

Draft Framework for Intra-Afghan Negotiations by the Islamic Republic of Afghanistan

Jadi 1398

Kabul – Afghanistan



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Introduction

Providing peace and security is the sacred desire and urgent need of the Afghan nation to restore stability and ensure economic progress in Afghanistan.

In order to fulfill this long-standing desire of the nation, led by the Afghan government, all political and civil institutions and effective and influential personalities of the country have religious and national responsibility. Recent peace developments at home and abroad has once again put the Afghan peace process on the top of national issues, but it is clear that achieving a just and lasting peace in Afghanistan will only be possible through an inclusive intra-Afghan and national process. Thus, for the early start and effective and purposeful progress of intra-Afghan negotiations, it is necessary, as a first step, to create a comprehensive framework for intra-Afghan negotiations that would be acceptable for the government, political, social and civil society of the country and has taken its roots from previous collection of plans and efforts by personalities and various activities in and out of the country.

This draft framework for inter-Afghan negotiations by the Islamic Republic of Afghanistan is the result of extensive consultations with prominent figures and representatives of the country's intellectual and political movements over the course of the past two months. The draft of the plan has been prepared by the Asia Heart Foundation in consultation and work with a select group of independent Afghan political figures and cadres including Dr. Soraya Dalil, Fawzia Kofi, Mohammad Asif Rahim, Sayed Ishaq Gailani, Dr. Jafar Mehdawi, and Eng. Mohammad Asim Asim. The aforementioned plan is expected to be announced by the Islamic Republic of Afghanistan within the framework of intra-Afghan negotiations by the end of Jadi, the current solar calendar year if agreed upon by the leadership of the Afghan government and political leaders.

Section One: Basis of Intra-Afghan Negotiations Framework

Prior to the formal and direct start of the intra-Afghan peace negotiations, it is necessary for the involved parties to agree on a set of principles, definitions, conditions and regulations that are mostly organizational and process-oriented and are intended to help launch and succeed the negotiation process. This agreement on foundational basis for the launch of formal negotiations constitutes the framework for intra-Afghan negotiations.

A- Viewpoint and Overall Objective

As a precondition for establishing a framework for negotiations, it must be acknowledged that all Afghans share a common vision for peace and believe that ensuring a just and lasting peace in Afghanistan involves maintaining and strengthening the political system, consolidating national sovereignty and economic prosperity in the country, and that the realization of peace can only be achieved through the intra-Afghan negotiations and agreements in the country.



B- Principles and values

Creation of intra-Afghan negotiations framework requires agreement on a set of core values as a principled basis for peace negotiations. The Islamic Republic of Afghanistan agrees on the following principles and values;

- 1- Maintaining and strengthening the Islamic Republic of Afghanistan system;
- 2- Safeguarding independence, territorial integrity and national sovereignty;
- 3- Commitment to the national unity of the Afghan people as a fundamental principle of the political system;
- 4- Commitment to the fundamental rights and equality of all citizens of the country, particularly women's rights;
- 5- Commitment to right to vote through elections;
- 6- Believing in political solution as the only way out of war and achieving peace in Afghanistan;
- 7- Avoiding any violence, armed opposition and insurgency against the system;
- 8- Commitment to the participation of all political, social and civil groups in the peace process;
- 9- Strengthening the peace atmosphere through the use of tolerance, accepting one another and refusing to use derogatory and divisive terms;

C- Need for Political Consensus

Creation of political consensus within the Islamic Republic of Afghanistan is another key condition for achieving a framework for intra-Afghan negotiations that guarantees the legitimacy of the peace process. In the current situation, while there is a strong consensus and a strong desire for peace and a political solution across the country, the Afghan peace process does not have the necessary political consensus given the lack of trust at national level; and it has posed a challenge to the peace process; therefore, creating a national consensus has to be the priority of peace efforts at the national level.

