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KEY ISSUES & EVENTS

On February 29, 2020, the United States signed a U.S.-Taliban agreement and issued a joint U.S.-Afghan government declaration outlining four elements for a comprehensive and sustainable peace agreement.

Afghan election authorities released final results for the September 2019 presidential election, declaring incumbent President Ashraf Ghani the winner with 50.64% of the 1.8 million valid votes cast. Ghani's electoral rival, former Chief Executive Abdullah Abdullah, refused to recognize the official result.

Following March 23 meetings with Ghani and Abdullah, Secretary of State Michael R. Pompeo announced the U.S. intention to reduce U.S. assistance to Afghanistan by as much as \$2 billion (\$1 billion in 2020 and possibly another \$1 billion in 2021), unless the two leaders form an inclusive government to participate in the peace process.

This quarter, continued political fallout from the contested September 2019 presidential election threatened to harm the Afghan peace process.

On February 18, 2020, the Independent Election Commission (IEC) declared incumbent President Ashraf Ghani the winner of the September 28, 2019, presidential election. According to the IEC, his nearest rival, Chief Executive Abdullah Abdullah, received 39.52% of the final, certified votes.²⁶⁵

Rather than settle the matter, the IEC's declaration led to the escalation of political conflict between the two presidential candidates. Abdullah declared the final election results illegal, saying he had won the largest number of "clean votes," as opposed to what he claimed were fraudulent or irregular votes. He announced that he would form a parallel, "inclusive" government.²⁶⁶ Both Ghani and Abdullah held presidential-inauguration ceremonies.²⁶⁷

Concurrent with the election-related disputes, on February 29, 2020, U.S. and Taliban negotiators agreed to a pathway for a comprehensive peace agreement.²⁶⁸ A joint U.S.-Afghanistan declaration issued on the same day as the U.S.-Taliban agreement reaffirmed the United States' strong partnership with the Afghan government, including U.S. support for Afghan security forces and continued military partnership against international terrorist groups.²⁶⁹

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President Ashraf Ghani responds to Secretary Michael R. Pompeo's March 23, 2020, visit to Kabul, describing their talks as generally "positive and constructive." (Afghan government photo)

However, following Secretary of State Michael R. Pompeo's personal intervention on March 23 with President Ghani and Abdullah and the subsequent failure of the two leaders to resolve their political stalemate, State said it would immediately reduce U.S. assistance to Afghanistan by \$1 billion in 2020 (with another \$1 billion cut possible in 2021) unless the Afghan leaders formed an inclusive government that would participate in the peace process.²⁷⁰

The Afghan government ordered, then reversed, a significant reorganization of the Ministry of Finance (MOF). The United States Institute of Peace (USIP) reported that President Ghani directed that the ministry be stripped of its responsibilities for revenues and finance. This order, issued on February 19, reportedly removed the core functions of revenue, customs, and treasury and budget from the MOF. New entities were to be created to carry out these functions that would report to the president's office. According to USIP, this change "risks politicizing key fiscal functions and weakens accountability" and "centralizing—not curbing—corruption."²⁷¹ TOLONews, citing unnamed sources, reported that the MOF's policy functions would migrate to the Ministry of Foreign Affairs.²⁷² On April 6, the Afghan government reportedly reversed its order, which State welcomed, saying "donor confidence depends on responsible and inclusive leadership."²⁷³

U.S. RECONSTRUCTION FUNDING FOR GOVERNANCE

As of March 31, 2020, the United States had provided nearly \$35.06 billion to support governance and economic development in Afghanistan. Most of this funding, nearly \$20.85 billion, was appropriated to the Economic Support Fund (ESF) administered by the State Department (State) and the U.S. Agency for International Development (USAID).²⁷⁴

Since counternarcotics is a crosscutting issue that encompasses a variety of reconstruction activities, a consolidated list of counternarcotics reconstruction funding appears in Appendix B.

CONTESTED ELECTION COMPLICATES PEACE EFFORTS

Despite U.S. attempts to negotiate an inclusive agreement between Ghani and Abdullah, much of the quarter was dominated by the continuing political contest between the two men and their supporters over the post-election governing arrangements. In its prescient September 2018 Integrated Country Strategy, State foresaw that Afghanistan's electoral challenges might complicate the peace effort, as they did this quarter. State wrote at the time:²⁷⁵

Achieving, then implementing, a [peace] settlement requires basic government functionality and political coherence. Unfortunately, the forces that have historically separated Afghans continue to threaten the fractious Government of National Unity [the Ghani-Abdullah power-sharing arrangement set up after the contested 2014 presidential election]. Parliamentary and presidential elections (in fall 2018 and spring 2019, respectively) are both a threat and an opportunity given this political fragility. If they are ill-executed and lack credibility, they could undercut institutions and rule of law. If they represent an improvement over the past, then elections hold some promise of strengthening the legitimacy of the government as it negotiates peace.

As recently as March 27, State told SIGAR that it was premature to offer its assessment of the impact the elections have had on peace efforts.²⁷⁶ Nonetheless, State's public statements this quarter show its growing concern over the potential negative impact of elections-related political struggles on the peace process. For example, when intra-Afghan negotiations did not begin on time, State attributed the delay partially to the fact that the ongoing electoral crisis had prevented the naming of a national Afghan government negotiating team.²⁷⁷ Further, Secretary of State Pompeo said the "very frustrating" political crisis between Ashraf Ghani and Abdullah Abdullah had held up progress on intra-Afghan negotiations.²⁷⁸

Declaration of Final Results Begins a New Phase of Political Fights

On February 18, 2020, the Independent Election Commission (IEC) declared incumbent President Ashraf Ghani the winner of the September 28, 2019, presidential election. The IEC upheld the preliminary results that had previously been announced on December 22, 2019, showing Ghani winning 50.64% of the 1.8 million valid votes. His nearest rival, Chief Executive Abdullah Abdullah, received 39.52% of the final, certified votes.²⁷⁹

Rather than settle the matter, however, the IEC declaration escalated the political conflict. Abdullah declared the final election results illegal, said he won the largest number of what he described as "clean votes," and announced that he would form a parallel, "inclusive" government.²⁸⁰ Shortly afterward, Abdullah appointed his own acting governors in several northern provinces.²⁸¹

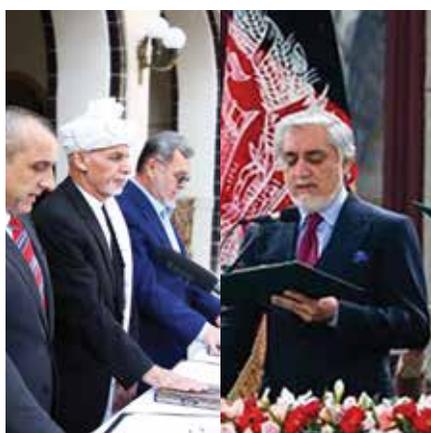
On February 25, State said it noted the IEC's announcement that Ghani had won the presidential election and admonished Afghan political leaders about "destabilizing actions," including establishing parallel government structures. Looking to move beyond the prolonged and disputed election, State said, "It is time to focus not on electoral politics, but on taking steps toward a lasting peace, ending the war with the Taliban, and finding a formula for a political settlement."²⁸²

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TABLE 3.11

USAID ELECTION-RELATED PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Electoral Support Activity (ESA)	5/20/2015	12/31/2020	\$78,995,000	\$59,955,399
Strengthening Civic Engagement in Elections in Afghanistan Activity (SCEEA)	8/9/2018	8/8/2021	18,253,000	11,144,962

Source: USAID, response to SIGAR data call, 4/10/2020.



President Ashraf Ghani (left) and Abdullah Abdullah (right), flanked by their vice presidents, at their competing inaugurations on March 9, 2020. (Afghan government and Abdullah Abdullah photo)

At the same time, State announced that President Ghani had agreed to postpone the presidential inauguration to March 9.²⁸³ U.S. officials requested this delay so Ghani and Abdullah could reach an inclusive government arrangement and agree to a team for intra-Afghan negotiations.²⁸⁴

Following meetings between the two sides facilitated by Special Representative for Afghanistan Reconciliation (SRAR) Ambassador Zalmay Khalilzad, Abdullah announced on March 5 that he had stopped appointing his own province governors. Only four days before Ghani’s planned inauguration, Abdullah told TOLONews that “any solution that is agreed on by both sides is better than two swearing-in ceremonies.”²⁸⁵

Dueling Presidential Inaugurations

Despite U.S. efforts to negotiate a last-minute deal, Kabul hosted the spectacle of two presidential inaugurations on March 9. The *New York Times* observed that senior U.S. officials, including Ambassador Khalilzad and U.S. Forces-Afghanistan (USFOR-A) Commander General Austin Scott Miller, attended Ghani’s inauguration, and snubbed Abdullah’s ceremony.²⁸⁶

Ghani and Abdullah continued their row, to the increased dismay of senior U.S. officials. On March 11, President Ghani’s spokesperson announced that Ghani had dissolved the office of chief executive, eliminating Abdullah’s government position and nullifying the power-sharing arrangement that had ended the 2014 presidential election dispute between Ghani and Abdullah.²⁸⁷ On March 18, 11 days after the dueling inaugurations, State’s Senior Bureau Official for South and Central Asian Affairs, Alice G. Wells, called on Afghan leaders to “prioritize and protect unity of the nation” and to end the governance impasse brought on by parallel governments.²⁸⁸

