

***CITpax INITIATIVE ON PEACEBUILDING
AND GOVERNANCE IN AFGHANISTAN***

**The Role of the International Community in the Reform of the Police,
the Judicial System, and the Local Administrative Sector**

Madrid – 7 February 2007

Centre for Political and Constitutional Studies,
Plaza de la Marina Española, 9, Madrid

**Afghanistan and the Impact of NATO's Adaptation to the New
Challenges**

Seville - 8 February 2007

Fundación Tres Culturas
Pabellón Hassan II, C/Max Planck, 2, Isla de la Cartuja, Sevilla

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The *CITpax Initiative on Peacebuilding and Governance in Afghanistan* aims at analysing and strengthening the contribution of the international community, in particular NATO, the EU and the UN, to the indispensable reform of the police, the judicial and the provincial and local administrative system. By analyzing the current situation and most urgent needs, the initiative seeks to foster the coordination and the complementarities of the main international actors as well as the continued commitment of the international community in Afghanistan.

A technical seminar that will take place in Madrid on February 7th will explore possibilities for a more effective, coordinated action from the various international actors in the reform of the security sector, the judicial system and the decentralised administration. The participants will analyse the current means deployed and will put forward practical recommendations aimed at helping the various international actors tackle efficiently the complexity of the tasks at hand.

The conclusions reached in the technical seminar will be discussed in the context of a high level group by university students in Seville who will put forward questions to NATO's Secretary General, Jaap De Hoop Scheffer and to the Spanish Minister of Defence, José Antonio Alonso during a working lunch held the following day. Students will continue the discussion in the afternoon with some of the leading figures of the Afghan peacebuilding process.

Context and Objectives of the Initiative

As new international actors take over reconstruction and reform tasks, increasing therefore the complexity of the reality on the ground and at the policy planning level, the question of coordination has become ever more critical for the success of peacebuilding efforts in Afghanistan. This is particularly true in the cases of security sector, judicial and administration reform, which are traditionally interconnected and require not only a coordinated and complementary approach at the conceptual and policy levels but also and above all, among the different international actors engaged in reform processes, both in the provinces and in the Ministries in Kabul.

Among the different capacity building and peace consolidation processes currently ongoing in Afghanistan, security sector reform (SSR) is the field that has raised the greatest interest. Recent efforts in this particular field seem to have delivered satisfactory results as far as the Afghan National Army (ANA) is concerned. With a plethora of international actors on the ground dealing with SSR, success will be highly dependant on how coordination of efforts is approached. The European Union will soon play a greater role in training Afghan police, either substituting or complementing efforts already undertaken by Germany and the United States.

The lack of a functioning judicial system is a major obstacle to any advances in security and governance. A model that takes into consideration traditional mechanisms for resolving disputes (*Shuras / Jirgas*) in accordance with international human rights

regulations has barely been developed. There is a need to balance the minimum international standards and the intrinsic characteristics of *Islamic Democracy*, by providing adequate resources to judges and prosecutors, and renewing jurisprudence. Efforts should not only take place at national/central level but also and perhaps more intensely at the provincial level. The reform program led by Italy will be reinforced soon by a European Commission Rule of Law operation.

An efficient public administration at provincial and local level is necessary to ensure that a coordinated reform of the police and the judiciary facilitates the consolidation of human security and the end of the current climate of impunity in Afghanistan. The 2005 election of local representatives should serve as a catalyst to empower provincial and district administrations. The international actors' presence at the provincial level is crucial as it will partner provincial and district administrations in consolidating the procedures and providing the services that will determine the stability and development of Afghanistan in the years to come.

A year after the adoption of the Afghanistan Compact in the London Conference, the time will be ripe to analyse the challenges facing security sector as well as judicial and administrative reform and how the international community can contribute to reach those objectives through Provincial Reconstruction Teams (PRTs) established by ISAF and led by NATO and through UNAMA, the civilian operation of the UN. It is also the moment to promote a better coordination and an enhanced integrated approach amongst the various international actors, that would best suit the needs of the Afghan people and guarantee the effectiveness of most needed reforms whilst being faithful to the parameters set in the Compact.

