

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



October 15, 2017

Ensuring Food Security

Tomorrow, i.e. October 16th will be celebrated around the world as the World Food Day. The day is celebrated to honor the date of the founding of Food and Agriculture Organization (FAO) of the United Nations in 1945. It is celebrated by many organizations concerned with food security, like World Food Program (WFP) and the International Fund for Agricultural Development. The basic objective of the day is to highlight the importance of the food security as there are millions of people around the world who do not get enough food to live alive or healthy.

This year the theme of the day is 'Change the future of migration. Invest in food security and rural development'. The theme highlights that as the world is on the move, more people have been forced to flee their homes than at any time since the Second World War due to increased conflict and political instability. By investing in rural development, the international community can also harness migration's potential to support development and build the resilience of displaced and host communities, thereby laying the ground for long-term recovery and inclusive and sustainable growth.

Without looking at the future, even the present scenario shows a very dismal picture in some parts of the world. In the backward countries like Afghanistan, food security is a serious issue and many people, particularly during the winters and in case of any natural calamity, suffer from lack of enough food. The agricultural sector in Afghanistan has not been able to fulfill the requirements of the people as it has not been given proper attention by the concerned authorities. Mostly, this sector is highly dependent on the individual farmers and landowners. Most of them grow as much as they require themselves. Further, the growth of narcotics in the country leaves little room for the lands to be used for the cultivation of other necessary items that can fulfill the food requirement of the people. The government does not have any comprehensive strategy regarding the development of the agricultural sector on the basis of modern techniques. Therefore a large number of people, each year, have to look at the other countries for help in order to have food to eat. The international organizations in this regard have been fulfilling the food requirements of the country to a large extent, thus making the burden of the government much lighter. But this sort of help can never be permanent and it has already been facing difficulties as the donor countries that have been sponsoring such programs have decreased their contributions to a certain extent.

Estimates show that there would be almost two million people throughout Afghanistan who would be in need of extra food support starting from now. The shortage of food is no doubt the result of poor production on the part of the agricultural sector and the dearth of rainfall that has been persistently hitting the country and the trouble is doubled as there has not been an active irrigation system to bring the country's water supply in use by the agricultural sector. Wheat, which is the main crop that can provide ready food to the people, has been affected badly and what remains of it is a poor and insufficient production.

Some studies show that there are more than seven million people in Afghanistan who suffer from the food insecurity. Food insecurity means that there is no surety that this number of people is really going to have food requirements. And unfortunately, the alternatives are not ready as well. The security concerns and the hardships during the cold weather make the supply of the food from other parts of the country to the regions of the starvation a Herculean task.

The food shortage itself is a sure problem, but there are many other problems that are directly linked with the hunger that results from such shortages. Many social evils will find their way in the society and will further deteriorate the country's socio-political scenario. More people would be involved in crimes in order to feed themselves and their families. Two major problems in the country have been greatly strengthened by the continuous hunger and poverty. The first one that has been threatening the whole world is the growing terrorism in the region. The people suffering from hunger and poverty are very much likely to become part of terrorist groups that are ready to provide them their living.

The second problem that has made the country much notorious like terrorism is the production and trafficking of narcotics. Afghanistan is considered one of the leading countries in this regard. And now the phenomenon has become a part of organized crime in the country, with the involvement of national and international mafia. The poor and hungry people of the country are ready to become a part of this menace instead of suffering because of intense deprivation. They either become a part of its production or trafficking as they are paid handsomely in this regard. Further, the demand of the narcotics also makes many people think of using their lands for poppy cultivation rather than deciding to grow the crops that can yield food for the people.



Traditional Loya Jirga - An Obsolete and Ineffectual Mechanism

By Abdul Majid Danishwar

Addressing a news conference in Kabul, Afghan former President Hamid Karzai said he had written a formal letter to President Ashraf Ghani, urging him to convene an emergency traditional grand assembly of elders (Loya Jirga) for discussing Trump's war plan and finding a way out of the conflict. Whether or not Loya Jirga is conducted and regardless of the fact that officials urge for convening Loya Jirga every once in a while, this commentary will shortly views this National Assembly in accordance with Afghanistan's Constitution.

