

Reintegrating *Internally Displaced Persons* into a war-torn society

The United Nations strategy for Afghanistan

Course: UNISCA 2002
United Nations International Student Conference of Amsterdam

Central theme: Peace & Security

Period: 1st trimester 2002 (Conference: 11–16 November 2002)

Submitted to: UNISCA Foundation
Oudezijds Achterburgwal 237 phone: 0031 20 525 29 63
1012 DL Amsterdam e-mail: info@unisca.org

Submitted by: Andreas Amsler
Third Committee, Afghanistan

Addresses: Marnixstraat 401 Hohlstrasse 4
1017 PJ Amsterdam CH 8004 Zurich
The Netherlands Switzerland
phone: 062 758 41 28 phone: 0041 (0)79 518 32 37
(until 31 March 2003) e-mail: raembler@gmx.net

Contents

Acronyms	3
Introduction	4
1 Sustainable solutions for internal displacement	5
2 Internal displacement in Afghanistan	6
3 The United Nations engagement in Afghanistan	8
4 Main objectives: security and stability	11
4.1 Measures strengthening the new central Afghan rule	13
4.2 Conditions for a future Afghan constitution	14
5 Conclusion	15
References	16
Index of United Nations documents	17

Acronyms

AIA	Afghan Interim Authority (established 22 December 2001 for 6 months)
ATA	Afghan Transitional Authority (established 19 June 2002 by the Emergency Loya Jirga and supposed to govern for no longer than 24 months)
BAAG	British Agencies Afghanistan Group (a joint information project of several NGOs; based at the Refugee Council, London)
CID	Conflict-induced displacement
DDR	Disarmament, demobilization and reintegration (of combatants)
DID	Development-induced displacement
IHL	International Humanitarian Law
IHRL	International Human Rights Law
ICRC	International Committee of the Red Cross
ID	Internal displacement
IDP	Internally displaced person
IRL	International Refugee Law
ISAF	International Security Assistance Force
NRC	Norwegian Refugee Council (NGO; based in Geneva)
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNJLC	United Nations Joint Logistics Centre for Afghanistan
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNSMA	United Nations Special Mission in Afghanistan
WFP	World Food Programme

Introduction

This paper consists of four parts. Chapter One explains the connection between the return of internally displaced persons and the solution of the root causes that had led to their displacement. Chapter Two gives a characterization of the Afghan conflict and a view on the dimensions of internal displacement in the country over the last twenty-five years. Chapter Three describes and interprets the engagement of the United Nations in the Afghan case since the US-led intervention in October 2001. Finally, Chapter Four analyzes the outcome of the United Nations engagement up to now and states some measures to be taken to fulfill the preconditions for a sustainable return of internally displaced persons to and reintegration in their homelands. But, first, it has to be determined what internal displacement is.

The ‘Guiding Principles on Internal Displacement’ developed under the auspices of the Representative of the United Nations Secretary-General on Internally Displaced Persons and combined in 1998 to the first concise document dealing in particular with IDPs, offers in Principle 2 a relatively broad definition of what internally displaced persons are:

“[...] persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters and who have not crossed an internationally recognized State border” (Mooney 2000, 89).

As preliminary remarks some aspects of this definition have to be clarified. First, ‘internal displacement’ has to be distinguished from ‘internal migration’. In the context of this paper the latter is considered to be a voluntary act of persons changing their place of residence¹, whereas ‘internal displacement’ is defined to be *on principle* involuntary – may the people be explicitly ‘forced’ or be implicitly ‘obliged’ to flee. Internal displacement can further be distinguished by its root causes. According to Muggah we can define two differing kinds of root causes setting up the distinction between ‘conflict-induced displacement’ (CID) and ‘development-induced displacement’ (DID) (v. Muggah 2000, 259). Besides displacement in the aftermath of conflicts also severe natural or human-made disasters have to be mentioned as an immense cause of displacement. This paper will concentrate on CID in Afghanistan – with a side-glance on the other substantial factor of actual displacement in the country: the severe drought that is for a long time affecting many parts of Afghanistan.

¹ Nomadic habits are included among voluntary forms of migration.