Election-Related Tensions Threaten Billions in U.S. Assistance

Following Secretary of State Pompeo’s visit to Kabul on March 23, State issued a statement that President Ghani and former Chief Executive Abdullah were unable to agree on an inclusive government despite Secretary Pompeo’s direct plea for compromise. This failure to compromise, State said, harmed U.S.-Afghan relations and left the United States

disappointed in the two Afghan leaders.²⁸⁹ Describing this as “a direct threat to U.S. national interests,” Pompeo announced that the United States would immediately reduce U.S. assistance to Afghanistan by \$1 billion in 2020 (with further cuts of \$1 billion possible in 2021).²⁹⁰

Secretary Pompeo initially declined to specify which funds would be affected, suggesting, at least initially, that the U.S. would continue to provide support to the Afghan security forces.²⁹¹ On March 25, however, Secretary Pompeo told reporters that the United States “is prepared to reduce security assistance” to Afghanistan.²⁹² (In a January 2018 interview, President Ghani said that Afghanistan could not support its army for more than six months without U.S. funding support and assistance.²⁹³)

In addition to funding cuts, State said it would:²⁹⁴

- initiate a review of all programs and projects to identify additional reductions;
- reconsider pledges to future donor conferences for Afghanistan; and
- not back security operations that are politically motivated, nor support political leaders who order such operations or those who advocate for or support parallel government.

Despite these dramatic threats, State offered to revisit its measures should Afghan leaders form an inclusive government that would participate in the peace process.²⁹⁵

Soon after, President Ghani announced in a televised speech that a reduction in U.S. assistance “would not have a direct impact on our key sectors.”²⁹⁶ The World Bank estimates that international grants finance 75% of Afghanistan’s public expenditures.²⁹⁷ The United States is the largest source of those grants.²⁹⁸

State continued to call for an inclusive government and governing arrangement, with Senior Bureau Official for South and Central Asian Affairs, Alice Wells, saying on April 6, “donors are frustrated and fed up by [Afghan political leaders’] personal agendas being advanced ahead of the welfare of the Afghan people.”²⁹⁹

U.S.-Taliban Agreement Signed

In the midst of these disputes over post-election governing arrangements, on February 29, 2020, Ambassador Khalilzad and Taliban Political Deputy Mullah Abdul Ghani Barader signed the “Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America.”³⁰⁰ The agreement followed a weeklong “significant and nationwide” reduction in violence across Afghanistan.³⁰¹ The signing capped a U.S.-Taliban peace process that began in earnest in January 2019, when U.S. officials met with the Taliban in Doha, Qatar.³⁰²



Secretary of State Michael R. Pompeo briefs President Ashraf Ghani (top) and Abdullah Abdullah (bottom) on his expectations that they form an inclusive government to address Afghanistan’s many challenges and warns them of the consequences of failing to do so. (State photos)

Temporary Reduction in Violence Leads to U.S.-Taliban Agreement

After high levels of violence prompted President Trump to suspend U.S.-Taliban talks in September 2019, he challenged the Taliban to, as Deputy Special Representative for Afghanistan Reconciliation Mary Catherine (Molly) Phee described it, “show me you are willing and capable of implementing a lasting and significant reduction in violence.” Talks restarted in November 2019 leading to Taliban consultations with their military, religious, and political leadership in December 2019. Taliban negotiators returned with what Ambassador Phee characterized as a “serious” reduction-in-violence proposal supported by the movement’s leadership. Further negotiations led the two sides to agree to a seven-day reduction in violence meant to serve as a test of the Taliban’s intent, control of their forces, and their commitment to the peace process.³⁰³

The reduction in violence began on February 21. President Ghani ordered the Afghan security forces to assume a defensive posture against the Taliban while continuing operations against al-Qaeda, Islamic State-Khorasan, and other terrorist groups.³⁰⁴ For the duration of the reduction in violence, the Taliban agreed to undertake no major attacks such as car bombs, suicide bombings, rockets, or improvised explosive devices. The United States agreed not to carry out airstrikes against the Taliban or raid Taliban facilities.³⁰⁵

According to Secretary of State Pompeo, the reduction in violence period had the lowest levels of violence of the preceding four years.³⁰⁶

Parameters of the U.S.-Taliban Agreement

Following this period of reduced violence, on February 29, 2020, U.S. and Taliban negotiators agreed to a pathway for a comprehensive peace agreement.³⁰⁷ According to the parties, a comprehensive peace agreement for Afghanistan consists of four interrelated parts, including:³⁰⁸

- “Guarantees and enforcement mechanisms that will prevent the use of the soil of Afghanistan by any group or individual against the security of the United States and its allies.”
- “Guarantees, enforcement mechanisms, and announcement of a timeline for the withdrawal of all foreign forces from Afghanistan.”
- “After the announcement of guarantees for a complete withdrawal of foreign forces and timeline in the presence of international witnesses, and guarantees and the announcement in the presence of international witnesses that Afghan soil will not be used against the security of the United States and its allies, the Taliban will start intra-Afghan negotiations with Afghan sides on March 10, 2020.”
- “A permanent and comprehensive ceasefire will be an item on the agenda of the intra-Afghan dialogue and negotiations. The participants of intra-Afghan negotiations will discuss the date and modalities



Special Representative for Afghanistan Reconciliation Ambassador Zalmay Khalilzad and Taliban Political Deputy Mullah Abdul Ghani Barader shake hands after signing the U.S.-Taliban Agreement on February 29, 2020, in Doha, Qatar. (State photo)

of a permanent and comprehensive ceasefire, including joint implementation mechanisms, which will be announced along with the completion and agreement over the future political roadmap of Afghanistan.”

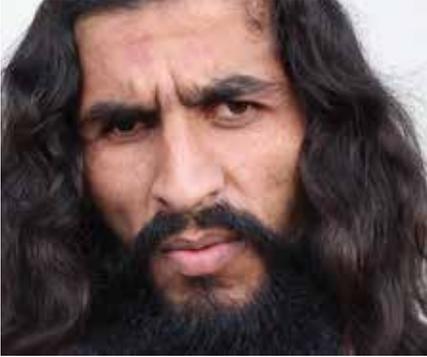
The Joint Declaration between the United States and Afghanistan similarly recognizes these four elements as foundational to a comprehensive and sustainable peace agreement. Both the U.S.-Taliban agreement and the Joint Declaration with the Afghan government focus on the first two of these four parts.³⁰⁹

Withdrawal of International Forces

The United States committed to a conditional withdrawal of “all military forces of the United States, its allies, and Coalition partners, including all non-diplomatic civilian personnel, private security contractors, trainers, advisors, and supporting services personnel” from Afghanistan within 14 months (ending April 29/30, 2021).³¹⁰

As the first step, the United States pledged without any stated conditions to reduce its forces to 8,600 personnel (with proportional reductions from other Coalition forces) and completely withdraw from five military bases within the first 135 days (ending July 13–14, 2020). Contingent upon the Taliban fulfilling their counterterrorism commitments, the United States, its allies, and other Coalition forces would complete the withdrawal of the remaining forces and depart from all remaining bases within the remaining nine and a half months.³¹¹

According to State, the agreement expressly commits the Taliban to enter intra-Afghan negotiations to determine the date and modalities of a permanent and comprehensive ceasefire and reach an agreement over the future political roadmap of Afghanistan.³¹² Senior U.S. administration officials clarified that the timeline in the U.S.-Taliban agreement for the withdrawal of international military forces is not conditioned on the Taliban’s achievement of any particular political outcomes associated with Afghanistan’s negotiated future (such as status of women’s rights), as ultimately it is up to the Afghan parties to determine in intra-Afghan negotiations what the political roadmap should look like. Rather, the withdrawal timeline depends on whether the Taliban fulfill their counterterrorism commitments under the agreement to prevent any group or individual, including al-Qaeda, from using Afghan soil to attack or threaten the security of the United States and its allies, and their good-faith participation in intra-Afghan negotiations commitments.³¹³ These officials further clarified that the timeline for the withdrawal of international forces is “aspirational,” dryly observing that “nothing [in Afghanistan] happens on schedule.”³¹⁴



One of the Taliban prisoners released by the Afghan government as a confidence building measure. (Afghan government photo)

Prisoner Release

The United States committed to work with “all relevant sides” on a plan to release “combat and political prisoners” as a confidence building measure with the coordination and approval of all relevant parties, including up to 5,000 Taliban prisoners and 1,000 prisoners “of the other side” (the Afghan government) by March 10, 2020 (the hoped-for start of intra-Afghan negotiations). The goal would be for the Taliban and the Afghan government then to release the remaining prisoners over the subsequent three months by June 10, 2020.³¹⁵

The Taliban, in turn, committed that prisoners released by the Afghan government would be bounded by the responsibilities set out in the agreement so that they will not pose a threat to the United States or its allies.³¹⁶

In an interview with TOLONews, Ambassador Khalilzad said the Taliban estimates that between 13,000 and 14,000 of its members are prisoners.³¹⁷

Removal of Sanctions, Noninterference in Afghanistan’s Domestic Affairs, and Economic Cooperation