In Afghanistan's history, Jirgas (assemblies) mainly Loya Jirga played a crucial role in national affairs. Afghanistan's past and present constitutions were endorsed by Loya Jirga and effective political decisions were also made by it.

To view the legitimacy and qualification of Loya Jirga for approving constitution from legal and Islamic viewpoint, there are three perspectives. The first argument is that the "Loya Jirga" is the "Constituent Assembly" which, in contemporary constitutional law, is considered as one of the democratic methods for approving constitution. The second is that Loya Jirga is Majlis-e-Hal wa Aqd (the council of great clergy - conducted after the demise of Holy Prophet for appointing the Caliph). The third argument is that Loya Jirga in Afghanistan is based on the rule of law. That is to say, it has been accepted in Afghanistan's custom of constitutional law with the qualification of approving constitution.

It can be claimed that Loya Jirga was a complete and clear example of the custom of law in Afghanistan's legal and political history. Nonetheless, the past regimes capitalized on it to gain legitimacy and achieved their ambitious objectives through conducting Loya Jirga. On the other hand, no standard and suitable criteria were considered for participating in National Assembly and mostly tribal elders, influential figures, and members of the government were elected to attend this assembly. This will naturally relegate the status of Loya Jirga as well as smooth the path for exploitation.

Considering this issue, traditional Loya Jirga was inserted in Afghanistan's constitution during the regime of King Zahir Shah in 1343 (solar year). Since it was defined in the frame of law, there is no traditional Loya Jirga. Hence, in case of conducting traditional Loya Jirga rather than legal one, it will not be binding. Loya Jirga is supposed to be conducted with the ins and outs explained in the constitution. In Afghanistan's present Constitution, certain criteria are deemed for conducting Loya Jirga. In addition to defining Loya Jirga as the highest manifestation of the will of the people of Afghanistan, the constitution specifies members of Loya Jirga in article 110 who are: (1) Members of the National Assembly.

(2) Presidents of the provincial as well as district assemblies.

(3) Ministers, Chief Justice and members of the Supreme Court as well as the attorney general shall participate in the Loya Jirga sessions without voting rights. The competencies of Loya Jirga is specified in article 111 as: (1) To decide on issues related to independence, national sovereignty, territorial integrity as well as supreme national interests. (2) Amend provisions of this Constitution. (3) Impeach the President in accordance with the provisions of Article 69 of the Constitution. The constitution adds that no member of the National Assembly shall be legally prosecuted for reasons of voting or views expressed during performance of duty. In short, the current constitution stipulates explicit and transparent mechanism for conducting the National Assembly so as to prevent from probable exploitations.

There still seems ambiguity regarding Loya Jirga. During Hamid Karzai's administrations many Loya Jirgas were convened such as: Emergency Loya Jirga in 2002 to elect the head of the Transitional Government, the Loya Jirga for ratifying constitution in 2003, Regional Safety Jirga between Afghanistan and Pakistan in 2008, National Consultative Peace Jirga in 2010, and traditional Loya Jirga to discuss the strategic partnership with the United States and the issue of national reconciliation held in 2011.

The first and second aforementioned Loya Jirga was held after being approved in Bonn Conference, before the endorsement of constitution, for establishing transitional government. The third and fourth Jirga was simple Assembly (not Grand National Assembly) and both were consultative Jirga - which is not binding. But all controversy began with the traditional Loya Jirga held in 2011. Karzai again suggests holding traditional Loya Jirga and the past controversy resurfaced. The main reason behind this controversy is that whether traditional Loya Jirga is in accordance with constitution or not. Is it legitimate based on constitution?

All the ins and outs of Loya Jirga are explained in chapter 6 of the country's Constitution, which was mentioned above. Loya Jirga is no more traditional in Afghanistan since it is inserted in the written law. In another item, traditional Loya Jirga has no legal basis. However, consultative Loya Jirga is neither binding nor illegal; that is, this Loya Jirga is similar to a "political summit" conducted for referendum and public suggestions rather than a legal Loya Jirga stated in Constitution. Karzai might remember when he opposed the suggestion for holding traditional Loya Jirga in the end of his first administration saying that it was against constitution. On the other hand, he conducted consultative Loya Jirga for signing security pact with the US during the last days of his second presidential period but refused the Jirga's decision.