1 Sustainable solutions for internal displacement

Concentrating just on the above cited definition of IDPs the solution to their plight seems to be obviously clear: With the return to their homelands their plight is over. Deplorably this quick conclusion doesn't reflect reality at all. It is true that the return of IDPs is a crucial step towards a (re)normalization of their lives, but it is not the initial and only measure to be taken. A crucial condition to be met is that the decision to return has to be left to the IDPs themselves. Their return can only be a fruitful step towards a sustainable solution, if it is their voluntary decision – otherwise it represents just another episode of displacement. As long as the root causes of the initial displacement are not tackled and solved², IDPs won't voluntarily return, because they cannot make out any or enough improvements achieved as compared with the situation of their forced or obliged flight. Concerning this fact it has to be stressed that “the actual displacement event is physically tangible” (Muggah 2000, 261), whereas the complex processes of return and reintegration of the displaced, that – realistically viewed – generally are lasting for decades, are more problematic. Muggah declares plainly what is needed to bring displacement and the plight of the persons concerned to an end: “adequate physical, political, cultural or socio-economic security in [their] regions of return” (ibid., 261f).

ID consists of several phases that require adequate provisions in each case. The pre-phase of displacement calls for preventive measures to protect people from “arbitrary displacement” (Mooney 2000, 84). During displacement the persons concerned need promptly protection and emergency assistance. The post-phase of return or resettlement and reintegration requires protection for and assistance to the displaced as well, but of a more substantial kind and under a long-term perspective. Further it is obvious that every post-phase of displacement represents at the same time already the pre-phase of next conflicts and possibly of (re)displacement, what has to be kept in mind and counteracted with preventive measures as well.

The main question of this paper is, how Muggah's structural preconditions for sustainable return and reintegration of IDPs can be achieved. Dealing with the actual case of Afghanistan this paper elaborates on the *cooperative* approach applied by the United Nations and organizations involved under its leadership.

² Cohen & Deng's remark that “military measures are likely to provide little more than momentary solutions” (Cohen & Deng 1998, 11) could again be confirmed by the situation in Afghanistan since October 2001.

2 Internal displacement in Afghanistan

The root causes of ID in Afghanistan can only be determined with regard to the root causes of the different conflicts that have been ongoing over the last twenty-five years. In particular one has to investigate if and to what extent those causes of conflict have been of ethnic or religious character. This clarification is crucial, because a ‘label’ (e.g. of having an ethnic motivation) once attached to a conflict can lead to inefficient or even false measures to bring it to an end – and even more to find substantial and lasting solutions for the future. Calling a conflict an ‘ethnic conflict’ refers Europeans as well as North Americans most likely to the conflicts on the Balkans during the Nineties of last century. But the history of the conflict in Afghanistan is completely different from those in the Balkans, and calls therefore also for a different strategy of the intervening international community.

The establishment of a socialist government in Afghanistan led in 1978 to the armed resistance of the Mujahideen. With the subsequent occupation of the country by Soviet troops the conflict intensified between, as Centlivres describes, a “regime under atheist leadership and patronage, and the Muslims in general, whatever their country” (Centlivres 2000, 422). In this stage the conflict can be said to have a strong *religious* motivation. Over the following decade more than three million people fled to Pakistan, and approximately the same amount sought refuge in Iran (v. Marsden 2001, 6). Additionally cases of CID occurred repeatedly during this period.

It is important to remark that since its foundation the Afghan state has never been characterized by a strong centralized rule or by a strong commitment of its citizens. Centlivres stresses, “the national awareness hardly coincided with the territory of the State” (Centlivres 2000, 419). The people living within those borders always defined their identities rather by their religion on the one hand and by their “belonging [...] to a region, tribe or ethnic group” (ibid.) on the other. The Afghan state itself was established in 1747 by the Pashtuns, and – what also has to be remarked – this ethnic group maintained its political dominance “despite the country’s ethnic heterogeneity” (Ahady 1995, 621) until 1992.

After the Soviet withdrawal in February 1989 the Soviet-backed government of Najibullah, a Pashtun, was expected to fall soon, but it did not entirely collapse until early 1992. During this time Pakistan made substantial efforts to get the predominantly Pashtun Mujahideen parties based in their country to build a coalition that could take over power in Kabul. But as Marsden stresses the so-called Afghan Interim Government (AIG) “was never more than a loose coalition of parties with very different agendas” (Marsden 2001, 17). Rather a coalition

of non-Pashtuns consisting of three ethnic minority groups of northern Afghanistan³ took over power in Kabul ending not only the communist era but, what is more important, also the political, two-and-a-half centuries lasting predominance of the Pashtuns. As Ahady states, from that time onwards the conflict “assumed *ethnic* character” (Ahady 1995, 628).