Upon the start of intra-Afghan negotiations, the United States committed to initiating an administrative review of its sanctions on the Taliban, with the goal of removing those sanctions by August 27, 2020. Further, the United States committed to begin engaging with members of the United Nations Security Council and the Afghan government to remove Taliban members from the Security Council’s sanctions list, optimally with the aim of achieving this objective by May 29, 2020.³¹⁸

The United States committed to refrain from the threat or use of force against the territorial integrity or political independence of Afghanistan, or from intervening in its domestic affairs.³¹⁹

The Taliban and the United States agreed to seek positive relations. The United States said it would seek economic cooperation for reconstruction of the post-settlement Afghan Islamic government (provided such reconstruction did not interfere in the post-settlement government’s internal affairs).³²⁰

Ensuring Afghanistan Does Not Become a Threat to the United States and its Allies

The Taliban committed to preventing any group or individual, including al-Qaeda, from using the soil of Afghanistan to threaten the security of the United States and its allies. In particular, the Taliban committed to take the following steps:³²¹

- send a clear message that those who pose a threat to the security of the United States and its allies have no place in Afghanistan;
- instruct its members not to cooperate with groups or individuals that threaten the security of the United States and its allies;

- prevent such groups or individuals from recruiting, training, and fundraising, or being hosted in accordance with the commitments in the agreement;
- treat those seeking asylum or residence in Afghanistan in a manner that ensures that such persons do not pose a threat to the security of the United States and its allies; and
- not provide visas, passports, travel permits, or other legal documents to those who pose a threat to the security of the United States and its allies to enter Afghanistan.

Until the formation of a post-settlement Afghan Islamic government as determined by the intra-Afghan dialogue and negotiations, the Taliban's obligations are spatially limited to apply in areas "under their control."³²²

Joint U.S.-Afghan Government Declaration Accompanies U.S.-Taliban Agreement

The Joint Declaration between the United States and Afghanistan, negotiated in parallel and issued on the same day as the U.S.-Taliban agreement, commits to the same core elements of a comprehensive peace agreement. According to State, the joint U.S.-Afghanistan declaration reaffirmed the strong U.S. partnership with the Afghan government, including U.S. support for Afghan security forces and continued military partnership against international terrorist groups.³²³ In the same declaration, the Afghan government took note of the U.S.-Taliban agreement, calling it "an important step toward ending the war." Further, the Afghan government reaffirmed its desire to participate in intra-Afghan negotiations for a political settlement and a permanent and comprehensive ceasefire in Afghanistan.³²⁴

Whereas the U.S.-Taliban agreement included targets for the number and timing of prisoner releases, the U.S.-Afghan government declaration did not. Instead, the Afghan government agreed to participate in a U.S.-facilitated discussion with Taliban representatives on confidence building measures, to include determining the feasibility of releasing significant numbers of prisoners on both sides.³²⁵

In the joint U.S.-Afghan government declaration, the United States reaffirmed its existing commitment to seek funds on a yearly basis to support training, equipping, advising, and sustaining Afghan security forces, so that Afghanistan can independently secure and defend itself against internal and external threats.³²⁶ The parties also committed to continue positive relations, including economic cooperation for reconstruction.³²⁷

Ongoing Concerns over Post-Signing Violence

While the U.S.-Taliban Agreement does not preclude the United States from acting in defense of Afghan forces, the agreement also does not

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S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2020 directed SIGAR to assess "the extent to which the Department of State and USAID have developed strategies and plans for the provision of continued reconstruction assistance to Afghanistan in the event of a peace agreement, including a review of any strategies and plans for monitoring and evaluating the effectiveness of such assistance and for protecting the rights of Afghan women and girls." SIGAR will initiate this work in May 2020.

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expressly prohibit all Taliban attacks against Afghan security forces, State told SIGAR.³²⁸

U.S. officials have publicly and privately pressed the Taliban to continue maintaining reduced violence levels since the agreement was signed.³²⁹ For example, on the day of the agreement's signing, Secretary of State Pompeo said that the Taliban "made commitments to continue to reduce the violence level."³³⁰ Similarly, in a background briefing to reporters before the signing, a senior administration official said that the reduction in violence would continue throughout the intra-Afghan negotiations planned in Oslo, Norway. According to the unnamed senior administration official, the durability of the continued reduction in violence would serve as a bellwether for U.S. officials tracking the implementation of the peace agreement.³³¹ A USFOR-A spokesperson also said that the Taliban had promised to reduce violence and not increase attacks.³³²

Only days after the signing, however, the Taliban announced that it had resumed military operations.³³³ According to Secretary Pompeo, President Trump told Taliban Political Deputy Barader by phone on March 3 that the Taliban had to reduce violence immediately for the peace process to proceed.³³⁴ General Miller reiterated this on March 3, saying the Taliban risked the agreement if they do not lower their violence.³³⁵ On March 4, when the Taliban attacked an Afghan security checkpoint in Helmand Province, U.S. forces retaliated with a defensive air strike (the first against the Taliban in 11 days).³³⁶ On March 10, State called the high level of post-agreement violence "unacceptable," (though they did acknowledge that the Taliban had taken steps to stop attacks against international forces and in cities).³³⁷ On March 19, Afghanistan's acting minister of defense ordered the army to assume a more active defensive posture (wherein MOD forces had "the right to attack the enemy where they are preparing to attack") after concluding that there had been no reduction in Taliban attacks.³³⁸ As reported on April 14, a Ministry of Defense spokesperson said the level of Taliban attacks remained high after they "dramatically increased" following the signing of the U.S.-Taliban Agreement.³³⁹

Despite indications that the Taliban increasingly targeted Afghan security forces following the U.S.-Taliban agreement,³⁴⁰ Secretary Pompeo said on March 23 of overall Taliban attack levels, including those targeting Resolute Support, that while not perfect, "the [post-signing] reduction in violence is real." He said U.S. forces were honoring their commitments to engage the Taliban only when attacked and that there had been no attacks on American forces since the U.S.-Taliban agreement was signed. When asked by a reporter whether the Taliban were acting inconsistently with their commitments, Secretary Pompeo said their actions were largely consistent with the agreement, particularly in reducing violence.³⁴¹

State confirmed to SIGAR that the U.S.-Taliban agreement does not preclude the United States from acting in defense of Afghan forces, nor does

it expressly prohibit all Taliban attacks against Afghan security forces.³⁴² As Secretary Pompeo said on March 23, “as long as these violence levels remain beneath the threshold, our commitment is that we’ll continue [with the force reduction].”³⁴³ In April, General Miller and Ambassador Khalilzad each met with the Taliban leaders in Doha, with Miller discussing the need to reduce violence and Khalilzad discussing the challenges in implementing the U.S.-Taliban Agreement.³⁴⁴

Disagreements Over Prisoner Release Help Delay Start of Intra-Afghan Negotiations

Intra-Afghan negotiations did not begin on March 10, as called for in the U.S.-Taliban agreement.³⁴⁵ State attributed the delay to disagreements over prisoner releases and continued political infighting in Kabul over post-election governing arrangements.³⁴⁶ On the day the U.S.-Taliban agreement was signed, President Ghani told media the prisoner issue should be a topic for government-Taliban talks, rather than a precondition for those talks.³⁴⁷

In a phone call with Reuters, a Taliban spokesperson insisted that they would only participate in intra-Afghan negotiations after the release of close to 5,000 Taliban prisoners (rather than the more flexible “up to” 5,000 prisoners called for in the U.S.-Taliban agreement).³⁴⁸ On April 9, Deutsche Welle reported that a Taliban’s spokesperson demanded the release of all prisoners saying, “let me be clear: the intra-Afghan talks won’t start until Kabul frees all our prisoners.”³⁴⁹

On March 18, Ambassador Khalilzad confirmed that no prisoners had been released despite both sides’ committing to do so. Arguing that the spread of the COVID-19 virus would complicate prisoner releases and face-to-face engagements between the parties, he said, “time is of the essence.”³⁵⁰

The first “technical” talks between the Taliban and the Afghan government on the release of prisoners occurred on March 22 over video conference. The two-hour discussion was facilitated by the U.S. and Qatari governments and, according to Ambassador Khalilzad, all sides conveyed their strong commitment to a reduction of violence, intra-Afghan negotiations, and a comprehensive and permanent ceasefire.³⁵¹ The Afghan government, through its Peace Initial Contact Group (PICG), offered to release 100 Taliban prisoners on “humanitarian grounds,” including vulnerability to COVID-19. On March 31, the planned release-by date of the 100 Taliban prisoners, the PICG met with Taliban representatives in Kabul to discuss the details.³⁵² By April 5, the Afghan government said it was still committed to implementing the humanitarian prisoner release. At the same time, the government called on the Taliban to stop committing violence, implying that the delays in the prisoner release were due to the Taliban’s continued military campaign.³⁵³

The Taliban called off prisoner talks with the Afghan government on April 7, labeling the discussions “fruitless.” The Afghan government blamed



Taliban prisoners released by the Afghan government as a confidence-building measure. (Afghan government photo)

the Taliban’s “stubbornness” in demanding the release of 15 “commanders” who were involved in “big attacks.”³⁵⁴ The next day, however, the Afghan government released 100 Taliban prisoners from the “broader list” the Taliban had provided the Afghan government.³⁵⁵ As of April 12, the Afghan government said it released 361 Taliban prisoners to advance peace and fight COVID-19.³⁵⁶ Also on April 12, the Taliban said it had released 20 government prisoners.³⁵⁷ Ambassador Khalilzad welcomed the Afghan government and Taliban prisoner releases, saying they were an “important step in the peace process and the reduction of violence.”³⁵⁸

Senior Taliban Leader Describes to Supporters in Pakistan His Vision for a Post-Settlement Governing Arrangement

According to Radio Free Europe/Radio Liberty, on March 25 in Balochistan Province, Pakistan, a senior Taliban negotiator, Mullah Fazel, told supporters that the Taliban would ultimately be victorious in establishing an Islamic Emirate led by the Taliban. Further, Fazel reportedly said that while the “Taliban or the Islamic Emirate will never become part of the Kabul [Afghan] government,” the Taliban envisioned accommodating Afghan government officials with senior positions.³⁵⁹ Whether this vision represents bravado during sensitive negotiations or a genuine expression of a unified Taliban position is unclear.

