

A Comparative Perspective on an Afghan Peace Process: Why, When, Who and What?

Summary

- A growing body of research on civil wars suggests that inclusive peace processes and inclusive settlements of conflicts have a higher likelihood of producing a stable peace than do military victories. This is worth emphasizing given an emerging trend whereby military victories are apparently again becoming accepted as a legitimate means of ending civil wars.
- A peace process in Afghanistan does not appear to be imminent. One key reason for this is that the conflict is currently not 'ripe' for resolution. Parties to the conflict do not perceive themselves to be engaged in a 'mutually hurting stalemate'. Intra-elite conflicts such as the recent political impasse surrounding the Afghan presidential election have also contributed to this lack of 'ripeness'.
- Although the international community conceivably could help to encourage the emergence of a mutually hurting stalemate among the conflict actors through something other than military means, it has not yet shown a willingness to do so.
- A comparative perspective on peace processes could help to inject new energy into efforts to think about the shape that an Afghan peace process might take. One of the ways it could do so is by helping to inform a national dialogue on inclusive peace processes. While a dialogue of this nature is not a substitute for an actual peace process, it could help to facilitate the latter.



Introduction

Just as every civil war is unique, so too are any peace processes undertaken in an effort to terminate each conflict, as well as the settlements that mark its end. Peace cannot be built through the use of a 'one-size-fits-all' process or formula. Individuals interested and involved in efforts to help foster a durable peace in Afghanistan are aware of this reality. This does not mean, however, that knowledge regarding the strategies and arrangements that have been employed in other civil war contexts is of little value to actors interested in the Afghan case. In fact, conspicuously few papers or reports on negotiations in Afghanistan draw on lessons from peace processes in other countries, or on insights from comparative analysis.¹ As this paper argues, by helping to draw peacemakers' attention to factors that have helped to secure the peace in some contexts, and failed to do so in others, a comparative perspective on peace processes could help to inject new energy into efforts to think about the shape that an Afghan peace process might take.

This paper draws on comparative empirical work on conflict resolution to make an argument as to 'why' a peace process for Afghanistan is important. This is necessary in the context of what appears to be a changing international political climate in which military victories are again becoming accepted as a legitimate means of ending civil wars. The paper then highlights lessons drawn from theories of conflict management and research on peace processes that could help to inform an Afghan peace process. It does so by focusing on a set of questions that lie at the heart of the study of peace processes. An examination of 'when?' seeks to determine under what conditions a conflict is 'ripe' for resolution. The question 'who?' asks which groups must be included in a peace process if a successful outcome is to be achieved. A final question, 'what?', turns to the need to identify the key components of a peace process and peace agreement.

Why? Trends in civil war settlements

During the Cold War, the principal means by which civil wars came to a conclusion was a military victory by one of the belligerents. This trend changed with the end of the Cold War, however. Beginning in the early 1990s, and with the support of international actors such as the UN, conflict resolution approaches including third-party mediation and security guarantees came to the fore, and negotiated peace agreements emerged as the dominant form of civil war termination. Recent analysis suggests, however, that we may be witnessing a return to military victories as a means of ending intrastate conflicts. This development, argue some scholars, constitutes 'a dramatic paradigm shift in international relations'.² This new trend in civil war settlements has been characterized as consisting of a sharp decline in negotiated agreements since 2009, the replacement of mediation and peace talks with counter-insurgency tactics, and the dominance of military experts over diplomats where efforts at war termination are concerned.³

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Although still incipient, this new trend in civil war settlements is troubling for a number of reasons. First, although a number of studies have claimed that peace is more likely to prove durable when civil wars end via military victory, new data collection efforts and improved empirical analyses indicate that a stable peace is more likely to be the product of a negotiated settlement.⁴ Second, negotiated ends to civil wars have been found to be a less costly means of terminating intrastate conflicts than has waiting for a party to achieve a military victory; the death toll associated with conflicts that end in negotiated settlements is, on average, about half that of civil wars terminating in military victory.⁵ Additionally, in those

¹ I am aware of only three works that examine the potential for an Afghan peace process from a comparative perspective. These are: Waldman, M. and Ruttig, T. (2011), 'Peace offerings: Theories of conflict resolution and their applicability to Afghanistan', Afghanistan Analysts Network, AAN Discussion Paper 01/2011, http://www.operationspaix.net/DATA/DOCUMENT/4360~v~Peace_Offerings_Theories_of_Conflict_Resolution_and_Their_Applicability_to_Afghanistan.pdf; Schirch, L. (2011), 'Designing a Comprehensive Peace Process for Afghanistan', *Peaceworks*, No. 75, Washington, DC, United States Institute of Peace; and Nixon, H., and Hartzell, C. (2011), 'Beyond Power Sharing: Institutional Options for an Afghan Peace Process', *Peaceworks*, No. 78, Washington, DC, United States Institute of Peace.