The basis for establishing a political consensus for peace is the shared definition of the Islamic Republic of Afghanistan system and its commitment to protect and strengthen it. The Islamic Republic of Afghanistan is comprised of the entire Afghan nation and crystalizes within a pluralistic and lawful society based on interactions between political and civil groups, including the government and state institutions. The role of the government is to govern the system, but the government can only represent the collective will of the system based on a national consensus that includes political and civil society agreement on major issues of the country. It is considered necessary to create a national consensus on the existence of a set of structures that ensure the

principle of national participation of all the political and civil community of the country to create an atmosphere of trust.

Section Two: Necessary Structures for Legitimacy and Advancement of Intra-Afghan Negotiations

In order to secure political participation and build national consensus for a just and lasting peace, given the current conditions and challenges in the national peace process, and also to advance intra-Afghan negotiations effectively, a series of new structures such as the High National Reconciliation Council, Leadership Commission, National Negotiations Delegation, the National Advisory Delegation and Secretariat of peace process should be established through a transparent and rational mechanism.

A- High National Reconciliation Council

The High National Reconciliation Council is established as the highest authority in providing legitimacy and a decision-making body of the peace process in the political system of the Islamic Republic of Afghanistan and it represents the will of the entire Afghan people in the process.

Receiving reports from the Leadership Commission, approving the essential lines in peace negotiations and approving or rejecting initial agreements with the Taliban is one of the key authorities of the High National Reconciliation Council. A broad High National Reconciliation Council will be formed to ensure fair participation of all elements of the Islamic Republic of Afghanistan system, to guarantee representation of all political movements, national figures, Jihadists, tribal elders, scholars, academic and political figures both men and women, youth, party representatives, and also civil society institutions as well as participation of elected public institutions from provinces of the country. The High National Reconciliation Council is composed of the Vice presidents of the Republic (2), CEO and his deputies (3), former president and his vice presidents (4), former and current Speakers of the National Assembly (5), former and current heads of the judiciary (2), former National Security Advisors (4), State Minister of Peace Affairs (1), Heads of Provincial Councils (34), leaders of major political movements (10), national independent personalities (10), representatives of other political parties (10), Civil Society coordinating bodies (2), current and former heads of independent human rights commission and independent constitution oversight commission (4), Institutions defending women's rights (10 p), media institutions (5 p), Kochi/nomad representatives (2 p), representatives of Hindu & Sikh community (2 P), Ulema Council (8 p), Shi'a sect Ulema Council (4 p), youth institution representatives (10 p) disabled representatives (2), representatives of peace marchers (1), private sector representatives (6), Teacher representatives of public and private universities (5), representatives of Afghan immigrants in Pakistan and Iran (7), representatives of the Afghans based in Europe, North American and other parts of the world (4), and 11 individuals of miscellaneous categories, a total of 170 people.

The first meeting of the High National Reconciliation Council will be held after its final formation in Kabul within a month after the creation of the Leadership Commission that is



responsible for finalizing the formation and holding of the first High Reconciliation Council meeting in accordance with the provisions of the plan.

Meetings of the High Council of National Reconciliation will be convened on a monthly basis and, if necessary, on the recommendation of the Leadership Commission and will be chaired by the President or one of the deputies of the Leadership Commission. The agenda of the meetings of the High National Reconciliation Council is determined by the Commission. The internal procedures of the High National Reconciliation Council are drafted by the Peace Process Leadership Commission and enforced after approval by the High National Reconciliation Council.

B) Peace Process Leadership Commission

The Leadership Commission composed of 25 national and influential personalities will be established prior to establishing and announcing the existence of the High National Reconciliation Council in order to do the groundwork for the establishment of the High National Reconciliation Council and political consensus, effective leadership of negotiations process and peace with the Taliban and advancing the affairs of peace process. The composition of the members of the Leadership Commission, which is finalized as a result of extensive consultations and understanding with the leadership of the Government of the Islamic Republic of Afghanistan, heads of the mainstream political parties and representatives of the civil society institutions, is as follows.