U.S. and Afghan Governments Welcome Taliban Offer of Safe Passage for Health Workers Fighting COVID-19

On April 6, Al Jazeera reported Taliban efforts to raise awareness of the COVID-19 virus, prohibiting all public gatherings and weddings, and encouraging people to pray at home instead of the mosques in some areas they claim to control. The Taliban has also reportedly offered safe passage to health workers and international organizations fighting the spread of COVID-19.³⁶⁰ State’s Senior Bureau Official for South and Central Asian Affairs Alice Wells joined the Ministry of Public Health in welcoming this news.³⁶¹ Rather than an aberration, such reports of the Taliban’s involvement in the health sector may be a continuation of their efforts to control and co-opt service delivery in areas they control. See pages 122–124 of the July 30, 2019, quarterly report for previous SIGAR reporting on Taliban involvement in public service delivery, including health care.

Afghan Government Names Its Negotiating Team

Afghanistan’s State Ministry for Peace announced the names of Ghani’s government negotiating team on March 26. Long demanded by the U.S. government, 21 members, including five women, were reportedly selected after “much deliberation and consultation with all parties and influential segments of society.” The delegation is led by Masoom Stanekzai, the former

head of the National Directorate of Security. According to TOLONews, some of the delegates were not consulted prior to their inclusion on the list.³⁶²

The delegates include several serving or former government officials, the children of influential Afghans (including the sons of former governor of Balkh Province Atta Mohammad Noor and former first vice president Abdul Rashid Dostum), religious leaders, politicians, and civil society representatives.³⁶³ Ambassador Khalilzad described the team as reflecting “the true tapestry of the nation and the instrumental role of women.”³⁶⁴

On March 28, the Taliban said they rejected the government’s negotiating team, claiming it did not represent all sides in Afghanistan.³⁶⁵ Abdullah challenged the Taliban’s claim, describing the government’s negotiating team as “inclusive” despite the unresolved election that he said had been “rigged.”³⁶⁶

MUTUAL ACCOUNTABILITY

Afghanistan Compact

This quarter State said the periodic meetings on the Afghan government’s progress toward the Afghanistan Compact’s reform benchmarks remain suspended.³⁶⁷ Last quarter State said the meetings had been suspended until the presidential election was resolved.³⁶⁸

The U.S. and Afghan governments announced the launch of the Afghanistan Compact in 2017.³⁶⁹ The Compact is an Afghan-led initiative designed to demonstrate the government’s commitment to reforms. The Afghan government appears to face no direct financial consequences if it fails to meet the Afghanistan Compact reform commitments. Instead, the principal motivation for the Afghan government officials tasked with achieving the Compact benchmarks appears to be avoiding embarrassment, State said.³⁷⁰

U.S. ASSISTANCE TO THE AFGHAN GOVERNMENT BUDGET

Summary of Assistance Agreements

According to the UN Secretary-General this quarter, the UN continued coordinating with the Afghan government and donors to prepare for a 2020 ministerial conference to determine donor funding for Afghanistan up through 2024. The UN hopes donors will maintain their development investments into 2024.³⁷¹ The UN and the Finnish and Afghan governments will co-host this donor conference in Geneva in November 2020.³⁷²

With regard to the security aid that makes up the vast majority of current U.S.-funded assistance to the Afghan government, participants in the NATO Brussels Summit on July 11, 2018, previously committed to extend “financial sustainment of the Afghan forces through 2024.” The public declaration

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S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2020 directed SIGAR to assess “the internal controls of multilateral trust funds for Afghanistan reconstruction that receive U.S. contributions, to include any third-party evaluations of the internal controls of the Afghan government ministries receiving assistance from multilateral trust funds, and SIGAR is directed to report to the Committee if access to records is restricted for programs funded with U.S. contributions.” SIGAR has initiated this work and anticipates issuing multiple public reports in early 2021, each examining a different trust fund.

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TABLE 3.12

USAID ON-BUDGET PROGRAMS					
Project/Trust Fund Title	Afghan Government On-Budget Partner	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Bilateral Government-to-Government Projects					
Power Transmission Expansion and Connectivity (PTEC)	Da Afghanistan Breshna Sherkat	1/1/2013	12/31/2023	\$316,713,724	\$256,837,540
Textbook Printing and Distribution	Ministry of Education	9/15/2017	12/31/2020	35,000,000	0
Multi-Donor Trust Funds					
Afghanistan Reconstruction Trust Fund (ARTF) (current award)*	Multiple	3/31/2012	6/30/2020	\$2,700,000,000	\$2,395,686,333
Afghanistan Infrastructure Trust Fund (AITF)	Multiple	3/7/2013	3/6/2023	153,670,184	153,670,184

*USAID had a previous award to the ARTF that concluded in March 2012 and totaled \$1,371,991,195 in disbursements. Cumulative disbursements from all ARTF awards is currently \$3,767,677,528.

Source: USAID, response to SIGAR data call, 4/10/2020.

On-budget assistance: encompasses donor funds that are aligned with Afghan government plans, included in Afghan government budget documents, and included in the budget approved by the parliament and managed by the Afghan treasury system. On-budget assistance is primarily delivered either bilaterally from a donor to Afghan government entities, or through multidonor trust funds. DOD prefers the term “direct contributions” when referring to Afghanistan Security Forces Fund (ASFF) monies executed via Afghan government contracts or Afghan spending on personnel.

Off-budget assistance: encompasses donor funds that are excluded from the Afghan national budget and not managed through Afghan government systems.

Source: SIGAR, Quarterly Report to the United States Congress, 7/30/2014, p. 130; Ministry of Finance, “Aid Management Policy for Transition and Beyond,” 12/10/2012, p. 8; State, response to SIGAR vetting, 1/14/2016; DOD, OSD-R response to SIGAR vetting, 1/15/2018.

did not specify an amount of money or targets for the on-budget share of assistance.³⁷³

At the November 2018 Geneva Conference on Afghanistan, international donors reaffirmed their intention to provide \$15.2 billion for Afghanistan’s development priorities up to 2020 and to direct continuing but gradually declining financial support to Afghanistan’s social and economic development through 2024.³⁷⁴

As shown in Table 3.12, USAID’s active, direct bilateral-assistance programs have a total estimated cost of \$176 million. USAID also expects to contribute \$2.7 billion to the Afghanistan Reconstruction Trust Fund (ARTF) from 2012 through 2020 in addition to \$1.37 billion disbursed under the previous grant agreement between USAID and the World Bank (2002–2011). USAID has disbursed \$154 million to the Afghanistan Infrastructure Trust Fund (AITF).³⁷⁵

Civilian On-Budget Assistance

USAID has provided on-budget civilian assistance in two ways: bilaterally to Afghan government entities, and through contributions to two multidonor trust funds, the World Bank-administered Afghanistan Reconstruction Trust Fund (ARTF) and the Asian Development Bank-administered Afghanistan Infrastructure Trust Fund (AITF).³⁷⁶ According to USAID, all bilateral-assistance funds are deposited in separate bank accounts established by the Ministry of Finance (MOF) for each program.³⁷⁷

The ARTF provides funds to the Afghan government’s operating and development budgets in support of Afghan government operations, policy reforms, and national-priority programs.³⁷⁸ The AITF coordinates donor assistance for infrastructure projects.³⁷⁹

As of December 2019, the United States remains the largest cumulative donor to the ARTF (31.0% of contributions); the next-largest donor is the United Kingdom (16.9% of contributions).³⁸⁰

ARTF Recurrent-Cost Window

The ARTF recurrent-cost window supports operating costs, such as Afghan government non-security salaries and operations and maintenance expenses. The recurrent-cost window is also the vehicle for channeling reform-based incentive funds, such as the Incentive Program Development Policy Grant (IP DPG).³⁸¹

As of December 2019, the ARTF recurrent-cost window has cumulatively provided the Afghan government approximately \$2.6 billion for wages, \$600 million for operations and maintenance costs, \$1.1 billion in incentive program funds, and \$772 million in ad hoc payments since 2002.³⁸²

On-Budget Assistance to the ANDSF

Approximately 70% of total U.S. on-budget assistance goes toward the requirements of the Afghan security forces.³⁸³

