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## GOVERNANCE

### KEY ISSUES & EVENTS

On December 2, in what State called a “breakthrough,” the negotiating teams of the Islamic Republic of Afghanistan and the Taliban agreed to rules and procedures to guide negotiations that might lead to a political roadmap and a permanent and comprehensive ceasefire.

The negotiation teams recessed until January 5, 2021, to consult on the agenda, and held a preparatory meeting on January 6 to prepare for substantive discussions that began January 9.

Donors pledged at least \$3.3 billion in civilian assistance for 2021 at the November 23–24 Afghanistan Conference.

### U.S. RECONSTRUCTION FUNDING FOR GOVERNANCE

As of December 31, 2020, the United States had provided nearly \$35.9 billion to support governance and economic development in Afghanistan. Most of this funding, more than \$21.1 billion, was appropriated to the Economic Support Fund (ESF) administered by the State Department (State) and the U.S. Agency for International Development (USAID).<sup>230</sup>

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

### PEACE AND RECONCILIATION

#### Teams Reach Agreement on the Rules and Procedures for the Negotiations

Afghanistan peace negotiations between the Islamic Republic team and the Taliban began on September 12, 2020, after resolution of long-running disputes on prisoner exchanges.<sup>231</sup> On November 21, Secretary of State Michael R. Pompeo said he met with the two negotiating teams to encourage “expedited” discussions on a political roadmap and a permanent and comprehensive ceasefire.<sup>232</sup> He also called on the Taliban to significantly reduce violence.<sup>233</sup> On November 23, Afghan media reported that the negotiating

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teams had reached a breakthrough in agreeing to rules and procedures for the negotiation process. The media also reported that President Ashraf Ghani opposed this agreement,<sup>234</sup> which a Ghani spokesman denied.<sup>235</sup>

The following day, at the 2020 Afghanistan Conference, Under Secretary of State for Political Affairs David Hale confirmed a tentative agreement on rules and procedures that should allow the negotiators to move ahead to start setting an agenda. However, Hale spoke of “disturbing reports” of efforts to delay, disrupt, and thwart progress in the negotiations, and said the U.S. government concluded that “support to the peace process must also be one of our conditions” for continued assistance to Afghanistan.<sup>236</sup>

State, in comments to SIGAR, noted the limited steps that the Afghan government has taken during the quarter to help move forward the peace process, but also noted Afghan government concerns that it had made too many concessions (such as prisoner releases) without sufficient reciprocal steps by the Taliban.<sup>237</sup>

On November 28, one of the Islamic Republic’s negotiators said the two teams had agreed only “in principle” to 21 articles of rules and procedures, but disagreed on the preambulatory language.<sup>238</sup> The *New York Times* reported on November 29 that Afghan officials told them Ghani continued to hinder the peace process, despite the tentative agreement.<sup>239</sup> The following day, Ghani’s spokesman issued a statement saying some unspecified views expressed in the *Times* article were “unwarranted and baseless” and claimed Ghani had “done everything possible to initiate and drive the process and he will do everything within his constitutional powers to end the long-time suffering of the Afghan people and bring a durable peace to Afghanistan.”<sup>240</sup>

Another Afghan government official appeared to blame the Taliban for the impasse, writing on December 1 that the Afghan government had not stalled negotiations. To the contrary, the official wrote, the government had made extraordinary concessions to a group “who isn’t even ready to recognize us as a gov[ernment].”<sup>241</sup>

The Islamic Republic’s negotiating team announced on December 2 that the preamble was finalized—a “significant milestone” according to U.S. Special Representative for Afghanistan Reconciliation Zalmay Khalilzad—resulting in a three-page agreement codifying rules and procedures for the negotiations.<sup>242</sup>

On December 12, the negotiators agreed to recess until January 5, 2021, to consult their respective leaders and constituencies on the proposed agenda items the two teams exchanged.<sup>243</sup> During the recess, members of the Islamic Republic negotiating team were quoted in Afghan media saying the Taliban’s positions on several social and political matters (including women’s rights and elections) are similar to those the organization held in the 1990s.<sup>244</sup> A Taliban delegation traveled to Pakistan for a three-day visit and met with Pakistan’s Prime Minister Imran Khan, who called for all sides to reduce violence to facilitate a cease-fire.<sup>245</sup> Reuters reported that the

Taliban delegation would also meet with the movement's Pakistan-based leadership during the trip.<sup>246</sup> Videos subsequently appeared on social media depicting Taliban negotiating team members meeting commanders and injured fighters to discuss progress in the peace negotiations.<sup>247</sup>

During the recess, Afghan media outlet TOLONews released what it said were the preliminary agenda items verbally agreed to by the two teams. (The Afghanistan Analysts Network reported that the TOLONews list was confirmed to them by one of the Islamic Republic negotiation team members.)<sup>248</sup> Whereas the Islamic Republic side reportedly had a permanent and comprehensive ceasefire and a mechanism for its monitoring and implementation at the top of its proposed agenda list, the Taliban list focused on issues associated with Afghanistan's future political order (including discussions on the establishment of an "Islamic government," the "type of future Islamic government," and "leadership"). These latter concerns are lower down on the Islamic Republic team's reported list, with the government framing the discussion around a "roadmap for political participation."<sup>249</sup>