- 1- Respected Dr. Mohammad Ashraf Ghani, President of Islamic Republic of Afghanistan
- 2- Respected Hamid Karzi- Former President
- 3- Respected Dr. Abdullah Abdullah, Chief Executive
- 4- Respected Gulbuddin Hikmatyar – Leader of HIG
- 5- Respected Salahuddin Rabbani – Leader of Jamiat-e- Islami
- 6- Respected Abdul Rab Rasool Sayaf – Leader of Itihad-e-Islami
- 7- Respected Karim Khalili – Leader of Wahdat-e- Islami
- 8- Respected Mohammad Mohaqiq – Leader of Wahdate-e-Islami Mardome Afghanistan
- 9- Respected Abdul Rashid Dostum- Leader of Junbesh-E-Mili Islami Afghanistan
- 10- Respected Pir Sayed Hami Gailani – Leader of Mahaz-e-Mili Islami Afghanistan
- 11- Respected Zabihullah Mujadadi – Leader of Jabhai Nejate Mili Afghanistan
- 12- Respected Sayed Mansoor Naderi – Leader of Paywande Mili Afghanistan
- 13- Respected Mir Rahman Rahmani – Speaker of the House
- 14- Respected Fazil Hadi Muslimyar – Speaker of the Senate
- 15- Respected Mohammad Hanif Atmar – Leader of Peace and Justice Political movement
- 16- Respected Mohammad Yonus Qanuni – Influential political figure
- 17- Respected Abdul Salam Rahimi – State Minister of Peace affairs
- 18- Respected Haji Azizullah Din Mohammad – Hizbe Islami Solay aw Parmakhtag
- 19- Respected Anwarul Haq Ahadi – Influential Figure
- 20- Respected Mohammad Asif Rahimi – Influential figure
- 21- Respected Dr. Suraya Dalil – Influential figure
- 22- Respected Fawzia Kofi – Influential figure
- 23- Respected Fatana Gailani – Civil society activist
- 24- Respected Dr. Habiba Surabi – Civil society activist



25- Respected Asila Wardak – Civil Society Activist

The Leadership Commission will officially announce its existence in its first meeting which is scheduled to be held on (DATE) in Kabul city. Simultaneously, with the announcement of the leadership commission, the Islamic Government of Afghanistan will issue a statement introducing commission as the official authority for decision-making in all matters related to peace process and to relevant internal and external sources.

The Leadership Commission meets on weekly basis and receives reports from relevant bodies, including the National Negotiations delegation, various working committees and the secretariat, and reports on the entire process of peace and negotiations to the General Sessions of the High National Reconciliation Council.

The President chairs the Leadership Commission and he will have 3 deputies that is from the members of the Leadership Commission, who will be elected rotationally for one month.

The leadership commission also elects one member of the commission as secretary with a majority votes. The secretary of the Leadership Commission oversees all day-to-day affairs between the two houses on behalf of the commission and reports on its performance to the leadership Commission meetings.

The decisions of the Commission will be made publicly and unanimously. The leadership's decision on the essential lines of peace talks and preliminary agreements with the Taliban calls for the approval of the High National Reconciliation Council.

C) National Negotiations Delegation

The National negotiations delegation is appointed in accordance with the established framework in order to launch and advance the intra-Afghan negotiations with the Taliban movement. The National Negotiating Delegation is the only official body to contact and advance negotiations with the Taliban in accordance with the framework and outlines set by the High National Reconciliation Council for National Reconciliation and reports regularly to the Leadership Commission on the peace process with the Taliban.

The National Negotiating delegation consists of 15 members and is appointed or dismissed by the Leadership Commission from among the members of the High Council for National Reconciliation, taking into account specific criteria and observing political, ethnic and gender proportionality. The conditions for membership of a national negotiating delegation are based on the following general and professional criteria.

