

## Civil Society Position Paper:

### Inclusion of Afghan non-dominant minorities in the peace process

#### Introduction

Over the last 20 years, Afghanistan has gone through fundamental political and economic changes after a long history of conflicts. A major breakthrough has been achieved through the “Bonn Conference 2001” with a new political landscape for Afghanistan. It offered a vision of a new Constitution, political development, and a state-building with a broad-based government of some ethnic groups<sup>1</sup>. At the same time, the Afghan government has made a number of peace initiatives such as the establishment of the Commission on Consolidation of Peace in 2005, High Peace Council in 2010, office opening for Taliban in Doha, and a unilateral week-long nationwide ceasefire in June 2018. But these endeavors haven’t been quite successful to lay out a feasible way forward for an inclusive peace process in Afghanistan for all ethnic and religious groups.

Afghanistan is consisted of different ethnic groups but only 14 of them have been named in the constitutions. The post-Bonn international sponsored state-building has provided a ground for only four dominant ethnic groups, namely Pashtun, Tajiks, Hazara, and Uzbeks for power-sharing and to control the state institutions. The non-dominant minorities continue to suffer from lack of political representation, legal protection, and fair economic development<sup>2</sup>. As a result, they couldn’t meaningfully engage in state-building process and current peace process<sup>3</sup>. The US-Taliban peace agreement in February 29, 2020 and recent breakthrough deal in peace talks opened up an unprecedented window of opportunity to develop an inclusive peace process<sup>4</sup> and generate a possibility of putting an end to the exclusion that has never taken into account yet.

On 11-13<sup>5</sup> December 2020, the civil society members in close consultation with 130 representatives from non-dominant minorities from different provinces, Afghan officials and peace stakeholders came together in Kabul to identify and debate key concerns, needs, and priorities for the inclusive peace process against a backdrop of the exclusion of non-dominant minorities from national political representation, peace process and fair socio-economic development. Some of these points include: the development of an inclusive national identity, governance system that fits in the context of the nation of minorities, cultural diversity, plural identities, and particularly re-establishment of political authority. For the sake of political stability, peace and prosperity in Afghanistan, it is important that both the Afghan government and the Taliban should hear the voices of the country’s civil society as below:

#### 1. Broad-based inclusion in peace process

The global experiences show that peace processes that are more inclusive have a better chance of success<sup>6</sup>. Since it leads to more public support from different groups with greater legitimacy and national ownership. The UN has already defined ‘inclusivity’ as “the extent and manner in which the views and needs of parties to the conflict and other stakeholders are represented<sup>7</sup>. Inclusive peace doesn’t mean to give everyone a seat at the negotiation table; rather it creates an opportunity for voices and needs of all groups to be heard and integrated in the peace process. The recent resistance of the Taliban group on US-Taliban agreement as a ‘mother deal’ and use of ‘Hanafi Fiqh’ (Hanafi Jurisprudence) as the sole religious reference for the peace talks in Doha, is deeply concerning. This

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<sup>1</sup> “Afghanistan constitutional and political development” ODI, 2003  
<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/5890.pdf>

<sup>2</sup> “Toward an Inclusive, lasting and Sustainable Peace: Recognize, Legitimize and Empower Afghan Non-dominant minorities” HRVEO, 2020.

<sup>3</sup> Ibid.

<sup>4</sup> “Afghan gov’t, Taliban announce breakthrough in peace talks” Aljazeera, December 2020  
<https://www.aljazeera.com/news/2020/12/2/afghan-govt-taliban-announce-breakthrough-deal-in-peace-talks>

<sup>5</sup> Two different events (2-day evidenced-based workshops and 1-day national conference)

<sup>6</sup> <https://www.c-r.org/news-and-insight/why-does-inclusion-matter-peace>

<sup>7</sup> [http://cmi.fi/wp-content/uploads/2020/10/Inclusive\\_Mediation\\_Process\\_Design\\_infographic\\_web-1.pdf](http://cmi.fi/wp-content/uploads/2020/10/Inclusive_Mediation_Process_Design_infographic_web-1.pdf)

indicates that hard battle for ethnic religious and linguistic diversity in Afghanistan still goes on.<sup>8</sup>The Afghan government also adopted an elite-led structure for the peace process that might put its nation-wide legitimacy at high risks. It is strongly urged to move beyond the views and needs of political elites and Taliban's rigid position and engage people from all different groups in the peace process as below:

#### **Recommendation:**

- 1.1 We urgently call on both parties to make democratic space for direct engagement of non-dominant minorities by developing inclusive mechanism in support of their participation in the peace process and potential post-peace political settlement. Non-dominant minorities have suffered from entrenched discriminatory practices, structural discrimination and cultural stereotypes that are the biggest barriers for preventing them from using the same public space available to other dominant groups and privileged citizens.
- 1.2 Inclusive peace process requires to go beyond dominant political parties, elite women organizations, urban-based civil society and advantaged youths. The views, concerns and needs of all ethnic, religious, and linguistic minorities across Afghanistan must be represented, and integrated into all phases of peace process - before, during and after a peace agreement - for helping our country recover from long period of violent conflicts.
- 1.3 The peace process should consider, acknowledge and explore ways towards eradication of socio-political, economic and other structural and institutional inequalities of non-dominant minorities to avoid a somewhat similar ethnicization of society in the 1990s. Any such discussion should be accompanied by the perspectives from all ethnic and religious groups for the promotion of plural society and protection of cultural diversity. This conversation is more important than stressing the ethnic differences in Afghanistan.
- 1.4 The peace process is center-driven but should go beyond the Kabul city, across all Afghanistan to hear and engage ordinary people including non-dominant minorities.

## **2. Protection of cultural diversity and plural identities**

Afghanistan is comprised of different ethnic groups. Fourteen of these are named in the Afghan constitution, a few others, such as Pamiri, Sikhs, Hindus, and many more, have been left of the Constitution<sup>9</sup>. The multiplicity of identities should have contributed to positive impact and complementary role to socio-political development in the Afghanistan's history. Unfortunately, they haven't been used to enrich national culture in practice, but instead, led to ethnic and linguistic tensions. In consultation with our members in civil society and minority, we found that cultural diversity and plural identities counter division and promote sustainable peace in Afghanistan. They also stated that minorities not only face serious threats, discrimination, and exclusion from taking part in the economic, social and political life, but also face new challenges, including policies, decision making in the peace process that may unjustly impede or even violate minority rights in Afghanistan.

#### **Recommendation**

- 2.1 The Taliban should acknowledge the fact that there are ethnic, religious, and linguistic diversities in Afghanistan. So far, the Taliban has consistently ignored this important fact. As long as the Taliban fails to acknowledge these cleavages and ethnic and religious fabric of Afghan community, it cannot secure sustainable peace in Afghanistan. Having acknowledged the existence of the aforementioned prejudices, both parties should address the inclusion of non-dominant minorities in Doha peace talks.
- 2.2 Respect and protection of plural identities in Doha peace talks will make the way forward for all groups to feel secure which in turn will encourage them to remain committed to Afghanistan's national interests, ensure long-lasting peace, contribute to the post-peace development and preserving its territorial integrity.
- 2.3 Solving the crisis of long history of conflicts in Afghanistan depends on adopting pluralistic national identity. This should be one of the key agenda of Intra-Afghan Peace Talks in Doha. And this must be accepted by all different religious, ethnic and linguistic groups. Concept of pluralistic national identity will build trust and cooperation between dominant and non-dominant ethnic groups in Afghanistan.

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<sup>8</sup> <https://www.nytimes.com/2020/10/02/opinion/afghanistan-peace-talks-doha.html>

<sup>9</sup> Constitution of Afghanistan, Chapter one, article four, 2004,  
<http://www.afghanembassy.com.pl/afg/images/pliki/TheConstitution.pdf>.

- 2.4 Special Committee consisted of all non-dominant minorities should be established within the structure of the Afghan High Council for National Reconciliation to address all issues related to minorities.

### 3. Fundamental rights, social justice and constitutional protect

A just and lasting peace is a key condition to ensure democracy and people-centered development process through protecting the fundamental rights of all citizens regardless of their religion, ethnicity, language and sex, supporting social justice that ensures equal economic opportunities and socio-political rights for all, and securing constitutional rights of citizens against violation. For inclusive peace, the root-causes of conflicts should be carefully discussed in the light of human rights and other legal platforms. As per our consultation, almost everyone urged that the Taliban and the Afghan government not to compromise the nation's hard-gained achievements of the past 20 years during peace talks in Doha.

#### Recommendations

- 3.1 Both parties must protect minority rights as one of the key agenda of intra-Afghan peace talks in Doha. Both should adequately reflect all issues related to non-dominant minorities in the light of existing international legal frameworks in peace agreement and potential post-peace political settlement.
- 3.2 Since lasting pace requires serious attention to socio-economic and cultural dimension, Government should diversify the scope of peace process to move beyond political and military dimension. The legitimacy and national ownership of peace process requires to adopt multi-stakeholders approach including marginalized minorities.
- 3.3 We strongly urge both Government of Afghanistan and Taliban to promote dialogue and trust to help non-dominant minorities, specially to facilitate direct communication between non-dominant minorities and negotiation delegations so that their concerns, demands and priorities could be heard.
- 3.4 The peace process is extremely top-down, yet to include the representative of non-minorities in negotiation delegation, national reconciliation leadership committee and general assembly.

Afghan Civil Society  
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