² Söderberg Kovacs, M. and Svensson, I. (2013), 'The Return of Victories? The Growing Trend of Militancy in Ending Armed Conflicts', <http://ecpr.eu/Filestore/PaperProposal/8b5c9fb5-9173-47da-969f-28d8124cbc67.pdf>, p. 1.

³ Söderberg Kovacs and Svensson (ibid.) attribute this new trend to the emergence of major power rivalry between the United States and competitors such as Russia and China, as well as the mixed track record of many of the negotiated settlements signed in the post-Cold War period.

⁴ For an example of work that claims military victory produces a more durable peace, see Toft, M. D. (2010), *Securing the Peace: The Durable Settlement of Civil Wars*, Princeton, NJ, Princeton University Press. Works that associate negotiated settlements with a longer peace include: Quinn, J. M., Mason, T. D. and Gurses, M. (2007), 'Sustaining the peace: Determinants of civil war recurrence', *International Interactions*, 33, 2, pp. 167–93; and Söderberg Kovacs, M. and Svensson, I. (2013) 'The Return of Victories?'

⁵ Human Security Report Project, *Human Security Report 2012: Sexual Violence, Education, and War: Beyond the Mainstream Narrative*. Vancouver, Human Security Report Press, <http://www.hsrgroup.org/human-security-reports/2012/text.aspx>.

instances in which there is a return to fighting, conflicts that recur following negotiated agreements prove much less deadly than do those that occur in the aftermath of a military victory. Finally, a growing body of evidence suggests that a quality peace – that is to say one in which outcomes such as higher levels of democracy, inclusivity and good governance prevail – is more likely to take hold when a civil war ends in a negotiated settlement rather than via a military victory.⁶

The points enumerated above provide a clear answer to the question of *why* it is important to continue to work towards a peace process that leads to a negotiated settlement of the conflict in Afghanistan. As the country's history makes clear, periods of 'peace' following intrastate conflicts that ended in military victory have been characterized by exclusion and injustice – conditions that have sown the seeds of future conflicts. If Afghanistan is to have a chance of achieving a durable peace, it must buck the new trend in civil war settlements, initiate a peace process and seek to arrive at a negotiated settlement. The rest of this paper focuses on lessons learned from other peace agreements that could help to inform a peace process and a negotiated settlement of the conflict in Afghanistan.

When is a conflict ripe for resolution?

Perhaps one of the most difficult questions to be answered in respect of a potential peace process is how best to identify when parties will be willing to enter into such an undertaking. How can rival sets of actors, each of which wishes to win the conflict so as to be in a position to dictate the terms of the peace, be induced to bargain with one another and negotiate a settlement? The prevailing answer to this question is that only when civil war adversaries find themselves in a 'mutually hurting stalemate'⁷ will they be willing to enter into negotiations. Although this intuition is sound, it can be surprisingly difficult to determine when civil war adversaries have reached a condition 'in which neither side can win, yet continuing conflict will be very harmful to each'.⁸ As the case of El Salvador demonstrates, this condition need not imply that the parties to the conflict have fought each other to a standstill. In that instance, while it was widely acknowledged that the FMLN⁹ rebels were unlikely to be

able to defeat the government's forces, the offensive that the FMLN launched against major city centres – although unsuccessful – served to highlight the government's inability to protect urban areas, thus paving the way for negotiations. In some instances, events unrelated to the course of a conflict can also serve to alter armed groups' perception of costs, thereby making them more willing to participate in a peace process. For example, the damage wrought by the tsunami that struck Aceh in December 2004 has been identified as one of the factors that helped to persuade the Indonesian government and the Free Aceh Movement (GAM) to negotiate a settlement to that long-running conflict.¹⁰

