

In the Name of God, the Most Merciful, the Most Kind

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## Corruption As the Main Barrier to Peace in Afghanistan

According to the new report released by UNAMA, though Afghanistan has taken specific reform initiatives in the Justice sector and policy making, corruption has been cited as the main obstacle to peace and prosperity in the country.

Afghanistan as a State emerging from conflict in 2001 had very weak institutions and an influx of outside funds. These two conditions provided incentives for officials to make corrupt deals for personal gain. Outsiders who were brought in to monitor and manage the transition were also at risk of becoming corrupt. The prior conflict was likely to have fostered a culture of secrecy and impunity where self-dealing was easy to conceal.

The new government could not encourage the development of a transparent and accountable government, especially considering those who gained financially from the conflict were in power and sought both to preserve past gains and to benefit from the rebuilding effort. As a result, the incidence and scale of corruption is especially high and destructive in Afghanistan. Political leaders have bought off powerful private actors with patronage, including criminal groups and wealthy business interests. Those powerful private actors also have bought off weak politicians with money or promises of future jobs and business ventures. This has caused the Afghan political system to be in a corruption trap where payoffs build in expectation of future payoffs, resulting in a vicious spiral.

The concrete efforts of the National Unity Government to counter corruption, in some cases, have bred instability and violence as those who benefited from the corrupt system struggled to maintain their positions. As conflict-prevention and peace-building have been supported by outside funds from international institutions, these funds in many cases simply have been diverted into the pockets of the powerful with some trickling down to the general population as a way to keep them quiet.

In Afghanistan corruption has undermined the reform agenda, and it has been the crutch on which some specific ethnic leaders rely to maintain power in a chaotic environment. In the longer term, if corruption is not limited, it may further delegitimize the state, leading to further outbreaks of violence, weakening the rule of law and increasing the crimes rate in the country.

However, the National Unity Government has taken specific measures to curb corruption; these include registration of the properties of the government officials and improvements in the ACJC. However, it is necessary that the NUG shall take more concrete anti-corruption initiatives in terms of employment, accountability, and assessing the officials of the courts, Ministry of Justices, and Ministry of Interior and other public institutions.

In spite of the weaknesses of both democratic and oversight institutions, Afghanistan looks to be on the road to controlling corruption through enhanced democratic accountability. Therefore, the NUG shall take specific measures to sustain its anti-corruption achievements based on a long term strategy to ensure peace and prosperity in the country.



## 'Republicanism' and 'Fundamental Rights' Non-Negotiable

By: Hujjatullah Zia

Approval of a democratic constitution in a traditional society of Afghanistan has been a great achievement. It has been the product of Afghans' sacrifices for their rights and freedoms and the democratic movements of some rulers in the past. In the post-Taliban Afghanistan, however, Kabul's international allies played an essential role in the approval of a democratic constitution, which advocates the equal rights, freedoms, and dignity of men and women. A number of political pundits believe that the Taliban's exclusion from 2004 Loya Jirga, convened to approve the constitution, had been a political error. However, the US Special Representatives for Afghanistan Reconciliation Zalmay Khalilzad, besides accepting underestimation of the Taliban's resiliency at the time, stated in his book "The Envoy" that "the Taliban made decisions via a shura of Islamic scholars. The very concept of a Loya Jirga was anathema to them, representing the democratic and national values they despised. Formally involving the Taliban, moreover, would have provoked the Northern Alliance's ire, jeopardizing the Loya Jirga's broader success".

It is believed that the Taliban's inclusion in the Loya Jirga would trigger many challenges. First, it would outrage the public conscience across Afghanistan since the Taliban spilled streams of blood and hatred against them surged up. Second, political parties in general and Afghan women in particular would show a backlash against formal presence of the Taliban in the Loya Jirga. Third, the Taliban would not be able to reconcile their radical ideology with democratic principles, which could lead the approval of a democratic constitution to stalemate. Therefore, accepting the Universal Declaration of Human Rights and United Nations Charter and accommodating equal rights of men and women would not be possible.