On January 6, 2021, the two negotiating teams said they had held a "preparatory meeting" to prepare for substantive discussions that started on January 9.<sup>250</sup>

Following Afghan media reports that President Ghani refused to meet with Ambassador Khalilzad due to the latter's raising the topic of an interim government with Afghan politicians,<sup>251</sup> on January 13, Chargé d'Affaires Ross Wilson said the United States has not advocated and is not advocating for an interim Afghan government, and that the ultimate outcome of Afghan peace negotiations is "up to Afghans."<sup>252</sup> That same day, Afghan politicians spoke on the Afghan constitution as it related to peace talks. Second Vice President Mohammad Sarwar Danish was quoted in Afghan media saying there was no need to amend the constitution to achieve peace with the Taliban.<sup>253</sup> Some parliamentarians also pushed back on the idea of an interim government, while others questioned the degree to which the present Afghan government could be considered a democracy.<sup>254</sup>

## Attacks Against Civil-Society Representatives and Journalists Cause Alarm

Despite ongoing peace talks with the Afghan government this quarter, the Taliban carried out a "campaign of unclaimed attacks and targeted killings" of Afghan government officials, civil society leaders, and journalists, United States Forces-Afghanistan (USFOR-A) said. Following the assassinations of two female supreme court judges, Ambassador Wilson said "the Taliban should understand that such actions for which it bears responsibility outrage the world and must cease."<sup>255</sup> The Taliban denied responsibility for these attacks, saying they condemned the killings and rejected any involvement in them, while the Islamic State-Khorasan (IS-K) has claimed responsibility for



**Chargé d'Affaires Ross Wilson** is the lead U.S. diplomat in Afghanistan. (State photo)

“The Elections Support Group (ESG) strongly condemns [the] killing of Mohamed Yousuf Rashid, Executive Director of Free and Fair Election Forum of Afghanistan (FEFA).

Mr. Rashid has been a long-standing advocate for the rights of all Afghans to elect their representatives and determine their country’s future. His life-long dedication and his contribution to strengthening Afghanistan’s electoral process is both enduring as well as widely recognized within Afghanistan and internationally.”

*–Elections Support Group of the United States, UNAMA, NATO, the EU, Denmark, Italy, Japan, Norway, and Sweden*

some.<sup>256</sup> Nonetheless, Afghanistan’s minister of interior and director of the National Directorate of Security insisted the Taliban is responsible.<sup>257</sup>

The numerous civil-society and media organizations that have emerged in Afghanistan since 2001 have been one of reconstruction’s success stories. Since 2001, USAID spent at least \$220 million on media- and civil-society-focused programs.<sup>258</sup> Beyond these initiatives, other USAID programs also invested in media, such as \$2.2 million in start-up funding for what would become Afghanistan’s largest media company, Moby Media Group.<sup>259</sup> A former USAID Afghanistan mission director reflected in 2017 that Afghanistan’s vibrant and active media was one of the agency’s results that spoke for itself.<sup>260</sup>

Although attacks on media-affiliated persons are not as numerous as in past years, their pace has accelerated, particularly in the last two months of 2020.<sup>261</sup> According to the Committee to Protect Journalists, five journalists were murdered in Afghanistan in 2020 (down from a high of 10 in 2018).<sup>262</sup> The Afghan nongovernmental organization Nai reported seven media-affiliated persons killed in 2020 (lower than previous highs of 20 in 2017 and 18 in 2018).<sup>263</sup> The journalists murdered this quarter included 26-year-old Malala Maiwand, a television host popular in eastern Afghanistan, and Fardin Amini, a television news anchor.<sup>264</sup>

Prominent civil-society representatives have also been targeted in this campaign. One particularly egregious example was the killing of Yousuf Rasheed, the pro-democracy executive director of the Free and Fair Elections Forum of Afghanistan Organization (FEFA).<sup>265</sup>

President Ghani declared these attacks on journalists and civil-society representatives as “an attack on a generation” meant to destabilize the country and create a sense of helplessness.<sup>266</sup> The Islamic Republic’s chief negotiator said on January 1, 2021, that he would raise the issue of attacks on journalists with the Taliban.<sup>267</sup>

For more information on overall violence in Afghanistan, see pages 50–54 of this report.

## **Taliban Demand Additional Prisoner Releases as the U.S. and Afghan Governments Dispute the Attribution of Certain Attacks**

When the U.S.-Taliban agreement was signed on February 29, 2020, the Afghan government held more than an estimated 13,000 Taliban prisoners, according to U.S. Special Representative for Afghanistan Reconciliation Zalmay Khalilzad.<sup>268</sup> According to this agreement, up to 5,000 Afghan-government held Taliban prisoners, and up to 1,000 Taliban-held Afghan government prisoners were expected to be released by the start of Afghan peace negotiations. (These prisoners were released prior to the start of these negotiations in Doha). The unspecified number of remaining

prisoners were supposed to be released over the three months after the start of negotiations.<sup>269</sup>

On December 6, Afghan media said Ambassador Wilson told them that the Taliban expected the Afghan government to release 7,000 additional government-held prisoners by mid-December.<sup>270</sup> State told SIGAR that this media reporting misreported Ambassador Wilson's statements, but did not provide a preferred version.<sup>271</sup>