DOD provides on-budget assistance to the Afghan government through direct contributions from the Afghanistan Security Forces Fund (ASFF) to the Afghan government to fund a portion of Ministry of Defense (MOD) and Ministry of Interior (MOI) requirements, and through ASFF contributions to the multidonor Law and Order Trust Fund for Afghanistan (LOTFA).³⁸⁴

According to DOD, most of the ASFF appropriation is not on-budget because it is spent on equipment, supplies, and services for the Afghan security forces using DOD contracts.³⁸⁵ The Combined Security Transition Command-Afghanistan (CSTC-A) provides direct-contribution funding to the MOF, which allots it incrementally to the MOD and MOI.³⁸⁶ UNDP administers LOTFA primarily to fund Afghan National Police salaries and incentives.³⁸⁷

This quarter CSTC-A said the Afghan government asserted they have met all of the conditions donors set to transfer police payroll from UNDP to MOI management. The LOTFA donors require an independent assessment to determine whether the conditions are indeed met. UNDP is in the process of contracting a third party to conduct the independent assessment.³⁸⁸

For Afghan fiscal year (FY) 1399 (December 2019–December 2020), CSTC-A plans to provide the Afghan government up to the equivalent of \$716 million to support the MOD. Of this amount, approximately \$628.5 million (88%) is for salaries.³⁸⁹ To support the MOI, CSTC-A plans to provide up to \$142.5 million in FY 1399. Of these funds, approximately \$54.7 million (38%) is for salaries, with the remaining funds for purchase of goods, services, or assets.³⁹⁰

As of February 21, CSTC-A had provided the Afghan government the equivalent of \$57.1 million to support the MOD for FY 1398. Almost all of

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In 2014, CSTC-A began using commitment letters signed by the command, the MOD, the MOI, and the Afghan Ministry of Finance (MOF) to establish prescribed conditions that the ministries should meet in order to receive certain funding. In April 2019, CSTC-A officials told SIGAR that the CSTC-A Commanding General “directed a review of the current Bilateral Financial Commitment Letter process and the development of a plan that will absorb the actions that the commitment letters were aiming to change into the TAA [Train, Advise, Assist] plans.” In September 2019, CSTC-A advised SIGAR that it was moving to an incentive-based approach and would no longer penalize the MOD and the MOI for failing to meet conditions. Given these changes in CSTC-A’s approach to conditionality, SIGAR is auditing the command’s use and enforcement of conditions to motivate the MOD and MOI to use funds provided by the U.S. government responsibly and as intended.

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these funds (98%) paid for salaries.³⁹¹ As of February 21, CSTC-A has provided no funds to support the MOI.³⁹²

NATIONAL GOVERNANCE

Civil Society and Media

As shown in Table 3.13, USAID funds programs to support broader human and institutional capacity building of civil-society organizations and the media.

TABLE 3.13

USAID CAPACITY-BUILDING PROGRAMS AT THE NATIONAL LEVEL				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Afghan Civic Engagement Program (ACEP)	12/4/2013	2/15/2020	\$79,120,000	\$79,120,000
Rasana (Media)	3/29/2017	3/28/2020	9,000,000	8,069,435

Source: USAID, response to SIGAR data call, 4/10/2020.

USAID's \$9 million Rasana program provides support to women journalists and women-run or women-owned media organizations. The program has four program areas: (1) support and training for women journalists, (2) investigative journalism initiatives, (3) advocacy and training for the protection of journalists, and (4) expanding the outreach of media through small grants for content production in underserved areas.³⁹³

As of March 28, Rasana assisted 662 non-state news outlets and trained 570 journalists.³⁹⁴

SUBNATIONAL GOVERNANCE

Provincial and Municipal Programs

USAID has two subnational programs focused on provincial centers and municipalities: the Initiative to Strengthen Local Administrations (ISLA) and Strong Hubs for Afghan Hope and Resilience (SHAHAR) programs. Table 3.14 summarizes total program costs and disbursements to date.

TABLE 3.14

USAID SUBNATIONAL (PROVINCIAL AND MUNICIPAL) PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Strong Hubs for Afghan Hope and Resilience (SHAHAR)	11/30/2014	5/29/2020	\$72,000,000	\$64,426,157
Initiative to Strengthen Local Administrations (ISLA)	2/1/2015	7/30/2020	48,000,000	43,734,351
Citizens' Charter Afghanistan Project (CCAP)*	3/31/2012	6/30/2020	N/A	67,111,625

*This includes USAID contributions to ARTF with an express preference for the Citizens' Charter Afghanistan Project.

Source: USAID, response to SIGAR data call, 4/10/2020.

Initiative to Strengthen Local Administrations

The \$48 million ISLA program is meant to enable the Afghan government to improve provincial governance in the areas of fiscal and development planning, representation of citizens, and enhanced delivery of public services. ISLA aims to strengthen subnational systems of planning, operations, communication, representation, and citizen engagement, leading to services that more closely respond to all citizens' needs in health, education, security, justice, and urban services.³⁹⁵ To accomplish this, ISLA tries to enhance the institutional and human capacity of provincial line directorates and provincial development committees to ensure that local priorities are integrated into the national budgets through provincial development plans (PDPs).³⁹⁶

This quarter, USAID reported that ISLA supported 14 peace-building town hall meetings in nine provinces. Three ISLA-supported provinces completed their FY 1400 (December 2020–December 2021) provincial development plans (PDP).³⁹⁷

Strong Hubs for Afghan Hope and Resilience

The objective of the \$72 million SHAHAR program is to create well-governed, fiscally sustainable Afghan municipalities capable of meeting the needs of a growing urban population. SHAHAR partners with municipalities to, among other things, deliver capacity-building for outreach and citizen consultation, improved revenue forecasting and generation, and budget formulation and execution.³⁹⁸

This quarter, SHAHAR organized a conference on Peacebuilding and Local Governance in Afghanistan. The primary purpose of the conference was to bring mayors, representatives of municipal advisory boards, municipal officials, and subject matter experts (researchers, journalists, and civil society advocates) together to explore how municipal authorities can prepare for a peace agreement. They were also to discuss what kinds of policy changes in the sphere of local governance might facilitate peace.

There were more than 80 participants in the conference, including 17 mayors from across the country. The assembled mayors argued for reforms that enable greater decentralization of political, fiscal, and administrative decision-making authority to mayors. According to SHAHAR, one surprising result was that mayors also advocated for more citizen participation that could limit their power. These mayors, SHAHAR reported, seemed to believe that giving citizens more power would increase their legitimacy, which the mayors believed has been missing in Afghanistan over the past 18 years.³⁹⁹

Citizen's Charter Afghanistan Project

In October 2018, USAID began explicitly contributing a portion of its ARTF funds to the Citizen's Charter Afghanistan Project (CCAP), which began in 2016. USAID requested that \$34 million of its \$300 million

contribution to the World Bank's ARTF be spent on CCAP. According to the Afghan government, CCAP is the centerpiece of the government's national inclusive development strategy for rural and urban areas. CCAP works through Community Development Councils (CDC) to implement community projects. CCAP defines a suite of minimum basic services for each community covering health, education, and a choice of infrastructure investments (such as road access, electricity, or small-scale irrigation for rural communities).⁴⁰⁰

Both the World Bank and Afghan government have proposed expanding CCAP in the event of peace.⁴⁰¹

In February 2020, World Bank-contracted evaluators presented their findings on the relationship between CCAP and conflict and fragility. The study covered five of 123 CCAP districts⁴⁰² and included in-depth interviews with 56 "power-holders" and community council members.⁴⁰³ According to the evaluators, the program is viewed as reducing tension and resolving grievances and there is no evidence that CCAP creates conflict, although it can reshape conflict. Further, service providers must adapt day-by-day to changing conflict dynamics and are incentivized to not report deviations from rules as they prioritize the delivery of services. Insecurity may enhance cooperation around service delivery.⁴⁰⁴ On the relationship between service delivery and trust in the state, the evaluators concluded that the Taliban also use service delivery to increase their legitimacy and the most important service the Afghan government can offer is security.⁴⁰⁵ The evaluators observed that there are power struggles for CCAP-generated resources and local figures use CCAP to strengthen their positions.⁴⁰⁶

RULE OF LAW AND ANTICORRUPTION

Summary of rule of law and anticorruption programs

As shown in Table 3.15, the United States supports a number of active rule-of-law and anticorruption programs in Afghanistan.

Afghanistan's Measure for Accountability and Transparency (AMANAT)

In August 2017, USAID awarded the contract for Afghanistan's Measure for Accountability and Transparency (AMANAT) program to support the Afghan government's efforts to reduce and prevent corruption in government public services.⁴⁰⁷ According to USAID, AMANAT supports select Afghan government institutions with technical assistance to plan for and implement recommended procedural reforms.⁴⁰⁸

As of March 28, AMANAT has trained 207 beneficiaries in corruption self-assessment methodologies and 1,941 civil society members in anticorruption.⁴⁰⁹

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TABLE 3.15

RULE OF LAW AND ANTICORRUPTION PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Assistance for Development of Afghan Legal Access and Transparency (ADALAT)	4/18/2016	4/17/2021	\$68,163,468	\$31,695,786
Afghanistan's Measure for Accountability and Transparency (AMANAT)	8/23/2017	8/22/2022	31,986,588	7,094,847
Corrections System Support Program (OASIS CSSP) Option Year*	6/1/2018	5/31/2022	19,300,987	8,349,806
Justice Sector Support Program OASIS Contract*	8/28/2017	8/27/2022	34,211,774	23,752,336
Continuing Professional Development Support (CPDS)*	2/6/2018	6/30/2020	8,640,922	7,938,401

*Disbursements as of 3/17/2020.