The purpose of the initiative organised by CITpax in collaboration with NATO, the Spanish Ministry of Defence and the Fundación Tres Culturas goes beyond making a diagnosis of the situation and developing generic recommendations to overtake current problems. It also aims at fostering the firm commitment of the international community, and in particular the EU, through action programmes, including the deployment of new civilian means for international crisis management for the consolidation of peace in Afghanistan.

Preliminary Work by CITpax

Through its first mission to Afghanistan in June 2006, CITpax has established contact with the Afghan government and with all the relevant international actors in the country. The mission included the participation of CITpax as an observer in the seminar organized by the Kabul ISAF Headquarters for the newly arrived PRT contingents in Qal-I-Naw, Farah, Herat and Maimanah, as well as a three day visit to the latter.

Technical seminar:

**“The Role of the International Community in the Reform of the Police,
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Introduction

This seminar aims at reaching consensus on recommendations for complementarities and effective coordination of the actions and missions deployed in the country by the international actors in the reform of the police, the judicial system and the administrative sector at the local and provincial level.

The seminar will be structured in two thematic and one plenary session. The thematic ones will be subdivided in two panels of one hour and a half each. In each panel, two or three speakers will take the floor for a maximum of 5 minutes each addressing the relevant questions and encouraging and leading the debate amongst the participants.

In the closing session, all participants will be encouraged to reach consensus in order to draft a summary of the discussions containing concrete policy recommendations and conclusions. To facilitate the agreement of the parties and to have a coherent discussion on the relevant issues, a working paper will be distributed in advance to all participants outlining the grounds for the recommendations and conclusions to be agreed and formulated during this last session.

The summary of the discussions will be distributed to university students in Seville on the next day in the framework of the meeting “Afghanistan and the Impact of NATO’s Adaptation to the New Challenges”. During a working lunch, students will be given the opportunity to ask questions to NATO’s Secretary General, Jaap De Hoop Scheffer and to the Spanish Minister of Defence, José Antonio Alonso, on the basis of this document and other background documents on the topic.

AGENDA

09:00 – 13:00 - Session One: Police, Justice and Administration Reform: Short and Medium Term Prospects

09:00 – 10:30 - First Panel

Welcome Remarks:

Emilio Cassinello, Director General CITpax
José Álvarez Junco, Director, Centre of Political and Constitutional Studies
Celia Abenza, Director General, Institutional Relations, Ministry of Defence, Spain

Moderator: Emilio Cassinello

Speakers:

Hanif Atmar, Minister of Education, Afghanistan
Christopher Alexander, Deputy for Political Affairs of the Special Representative of the Secretary-General for Afghanistan, UNAMA

10:30 – 11:00 - Coffee Break

11:00 – 12:30 - Second Panel

Moderator: Emilio Cassinello

Speakers :

Paul Turner, Relations with Afghanistan, European Commission
Pedro Serrano de Haro, Director, Civilian Crisis Management, EU Council
Mihai Carp, Deputy Head of the Crisis Management Policy Section, Operations Division, NATO

12:30 – 13:00 Partial Assessment of Needs and Capacities

Moderators:

Clare Lockhart, Director, State Effectiveness Initiative
Luis Peral, CITpax

Main issues to addressed and discussed during this session:

- Central vs. local approaches: Should the process (including training) stem from a local reform approach to further move to a reform at the central level? How

can the actors on the ground contribute to the effective coordination and implementation of reforms within the Ministries in Kabul?

- What are the main challenges specific to each sector reform and the means needed to tackle them?
- How can the civilian and military components of the actors on the ground be complemented in order to contribute more effectively to the various reform processes?
- Are the means currently deployed on the ground sufficient and adequately adapted to support the reforms at the local level? What human resources are currently being invested and what are the foreseen needs in the short (2 years) and medium (5 years) term?
- Are civilian experts working with local counterparts to build local capacities? Is the spirit of the “Afghan Ownership” being preserved?