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If, as the comparative study of peace processes suggests, achieving some sort of mutually hurting stalemate is necessary in order to get a peace process under way, what does this mean for the prospect of a peace process in Afghanistan? Many observers have argued that the withdrawal of the International Security Assistance Force (ISAF), as well as the Karzai government's refusal to sign a Bilateral Security Agreement with the United States, have undermined the potential to create a sense of stalemate and may have emboldened elements of the Taliban to believe that they can achieve major military gains or even victory. Similarly, observers also believe that President Obama's announcement that all US combat troops will be withdrawn from Afghanistan by the end of 2016 bolsters hard-line elements within the Taliban who argue against talks.¹¹

While the foregoing may be true, it should be noted that this analysis, focusing as it does on the military or battle-related costs associated with the conflict, ignores the potential for other types of costs – particularly prospective ones – to play a role in generating a sense of mutually hurting stalemate. These might be the inability to garner sufficient legitimacy to govern effectively, or the prospect of state failure – perhaps as a result of economic collapse: the desire to avoid the costs associated with undesirable

⁶ Joshi, M. and Mason, T. D. (2011), 'Civil War Settlements, Size of Governing Coalition, and Durability of Peace in Post-Civil War States', *International Interactions* 37, 4, pp. 388–413; and Cammett, M., and Malesky, E. (2012), 'Power Sharing in Postconflict Societies: Implications for Peace and Governance', *Journal of Conflict Resolution* 56, 6, pp. 982–1016.

⁷ Zartman, I. W., 'Ripeness', *Beyond Intractability*, Burgess, G. and Burgess, H. (eds), Conflict Information Consortium, University of Colorado, Boulder, CO, posted August 2003, <http://www.beyondintractability.org/essay/ripeness>.

⁸ Ibid.

⁹ Frente Farabundo Martí para la Liberación Nacional.

¹⁰ Feith, P. (2007), 'The Aceh Peace Process: Nothing Less than Success', Special Report 184, United States Institute of Peace, Washington, DC.

¹¹ 'U.S. Troops to Leave Afghanistan by End of 2016', *New York Times*, 27 May 2014, <http://www.nytimes.com/2014/05/28/world/asia/us-to-complete-afghan-pullout-by-end-of-2016-obama-to-say.html>.

outcomes such as these have also been shown to have the potential to draw parties to the negotiating table. This was demonstrated in the case of South Africa, where international boycotts put economic pressure on the white minority government to enter into negotiations with the African National Congress (ANC). Aware of white economic dominance of the South African economy, the ANC in turn sought to ensure that the white population felt secure enough not to flee the country and thus undermine the economy.

Although it is unlikely to employ the same type of policy in Afghanistan as it did in South Africa, the international community does have the potential to generate costly outcomes and thus induce a sense of mutually hurting stalemate in Afghanistan. With the Afghan government dependent on coalition governments and international aid organizations for approximately 70–95 per cent of its budget, government revenue consistently falling short of projections, and an estimated need for more than \$7 billion annually over the next 10 years in order to maintain a functioning government, there is clearly a potential to exert pressure on actors to engage in negotiations.¹²

Who should be included in a peace process?

A good deal of debate centres on the issue of which actors should be included in a peace settlement process. Much of the theoretical literature on this question focuses on whether or not it is necessary for all of the warring parties to have a seat at the negotiating table if peace is to take hold. Although prevailing opinion has generally been that settlements must include all warring actors or risk being undermined by excluded rebel groups, research on this topic suggests that a ‘partial peace’ can be struck, and can hold, even in the face of armed activity by non-signatories to an agreement.¹³ And, as cases such as the Burundian peace process make clear, rebel groups that initially decline to sign up to a peace settlement often later choose to do so once they have been reassured regarding the fate of other signatories, and/or because they fear being excluded from the benefits associated with the peace.