Source: State, INL, response to SIGAR data call, 3/17/2020; USAID, response to SIGAR data call, 4/10/2020.

Assistance for the Development of Afghan Legal Access and Transparency (ADALAT)

In April 2016, USAID launched the \$68 million Assistance for the Development of Afghan Legal Access and Transparency (ADALAT) program. ADALAT aims to (1) increase the effectiveness and reach of the formal justice sector, (2) strengthen the linkages between the formal and traditional justice sectors, and (3) increase “citizen demand for quality legal services.”⁴¹⁰ ADALAT collaborates with the Ministry of Justice (MOJ) Department of the Huquq (“rights”). Huquq offices provide citizens the opportunity to settle civil cases within the formal system before beginning a court case.⁴¹¹ ADALAT’s efforts to increase demand for quality legal services includes providing grants to (1) civil-society organizations to promote legal awareness and legal rights, and (2) private universities to prepare future “practical problem-solvers” within formal and traditional dispute-resolution institutions.⁴¹²

As SIGAR reported in October 2018, the Supreme Court refused all senior-level meetings with ADALAT personnel following the cancellation of the previous year’s ADALAT-sponsored study tour in Jordan.⁴¹³ One of ADALAT goals is to improve judicial inspections and discipline. According to ADALAT, the Supreme Court’s Department of Inspections (DI) is expected to regularly inspect Afghan courts and follow-up on complaints regarding judicial misconduct. As of January 2019, ADALAT’s efforts to improve judicial inspections and discipline were on hold pending an international study tour to Jordan by the members of the inspections directorate who wanted to explore international best practices on judicial inspections.⁴¹⁴

Following the completion of the eight-day study tour to Jordan in November 2019, USAID provided the following update on ADALAT’s partnership with the Supreme Court’s DI:⁴¹⁵

- Although the DI worked with ADALAT early in the project, for some time prior to the Jordan Study Tour, the DI was not especially

cooperative and the committee for reviewing judicial regulations was dissolved.

- Following the Jordan Study Tour, there was then some disagreement with the DI over the supply of material goods. USAID approved a substantial number of items for the DI per ADALAT's work plan, but the DI wanted the items before promising to reestablish the committee and committing to further amendments in regulations and the development of various protocols. ADALAT withheld the equipment until the DI committed to the various planned activities. This stalemate lasted many weeks.
- After three meetings, the DI finally agreed to commit to the various ADALAT activities prior to receipt of the equipment.
- The committee has been reestablished and has met with ADALAT twice to begin the review of disciplinary regulation for judges. The DI will work with ADALAT in year five of the program to amend the regulations for judicial discipline and inspections.

Justice Sector Support Program (JSSP)

State's Justice Sector Support Program is the largest rule-of-law program in Afghanistan. JSSP was established in 2005 to provide capacity-building support to the Afghan justice system through training, mentoring, and advisory services. The current JSSP contract began in August 2017 and has an estimated cost of \$34 million. The previous JSSP contract, which began in 2010, cost \$280 million. JSSP provides technical assistance to Afghan justice-sector institutions to: (1) build the capacity of justice institutions to be professional, transparent, and accountable; (2) assist the development of statutes that are clearly drafted, constitutional, and the product of effective, consultative drafting processes; and (3) support the case-management system so that Afghan justice institutions work in a harmonized and interlinked manner and resolve cases in a transparent and legally sufficient manner.⁴¹⁶

JSSP advises various Afghan government offices on how to use its Case Management System (CMS). CMS is an online database that tracks the status of criminal cases in Afghanistan, across all criminal justice institutions, from the moment a case is initiated to the end of confinement.⁴¹⁷ As of January 31, 2020, the CMS had recorded 507,726 criminal cases and 104,210 civil cases.⁴¹⁸

Corrections System Support Program (CSSP)

State's Corrections System Support Program (CSSP) provides mentoring and advising support, training assistance, leadership capacity-building initiatives, infrastructure assistance and nationwide case management for correctional facilities.⁴¹⁹

As of January 31, 2020, the latest date for which adult prison population data is available, the General Directorate of Prisons and Detention

Centers (GDPDC) incarcerated 34,799 males and 844 females. This total does not include detainees held by any Afghan governmental organization other than the GDPDC and the Ministry of Justice’s Juvenile Rehabilitation Directorate. INL does not have access to data for other organizations.⁴²⁰

This quarter, State highlighted how six Children Support Centers (CSCs) beneficiaries continued their studies at an elite private school. All six beneficiaries were awarded scholarships to the prestigious school after receiving educational services and application assistance from CSC staff.⁴²¹

Anticorruption

The Afghan government made little progress pursuing high-profile corruption cases this quarter, DOJ said. DOJ highlighted several cases, including:

- The investigation into fuel-related corruption—uncovered in the October 2015 Farooqi Report on collusion, price fixing, and bribery related to bids for fuel contracts totaling nearly \$1 billion—is stalled because documents have not been provided to the courts.⁴²² (While DOJ did not identify the party that is not cooperating with the courts, State told SIGAR in June 2019 that the case was previously stalled because it lacked the support of President Ghani’s office.⁴²³)
- In January 2019, CSTC-A told SIGAR that its investigations, begun around October 2017, nearly ended fuel theft in the 209th Corps in northern Afghanistan.⁴²⁴ However, the continuing investigation into large-scale fuel fraud in 209th Corps is now dormant due to the MOD’s failure to cooperate.⁴²⁵
- In what DOJ labeled a positive development, the Supreme Court overturned the anticorruption court’s acquittal of former Minister of Communications and Information Technology, Abdul Razaq Wahidi, on embezzlement and nepotism charges. The anticorruption court will again try Wahidi, this time on charges of embezzling nearly \$80,000 from a Ministry of Finance project.⁴²⁶

Anti-Corruption Justice Center

In May 2016, President Ghani announced the establishment of a specialized anticorruption court, the Anti-Corruption Justice Center (ACJC). At the ACJC, elements of the Major Crimes Task Force (MCTF) investigators, AGO prosecutors, and judges work to combat serious corruption. The ACJC’s jurisdiction covers major corruption cases in any province involving senior officials (up to the deputy minister), generals, and colonels, or cases involving substantial monetary losses. Substantial losses are defined as a minimum of five million afghani—approximately \$73,000—in cases of bribes, money laundering, selling of historical or cultural relics, illegal mining, and appropriation of Afghan government property; or a minimum of 10 million afghani—approximately \$146,000—in cases of embezzlement.⁴²⁷

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S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2020 directed SIGAR to assess “the Government of Afghanistan’s implementation, resourcing, and administration of the ‘Afghanistan National Strategy for Combating Corruption’, including whether such government is making progress toward achieving its anti-corruption objectives, addressing impunity of powerful individuals, and meeting international commitments.” SIGAR has initiated this work and anticipates issuing a public report in early 2021.

According to the UN Secretary-General, the ACJC output has been low for the past two quarters. The ACJC primary court adjudicated three cases between December 1, 2019, and February 16, 2020, while the appeals court adjudicated seven cases. Since its founding in 2016, the ACJC has adjudicated cases involving 260 defendants (of whom 50 have been acquitted).⁴²⁸ Limited cooperation between law enforcement bodies has negatively affected the ACJC's work, with Afghan authorities processing only 94 of 255 outstanding arrest warrants and summonses for serious corruption cases.⁴²⁹

In February, the ACJC appellate court sentenced a former district administrator from Logar Province to 10 and a half years in prison for demanding an approximately \$190,000 bribe for settling a land dispute.⁴³⁰

Unresolved Presidential Contest Hinders Afghan Security Forces Response to Corruption

The unresolved Afghan presidential contest has hindered MOD and MOI countercorruption efforts this quarter.⁴³¹ CSTC-A reported that its current countercorruption priorities focus on reducing bribery and trainee abuse at Afghan security forces training centers, theft of CSTC-A-provided fuel, clothing, and equipment, and fraud associated with food supplies and repair parts.⁴³²

However, CSTC-A said the ministers of defense and interior are slow to take decisive action against corrupt actors out of concern for potential retribution if political fortunes should change. Senior MOD and MOI leaders have taken administrative action against corrupt actors, but CSTC-A said the transfer and reassignment of these corrupt actors is insufficient; unspecified senior Afghan political figures reportedly veto attempts to permanently remove corrupt officials.⁴³³

Despite these challenges, CSTC-A believes that the MOD is “making considerable advancements in battling corruption.” Positive developments include the replacement of several ANA corps leaders. Further, CSTC-A said the minister of defense has demonstrated his willingness to suspend those under criminal investigation while encouraging criminal investigations to continue.⁴³⁴

When asked to describe any specific and significant anti- or countercorruption activities taken by MOD or MOI senior leaders this quarter that CSTC-A attributes to their train, advise, and assist efforts, CSTC-A observed the following:⁴³⁵

- The minister of interior replaced “several” province chiefs of police who were under investigation and suspended from their position. CSTC-A reduced funding to 12 police province headquarters that had misused funds.
- The minister of interior hosted a one-day conference on leadership, accountability, and corruption with all 34 province chiefs of police.