Subsequently the Pakistan-backed Pashtun party, Hisb-e-Islami, of Gulbuddin Hekmatyar got into severe struggle with the non-Pashtun coalition and in particular with the Tajik party of Rabbani and Masoud. Until 1996 the conflict led repeatedly to ID of Kabul residents. The often confusing situations of breaking up old and forming new alliances between the different groups – reportedly also *between* different ethnics, led to a constant instability and insecurity. Furthermore massacres of civilians had been committed – at least one reportedly also by Masoud’s group. Because of prevailing rivalries about the power-sharing the non-Pashtun coalition finally broke up, resulting in a massive bombardment of Kabul by Dostam’s Uzbek militia in January 1994, that led to the ID of hundreds of thousands civilians.

From October 1994 on the Pashtun group of the Taliban, that had suddenly appeared on the scene, quickly managed to capture the southern part of the country, predominantly inhabited by Pashtuns. With their military gain of the territory the Taliban set an end to inter-Pashtun rivalries, brought relative stability to the area and raised hopes in a new Pashtun rule in Kabul to come. On their subsequent advance northwards they also occupied non-Pashtun areas causing, in spite of their claim “to be above the tribal and ethnic divisions, and to recognize only [the] affiliation to a rigorous Islam” (Centlivres 2000, 425), renewed *inter-ethnic* conflict. In September 1996 they finally captured Kabul, where they – as everywhere before – introduced not only their rigorous restrictions, that violated Human Rights, but also forced through disarmament of the local people. It cannot be concealed that measures like the latter helped to bring a relative stability to the city, whereas the imposed ‘Talibanization’ on the population caused the more resistance and led to massive flights to Iran and Pakistan as the Taliban headed further eastwards to Herat and northwards to Mazar-i-Sharif and the Panshir valley.

Entering Uzbek, Tajik, and other ethnic minorities’ heartland the Taliban forces caused massive flows of IDPs⁴. The situation for the population in the North got more and more desperate, while also massacres had been committed. In May 1997 over 2000 Taliban prisoners had been murdered in Mazar-i-Sharif by order of an Uzbek commander, whereas the

³ The coalition was based on a deal between the Tajik party, Jamiat-i-Islami, of Burhanuddin Rabbani and Ahmed Shah Masoud, the Uzbek militia of Rashid Dostam, and the Ismailis under Sayyid Mansoor.

⁴ When they captured the Shomali valley in December 1996 around 200.000 people, primarily Tajiks, fled to Kabul, although they had to live there under the Taliban rule, but were not exposed to that extent to open fighting anymore (v. Marsden 2001, 21).

Taliban took revenge in August 1998 when they reentered the city and “deliberately and systematically killed thousands of ethnic Hazara civilians” (Marsden 2001, 22), as stated by Amnesty International at this time. The Hazara population, representing the religious minority of Shi’a Islam, was forced to flee. In September 2000 the Taliban takeover of the Tajik city of Taloqan resulted in the massive ID of over 250.000 people (v. *ibid.*).

Marsden finally states, that prior to the US-intervention totally over 1 million people had been displaced “by fighting or had moved away from their homes to other villages, or to urban areas, in the hope that they would find some means, albeit meagre, of survival” (*ibid.*, 12).⁵ The US-led military strikes launched in October 2001 caused the additional displacement of almost the entire population of the cities of Kandahar, Jalalabad and Herat, because of their fear of bombardment. A humanitarian catastrophe all-over Afghanistan was the result.

3 The United Nations engagement in Afghanistan

Generally it can be said that the United Nations engagement in the Afghan case has been intensified with almost any delay to the emerging of signs for an US-led military intervention from mid-September 2001 on. It is obvious that extensive talks between the United States, its allies and the oppositional Northern Alliance had been hold before they started their offensive against Taliban and al-Qa’ida forces. But the United Nations Special Envoy, Lakhdar Brahimi, also headed for the region for talks with both neighbor states and Afghan opposition groups. The strong engagement of the international community at a relatively early time led on 5 December 2001 to the important Bonn Agreement⁶ representing an initial political consensus about the near future of Afghanistan among the different parties involved. It did not set up finalities in an authoritarian way, but in *cooperation* with the anti-Taliban power groups laid out a transitional process that could guide the country from war to peace.