The relevance of this debate to the Afghan case is illustrated by questions about whether or not it is wise or feasible to negotiate with all insurgent groups in Afghanistan, and whether the Taliban leadership is capable of ensuring that its various sub-groups and networks comply with any settlement. Also of interest where Afghanistan is concerned is the extension of this debate from a focus solely on warring parties to one that takes into account an array of stakeholders with interests in the peace process. Some scholars have argued that because the terms of settlements have an effect on non-combatant actors’ material interests, excluding these actors from the bargaining process could have a negative impact on the sustainability of the peace.¹⁴ Others have noted that including a variety of social groups in the peace process may serve to enhance not only the legitimacy of the process but also the prospects for a durable peace.¹⁵ An example of the type of inclusive negotiation process for which some analysts have begun to advocate is the 2003 Liberian peace process, which produced an agreement signed by the government of Charles Taylor, two rebel groups (LURD and MODEL),¹⁶ 18 political parties and five civil society groups.

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There are, of course, practical issues to be considered in implementing an inclusive peace process in a country like Afghanistan. Identifying the social actors and sets of interest groups that should be represented at the negotiating table is likely to be challenging given the complex nature of Afghan society.¹⁷ Including more actors in the negotiation process may make it more difficult to agree on a settlement.¹⁸ Additionally, because of the difficulties involved in bringing together contending

¹² ‘Afghan economy facing serious revenue shortage’, *Washington Post*, 15 April 2014, http://www.washingtonpost.com/world/asia_pacific/afghan-economy-facing-serious-revenue-shortage/2014/04/15/6ddce38a-5be9-46ad-8f3b-1eb2ef4ed9bd_story.html.

¹³ Nilsson, D. (2008), ‘Partial Peace: Rebel Groups Inside and Outside of Civil War Settlements’, *Journal of Peace Research* 45, 4, pp. 479–95.

¹⁴ Blaydes, L. and De Maio, J. (2010), ‘Spoiling the Peace? Peace Process Exclusivity and Political Violence in North-Central Africa’, *Civil Wars* 12, 1, pp. 3–28.

¹⁵ Nilsson, D. (2012), ‘Anchoring the Peace: Civil Society Actors in Peace Accords and Durable Peace’, *International Interactions* 38, 2, pp. 243–66.

¹⁶ Liberians United for Reconciliation and Democracy (LURD); Movement for Democracy in Liberia (MODEL).

¹⁷ Schirch, L. (2011), ‘Designing a Comprehensive Peace Process for Afghanistan’. See Waldman, M. and Wright, M. (2014), *Who Wants What: Mapping the Parties’ Interests in the Afghanistan Conflict*, London, Chatham House, for an effort to map the interests of groups with respect to the conflict in Afghanistan.

¹⁸ Cunningham, D. E. (2006), ‘Veto Players and Civil War Duration’, *American Journal of Political Science* 50, 4, pp. 875–92.

politico-military elites, negotiations often begin in secret.¹⁹ Although it may be difficult to contend with these issues, in view of the growing evidence indicating that inclusive peace accords increase the durability of the peace, efforts should be made to ensure that the Afghan peace process is inclusive. Because there may initially be a need for secrecy and confidentiality, it may be best to initiate a broadly inclusive process once a dialogue has been established among the opposing factions. Once a dialogue is under way, there are a number of models for including stakeholders in peace processes that have been employed by other countries and that could be adapted for the Afghan context. One example is the direct, traditional, local-level peace processes that were used in Mali.²⁰ Another model, proposed by the Inter-Tajik Dialogue, was a consultative forum of the peoples of Tajikistan designed to ensure wide popular involvement in implementing that country's peace agreement.²¹

What are the key components of a peace process and peace agreement?

Peace processes are normally characterized by a pre-negotiation stage, a stage in which a substantive agreement is reached and an implementation stage.²² The pre-negotiation stage of a peace process focuses on issues such as how to get the parties to the negotiating table, arranging temporary ceasefire agreements in order to provide a space in which bargaining can take place, and efforts to set an agenda for talks as the parties begin to explore each other's positions on issues. Because parts of this stage of the peace process are often shrouded in secrecy, there is relatively little comparative analysis regarding what works 'best' as regards pre-negotiation processes and agreements. Research indicates that international mediators can play – and have played – an important role in this stage of the peace process, although mediation is more successful when one or more of the conflict parties initiates this activity.²³

In the light of the complexity of the Afghan conflict and the level of mistrust that exists among the parties, a third-party mediator or facilitator is likely to be required in the pre-negotiation stages of a peace process. As things

currently stand, it is difficult to see how the parties might enter into and move through the activities associated with a pre-negotiation process in the absence of a mediator. One of the challenges that must be confronted at this stage of the process is to identify a mediator who is acceptable to the parties in Afghanistan as well as to regional and international actors – and who has sufficient standing to move a process along.