The day after Ambassador Wilson's reported comments, Afghanistan's National Security Council spokesman was quoted criticizing the release of additional Taliban prisoners, saying previous releases did not achieve the desired results and that some released prisoners had returned to the battlefield.<sup>272</sup> On December 17, President Ghani escalated the matter when he told an audience in Kandahar that there should be no further prisoner releases until violence decreased, saying the Taliban "must stop the bloodshed so we can talk."<sup>273</sup>

Another point of tension between the U.S. and Afghan governments has been assigning responsibility for certain high-profile attacks. For example, following a November 2020 attack on Kabul University, Afghanistan's First Vice President Amrullah Saleh declared the mastermind a Taliban affiliate, a charge the Taliban rejected.<sup>274</sup> Ambassador Khalilzad said the "horrendous" and "barbaric" attack was claimed by IS-K. He appeared to chastise the Afghan government and Taliban, saying the attack was "NOT an opportunity for the government and the Taliban to score points against each other."<sup>275</sup>

## Leadership Committee of the High Council for National Reconciliation Meets for First Time

On December 5, the Leadership Committee of the High Council for National Reconciliation held its first meeting. According to State, this "inclusive body" brought together Afghan leaders across the political spectrum to provide counsel and guidance to the Islamic Republic negotiating team with the Taliban on the terms of an agreement on a political roadmap, power sharing, and a permanent ceasefire.<sup>276</sup>

On August 29, 2020, President Ghani issued a decree naming 46 members to the High Council for National Reconciliation. (This decree generated controversy last quarter with some members rejecting their announced inclusion.<sup>277</sup>) This body, with Ghani's former electoral rival Abdullah Abdullah as its chair, was established under the May 2020 political agreement between Ghani and Abdullah. According to that agreement, the council would lead on the peace process and issue final and binding decisions following a majority vote.<sup>278</sup>

In early January 2021, on the eve of the second round of talks with the Taliban, the Leadership Committee provided the Islamic Republic negotiating team with "clear guidelines," Abdullah said.<sup>279</sup>

## SIGAR AUDIT

On September 26, 2019, the Senate Appropriations Committee issued S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020. The report 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 initiated this work in May 2020.



**The Leadership Committee of the High Council for National Reconciliation** discussing the peace process and the upcoming second round of Afghan peace negotiations. (High Council for National Reconciliation photo)

## Peace Process Contributes to Uncertainty in Election-Support Planning

In a November meeting with United Nations (UN) elections experts, USAID officials asked about the probability of any elections or a peace referendum being held in 2021. The UN experts responded that it is difficult to predict whether the delayed 2019 elections for the lower house of parliament in Ghazni Province (which were not held due to insecurity<sup>280</sup>) or the nation-wide provincial council would be held in 2021. They said security challenges were the main concern, but increased domestic pressure on the Afghan government's budgets could also impact the ability to take on additional requirements such as elections. Further, the UN said there is presently no high-level political support for electoral reform as the government appeared primarily focused on forming the cabinet and on the peace process.<sup>281</sup>

USAID and UN officials agreed that they need to prepare for the possibility that a peace agreement will be subject to referendum, potentially requiring UN assistance. It is also possible that a peace agreement could be ratified through parliament or a peace Jirga, the UN said.<sup>282</sup>

## Foreign Assistance and the Taliban: Challenges and Opportunities

Ambassador Andreas von Brandt, head of the European Union (EU) delegation in Afghanistan, said on November 17 that the Taliban had lost the opportunity to attend the 2020 Afghanistan Conference in Geneva because they failed to reduce violence.<sup>283</sup>

Despite the Taliban's exclusion, the United Nations Children's Fund (UNICEF) announced in December that it had reached an agreement with the Taliban to establish 4,000 community-based classes in Taliban-controlled areas in Helmand, Kandahar, Uruzgan, and Faryab Provinces, aiming to reach 140,000 boys and girls. The agreement followed two years of discussions with local and Doha, Qatar-based Taliban leaders.<sup>284</sup>

The Taliban reportedly wished to distribute teacher salaries themselves, but UNICEF insisted these funds be deposited directly into teachers' bank accounts. The Taliban will be able to recruit school staff to serve in areas they control, provided the prospective teachers can pass a Ministry of Education test.<sup>285</sup> A number of studies have found that the Taliban already registers and regulates aid service providers in districts they control (see SIGAR's July 2019 *Quarterly Report to the United States Congress*, pages 122–124, for a discussion of these studies).

In September, Ambassador Khalilzad told Congress that current U.S. policy prohibits providing assistance to the Taliban. He added that the U.S. Congress and Executive Branch would need to make legal and policy changes to allow for continued foreign assistance to any future Afghan government that included the Taliban.<sup>286</sup> This quarter, State told SIGAR that

since Ambassador Khalilzad's testimony, the U.S. has taken appropriate steps to allow for the provision of certain COVID-19-related assistance in Taliban-influenced and -controlled areas.<sup>287</sup>

According to the World Bank, conflict has been the binding constraint to Afghanistan's development over several decades. A sustained peace would bring enormous opportunities in terms of improved access to services and infrastructure, increased private-sector development, and accelerated economic growth, due to reduced costs and risks of investment and trade. The outlook over the next four years is uncertain, however.<sup>288</sup>

Critical challenges the World Bank sees over the next four years could include:<sup>289</sup>