The United Nations strategy in Afghanistan differs decisively from its engagement in the Balkans. As stated in the Bonn Agreement, the UN committed itself to a rather limited political role. It got the peace process going, used its power during the negotiations to guide the parties towards a substantial agreement, but it did not take over the leading role to that extent like it did in Kosovo or in East Timor (v. *Chesterman* 2002, 37). Recalling the Afghan history there has always been a strong resistance to foreign rule, representing after religion

⁵ What additionally has to be considered is the fact that, as the IDP Unit of UNOCHA states in their report on 28 March 2002, the “majority of IDPs in west and north are drought-induced and [that] the preconditions for their return differ significantly from those of the conflict-induced IDPs” (NRC/global IDP project 2002, 1).

⁶ “Agreement on Provisional Arrangements in Afghanistan pending the re-establishment of permanent Government Institutions”, S/2001/1154 of 5 December 2001.

perhaps another of those rare ‘unifying’ factors among the Afghan people. Choosing its so-called ‘light footprint’⁷ strategy the UN also seemed to respect this fact.

The UN Security Council has been intensively engaged in the case: In late 2001 it passed three resolutions⁸ on Afghanistan, emphasizing in all of them in particular the right of the Afghan people to *self-determination*, but also setting out the Security Council’s expectations from such a new, self-determined authority. Thus it should namely lead to the formation of a government, second, be “broad-based, multi-ethnic and fully representative of all the Afghan people” (S/RES/1378 (2001), 2), third, “respect the human rights of all Afghan people, regardless of gender, ethnicity or religion” (ibid.), and finally, “facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced people, when the situation permits” (ibid.). Furthermore it has to be noted that already this first resolution of 14 November 2001 called upon UN member states to provide – besides support for the new authority to be established and urgent humanitarian assistance – also “long-term assistance for the social and economic reconstruction and rehabilitation of Afghanistan” (ibid.). Such a ‘long-term assistance’ requires an immense amount of money. At the Tokyo Conference the so-called ‘donor countries’ pledged about five billion dollars for the next years, of which some 1.5 billion have been disbursed in 2002.⁹ This money has both to finance the projects of the UN organizations engaged in Afghanistan and – to a prevailing share – also the establishment and the work of the new Afghan authorities, because of their actual lack of own receipts. The ATA gets indeed some money from cross-border trade taxes, but actually not all of this money is reaching Kabul – rather it is one of the sources of income of local leaders and warlords in the border regions. Concerning the use of the donor countries’ money the ATA continually complains that the share that is given directly to them is by far too small. Whereas the international community binds itself to an *assisting* role – assigning the ATA the primary political responsibility for the developments in the country, it obviously denies them the same responsibility or even the ability for the expenditure of the money. This fact is quite remarkable, because projects put through by and funded via the ATA would build trust among the citizens and enhance much more support for the ATA and any *political* Afghan institution to come – representing an inestimable value for a peaceful future of Afghanistan. The general elections to be organized by the ATA and held by July 2004 can

⁷ v. Chesterman 2002, 37.

⁸ S/RES/1378 (2001) of 14 November 2001, S/RES/1383 (2001) of 6 December 2001, S/RES/1386 (2001) of 20 December 2001; subsequently: S/RES/1401 (2002) of 28 March 2002, S/RES/1419 (2002) of 26 June 2002.

⁹ Nevertheless just Germany, the US and Japan kept their financial promises for the year 2002. At the second donors’ conference in Oslo (17–18 December 2002) further 1.23 billion dollars have been pledged for 2003, whereas expectations went up to some two billion dollars.

only have a successful outcome and a stabilizing effect, if they are supported by both a large and explicitly *trans-ethnic* part of the population.

The Security Council resolution of 20 December 2001 addressed one of the key issues for the future of Afghanistan: the security. The fourth preambulatory clause of the resolution is in particular noticeable, where the Security Council explicitly states, “that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves” (S/RES/1386 (2001), 1). This formulation again refers to the rather limited role the UN has given itself in the Afghan peace process. The mandate of the ISAF has been explicitly restricted to “Kabul and its surrounding areas” (*ibid.*, 2) to provide a secure environment for both the AIA (and subsequently for the ATA) and for the UN personnel working on the scene. To actually enable the AIA (and the ATA) to exercise efficiently its security responsibility new Afghan security and armed forces have to be set up. To achieve this goal the ISAF was authorized to take over an assisting function in the establishment and the training of those forces. Considering the actual outcome of those activities it has to be remarked that the formation of a functioning Afghan army, being able to provide security and stability all-over the country and holding the Afghan state together, will be a task for the international community for at least the next five to ten years.