The Minimum	Membership criteria for National Negotiating Delegation	No
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Number of Members (Out of 15 persons)			
All members	Good reputation	Political Criteria	1
All members	Commitment to the principles and values set out in this plan	General Criteria	2
All members	History of political or civil activity	General Criteria	3
All members	Distinguished figures (political or professional)	General Criteria	4
All members	Previous negotiation experience (in various fields)	General Criteria	5
4 people	Gender proportion (minimum number of women)	General Criteria	6
3 people	Religious scholars	Professional Criteria	1
5 people	Experience and knowledge of laws and rights	Professional Criteria	2
5 people	Experience and professional knowledge (military, economic, political, governance and cultural)	Professional Criteria	3
2 people	Experience and knowledge of diplomacy and international relations	Professional Criteria	4

The duties and powers of the National Negotiating Delegation will be prepared in a separate procedure by the Secretariat and will take effect after the approval by the Leadership Commission.

D)The National Advisory Delegation

The National Advisory Delegation is designated to support and cooperate with National Negotiating delegation in technical and legal field the same as the National Negotiating Delegation in accordance with framework and established essential lines, and reports regularly to the Leadership Commission.

In order to facilitate the process of intra-Afghan negotiations in accordance with the provisions of this plan, the National Advisory Delegation proposes to the Leadership Commission to set up working committees to develop the Agenda for foreign relations operations, media affairs communication and the implementation of peace agreements. The aforementioned will work under the supervision of the National Advisory Delegation after approval of the Leadership Commission.

The number of members of the National Advisory Commission is 15, who are designated by the Leadership Commission to be among the eligible members of the High National Reconciliation Council or outside the council. The membership of the National Advisory Delegation is based on the following general and specialized criteria:

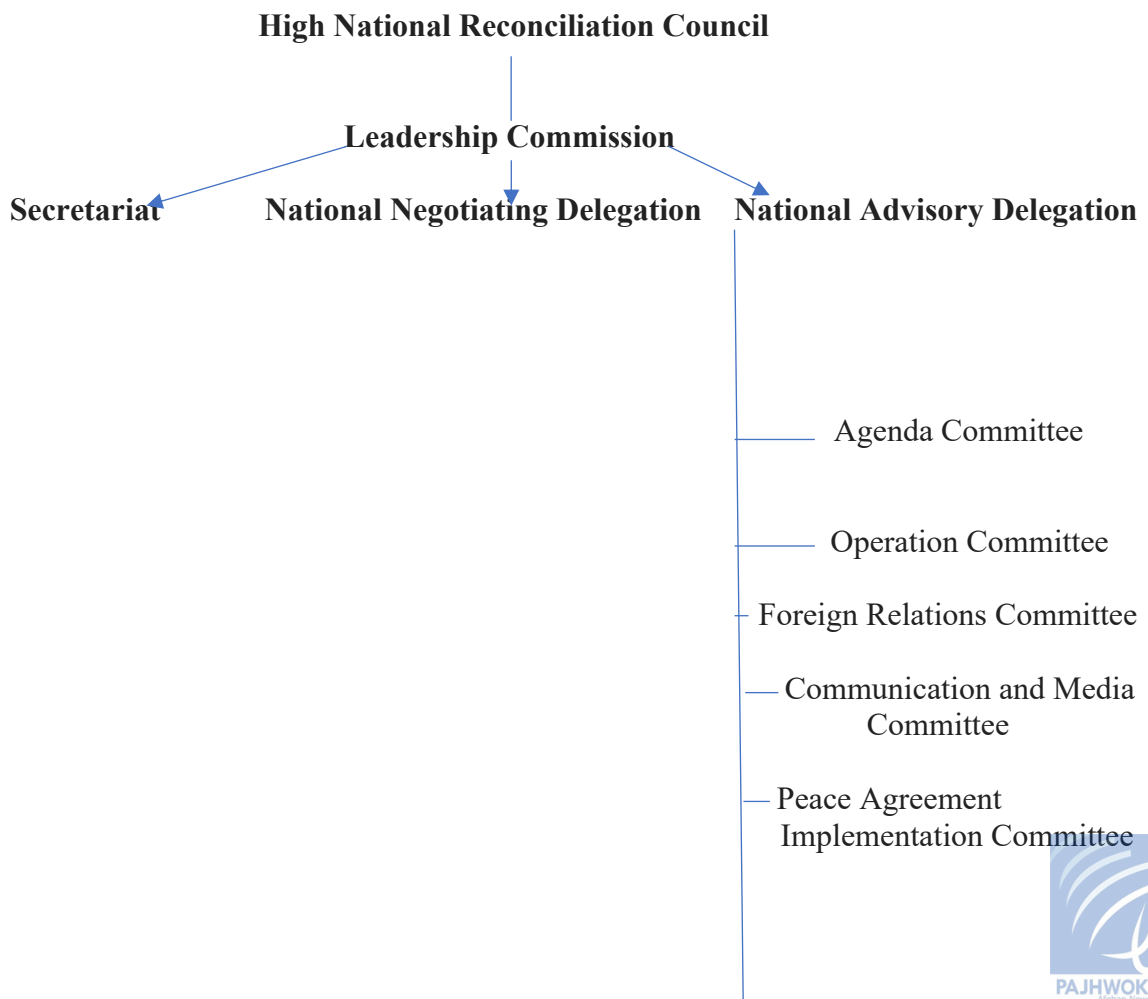
The Minimum Number of Members (Out of 15 persons)	Membership criteria for National Advisory Delegation		No
All members	Good reputation	General Criteria	1
All members	Commitment to the principles and values set out in this plan	General Criteria	2
4 persons	Gender proportion (minimum number of women)	General Criteria	3
2 persons	Specialization in Fiqh and Sharia	Specialized Criteria	1
2 persons	Specialization in Law and Basic Rights	Specialized Criteria	2
2 persons	Specialization in military and security affairs	Specialized Criteria	3
2 persons	Specialization in diplomacy and foreign relations	Specialized Criteria	4
2 persons	Specialization in economic affairs and governance	Specialized Criteria	5
2 persons	Specialization in public	Specialized Criteria	6