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The Taliban Balk at Holding Talks

By Hujjatullah Zia

Recently, the issue of peace talks between the Taliban and Afghan government has been changed into a controversial topic. On the one hand, the Taliban militants intensify their attacks along with other terrorist networks, but on the other hand, Afghan and its international allies persist on holding talks.

Political pundits believe that war will result in heavy casualties and irreparable loss and reconciliation process will be the only viable option for bringing stability in Afghanistan. Although negotiation with the Taliban has been underlined, it was not facilitated. Kabul never closed the door for negotiation and the High Peace Council (HPC) is tasked to discuss the issue of peace with the Taliban.

The fact is that reconciliation process was constantly dismantled at critical moments. For instance, Murree talks were spoiled by the revelation of Mullah Omar's death and the four-nation Quadrilateral Coordination Group (QCG) - comprising of Afghanistan, Pakistan, China and the United States - was ended with the death of his successor. Subsequently, the peace process came to stalemate.

The QCG will be revived as it will reportedly meet in Muscat, the capital of Oman, on Monday to resume peace talks with Afghan Taliban. However, two senior Afghan Taliban leaders are quoted as saying that the group's leadership council met last week and decided not to send a delegation to Muscat even if the group was invited to participate. Despite many regional conferences and talks regarding peace, the Taliban neither participated nor reduced their insurgency in Afghanistan.

The Quadrilateral Cooperation Group first met in January 2016 and has had five sessions so far, the last being held in May 2016 in Murree.

The US urges Pakistan, which is allegedly harboring Afghan Taliban commanders, to exert more influence on the group to bring them to the negotiating table. US Defense Secretary James Mattis said Washington would try "one more time" to work with Islamabad on the Afghanistan front before President Donald Trump turned to options to address Pakistan's alleged support for militant groups. Pakistani officials deny sheltering Taliban militants saying their influence on the group has waned.

Russia is also a regional key player in terms of peace talks. Only few days ago, Moscow hosted a meeting about Afghan peace process. The United Nations Special Representative for Afghanistan Tadamichi Yamamoto said Russia could play a vital role in supporting peace efforts

in the region. He made the remarks at the third Senior Officials Meeting (SOM) in Kabul. "Russia is a very important partner and player in efforts to peace internationally. And we certainly look to Russia to play very constructive role. They can play constructive role and they have the intention to play constructive role. And we hope that the efforts shall be very very fruitful to the international effort," said Yamamoto.

In spite of all hope and optimism, the Taliban still hold out against the repeated calls for peace continuing their insurgencies in Afghanistan. In other words, although the regional countries hold conferences and meetings to facilitate talks, the Taliban insurgents never stop violence and bloodshed.

The Taliban government was overthrown by US-backed Afghan forces in late 2001 but US forces have been bogged down there ever since. About 2,400 US troops have been killed in Afghanistan.

The US military and intelligence officials are concerned that a new Taliban victory would allow Al Qaeda and the self-styled Islamic State of Iraq and the Levant (ISIL) group to establish bases in Afghanistan. That could allow them to plot attacks against the United States and its allies, they fear, just as Osama bin Laden had done with the Sept 11, 2001, strikes that triggered the war in Afghanistan.

Within the last two years, Afghan soldiers and civilians also sustained heavy casualties as a result of the intensified terrorist attacks. Many provinces of Afghanistan, including Kabul, came under heavy attacks which increased civilian casualties. Now the question is that with the Taliban's repeated refusal, will the regional players be able to bring the Taliban to peace table?

It is simply said that "you can lead a horse to water, but you can't make him drink." Afghanistan and its international allies and neighboring countries will be able to bring the Taliban to negotiating table, but persuading them to stop violence still seems difficult. Perhaps, the Taliban's preconditions, mainly withdrawal of foreign troops from the country, will not be acceptable for Afghanistan and its allies. If the Taliban's preconditions are met, their promise for stopping violence will not be trusted since they have played foul game for several times, especially by killing the former head of HPC Burhanuddin Rabbani on 20 September 2011. So, persuading the Taliban to stop war is more significant than nudging them to peace table. The past face-to-face talks did not put an end to insurgency.

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