- providing alternative livelihood opportunities to former combatants, in a setting of very difficult economic conditions and existing high levels of unemployment
- financing the provision of services and infrastructure in new areas, given severe fiscal constraints
- maintaining capacity of critical government institutions in the context of demands for politically driven distribution of public-sector jobs
- providing services and infrastructure in ways that address, rather than exacerbate, local-level contestations and grievances
- protecting standards of governance, human right, and equitable access to services under new power-sharing arrangements in which the Taliban are likely to play a major role

International experience shows that failure to adequately address these challenges may lead to the breakdown of any peace agreement and to further cycles of violence, the World Bank says.<sup>290</sup>

## Asia Foundation Survey Finds Respondents Wish to Maintain Existing System in Peace Talks

According to the first set of data released by the Asia Foundation 2020 flash survey, 54% of respondents believe peace is achievable in Afghanistan within the next two years, while 34% say it is not. Respondents were asked how important it is to protect a number of areas as part of the peace process including the current constitution, a democratic system, a strong central government, freedom of the press, and women's rights. Of the areas respondents said are "very important" to be protected, most cited a strong central government (85%), women's rights (85%), equality among different groups of people regardless of ethnicity (84%), and protection of the current constitution (79%).<sup>291</sup>

## U.S. Funding for Peace and Reconciliation

In July 2020, USAID/Afghanistan made \$2.5 million available for the Office of Transition Initiatives (OTI) for its Peace Stabilization Initiative (PSI).



According to USAID, this short-term effort will help ensure key stakeholders can participate in the intra-Afghan negotiations, build awareness and support for the peace process among Afghans, and equip USAID and others with the tools and information to successfully reinforce peace at a local level.<sup>292</sup>

OTI is working with a number of civil-society organizations and media outlets to hold and amplify discussions between Afghans about the future of the country, their expectations from the peace process, and their demand for a resolution to the conflict. For example, OTI is working with a coalition of Afghan nongovernmental organizations to hold public meetings on the peace process. Radio and social media content will be produced on these events and aired on a national broadcaster. OTI is also supporting a number of research initiatives to inform future USAID and Afghan government programming.<sup>293</sup>



**On November 23–24**, representatives of over 60 countries, some 30 international organizations, and civil-society groups virtually attended the 2020 Afghanistan Conference. (UN graphic)

## MUTUAL ACCOUNTABILITY

### Donors Pledge at Least \$3.3 Billion for 2021 at the November Afghanistan Conference Despite Concerns over Persistent Corruption

On November 23–24, representatives of over 60 countries, some 30 international organizations, and civil-society groups virtually attended the 2020 Afghanistan Conference in Geneva, Switzerland. In the adopted communiqué, participants called for an immediate, permanent, and comprehensive ceasefire, and a meaningful peace process with the participation of women and young people, as well as ethnic, religious and other minorities. They affirmed a renewed partnership to strengthen a sovereign, unified, democratic and peaceful Afghanistan on its path towards self-reliance, and welcomed a new Afghanistan National Peace and Development Framework (ANPDF II) and the Afghanistan Partnership Framework (APF) to guide their relationship with the government.<sup>294</sup>

According to the UN, donors pledged at least \$3.3 billion in development assistance for 2021, with annual commitments expected to stay at the same level year-on-year through 2024.<sup>295</sup> According to the UN and Finnish conference co-chairs, donors expressed the potential for between \$12 billion and \$13.2 billion through 2024 if subsequent annual commitments stay at similar levels to the 2021 commitment.<sup>296</sup> (This was down from the \$15.2 billion donors committed to provide at the 2016 donors conference over four years through 2020.<sup>297</sup>)

At the conference, the United States pledged \$300 million for 2021, with up to an additional \$300 million available in the near term depending on the Afghan government making “meaningful progress” in the peace process. (At the 2016 donors conference, the United States pledged \$4 billion over four

years.)<sup>298</sup> The development-assistance pledges do not include the substantial contributions the United States provides for security assistance.<sup>299</sup>

Donors outlined a number of principles in the APF, writing that they established the “conditions that are necessary for continued international support to the [Afghan] Government.”<sup>300</sup> These principles included:<sup>301</sup>

- commitment to democracy, the rule of law, human rights, and gender equality embedded in the Afghan Constitution, and respect for Afghanistan’s international commitments as prerequisites for international support
- commitment to ensuring full equality between women and men, girls and boys, in all aspects of life—political, economic, and social
- commitment to effective implementation of the governance principles embedded in the Afghan Constitution
- commitment to an inclusive Afghan-owned and Afghan-led peace process and sustainable peace, with a meaningful role for victims of conflict and due account taken of victims’ rights
- a secure and stable environment that underpins sustainable economic and human development

ANPDF II, per its guiding principles, is to articulate, integrate, and roll out the processes of peace-building, state-building, and market-building as instruments of nation-building, and be operationalized through a realistic monitoring and results framework, with clear annual indicators lending themselves to effective monitoring and verification.<sup>302</sup>

The APF also outlines a number of outcomes and jointly agreed priority areas distinct from the principles. These include established reform targets for 2021, but targets for 2022 and beyond are merely “indicative” and subject to revision in subsequent annual meetings.<sup>303</sup>