	services		
3 person	Specialization in social and cultural affairs	Specialized Criteria	7

Secretariat and Support Formation

Considering the principle of saving, utilizing the capacities within the system and preventing the creation of parallel structures, the State ministry of Peace, at the request of the Leadership Commission, is tasked with assuming the role of Secretariat for the High National Reconciliation Council, Leadership Commission and other committees and related bodies. The State ministry of peace is responsible for setting up agencies that are appropriate to the related needs and activities in the capital and provinces, and if necessary, overseas. The State Ministry of Peace operates within its role as the Secretariat under the leadership of the Leadership Commission.



Section Three: Roadmap for Intra-Afghan Negotiations

Creating the above-mentioned structures to ensure the legitimacy of peace process, effectively promoting intra-Afghan negotiations, will pave the way for a roadmap for direct negotiations with the Taliban based on the principles and values proposed. The roadmap includes the following components: It includes the agenda for negotiations, foreign relations, operations, securing public relations, implementation of peace agreements and securing national and international guarantees for lasting peace.

A) Negotiations Agenda

The Leadership Commission of peace process is tasked to determine the Agenda for negotiations, including putting issues in order to determine the essential lines of negotiation, investigating and discussing the content of the Agenda discussed in the working agenda committee within the framework of the Secretariat.

The Agenda Committee is tasked to compile an extensive list of all the issues to be discussed in the negotiations and then to categorize them into three categories; agreed topics, topics that need discussion and topics entailing conflict. The sorting of issues after they are finalized will form the basis of the topics (from easy to difficult) in the agenda of the discussions. The Working Agenda Committee is also required to elaborate the position of the Islamic Republic of Afghanistan on the issues listed in detail and to submit it through the Leadership Commission to the High Reconciliation Council for approval, which will form the draft of the essential lines of negotiations for the national negotiating delegation.