On 21 December 2001 the General Assembly passed its resolution 56/220 B entitled ‘Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan’ representing a key document for the future of the country, moreover also addressing in particular the issue of ID. According to the three phases of displacement the resolution’s content can be summarized as follows: Dealing with the *pre-phase of displacement* it sets out the main root causes of ID in Afghanistan: conflicts and natural disasters – the country is now for four years affected by a devastating drought, that has led for example in 2000 to an estimated crop deficit of 57 percent¹⁰. Additionally the precarious Human Rights’ situation – the discrimination or marginalization of parts of the population, in particular of women and children¹¹ – is mentioned as a general cause, as well as violations of IHL and IHRL. Concerning the provision of emergency assistance and protection *during displacement* the problem of “limited access to certain areas of Afghanistan” (A/RES/56/220 B, 4) and to certain parts of the population is addressed. Like the Security Council’s statement about the primary responsibility for *security* in the country the General Assembly states, that “the responsibility for the *solution of the humanitarian crises* lies above all with the Afghan

¹⁰ v. Pohly & Durán 2002, 150.

¹¹ v. A/RES/56/220 B, 4.

people themselves” (ibid., 5). It calls upon all parties not to hinder the efforts of United Nations and humanitarian personnel – referring explicitly also to the staff of NGOs – to provide humanitarian aid to all people in need. Conscious of the ‘freezing’ effect that a long-term delivery of humanitarian aid without any perspective towards a fundamental change of the situation can have for IDPs, the resolution sets out, that the UN organizations and institutions involved have to cooperate from the beginning on a joint strategy ensuring a “smooth transition from relief to development” (ibid., 6).

With regard to the *return of IDPs to and reintegration in their homelands*, the resolution finally addresses the actual situation in the country. And it sets out some priorities an UN strategy for reconstruction and rehabilitation has to cover, those are “measures [...] for demining, disaster reduction and the disarmament, demobilization and reintegration of combatants” (ibid.). Efficiently tackling and lastingly solving those problems is *the* important step towards a situation of security and stability that in fact can lead to a real end of displacement.

4 Main objectives: security and stability

The security situation in Afghanistan has to be looked at by at least two perspectives. *First*, there are fundamental physical threats to the people proceeding from both military remains such as landmines or unexploded ordnance and simply from the fact that the prevailing part of the country’s infrastructure has been damaged or totally destroyed by the fighting. The immense number of anti-personnel landmines all-over the country is not only directly hindering the IDPs to return, but furthermore constitutes also “a major obstacle [...] to the resumption of agricultural activities” (A/RES/56/220 B, 4) further implicating the physical threat of lacking food. Moreover, the actual drought is rendering any effort to improve the physical security of the people all-over the country even more difficult.

Second, the established central regime in Kabul is not yet enough strong to substantially decrease the power of local leaders and warlords in the provinces, what would be an important step towards an equal situation of security and stability all-over the country. Several of those local powers still maintain their own armies creating persistent insecurity and preventing any improvements towards the establishment of a general rule-of-law, all people can rely on.

Strategies of demining and neutralization of ordnance are well-known and have been continually improved during their application in many areas of conflict, suggesting that the international community is relatively promptly able to tackle this problem with visible outcomes. Although an adequate disposability of resources is needed to achieve substantial effects. In Afghanistan mine action programmes have in fact been established and are actually carried

out by several NGOs. Also a wide range of reconstruction programmes has been set. To enable reintegration of refugees and IDPs those programmes are aiming at creating livelihoods and employment possibilities to *sustain* the returnees in their homelands. The UNDP development activities comprise both “rural and urban rehabilitation and infrastructure reconstruction, as well as rehabilitation of the disabled and points of origin interventions for IDPs and other vulnerable groups” (el Nour 2001, 6). It has to be noted that all projects to be implemented under the UNDP approach explicitly level at the “strengthening of community self-help” (ibid.), underlining the *assisting* role the international community is taking in Afghanistan.