13:00 – 14:30 – Lunch

14:30-17:30 – Session Two: Coordination of the International Actors: Towards a Greater Integrated Approach

14:30 – 15:45 - First Panel

Moderator and speaker (5minutes):

Francesc Vendrell, Special Representative of the EU to Afghanistan

Mihai Carp, Deputy Head of the Crisis Management Policy Section, Operations Division, NATO

15:45 – 16:15 - Coffee Break

16:15 – 17:30 Second Panel

Moderator:

Francesc Vendrell, Special Representative of the EU to Afghanistan

Speakers:

Christopher Alexander, Deputy for Political Affairs of the SRSG for Afghanistan, UNAMA

Hanif Atmar, Minister of Education, Afghanistan

Main issues to be addressed and discussed during this session:

- Have the existing coordination mechanisms at central level, namely the Joint Coordination and Monitoring Board (JCMB) and PRT Executive Steering Committee, worked efficiently? Could any other type of coordination mechanism at that level be envisaged in order to better meet the requirements on the ground agreed in the morning session?

- How can coordination both at central and local level be improved? Are local actors included in the equation? To what extent this is contributing to winning the “hearts and minds” of Afghans?
- Since 23 EU Member States have troops deployed in Afghanistan within the NATO/ISAF mission, and in view of the future EU missions on the ground, should the Union’s visibility be increased at the strategic coordination level both in Kabul and the provinces?
- What are the prospects of a change in the civilian-military ratio on the ground? How could it be articulated in order to ensure the efficient work of civilian missions with no military component?

17:30 – 18:30 – Conclusions and Recommendations

Chairpersons:

Clare Lockhart, Director, State Effectiveness Initiative

Luis Peral, CITpax

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The meeting aims at raising awareness amongst civil society and the student community of Seville, of NATO's role in Afghanistan and the international scene, as well as providing students with an opportunity to address their questions to those responsible for shaping the Alliance's policies.

The working lunch the subsequent discussion panels are conceived as an interactive exercise and a unique opportunity for prominent political figures to exchange views with university students on the role of the North Atlantic Alliance in Afghanistan. Questions will be drawn from a discussion session prior to the formal meeting, during which students from various backgrounds (law, political science, journalism...) will debate on different aspects of the role of NATO in Afghanistan, including all the matters that will subsequently be discussed with the panellists.

11.00 – 12.30 - Preparatory Working Session

Working Session with Students (8 groups of 8 to 10 people)

Clare Lockhart, Director, State Effectiveness Initiative; Adviser, ISAF

Enrique Silvela Díaz-Criado, Technical Cabinet Secretariat General Defence Policy, Ministry of Defence;

Luis Peral, Director, Conflict Prevention and Conflict Resolution Programme, CITpax

Enrique Ojeda, Director Fundación Tres Culturas.

13.00 – 14.30 – Working Lunch with NATO’s Secretary General and the Spanish Ministry of Defence

Introduction: *Enrique Ojeda*, Director Fundación Tres Culturas.

Shlomo Ben Ami, Vice President of CITpax

Speakers

- *Jaap De Hoop Scheffer*, NATO Secretary General
- *José Antonio Alonso*, Minister of Defence, Spain

Questions submitted by students of the University of Seville

15.00 – 18.30 - High Level Political Forum

15.00 – 15.45 – First Panel

Present and Future of NATO/ ISAF’s Role in Afghanistan: New Means for New Challenges?

Chairman: *Emilio Cassinello*, Director General CITpax

Speakers

- *General Lieutenant Bernardo Álvarez del Manzano Albiñana*, Commander of Operations Command, Spain
- *Jamie Shea*, Director, Policy Planning, Private Office of the Secretary General, NATO
- *Massoom Stanekzai*, Former Head of DDR for the Afghan Government and Former Minister of Communications, Afghanistan

15.45 – 16.30 - Open debate with students of the University of Seville

17.00 – 17.45 – Second Panel

The Need for a Comparative Advantages Approach: How can the action of the International Community be coordinated with NATO/ISAF's Mission in Afghanistan?

Chairman: *Luis Peral*, CITpax

Speakers

- *Hanif Atmar*, Minister of Education, Afghanistan
- *Christopher Alexander*, Deputy for Political affairs of the Special Representative, UNAMA
- *Francesc Vendrell*, EU Special Representative to Afghanistan.