If parties succeed in moving beyond the first stage of a peace process, their efforts in the second stage focus on developing a framework or substantive agreement. These agreements attempt to resolve the fundamental issues at the centre of a conflict. As such, they generally include interim measures designating how power is to be exercised and by whom, as well as laying out a timetable for constitutional design, human rights reforms, reconstruction and other pressing post-conflict issues. The vast majority of peace agreements reached in the post-Cold War period have included arrangements for the sharing of political, military, territorial and/or economic power by conflict parties. The growing body of evidence indicating that these arrangements help to prolong the peace, deliver superior governance outcomes and facilitate the emergence of democracy in post-conflict states suggests one reason why power-sharing has now become a 'go to' measure in international mediation efforts.²⁴

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It seems quite likely that an Afghan peace agreement will call for the use of some form of power-sharing. Afghanistan is by no means unfamiliar with such arrangements. The interim government appointed by the 2001 Bonn Agreement apportioned power among a number of politico-military elites, as did the 2002 transitional government. Some observers have criticized these arrangements as being an illiberal means

¹⁹ Bell, C. (2013), 'Women and peace processes, negotiations, and agreements: operational opportunities and challenges', Policy brief, Norwegian Peacebuilding Resource Centre, http://www.peacebuilding.no/var/ezflow_site/storage/original/application/b6f94e1df2977a0f3e0e17dd1dd7dcc4.pdf.

²⁰ Schirch, L. (2011), 'Designing a Comprehensive Peace Process for Afghanistan', p. 26.

²¹ Inclusive Security (2013), 'Nine Models for Inclusion of Civil Society in Peace Processes', <http://www.inclusivesecurity.org/wp-content/uploads/2013/11/9-Models-for-Inclusive-Peace-Processes-w-footers.pdf>. Although proposed, the consultative forum was not employed in Tajikistan.

²² Discussion of the peace process phases is drawn from Bell, C. (2013), 'Women and peace processes, negotiations, and agreements.'

²³ Grieg, J. M. and Diehl, P. F. (2012), *International Mediation*, Cambridge, Polity Press; Bercovitch, J. and DeRouen, K. (2005), 'Managing Ethnic Civil Wars: Assessing the Determinants of Successful Mediation', *Civil Wars* 7, 1, pp. 98–116.

²⁴ Hartzell, C. and Hoddie, M. (2007), *Crafting Peace: Power-Sharing Institutions and the Negotiated Settlement of Civil Wars*, University Park, PA, Pennsylvania State University Press; Cammett, M. and Malesky, E. (2012), 'Power Sharing in Postconflict Societies: Implications for Peace and Governance'; Hartzell, C. and Hoddie, M. (2015), 'The Art of the Possible: Power Sharing and Post-Civil War Democracy', forthcoming in *World Politics* 67, 1.

of allocating power, while others argue that they reward warlords and marginalize actors who do not wield military power. Any new power-sharing arrangements that might be agreed to in Afghanistan are likely to be subject to these types of criticism. However, the 2003 Liberian peace agreement, which allocated power to a diverse range of actors, indicates that power-sharing agreements can be designed to protect and advance the interests of non-military actors.

The final stage of a peace process, the implementation phase, is a critical one. None the less, this phase is often given short shrift. One reason is that international actors, many of whom have been involved in previous stages of the peace process, are eager to wind down their commitments. Although this is understandable, at this stage of the peace process parties are likely to need help in supporting fragile new institutions and in ensuring that actors make use of the new processes that they have agreed to put in place. As the case of Mozambique illustrates, the assistance of international actors may prove important at this stage of the process. There, the former rebel group Renamo²⁵ found that it needed support in order to be able to function as a political party according to the terms of the peace agreement. Once Renamo was provided with such support, the group then renewed its commitment to the peace agreement.