However, the question, how to deal with the problems caused by entities impeding¹² the actual approach to stabilize the country by the establishment of a new *central* rule through the ATA cannot be tackled directly by the international community in the same way setting up and implementing programmes of action. With regard to the primary responsibility for security and stability assigned to the Afghan people¹³ it is both evident and necessary that disarmament, demobilization and reintegration (DDR) of the combatants of those private armies is, first, the task of the ATA and its succeeding institutions itself, and, second, has to be carried out by its own military forces and administrative offices. But, as stated above, both the formation of an Afghan Army and the establishment of reliably functioning governmental institutions – in particular also their representations in the provinces – is proceeding slowly.¹⁴

The importance of the solution of the problem of impeding authorities has to be emphasized, as el Nour states that “the DDR activity remains the most critical one for ensuring human security and development” (el Nour 2001, 2) in Afghanistan. The vicious cycle of a severely reduced national economy having been almost exclusively depending on the continuance of conflicts for more than a decade, and a military sector that has often offered the only and relatively profitable employment opportunities for many young men, has to be broken through. To enable the ATA to solve this crucial problem that is reportedly still hindering to a serious extent the return and reintegration of refugees and IDPs and furthermore undermining any

¹² i.e. local leaders and warlords with their private armies.

¹³ v. S/RES/1386 (2001), 1.

¹⁴ Referring to the United Nations commitment to a joint relief and development strategy (cf. chapter 3, p. 11) the importance of not only the disarmament and demobilization of fighters but also the need for programmes to *reintegrate* them into civil life – leading to a sustainable social and economic stabilization of the country – has to be outlined. In a first phase, projects, such as actually provided by the UNPD, that organize “ex-combatants [...] in many food for work projects to support their reintegration and further benefit from their services in community rehabilitation works” (el Nour 2001, 6) are considered to be of a particular high value. Furthermore the approach to employ ex-combatants in demining projects, is in particular interesting. First, they often have the basic knowledge how to deal with mines already and, second, their employment in such projects reducing physical threats and helping to create security can create new trust between former soldiers and civilians – what is in particular also important for the formation of a new national army, people trust in.

programmes for reconstruction and strengthening of the civil society compared to the military rule of the past, the ATA has to be strengthened with priority.

4.1 Measures strengthening the new central Afghan rule

As a first measure the donor countries and the international community have to increase the share of money that is given *directly* to the ATA to fund both the establishment and strengthening of its institutions, and reconstruction and reintegration projects planned and carried out by itself or at least under its auspices. The apprehension that in shifting more executive power to the ATA the international community will lose its control over the projects and the expenditure of the money to an irresponsible extent, I consider not to be true. First, the international community has still a strong say through the UNAMA framework that is cooperatively working together with several Afghan ministerial departments. Second, the donor countries are further able to use their power in giving money to the ATA, only if its projects fulfill the conditions determined in the UNAMA framework, and if the ATA provides the international community periodically with substantial information over the planning, state and evaluation of its projects.

Measures the ATA has to take (in co-operation with the UNAMA) to expand its power all-over the country can idealistically be carried out under two differing approaches: a 'positive' and a 'negative' one. In solving the problem of entities impeding the establishment and the activities of the ATA I consider a combination of both approaches to be most effective.

First, under the 'negative' approach the influence of local powers and warlords has to be actively decreased. For that purpose it has to be taken into account, that their power is to a large extent economically based. In their territories of authority they are holding economic monopolies that make the people under their regime dependent on them. Additionally those monopolies are providing them with the means to carry on their business, consisting to a large extent of drugs and arms trade, and to continue their authoritarian regimes, maintaining private armies and further reportedly suppressing returnees and minorities. To effectively decrease those economic monopolies the importance of two aspects of the actual reconstruction programmes in Afghanistan has to be stressed: the tasks of road construction and trade incentives.

Roads will establish a mutual exchange of goods, services and furthermore enable communication and interaction both within and between neighboring provinces and with the country's capital. Central influence could be increased whereas local power decreases. With regard to the prospects for a central rule in the country, the reconstruction of roads will boost political

support for Karzai's government bringing welfare to different regions. However the topography of the country – with the Hindu Kush separating the relatively flat areas of the country's West, South and South-East from the mountainous North and North-East regions – impedes a system of connexions that would allow direct linkages of a majority of the provinces to the central seat of authority in Kabul, I consider the structural effects of ringing the Southern half of the country to be immense – both economically for the region itself as politically for the central authority. But, also the linkages between the North and the capital have to be improved, to embrace those regional powers into the new central rule. The positive effects of reconstruction programmes have to reach all people of the country: only if their lives ameliorate, they will support the ongoing political change.