Presently, there appears to be no direct financial consequence if the Afghan government does not achieve these outcomes or reform targets. According to USAID, donors formally and informally track outcomes or reform targets to gauge progress in Afghanistan and the APF “implies that there will be financial consequences” if the Afghan government does not achieve the minimum conditions.<sup>304</sup> While specific dollar values are not tied to the Afghan government achieving these outcomes and reform targets, many are designed to closely align with milestones in the Afghanistan Reconstruction Trust Fund (ARTF) incentive program and EU state building program.<sup>305</sup>

According to State, the World Bank told ARTF donors that it planned to align its objectives with the APF and the ANPDF II,<sup>306</sup> meaning funding may be conditional on these targets when some of the APF’s outcome indicators are linked to the ARTF 2021 incentive program.<sup>307</sup>

Several of the APF outcome-level targets remain vague, with many calling for unspecified improvements or reductions against well-established

indicators that donors have regularly cited for years to gauge progress in Afghanistan. These include:

- For the Peace-Building Pillar, donors intend to measure outcome-level progress by tracking unspecified improvements in Afghanistan’s Human Development Index and Gender Inequality Index. Further, donors desire reductions in UNAMA-tracked civilian casualties and the proportion of the population who fear for their personal safety as reported in the annual *Survey of the Afghan People*.<sup>308</sup>
- For the State-Building Pillar, donors intend to measure outcome-level progress by tracking unspecified increases in Afghan government revenue as a share of economic output, the proportion of women civil service employees, and the effectiveness of high-level corruption prosecution and law enforcement. Further, donors wish to see improvements in Afghanistan’s standing in Transparency International’s Corruption Perceptions Index and the World Justice Project’s Rule of Law Index.<sup>309</sup>
- For the Market-Building Pillar, donors intend to measure outcome-level progress by tracking unspecified reductions in the proportion of Afghans living below the basic-needs poverty line. Further, donors wish to see improvements in the annual growth rate of real gross domestic product per employed person, the real rate of economic growth, the gross value of exports, and Afghanistan’s score recorded in the World Bank Group Doing Business survey.<sup>310</sup>

## **Disappointing Results Despite Pressure to Demonstrate Real Anticorruption Reforms Before the Conference**

According to the UN Secretary-General, little action resulted from intensified pressure on the Afghan government to enhance tangible anticorruption results ahead of the conference.<sup>311</sup> SIGAR reached a similar conclusion, issuing an alert letter on November 6 saying the Afghan government has taken limited steps to curb systemic corruption, but more tangible action is required. SIGAR found the Afghan government often takes paper or process steps, such as drafting regulations or holding meetings, rather than taking concrete actions that would reduce corruption, such as arresting or enforcing penalties on powerful Afghans.<sup>312</sup>

Donors continue to demand concrete anticorruption actions from the Afghan government. The Afghanistan Partnership Framework calls for the Afghan government to carry out a “meaningful, demonstrable fight against corruption” as a condition for continued international support.<sup>313</sup> Secretary of State Michael R. Pompeo said the Afghan government must implement “real anticorruption efforts” essential for stability and security in the country.<sup>314</sup> At the conference panel on corruption, U.S. Chargé d’Affaires Ambassador Ross Wilson called for “vigorous public action to identify,



**Donor and Afghan government representatives** prepare to discuss corruption during a side event of the 2020 Afghanistan Conference. (UN photo)

prosecute, and effectively punish corrupt officials involved in the taking of public resources.”<sup>315</sup> UN Special Representative of the Secretary-General Deborah Lyons said it was “past time for those who are responsible [for corruption] to be held accountable,” labeling corruption a “silent cancer steadily affecting all aspects of the lives of Afghan citizens.”<sup>316</sup>

## U.S. ASSISTANCE TO THE AFGHAN GOVERNMENT BUDGET

### Summary of Assistance Agreements

Security aid 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, had previously committed to extend “financial sustainment of the Afghan forces through 2024.” The public declaration from that meeting did not specify an amount of money or targets for the **on-budget** share of security assistance.<sup>317</sup>

At the November 2020 Afghanistan Conference, according to the UN, donors pledged at least \$3.3 billion in civilian development assistance for the first year of the 2021–2024 period, with annual commitments expected to stay at the same level year-on-year. The resulting conference communiqué and the Afghanistan Partnership Framework did not include any reference to targets for the on-budget share of civilian assistance.<sup>318</sup>

**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, OUSD-P, response to SIGAR vetting, 1/15/2018.

# GOVERNANCE

TABLE 2.12

USAID ON-BUDGET PROGRAMS					
Project/Trust Fund Title	Afghan Government On-Budget Partner	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 1/8/2021
<b>Bilateral Government-to-Government Projects</b>					
Power Transmission Expansion and Connectivity (PTEC)	Da Afghanistan Breshna Sherkat	1/1/2013	12/31/2023	\$316,713,724	\$272,477,914
Textbook Printing and Distribution II	Ministry of Education	9/15/2017	12/31/2020	35,000,000	0
<b>Multilateral Trust Funds</b>					
Afghanistan Reconstruction Trust Fund (ARTF) (current award)*	Multiple	9/29/2020	12/31/2025	\$700,000,000	\$55,686,333
Afghanistan Infrastructure Trust Fund (AITF)	Multiple	3/7/2013	3/6/2023	153,670,184	153,670,184

Note: \*USAID had two previous awards to the ARTF: One that concluded in March 2012 with \$1,371,991,195 in total disbursements, and a second that ended in September 2020 with \$2,555,686,333 in total disbursements. Cumulative disbursements from all ARTF awards is currently \$3,983,363,861.