The implementation phase of a peace process is likely to pose particular problems for Afghanistan, where low levels of institutional capacity and resource scarcity will make it difficult for the parties to follow through on peace agreement commitments. Engagement by the international community will be essential at this stage of a peace process. While this will necessarily require resource commitments, having international actors trained to contend with problems characteristic of this phase of a peace process on the ground may also be of utility. One noteworthy example would be the UN Observer Mission in El Salvador (ONUSAL), which was originally deployed during the latter stages of the war to verify compliance with human rights provisions agreed to by the parties under the terms of a series of accords. Once the final peace agreement was signed, ONUSAL became involved in the implementation phase. ONUSAL provided ongoing mediation throughout this stage of the peace process, thus helping to ensure that crises, such as delays in implementing some of the measures that had been agreed, did not escalate to a point at which they might jeopardize the peace process.

Conclusion

A peace process in Afghanistan does not appear to be imminent. One key reason for this is that the conflict in Afghanistan is currently not 'ripe' for resolution. A mutually hurting stalemate does not appear to exist, at least not in terms of the parties' perceptions of the fighting on the ground. While other forms of hurting stalemate could potentially bring the conflict parties to the negotiating table, inducing such a sense of stalemate would most likely necessitate action on the part of members of the international community that has not yet been forthcoming.

When it does occur, an Afghan peace process should be as inclusive as possible. It must address not only the interests of parties that have been involved in the armed conflict, but those of the various elements of Afghan society as well.

One factor that will be necessary to move a peace process forward to a successful conclusion is the articulation of political demands by the parties to the conflict. As the question of 'what?' implies, peace processes seek to reach agreement on substantive issues. At this point, the Taliban and other Afghan insurgent groups and factions have yet publicly to specify what their demands are.²⁶ Ironically, the absence of such demands may initially increase the potential for negotiations by ensuring that non-negotiable positions that create barriers to dialogue are not on the table. Reaching a peace deal will require that the parties bargain on the issues at some point, however. Until the moment arrives at which the parties evince a willingness to engage in such bargaining, the most useful step that can be taken to prepare the ground for negotiations is to attempt to identify suitable mediators who can open lines of communication with the conflict parties, begin a process of building trust, and facilitate a national dialogue on an inclusive peace process.

When it does occur, an Afghan peace process should be as inclusive as possible. It must address not only the interests of parties that have been involved in the armed conflict, but those of the various elements of Afghan society as well. Efforts should be made to raise awareness within the country of the benefits of inclusive peace

²⁵ Resistência Nacional Moçambicana.

²⁶ One of the demands that the Taliban has stated clearly is for foreign forces to be withdrawn from the country. There has also been some signalling, within the context of confidential discussions, of other interests that the Taliban would seek to have addressed as part of a peace settlement.

processes and inclusive settlements. A national dialogue on inclusive peace processes could help to achieve this.²⁷ Discussions among political, social and civil society groups at the local, regional and national levels could serve to familiarize Afghans with different models of inclusion

that have been employed in different peace processes, as well as the benefits and costs associated with inclusivity. While a dialogue about inclusive peace processes is not a substitute for an actual peace process, it could help to facilitate the latter.

Opportunity in Crisis

The 'Opportunity in Crisis' project is supported by the governments of Australia, Norway, Sweden and Switzerland and is being undertaken by Chatham House in partnership with the Chr. Michelsen Institute (CMI), the United States Institute of Peace (USIP) and the Afghanistan Research and Evaluation Unit (AREU).

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²⁷ Seeking to build the foundations for an inclusive peace process, two phases of the Afghan People's Dialogue on Peace have been carried out in Afghanistan. As part of the dialogue process, Afghan civil society organizations and the Afghanistan Independent Human Rights Commission, with facilitation from the United Nations Assistance Mission in Afghanistan (UNAMA), sought to obtain Afghans' views on the prospects for peace, as well as enabling them to construct provincial-level and national road maps for peace. Copies of the 2011 and 2014 reports on the dialogue are available at <http://www.aihrc.org.af/media/files/People's%20Dialogue%20FINAL%20report.pdf> and [http://www.aihrc.org.af/media/files/Reports/Report%201393/\(Eng\)%20Report%20-%20Afghan%20Peoples%20Dialogue%20on%20Peace%20-%20Building%20the%20Foundations%20for%20an%20Inclusive%20Peace%20Process.pdf](http://www.aihrc.org.af/media/files/Reports/Report%201393/(Eng)%20Report%20-%20Afghan%20Peoples%20Dialogue%20on%20Peace%20-%20Building%20the%20Foundations%20for%20an%20Inclusive%20Peace%20Process.pdf).

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