and Humanitarian Impact of UN Security Council Sanctions In Afghanistan Summary Report,” 17 August 2000, http://www.pcpafg.org/news/Sanctions/sanction_news/Vulnerability_and_humanitarian.htm.

14 United Nations Security Council Resolution 1333 (December 2000) imposed an additional embargo on all arms, including military equipment, spare parts, and transfer of any technical advice or training related to military activities. The resolution also called on States to freeze funds and financial assets of Osama bin Laden.