Source: USAID, response to SIGAR data call, 1/11/2021.

## SIGAR AUDIT

On September 26, 2019, the Senate Appropriations Committee issued S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020. The report 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 2021, each examining a different trust fund.

As shown in Table 2.12, USAID’s active, direct bilateral-assistance programs have a total estimated cost of \$352 million. USAID also expects to contribute \$700 million to the World Bank-administered Afghanistan Reconstruction Trust Fund (ARTF) from 2020 through 2025 in addition to nearly \$4 billion disbursed under the previous grant agreements between USAID and the World Bank (2002–2020). (USAID’s new ARTF grant of \$133 million per year is less than half the estimated total equivalent of \$300 million per year in the previous grant.) USAID has disbursed \$154 million to the Asian Development Bank-administered Afghanistan Infrastructure Trust Fund (AITF).<sup>319</sup>

## Civilian On-Budget Assistance

USAID provides on-budget civilian assistance in two ways: bilaterally to Afghan government entities; and through contributions to two multidonor trust funds, the ARTF and the AITF.<sup>320</sup> According to USAID, all bilateral-assistance funds are deposited in separate bank accounts established by the Ministry of Finance (MOF) for each program.<sup>321</sup>

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.<sup>322</sup> The AITF coordinates donor assistance for infrastructure projects.<sup>323</sup>

As of November 2020, the United States remains the largest cumulative donor to the ARTF (32.2% of contributions); the next-largest donor is the United Kingdom (16.8% of contributions).<sup>324</sup>

## **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 the vehicle for channeling reform-based incentive funds, such as the Incentive Program Development Policy Grant (IP DPG).<sup>325</sup> According to the World Bank, currently all recurrent-cost window funds provided to the Afghan government are incentivized for achievement of policy reforms.<sup>326</sup>

In September 2020, the World Bank told donors it plans to align its recurrent-cost window incentive program with new mutual-accountability framework (presumably referring to the Afghanistan Partnership Framework that was released at the November 2020 donors' conference). The World Bank said it is also focused on having these conditions based on actual implementation and results, rather than preliminary "paper-based" reforms.<sup>327</sup>

As of November 2020, 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 \$773 million in ad hoc payments since 2002.<sup>328</sup>

## **On-Budget Assistance to the ANDSF**

Approximately 70% of total U.S. on-budget assistance goes toward the requirements of the Afghan security forces.<sup>329</sup>

DOD provides on-budget assistance 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.<sup>330</sup> For the multidonor Law and Order Trust Fund for Afghanistan (LOTFA), DOD described its current funding of about \$1 million as a "token amount" so that CSTC-A can participate in donor deliberations on LOTFA and maintain voting rights.<sup>331</sup> The United Nations Development Programme (UNDP) administers LOTFA primarily to fund Afghan National Police salaries and incentives.<sup>332</sup>

According to DOD, most of the ASFF appropriation is not on-budget because it flows through DOD contracts to buy equipment, supplies, and services for the Afghan security forces.<sup>333</sup> The Combined Security Transition Command-Afghanistan (CSTC-A) provides direct-contribution funding to the MOF, which allots it incrementally to the MOD and MOI.<sup>334</sup>

For Afghan fiscal year (FY) 1399 (December 2019–December 2020), CSTC-A planned to provide the Afghan government the equivalent of up to \$725.3 million to support the MOD. Of this amount, approximately \$636.7 million (88%) was for salaries.<sup>335</sup> To support the MOI, CSTC-A planned to provide up to \$148 million in FY 1399. Of these funds, approximately \$58 million (39%) was for ALP salaries, with the remaining funds for purchase of goods, services, or assets.<sup>336</sup>

# GOVERNANCE

As of November 30, CSTC-A provided the Afghan government the equivalent of \$727 million to support the MOD for FY 1399. Almost all of these funds (90%) paid for salaries.<sup>337</sup> Also as of November 30, CSTC-A directly provided the Afghan government the equivalent of \$63 million to support the MOI and \$1.04 million to UNDP for LOTFA-administered support of the MOI. State also provided \$4.5 million to LOTFA in 2020.<sup>338</sup>

## 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 2.13 summarizes total program costs and disbursements to date.

TABLE 2.13

USAID SUBNATIONAL (PROVINCIAL AND MUNICIPAL) PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 1/8/2021
Strong Hubs for Afghan Hope and Resilience (SHAHAR)	11/30/2014	3/31/2021	\$73,499,999	\$70,850,817
Initiative to Strengthen Local Administrations (ISLA)	2/1/2015	3/31/2021	52,500,000	48,046,035
Citizens' Charter Afghanistan Project (CCAP)*	3/31/2012	12/31/2025	N/A	97,110,000

Note: \*This includes USAID contributions to ARTF with an express preference for the Citizens' Charter Afghanistan Project. Data as of 11/20/2020.

Source: USAID, response to SIGAR data call, 1/11/2021; World Bank, "Administrator's Report on Financial Status," 11/20/2020, p. 5.