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- The MOD legal section developed an ethics training with plans for all corps leadership to receive the training in six months.
- The MOD Criminal Investigation Directorate (MOD CID) held a basic course training for 12–15 students. During the quarter, MOD CID initiated 45 corruption investigations, with 23 investigations referred for prosecution.

Among the MOD and MOI elements tasked with combating corruption, CSTC-A provided the following assessments and updates:⁴³⁶

- MOI Inspector General (MOI IG) is improving incrementally. MOI IG raised concerns over the potential loss of 11,000 weapons and 1,000 vehicles in Helmand Province. As of March, however, after further inspections, retraining, and criminal charges, all the weapons and vehicles have been accounted for.
- Major Crimes Task Force (MCTF) effectiveness has decreased. The MCTF director benefits from “executive-level” political patronage and remains in his position despite his recommended removal since November 2019. MCTF personnel and vehicles have been repurposed for other priorities (such as assisting in election security), distracting the organization from its countercorruption mission. The MCTF also faces “internal interference.” (Further, the UN Secretary-General observed that the failure to reform the MCTF has left the ACJC without a functioning police component.⁴³⁷)
- General Directorate for Internal Security (GDIS) was previously responsible for collecting intelligence and making counterterrorism arrests. Reorganized in 2019, the GDIS now focuses primarily on countering corruption and insider threats within the MOI.
- MOD Inspector General (MOD IG) has improved its inspections capability and is seeking authorities to conduct investigations. Corps-level IG units now report to the central MOD IG, something CSTC-A hopes will improve the ability of MOD IG elements to be effective despite corrupt leaders in various ANA corps.
- Established in June 2019,⁴³⁸ the MOD CID has not yet reached full operational capability, but has already had a positive impact on reducing corruption, CSTC-A says. The interim director aggressively sought personnel (having filled 89% of its positions) and personally assesses and mentors each subordinate leader. Prior to the arrival of the interim director, CSTC-A said the organization was “leaderless and stagnant.” MOD CID has been involved in the recent arrest and suspension of ANA general officers, prompting the minister of defense to approve the suspension of some of those under investigation. Like other countercorruption bodies, CSTC-A says MOD CID faces interference from unspecified “external sources” that hinder its investigations.

COUNTERNARCOTICS

Ministry of Interior Updating Counternarcotics Plan

This quarter, State's Bureau of International Narcotics and Law Enforcement Affairs (INL) reported that Afghanistan's Ministry of Interior (MOI) is working on an updated counternarcotics plan.⁴³⁹ The MOI has taken over responsibility for counternarcotics planning following President Ashraf Ghani's order in January 2019 dissolving the Ministry of Counter Narcotics (MCN).⁴⁴⁰ State has not been able to provide any information on why the Afghan government chose to dissolve the MCN.⁴⁴¹

Last quarter, State said the MCN dissolution was complete and former MCN employees have been transferred to other Afghan government entities. One of the outstanding issues, though, was whether MCN facilities would be transferred to the Attorney General's Office (AGO), as stipulated in a June 2019 presidential decree.⁴⁴² This quarter, State reported that it "appears that former MCN facilities are transferring to the AGO," but that State was not involved in internal Afghan government decisions on these facilities and could provide no further information.⁴⁴³

2019 Afghanistan Opium Survey Release Delayed

As of March 31, 2020, the United Nations Office on Drugs and Crime (UNODC) had still not released its 2019 *Afghanistan Opium Survey*, an annual survey that tracks the extent of opium-poppy cultivation in Afghanistan and that is usually issued in the autumn. Since 2006, State INL has funded UNODC to produce the survey in partnership with Afghan government agencies. UNODC also produces a supplementary report on the socioeconomic implications of opium-poppy cultivation in Afghanistan in the spring; this report also has not been released yet. INL has so far disbursed \$17.7 million to fund this program.⁴⁴⁴

Afghan opium poppy is harvested in the spring, and UNODC has historically released the cultivation report in the following autumn. The next spring, the UNODC usually releases a socioeconomic report about the previous year's harvest. Last quarter, SIGAR reported that since the MCN has been dissolved, the annual opium surveys would no longer be produced with the MCN and that UNODC would henceforth partner with the Afghanistan National Statistics and Information Authority (NSIA).⁴⁴⁵

According to State INL, the NSIA has been in technical discussions with UNODC about a disagreement over the survey methodology used to generate the opium-poppy crop's "yield," or how much opium poppy was actually grown in Afghanistan in 2019. The most recent meeting between UNODC and NSIA occurred in Dubai on February 19, 2020, and ended without resolution. INL attended this meeting along with MOI representatives; INL reported that NSIA representatives pledged to further raise the matter with the Afghan government. Currently there is no agreed date to release

the 2019 *Afghan Opium Survey*; this delay in the autumn cultivation report could cause a delay in the spring socio-economic report.⁴⁴⁶

Afghan Counter Narcotics Police Organization and Funding

State INL provides support to specialized units within the Counter Narcotics Police of Afghanistan (CNPA).⁴⁴⁷ The CNPA leads Afghan law-enforcement personnel in counternarcotics efforts. The CNPA, authorized at 2,632 personnel through March 2020, are located in all 34 provinces and comprise regular police as well as specialized units. The CNPA's counternarcotics responsibilities include controlling precursor chemicals, airport interdiction, operating the forensic laboratory, crop eradication, and managing mobile detection teams. CNPA also coordinates with Afghan customs to stop drug trafficking.⁴⁴⁸

CNPA specialized units consist of three major components including the U.S.-supported National Interdiction Unit (NIU) and Sensitive Investigative Unit (SIU), and the UK-supported Intelligence and Investigation Unit (IIU).⁴⁴⁹ Additionally, the U.S.-supported Technical Investigative Unit (TIU) provides support to these components.⁴⁵⁰ This quarter, the U.S. Drug Enforcement Agency (DEA) reported that the NIU and SIU conducted a combined total of 40 DEA-mentored, partnered, or otherwise supported operations.⁴⁵¹

The NIU conducts interdiction operations and seizures, serves arrest warrants, and executes search warrants in high-threat environments. The NIU receives mentoring from DEA and NATO Special Operations Component Command-Afghanistan (NSOCC-A), including U.S. Special Forces. The NIU typically maintains forward-based personnel in Kandahar, Kunduz, and Herat.⁴⁵²

The SIU's mission is to identify significant drug-trafficking organizations operating in Afghanistan and dismantle them through the criminal-justice system. The SIU receives mentoring from the DEA and consists of hand-picked personnel who are thoroughly vetted.⁴⁵³ The SIU also has four officers responsible for administrative management of court orders obtained by SIU investigators to conduct Afghan judicially authorized intercepts.⁴⁵⁴

The Technical Investigative Unit (TIU) is an individual component of the CNPA that consists of 100 translators who work within the Judicial Wire Intercept Platform (JWIP). The JWIP is a State-funded project to provide technical systems associated with the wiretap program and is executed by DEA through an interagency agreement with State. JWIP supports DEA operations as well as SIU and NIU investigations.⁴⁵⁵

Other Afghan law-enforcement elements such as the special operations General Command of Police Special Units execute high-risk arrests and operations including counterterrorism, counternarcotics, and

Kabul Counter Narcotics Police Chief Arrested on Drug-Trafficking Charges

In early February 2020, the head of Kabul's CNPA, Miyan Ahmad Ahmadi, was arrested along with five senior CNPA officers for distributing drugs and extorting drug traffickers. An MOI spokesperson described Ahmadi as one of the "leading drug peddlers and [a] mafia kingpin." Ahmadi was reportedly arrested north of Kabul while attempting to flee to Central Asia. According to DEA, none of the individuals arrested were part of the NIU or SIU. Although DEA mentors and supports the SIU, which is responsible for identifying and dismantling significant drug-trafficking organizations, DEA stated that they provided no assistance in the investigation and had no further information on it.

Source: Kabul News, "Wells Urges Law Enforcement Against Corrupt Afghan Officials," 2/8/2020; 1TVNews, "Kabul's top anti-drug police official arrested on drug charges," 2/6/2020; Anadolu Agency, "Afghanistan: Top cops selling drugs arrested;" DEA, response to SIGAR data call, 3/20/2019; State, INL, response to SIGAR data call, 3/20/2019.

counter-organized crime. The Afghan Uniform Police and Afghan Border Police (ABP) also participate in counternarcotics activities.⁴⁵⁶

The Special Mission Wing (SMW) is a rotary- and fixed-wing aircraft force established in 2012 to support NIU counternarcotics missions, as well as counterterrorism missions conducted by Afghan special security forces. In recent years, however, nearly all its missions have been to support counterterrorism support, with only about 4% of the SMW's 66 unilateral sorties from January 1 through February 29, 2020, supporting CN missions.⁴⁵⁷ The SMW is the only Afghan National Defense and Security Forces organization with night-vision, rotary-wing air assault, and fixed-wing intelligence-surveillance-reconnaissance capabilities. The SMW structure consists of assault squadrons in Kabul, Kandahar, and Mazar-e Sharif. There is also an imagery, surveillance, and reconnaissance squadron in Kabul.⁴⁵⁸

U.S. Funding for Afghan Counternarcotics Elements

INL estimates that it funds approximately \$21 million per year in operations and maintenance for the NIU, SIU, and other INL programming. Costs directly attributable to NIU and SIU include \$6 million for two years of JWIP (not including other costs DEA may incur), \$9.6 million for two years of other interagency agreement support, and \$825,000 per year for NIU salary supplements.⁴⁵⁹ Salary supplements are used to attract and retain the most qualified and highly trained officers to the specialized units. A graduated scale of supplements is provided to all NIU officers, from police officers to unit commanders.⁴⁶⁰

Interdiction Results

Between October 1, 2019, and March 13, 2020, DOD reported that U.S.-supported interdiction activities by Afghan security forces included 39 operations resulting in 70 detentions and seizures of 1,842 kilograms (kg) (4,061 lbs) of opium, 351 kg (774 lbs) of heroin, and 149,426 kg of hashish (329,428 lbs). Four kg (9 lbs) of methamphetamines were also seized; no precursor chemicals were seized by Afghan security forces during this period.⁴⁶¹ Table 3.16 contains interdiction results provided by DOD.