The Taliban's call for amending the constitution after reaching a peace deal suggests that they seek to include their Islamic sharia in the constitution. To this end, Afghan women fear that the Taliban would curtail their rights and freedoms if "Islamic Emirate" returns after signing peace accord with their interlocutors.

Khalilzad said, "I knew we would end up with a system that accommodated sharia principles and also committed Afghanistan to international norms, principles, and laws regarding human rights." He added, "Even during the pre-war period, when Islamic fundamentalism was a far less influential force in the country, the Afghan legal system had been based on a mix of French law and principles from

the Hanafi school of Islamic jurisprudence".

To resolve the issue through making a compromise, Khalilzad said Fazl Hadie Shinwari clarified that "the new government would ensure basic liberties and that it would not condone stoning and other harsh punishments permitted under the Taliban".

It should be noted that no individual or institution is allowed to curtail the rights of citizens through amending the constitution, as it states in Article 149 that "The principles of adherence to the tenets of the Holy religion of Islam as well as Islamic Republicanism shall not be amended. Amending fundamental rights of the people shall be permitted only to improve them." This Article suggests that Afghanistan will remain a republic state and changing it into "Emirate" is not permissible. Second, amending the fundamental rights, including one's rights to life and liberty, will be amended only for their improvement not restriction. Thus, protecting "republicanism" and "fundamental rights" of Afghan men and women are the "red line" of the current constitution.

Afghan Constitution has passed many ups and downs and evolved through the history. For instance, the last decade of King Zahir Shah was called "the decade of democracy" or "the decade of constitution" for advocating citizens' rights and liberties and approval of a relatively democratic constitution. That is, the current constitution of Afghanistan has received high impacts from that of Zahir Shah's. Meanwhile, King Amanullah Khan also supported the public rights and freedoms as he sought to modernize Afghanistan. In short, the seeds of democracy have been sowed by Afghan moderate kings.

Now Afghan nation and state have the responsibility to protect the democratic principles and fundamental human rights of citizens. Undoing democratic principles and constitutional values will deal a strong blow to the sacrifices made by Afghan men and women for supporting democracy and advocating their rights and freedoms.

The Afghan government and international community should support the peace talks that would guarantee the rights and freedoms of Afghan men and women. The Taliban have to understand that they would be no more able to sell their parochial mindset and radical ideology to Afghan people, who paid heavy sacrifices for democracy and determined to further fight for it.

Hujjatullah Zia is the permanent writer of the Daily Outlook Afghanistan and freelance writer based in Kabul. He can be reached at zia\_hujjat@yahoo.com

## In Defense of Europe

By: Michel Barnier

The geopolitical chessboard is back. Following a post-1989 interlude in which the direction of history seemed to tilt toward a peaceful liberal international order, we now witness mounting great-power competition, quests for hegemony, and quasi-imperial expansion. Russia is brazenly breaking international law and asserting its regional influence. China is engaging in strategic competition across the board and promoting an alternative international model. And the United States has chosen to defend its interests with unilateral action and pressure. Faced with this violent geopolitical awakening, Europe must take its future into its own hands. If we do not stand up to voice and defend our interests and values, the European Union and its member states will become others' prey in the new global (dis)order. The time has come for Europeans collectively to build their sovereignty in all areas where they want to be actors, rather than spectators: foreign policy and defense, economy and trade, digital technology, and environmental sustainability.

Under the leadership of European Council President Donald Tusk and European Commission President Jean-Claude Juncker, the EU has taken significant steps in this regard. We have sharpened our trade policy in response to the prospect of trade wars, and made our economy less vulnerable to foreign takeovers of strategic assets. In addition, we have invested in resilience to protect critical networks and infrastructure against cyber attacks.

Perhaps most surprisingly, we have taken big strides in pooling our defense efforts. Once a taboo, defense has become a political priority for the Commission. The €13 billion (\$14.6 billion) European Defense Fund, for example, will break new ground in joint planning and the procurement of common equipment.