Trade incentives have to be provided to further the formation of a productive private economy as the structural basis for welfare within the country. To further allow economical growth the reestablishment with several trade links between Afghanistan and its neighbor countries are needed. Generally cross-border trade has to be encouraged so that new capital can flow into the devastated country.

4.2 Conditions for a future Afghan constitution

Second, under the 'positive' approach local powers have to be politically included into the process to establish a central rule for the country. With regard to the new constitution to draw before the general elections in 2004 this task is crucial for a sustainable political stabilization of Afghanistan. As the Minority Rights Group report of October 2001 emphasizes, "any political proposals for the future of Afghanistan must take into account the interests of all ethnic groups and main religious minorities, include their active participation and provide for their appropriate representation in government" (Marsden 2001, 3). However, the international community has to be aware of the fundamental gaps existing between its 'Western' expectations towards a new constitution and the Afghan political realities founded in its Islamic traditions. Taking into account the importance of Islam and the diversity of regional, tribal and ethnical rule within the country, and referring to the character of political systems prevailing in Islamic countries today, it is obvious that Western models of state structure and governmental rule cannot succeed in today's Afghanistan. Although the political situation and the topography of the country could plead for a federative organization of the state, such approaches from outside would just fail if applied at the moment. It has to be recalled that also the federative models of present states of the 'Western world' could just succeed after there was a central rule, that unified nations first and had then to be reformed by steps shifting power downwards.

What furthermore complicates the search for a solution of constitutional questions is the fact that a future nation-state of Afghanistan will have to deal with strong and long-time established cross-border ethnicity relations. To prevent further – possibly secessional – conflicts a restored nation-state of Afghanistan has to find a reliable compromise between a gradual distribution of power to its regions and the maintenance of a central, unifying rule.

5 Conclusion

As el Nour states at the end of November 2001, during the last decade the Afghan conflict “had developed a life of its own” (el Nour 2001, 2). After the rapid defeat of the Taliban in late 2001 and the – contrary to its promise given to the US and its allies – immediate marching-in of the Northern alliance into Kabul, there was an acute danger again, that military actions had been creating realities, that could prevent any further attempts to solve this intra-state conflict politically. However, summing up the developments over the year 2002, in spite of all difficulties and dangers, the achievements of the political processes and reconstruction programmes set up have been remarkable. Now the international community has to continue and to intensify its assisting engagement in Afghanistan and the Afghan leadership has to proof its ability to be a reliable political partner – both within its country and on the international level. A broad-based political solution supported by different Afghan factions and an ongoing process of reconstruction of infrastructure combined with an intensified socio-economic reintegration, offers good prospects for IDPs to return to their homelands and resume a normal life there.

References

- AHADY, Anwar-ul-Haq (1995): The Decline of the Pashtuns in Afghanistan. In: Asian Survey, Volume 35, Issue 7 (July 1995), p. 621–634.
- BAAG (2002): BAAG Afghanistan Monthly Review (November 2002). In: <http://www.reliefweb.int/w/rwb.nsf/VOCHARUAllLatestEmergencyReports/30CF502F25FCC59D85256C92006B5863?OpenDocument> (19/12/02).
- CENTLIVRES, Pierre & Micheline Centlivres-Demont (2000): State, national awareness and levels of identity in Afghanistan from monarchy to Islamic state. In: Central Asian Survey, Volume 19, Issue 3/4 (September/December 2000), p. 419–428.
- CHESTERMAN, Simon (2002): Walking Softly in Afghanistan: the Future of UN State-Building. In: Survival, Volume 44, Issue 3 (Autumn 2002), p. 37–46.
- COHEN, Roberta & Francis M. Deng (1998): Masses in Flight: the global crises of internal displacement. Brookings Institution Press: Washington.
- EL NOUR, Ashraf (2001): Demobilization of Combatants and Generating Livelihoods/ Employment for Returning Refugees and Displaced People in Afghanistan. UNDP draft working paper (26 November 2001). In: http://www.pcpafg.org/reconstruction/document_paper/Afghanistan_Demo_outline.pdf (22/11/02).
- HARPVIKEN, Kristian Berg (1997): Transcending Traditionalism: The Emergence of Non-State Military Formations in Afghanistan. In: Journal of Peace Research, Volume 34, Issue 3 (August 1997), p. 271–287.
- KEELY, Charles B. (1996): How Nation-States Create and Respond to Refugee Flows. In: International Migration Review, Volume 30, Issue 4 (Winter 1996), p. 1046–1066.
- KOHLI, Atul (1997): Can Democracies Accommodate Ethnic Nationalism? Rise and Decline of Self-Determination Movements in India. In: Journal of Asian Studies, Volume 56, Issue 2 (May 1997), p. 325–344.
- MARSDEN, Peter (2001): Afghanistan. Minorities, Conflict and the Search for Peace. Minority Rights Group International: London.
- MOONEY, Erin D. (2000): Principles of Protection for Internally Displaced People. In: International migration: quarterly review of Intergovernmental Committee for European Migration, Volume 38, no. 6 (2000), p. 81–102.
- MUGGAH, Robert H. C. (2000): Capacities in Conflict: Resettlement of Conflict-Induced Internally Displaced People in Colombia. In: The Eastern Anthropologist, Volume 53, no. 1–2 (2000), p. 259–292.
- NOJUMI, Neamatollah (2002): The rise of the Taliban in Afghanistan: mass mobilization, civil war, and the future of the regime. Palgrave: New York.
- NRC / GLOBAL IDP PROJECT (2002): Drought-induced IDPs' needs differ from those of conflict-induced IDPs in the return phase (March 2002). In: <http://www.db.idpproject.org/Sites/idpSurvey.nsf/wViewCountries/FD8DADE12273C167C1256B90005068DB> (08/01/03).