17.45 – 18.30 - Open debate with students of the University of Seville

LIST OF PARTICIPANTS

Celia Abenza*, Director General for Institutional Relations, Ministry of Defence, Spain

Mohammad Hanif Ahmadzai*, Second Secretary, Embassy of Afghanistan, Brussels

Christopher Alexander*, Deputy for Political Affairs of the Special Representative for the Secretary General for Afghanistan, UNAMA

José Antonio Alonso Suárez, Defence Minister, Spain

Bernardo Álvarez del Manzano Albiñana, Commander of Operations Command, Spain

Hanif Atmar*, Minister of Education, Afghanistan

Peter Babbington*, ex-Director of the Afghanistan New Beginnings Programme, UNAMA

Mireia Barrachina Pló*, Programme Assistant, Conflict Prevention and Resolution Programme, CITpax

Mercedes Batiste*, Spanish Institute of Strategic Studies, Ministry of Defence, Spain

Pablo Benavides Orgaz, Spanish Ambassador to NATO

Shlomo Ben Ami, CITpax Vicepresident

Mihai Carp*, Deputy Head of the Crisis Management Policy Section, Operations Division, NATO

Emilio Cassinello*, Director General CITpax

Luis Cuesta Civis, Secretary General for Defence Policy

Richard Figueroa*, First Secretary of Culture, Education and Press, US Embassy in Madrid

Paul Fishstein*, Director, Afghanistan Research and Evaluation Unit (AREU), Afghanistan

Jean Fournet, Assistant Secretary General for Public Diplomacy, NATO

Vicente Garrido*, Director, Institute of International Affairs and Foreign Policy (INCIPE), Spain

Juan Garrigues*, Desk Officer, Latin America Programme, CITpax

* Participants attending the Madrid technical seminar on 7 February 2007

April D. Hahn*, Deputy Director of the elections and political process division. Office of democracy and governance, USAID

Jaap de Hoop Scheffer, General Secretary, NATO

José Álvarez Junco*, Director, Centre of Political and Constitutional Studies

Minna Kukkonen*, Crisis Management Initiative

Vincenzo Lattanzi*, Italian Justice Office Project Manager, Afghanistan

Clare Lockhart*, Director, State Effectiveness Initiative; Adviser, ISAF

José María López Navarro, Information Officer, Public Diplomacy Officer, NATO

Jordi Marsal*, President, Petitions Commission, Spanish Parliament

Aurora Mejía*, Cabinet of the Spanish President

José Antonio Mellado Valverde*, Head of Service, Sub Directorate General of International Police Cooperation, Security State Secretary, Spain

Pedro Moya, General Secretary, Exterior Action, Regional Government of Andalusia

Aly Nazerali*, European Representative, Aga Khan Development Network

Diego de Ojeda*, Cabinet of the Spanish President

Enrique Ojeda, Director, Fundación Tres Culturas

Javier Parrondo*, Spanish Embassy in Afghanistan

Luis Peral*, Director, Conflict Prevention and Resolution Programme, CITpax

Gabriel Reyes Leguen*, Desk Officer, Conflict Prevention and Resolution Programme
CITpax

Michael Richtsteig, Consul General, German Embassy, Seville

Jaime Rodríguez-Toubes*, Admiral, Director, Spanish Institute of Strategic Studies, Ministry of Defence, Spain

Félix Sanz Roldán, General, Chief of Staff for Defence

Pedro Serrano de Haro*, Director, DG E IX, Civilian Crisis Management, EU Council

Henne Schuwer, Ambassador, Director of the Private Office, NATO

Enrique Silvela Díaz-Criado*, Technical Cabinet Secretariat General Defence Policy, Ministry of Defence

Massoom Stanekzai*, Former Head of DDR for the Afghan Government and Former Minister of Communications, Afghanistan

Mohammad Suleman Kakar*, Senior Advisor to the Chief of Staff, Afghanistan

Paul Turner*, Relations with Afghanistan, European Commission

Jamie Shea, Director, Policy Planning, Private Office of the Secretary General, NATO

Francesc Vendrell*, Special Representative of the EU to Afghanistan

Andrew Wilder*, Research Director, Feinstein International Center, Tufts University, USA

100 University students and 17 professors: University of Seville, University Pablo de Olavide, University Huelva; Diplomatic School (Madrid), International University of Seville.

* Participants attending the Madrid technical seminar on 7 February 2007