Despite the improved capabilities of Afghan specialized units over the years, the drug seizures and arrests they conduct have minimal impact on the country's opium-poppy cultivation and production. For example, total opium seizures since FY 2008 are equivalent to approximately 8% of the country's 6,400 metric tons of opium production for the single year of 2018, as reported by UNODC.⁴⁶²

GOVERNANCE

TABLE 3.16

INTERDICTION RESULTS, FISCAL YEARS 2011–2020											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	TOTAL
Number of Operations	624	669	518	333	270	196	157	198	138	39	3,405
Detainees	862	535	386	442	394	301	152	274	177	70	4,077
Hashish seized (kg)	182,213	183,776	37,826	19,088	24,785	123,063	227,327	42,842	145,976	149,426	1,161,366
Heroin seized (kg)	10,982	3,441	2,489	3,056	2,859	3,532	1,975	3,242	3,315	351	43,634
Morphine seized (kg)	18,040	10,042	11,067	5,925	505	13,041	106,369	10,127	1,759	–	173,229
Opium seized (kg)	98,327	70,814	41,350	38,379	27,600	10,487	24,263	23,180	13,612	1,842	399,604
Precursor chemicals seized (kg)	122,150	130,846	36,250	53,184	234,981	42,314	89,878	22,863	81,182	–	834,045
Methamphetamine ² (kg)	50	N/A	N/A	N/A	N/A	9	30	86	734	4	913
Amphetamine (kg)	N/A	N/A	N/A	N/A	N/A	17	N/A	N/A	1,990	–	2,007

Note: The significant difference in precursor chemicals total seizures between 2014 and 2015 is due to a 12/22/2014 seizure of 135,000 kg of precursor chemicals.

¹ Results for period 10/1/2019–3/13/2020.

² In crystal or powder form.

Source: DOD(CN), response to SIGAR data call, 3/18/2020.

Eradication Update

According to State INL, the MOI's Deputy Minister for Counter Narcotics, Mohammad Hashim Urtaq, issued a report on April 7, 2020, stating that Afghan personnel under the direction of MOI have eradicated 196 hectares of opium-poppy during the current season. INL is not, however, in a position to verify these claims or to provide direct assistance to eradication performed under MOI auspices.⁴⁶³

Earlier in the quarter, INL reported that MOI representatives were planning to perform eradication, although the Afghan government had not at that point shared its eradication plans with INL. INL further reported that crop eradication has been on a long-term downward trend, in part due to opium-poppy cultivation in inaccessible or insecure areas. As of late February 2020, INL had no plans to provide direct financial support to MOI for crop eradication in 2020.⁴⁶⁴

According to INL, it was not planning to provide direct financial support because it cannot verify eradication performed under the MOI. INL said MOI has not been vetted for vulnerabilities that could adversely affect the responsible implementation of U.S. eradication assistance, as required by U.S. law. Funds that were provided prior to 2020 conformed to these requirements because INL said it worked with the MCN on eradication programming and the MCN had been vetted for vulnerabilities. INL is reviewing whether it is feasible to instead directly assist the Counter Narcotics Police of Afghanistan (CNPA) as the implementing entity for U.S.-funded opium-poppy eradication assistance. SIGAR will continue to report on these developments.⁴⁶⁵

Governor-Led Eradication

Prior to the MCN's dissolution, INL provided direct eradication assistance through the Governor-led Eradication (GLE) program. According to INL, the CPNA is now the entity implementing independent Afghan eradication and GLE.⁴⁶⁶ Under the GLE program, which began in 2005, INL reimbursed provincial governors \$250 toward the eradication costs of every UNODC-verified hectare of eradicated poppy.⁴⁶⁷

This quarter, INL reported that it does not obligate funds to specific projects such as GLE, but to “lines of effort” like eradication. “Subobligations” within a line of effort can then be directed towards a specific program. These subobligated funds for GLE amount to \$6.9 million since 2008; all subobligated funding for GLE has been disbursed. Future funding for eradication is in the FY 2020 International Narcotics Control and Law Enforcement budget request. Additional funds could be subobligated to the ongoing GLE program, contingent on INL vetting of MOI and the CNPA.⁴⁶⁸

REFUGEES AND INTERNAL DISPLACEMENT

Afghan Refugees

As of March 3, the United Nations High Commissioner for Refugees (UNHCR) reported that 218 **refugees** have voluntarily returned to Afghanistan in 2020. Almost all (185) of these refugee returns were from Iran.⁴⁶⁹

According to State, UNHCR resumed refugee repatriations from Pakistan on March 2, 2020, but had to suspend these operations on March 17 after Pakistan closed its border with Afghanistan in an effort to limit the spread of the COVID-19 virus.⁴⁷⁰

Undocumented Afghan Migrant Returnees

As of April 4, the International Organization of Migration (IOM) reported that 226,316 undocumented Afghans returned from Iran and 1,833 undocumented Afghan **migrants** returned from Pakistan in 2020.⁴⁷¹ According to State, Afghan undocumented migrants had returned from Iran to avoid the COVID-19 epidemic and because of due to diminishing economic opportunities and deportations.⁴⁷²

According to IOM, fears of the COVID-19 virus spreading in Iran has led to record numbers of spontaneous returns of Afghans from Iran.⁴⁷³ For comparison, as of April 6, 2019, 100,347 undocumented Afghan migrants had returned from Iran that year.⁴⁷⁴

Refugees: Persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection. According to the UNHCR, refugees have the right to safe asylum and should receive at least the same rights and basic help as any other foreigner who is a legal resident.

Migrants: Persons who change their country of usual residence, irrespective of the reason for migration or legal status. According to the UN, there is no formal legal definition of an international migrant.

Source: United Nations, “Refugees and Migrants: Definitions,” 2019; UNHCR, “Protecting Refugees: questions and answers,” 2/2002.

Conflict-induced Internal Displacement

Compared to the same period last year, the number of conflict-induced internally displaced persons recorded by the UN Office for the Coordination of Humanitarian Affairs (OCHA) in 2019 is 63% lower. As of March 25, conflicts in 2020 had induced 43,853 Afghans to flee their homes. The office recorded 119,759 displaced persons in the same period last year.⁴⁷⁵

WOMEN'S ADVANCEMENT

In July 2013, then-USAID Administrator Rajiv Shah described the Promote partnership in a public speech as “the largest investment USAID has ever made to advance women in development.”⁴⁷⁶ According to USAID, Promote aims to strengthen women’s participation in civil society, boost female participation in the economy, increase the number of women in decision-making positions within the Afghan government, and help women gain business and management skills.⁴⁷⁷ Table 3.17 shows the current Promote programs.

According to USAID, of the 73,534 total Promote beneficiaries, 29,112 have found employment. Of these, 1,757 have been hired by the Afghan government and 16,756 have secured permanent employment in the private sector. There are also 10,599 Promote beneficiaries holding private-sector internships. (There may be double counting as Promote beneficiaries counted as interns may also be counted when they secure permanent employment.)⁴⁷⁸

This quarter, USAID reported that Promote women’s advocacy coalitions made progress in advancing the participation of women in the peace process and also participated in the 16 days against violence against women and children campaign. To date 16,058 young women have graduated from the “Forward Together” scholarship program, which offers job skills courses including kindergarten teaching, communication, finance, and health care courses.⁴⁷⁹

TABLE 3.17

USAID GENDER PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 4/8/2020
Promote: Women in the Economy	7/1/2015	6/30/2020	\$71,571,543	\$64,514,152
Promote: Women in Government	4/21/2015	4/20/2020	37,997,644	36,578,614
Promote: Women’s Rights Groups and Coalitions	9/2/2015	9/1/2020	29,534,401	22,762,184
Promote: Rolling Baseline and End-line Survey	2/21/2017	10/20/2020	7,577,638	6,349,159
Combating Human Trafficking in Afghanistan	1/11/2016	8/31/2020	7,098,717	6,962,858
Gender Based Violence (GBV)	7/9/2015	7/8/2020	6,667,272	6,667,272
Promote: Scholarships	3/4/2015	3/3/2020	1,247,522	1,247,522

Source: USAID, response to SIGAR data call, 4/10/2020.