### Initiative to Strengthen Local Administrations

The \$53 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.<sup>339</sup> 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).<sup>340</sup>

According to ISLA, over the past three completed Afghan fiscal years (1396, 1397, 1398), the 16 ISLA-supported provinces were able to spend an average of only 51% of the budgets allocated for PDP-proposed projects.<sup>341</sup> Looking at the first three quarters of Afghan fiscal year 1399 (December 2019–December 2020), ISLA found that the expenditure rate for PDP-proposed projects was similar to previous years, 48%. Only five of the 15



**The U.S.-supported World Bank Citizens' Charter Afghanistan Project** provides grants to communities to implement community projects, such as this canal rehabilitation. (U.S. Embassy Kabul photo)

provinces ISLA examined received their first-quarter budget allotments in the first quarter, with the remaining 10 receiving these funds in either the second or third quarters. According to ISLA, provincial execution rates remain low due to poor coordination between provincial departments and their central ministries, as well as to delayed budget allocations.<sup>342</sup>

In addition to the regular budget process, ISLA assisted three provinces (Kandahar, Nangarhar, and Parwan) to access unconditional funding from the Afghan government to help respond to community priorities reflected in their PDP submissions, but omitted from the national budget. For Afghan fiscal year 1398 (December 2018–December 2019), ISLA found that the experiences of these three provinces differed. Nangarhar had 14 approved projects and executed 32% of its allocated funds. Funds for four of these projects were not provided, while the remaining projects were either completed or still being implemented. Kandahar proposed fewer projects (construction of a hospital for Spin Boldak district, a basic health center in Kandahar City, an industrial park, and 30 greenhouses in 10 districts), with all completed and 98% of allocated funds executed. Parwan proposed eight development projects, but no funds were actually transferred and no projects were implemented.<sup>343</sup>

Since ISLA began in 2015, the program has provided 222 youths with internships of at least six months in duration at province government offices.<sup>344</sup> In December 2019, 176 of these interns had their internship recognized as equivalent to one year's work experience with the government, reportedly the first time the Afghan government extended such recognition to an externally sponsored internship program. Over the past year, 20 ISLA interns have found employment with the Afghan government or private employers.<sup>345</sup>



## Strong Hubs for Afghan Hope and Resilience

The objective of the \$74 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 deliver capacity-building for outreach and citizen consultation, improved revenue forecasting and generation, and budget formulation and execution, among other things.<sup>346</sup>

As of September 2020, SHAHAR reported that 6% of the 10,479 municipal employees in the 15 cities the program tracks are female. Maimanah Municipality in Faryab Province had the largest share of female employees (17%) while Lashkar Gah City in Helmand Province had only one female employee out of 90 total staff.<sup>347</sup>

SHAHAR recently assisted its partner municipalities in conducting the “National Urban Culture Campaign.” These municipalities distributed posters and video discs to government and nongovernmental organizations. The campaign aimed to enhance the credibility and legitimacy of the national government and demonstrate to local citizens the benefits of peace and public participation in urban governance.<sup>348</sup>

## Citizens’ Charter Afghanistan Project

In October 2018, USAID began contributing a portion of its ARTF funds (\$34 million of its \$300 million contribution) specifically to the Citizens’ Charter Afghanistan Project (CCAP). The Afghan government said CCAP, which began in 2016, is the centerpiece of its national inclusive development strategy for rural and urban areas. CCAP works through Community Development Councils (CDCs) to implement community projects. CCAP defines a suite of minimum basic services for each local covering health, education, and their choice of an infrastructure investment (such as road access, electricity, or small-scale irrigation for rural communities).<sup>349</sup>

Both the World Bank and Afghan government have proposed expanding CCAP in the event of peace.<sup>350</sup> In November 2020, the World Bank proposed to donors that CCAP initiate peace pilots involving local conflict analyses, local-level peace dialogues, peace grants, and conflict and dispute-resolution training activities.<sup>351</sup> The proposal includes \$10 million for 300 rural CDCs in Nangarhar, Kunar, and Laghman Provinces (security permitting) and \$9 million for 75 new urban CDCs in Jalalabad City in Nangarhar Province. Unlike the normal CCAP process, the implementation for the rural peace pilot would not involve facilitating partners. Instead, the Ministry of Rural Rehabilitation and Development would fully implement the program in rural areas, the Independent Directorate of Local Governance would be solely responsible for a portion of the urban sites, and nongovernmental facilitating partners would implement the remainder. These peace pilots target areas where the Afghan government regained control from antigovernment forces.<sup>352</sup>

The APF target for rolling out the CCAP peace pilot to 300 communities is 2022.<sup>353</sup>

## RULE OF LAW AND ANTICORRUPTION

### Summary of Rule-of-Law and Anticorruption Programs

As shown in Table 2.14, the United States supports a number of active rule-of-law and anticorruption programs in Afghanistan.

TABLE 2.14

RULE OF LAW AND ANTICORRUPTION PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 1/8/2021
Assistance for Development of Afghan Legal Access and Transparency (ADALAT)	4/18/2016	4/17/2021	\$68,163,468	\$38,875,409
Afghanistan's Measure for Accountability and Transparency (AMANAT)	8/23/2017	8/22/2022	31,986,588	11,110,865
Corrections System Support Program (OASIS CSSP) Option Year 2*	6/1/2018	5/31/2022	17,754,251	13,669,296
Justice Sector Support Program OASIS Contract*	8/28/2017	8/27/2022	45,514,200	36,658,885
Transferring Professional Development Capacity (TPDC)*	8/31/2020	8/31/2023	8,499,902	8,499,902

Note: \*Disbursements as of 12/16/2020.