But Europe can, and must, do more in this area. Outsourcing Europe's security is no longer an option. And although increased expenditures will make us stronger, they are not enough on their own. Europe needs a plan - a political compass - and our citizens expect one, too.

The EU's Global Strategy - spearheaded by Federica Mogherini, the EU High Representative for Foreign Affairs and Security Policy and Vice President of the Commission - set a new collective level of ambition for external European action back in 2016. But now, with other global powers racing ahead, and cross-border threats, from Riga to Nicosia, becoming increasingly common, this strategy needs to be updated and translated into foreign policy and defense planning.

The time is therefore ripe for a Strategic Defense Review, consisting of the joint assessment of the core threats Europe will face between now and 2030; strategic guidance about common priorities for the EU and its member states; and the translation of this into joint equipment and institutional structures.

While reaffirming NATO's core role in collective defense, this Strategic Defense Review must develop Europe's capabilities and enhance our readiness for common external action. We need unified capabilities to face new asymmetric challenges such as terrorism; cybercrime; disinformation campaigns; and chemical, biological, radiological, and nuclear threats. Cyber, in particular, is an area where our civil and military capacities must be scaled up to match future challenges. In addition, such a review should provide guidance to the European defense

industry as a core component of our security.

To sustain these efforts and deliver on a renewed level of ambition, we must also build our Foreign Policy and Defense Union. EU institutions and member states form one team. The aim is not to erode the sovereignty of member states, but rather to make all - and each - of us stronger.

A common foreign and defense policy takes advantage of the diversity of intelligence services, armed forces, equipment, and combat experience, together with the different regional outlooks - toward Africa, the Middle East, the Western Balkans, and Europe's Eastern flank - bequeathed to them by history and geography.

Within this framework, willing and capable member states should also act as ambassadors or lead countries in different areas. This would permit flexibility and consistency in regional formats or initiatives, and would also enable member states to use their influence to support both national and European interests.

In parallel, defense should be properly institutionalized at the EU level: a Defense Council to provide a platform for coordination among defense ministers, an Operations Headquarters to plan and conduct the EU's Common Security and Defense Policy, a responsive and efficient chain of command, and a full-fledged defense academy.

These practical steps will help foster a common European strategic culture and make European defense an operational reality. They will also better equip the EU to engage with strategic partners - first and foremost the United Kingdom, which will remain a key ally and strong partner after it leaves the bloc.

For too long, however, internal matters such as Brexit have monopolized European leaders' agenda at the expense of pressing security challenges. Stability in Africa, the peace process in Syria, the crisis in Libya, the Western Balkans, the Eastern Neighborhood, and the Arctic also deserve more of our attention, in addition to our capacity to engage with strategic partners.

Common security challenges should be on the European Council's agenda every three or six months. Through regular, structured discussions, leaders would address strategic trends and define a common course of action, using the EU's full foreign-policy toolbox.

At the same time, the EU must wield its foreign-policy tools - diplomacy, trade, development aid, and defense - in a more coherent manner. To meet the coming challenges of a world in which Africa and Asia will play an ever-larger role, Europe must break out of its silos and align its external instruments. In March, for example, Tusk initiated a discussion among EU leaders about the EU-China relationship. This should be a top priority for the coming years.

But the key to a successful foreign policy is the power to back it up. Europe still wields significant soft power, but we remain a hard-power minnow. The return of great-power politics means this imbalance is no longer sustainable. Europe needs a second leg to stand on - and our citizens expect a union that protects, that is more capable, and that is sovereign. We can achieve this only if member states and EU institutions join forces.

Michel Barnier is a former vice president of the European Commission and French foreign minister. He is currently EU chief negotiator for Brexit.

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Chairman / Editor-in-Chief: Moh. Reza Huwaida  
Vice Chairman / Exec. Editor: Moh. Sakhi Rezaie  
Email: outlookafghanistan@gmail.com  
Phone: 0093 (799) 005019/777-005019  
www.outlookafghanistan.net

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