Given that the content of the formal intra-Afghan negotiations include a number of key and vital issues critical to the future of Afghanistan, the Agenda Committee is still obliged to consider the principle of foresight and create the following working groups with the **approval** of the Peace Process Leadership Commission in order to conduct the necessary investigations and formulate the essential lines in regards to discussed issues.

Working and Research Groups for Negotiations Agenda			
Issues set forth for discussion	First Working Group(Legal)	Second Working Group (Security)	Third Working Group (Economic)
	<ul style="list-style-type: none">- Amendment of the constitution- Basic Rights of citizens- Women's Rights- Electoral Reforms	<ul style="list-style-type: none">-Ceasefire- Monitoring violations- Prisoners Release- Integration of Taliban into Security institutions and registration of all combat equipment	<ul style="list-style-type: none">- Development and economic challenges- International assistance- Immigrants repatriation- Reintegration of fighters into society

B- Operational Arrangements:

Operational arrangements cover all logistical measures needed to launch and advance the negotiation process. In order to deal with the operational arrangements, the Leadership Commission of peace process mandates the working operational committee within the Secretariat framework to work in partnership with other institutions, including relevant foreign references and, if possible, using informal channels of contact with the Taliban to agree on launching negotiations program. This program includes determining the date and location of talks, list of participants (negotiating delegations/body), agenda, the formalities, logistical preparations, expenses, and if necessary, the role of host countries and the role of entities, mediators or facilitators. The government of the Islamic Republic of Afghanistan has allocated the necessary funds for the peace process to meet the requirements and operational arrangements for peace process.

C) Foreign Relations

Although the initiative, commitment and process of intra-Afghan negotiations must be largely in the hands of Afghans, but given the current conditions and realities on the ground, commitment and cooperation of involved countries in peace process is deemed valuable. Therefore, to ensure such foreign cooperation and support at the regional and international levels, and also governmental institutions, intergovernmental and non-governmental institutions at the national, regional and international levels that have supported the Afghan peace process and would like to cooperate with the process, it is essential that the Leadership Commission establish a foreign relations working committee to attract cooperation within the framework of the Secretariat. The Committee is tasked to convene a conference within a month after establishment of Leadership commission with the participation of ambassadors and authoritative representatives of countries and institutions cooperating with the peace process and request for their cooperation in regards to specific needed matters.

D) Communications and Media Outlets

In order to maintain confidentiality and ensure the safety of negotiations process, it is necessary to delegate media affairs and public relations to the Leadership Commission and be chaired by the Chairman and the deputies. The Secretariat also establishes a specific working committee, with the approval of the Leadership Commission, to develop a public relations strategy and to effectively run media affairs.

E) Unofficial Contact Channels with the Taliban

As it has been experienced in most similar negotiation processes elsewhere in the world, establishing and maintaining informal channels of contact with the other side is of particular importance. This is particularly necessary for pre-negotiation talks between the two parties in order to determine and agree on a negotiation roadmap and to proceed accordingly. At the



beginning, the creation of such channels is likely to be possible through the use of intermediary or third party bodies, but may later be created directly by representatives of both parties.

F) Ratification and Implementation of Peace Agreement

If the negotiation process succeeds and the peace agreement is reached, it is imperative to create the necessary structures and actions to finalize the peace agreement and implement its provisions. The Leadership Commission proposes creation of a joint commission for the implementation of the peace agreement.

G) Obtaining International Guarantees

In order to maintain the sustainability and irreversibility of the peace agreements resulting from the negotiations, there is need for consensus and commitment at the national level to obtain regional and international guarantees, including the approval of the UN Security Council. For this purpose, the Ministry of foreign affairs will take the necessary steps under the leadership of the Peace Process Leadership Commission and in cooperation with foreign relations committees and the implementation of the peace agreement.