- POHLY, Michael & Khalid Durán (2002): Nach den Taliban. Afghanistan zwischen internationalen Machtinteressen und demokratischer Erneuerung [After the Taliban. Afghanistan between international power interests and democratic renewal]. Ullstein: München.
- SAIKAL, Amin (2002): Afghanistan after the Loya Jirga. In: *Survival*. Volume 44, Issue 3 (Autumn 2002), 47–56.
- TOLIPOV, Farkhod (2001): Nationalism as a geopolitical phenomenon: the Central Asian case. In: *Central Asian Survey*, Volume 20, no. 2 (2001), p. 183–194.
- UNDP (2001): A transition strategy for Afghanistan and the immediate region (30 October 2001). In:
http://www.pcpafg.org/reconstruction/related_docs/UNDPStrategy_Afghanistan_Crisis.pdf
 (22/11/02).
- UNHCR (2002a): Afghanistan Humanitarian Update (no. 66/17 December 2002). In:
<http://www.unhcr.ch/cgi-bin/texis/vtx/print?page=home&tbl=NEWS&id=3dff4baf4>
 (19/12/02).
- UNHCR (2002b): Considerations Relating to the Provision of Protection and Assistance to Internally Displaced Persons in Afghanistan (July 2002). In: <http://www.unhcr.ch/cgi-bin/texis/vtx/home/+AwwBmaeipBpwwwwqwwwwwwwFqo20I0E2gltFqoGn5nwGqrAFqo20I0E2glcFqVpGdVo5odDaqddGoDwBodDDzmxwwwwwww/opensdoc.pdf> (19/12/02).
- UNJLC (2002): UNJLC Bulletin (no. 41/2002). In:
<http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/6679bd38362ac7d749256c7800223606?OpenDocument> (22/11/02).
- UNOCHA (2002): Transitional Assistance Programme for Afghanistan 2003 (19 November 2002). In:
<http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/d178542fcabc4e36c1256c6f0054f9ab?OpenDocument> (22/11/02).
- WEINBAUM, Marvin G. (1989): The Politics of Afghan Resettlement and Rehabilitation. In: *Asian Survey*, Volume 29, Issue 3 (March 1989), p. 287–307.
- WFP (2002): WFP Afghanistan weekly situation report (13–19 November 2002). In:
<http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/fc0018852ab77ca449256c79001f708c?OpenDocument> (22/11/02).

Relevant United Nations Security Council (S) and General Assembly (A) documents

- S/RES/1419 (2002) of 26 June 2002.
- S/RES/1401 (2002) of 28 March 2002.
- A/RES/56/220 A–B of 21 December 2001.
- S/RES/1386 (2001) of 20 December 2001.
- S/RES/1383 (2001) of 6 December 2001.
- S/2001/1154 of 5 December 2001 (“Bonn Agreement”)¹⁵.
- S/RES/1378 (2001) of 14 November 2001.

¹⁵ “Agreement on Provisional Arrangements in Afghanistan pending the re-establishment of permanent Government Institutions”.