Source: State, INL, response to SIGAR data call, 12/16/2020; USAID, response to SIGAR data call, 1/11/2021.

### 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.<sup>354</sup> According to USAID, AMANAT supports select Afghan government institutions with technical assistance to plan for and implement recommended procedural reforms.<sup>355</sup>

In September 2020, the program was modified to remove certain anticorruption-related program tasks, such as conducting vulnerability-to-corruption assessments of Afghan government bodies and assisting Afghan government institutions to self-identify their corruption risks. In lieu of these anticorruption tasks, AMANAT is now tasked with assisting the Access to Information Commission (AIC) in the implementation of the Access to Information Law.<sup>356</sup> On December 14, the AMANAT program and the AIC signed a letter of agreement to facilitate capacity-building activities.<sup>357</sup>

According to USAID, access to information enables citizens to exercise their voice and to monitor and hold government to account. Afghanistan's Access to Information Law came into effect in 2014, and its implementation and enforcement has been challenging. Each Afghan government

entity should have a department or section in charge of providing information to those who request it. Complaints regarding lack of cooperation or transparency should be submitted in writing to the entity in question. If the complaints are not addressed within three days, the applicant can send the complaints to the AIC. Created in January 2019, the AIC oversees the implementation of the law, disseminates information about it to the public, and handles complaints.<sup>358</sup>

In the latest AMANAT-issued corruption-vulnerability assessment of the Ministry of Public Health (MOPH), corruption reportedly flourished during the COVID-19 crisis. One of the most often cited examples relates to contractors making payments throughout the procurement and payment processes. Contractors pay hospital staffs to get the contract, pay each member of the hospital team that inspects and approves the goods being delivered, and pay officials involved in processing their payments.<sup>359</sup>

Over the past year, AMANAT assisted four ministries to develop their internal auditing capacity, whereby they identified corruption. The internal-audit department of the Ministry of Refugees and Repatriations found fraud involving land distribution in Ghazni Province. The case was referred to the Attorney General's Office. Auditors with the MOPH uncovered fraud in four provinces involving contracts for medical equipment, public construction, and information-technology equipment. Within the Ministry for Martyrs and Disabled Affairs, auditors found employees had created ghost beneficiaries in order to receive payments of \$1.9 million.<sup>360</sup>

## **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 \$45.5 million. The previous JSSP contract, which began in 2010, cost \$280 million.<sup>361</sup>

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.<sup>362</sup>

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 and civil cases in Afghanistan, across all criminal justice institutions, from the moment a case is initiated to the end of confinement.<sup>363</sup> In September 2020, the Afghan government finalized a regulation

making the CMS the national system of record, requiring all justice-sector institutions to use it.<sup>364</sup>

As of November 15, 2020, the CMS contained 550,452 criminal and 123,798 civil case records.<sup>365</sup> Ministry of Justice (MOJ) CMS operators reported that unreliable electricity and slow internet connections are major challenges for CMS users.<sup>366</sup> According to JSSP program reporting, Afghan government justice officials in areas that lack internet access still use paper forms when recording information; such records are later entered into CMS by operators working at sites with internet access.<sup>367</sup>

According to State, COVID-19-related challenges delayed numerous JSSP meetings and trainings until October and November. In late November, COVID-19 cases began to rise again, and some Afghan program staff who went back to their offices returned to teleworking.<sup>368</sup>

## **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.”<sup>369</sup> 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 potentially more involved court case.<sup>370</sup> ADALAT’s efforts to increase demand for quality legal services includes providing grants to civil-society organizations to promote legal awareness and legal rights, and to private universities to prepare future “practical problem-solvers” within formal and traditional dispute-resolution institutions.<sup>371</sup>

To date, ADALAT has trained 326 Huquq professional service providers on subjects practically related to their field, including family law, mediation, inheritance law, commercial law, and contracts, debts, property law. According to ADALAT, on average, the trainees saw a 63% increase in test scores following the training.<sup>372</sup>

## **Transferring Professional Development Capacity (TPDC)**

In August 2020, State began the Transferring Professional Development Capacity (TPDC) program, a follow-up of their Continuing Professional Development Support (CPDS) program that ended the same month. CPDS was itself a follow-on to the 2013–2016 Justice Training Transition Program. All three programs have used the same implementing partner. The new TPDC program continues efforts to build the capacity of Afghan justice institutions to provide continuing professional development to their staff, with a special emphasis on the revised penal code.<sup>373</sup> CPDS reported that it

helped Afghan justice institutions deliver 149 penal-code trainings, observing an average 28% increase in test scores across the 3,332 trainees.<sup>374</sup> (In 2019, there were 6,909 mid- and senior-level employees working for the AGO, MOJ, and the Supreme Court.<sup>375</sup>)

The new program, similar to the preceding CPDS, aims to enable Afghan justice institutions to independently conduct needs assessments, develop training curricula, deliver train-the-trainer courses, and monitor their training impact. TPDC partners with the professional training departments of these justice organizations to develop their long-term departmental strategies, and enable them to manage their training-related human resources, procurement, and budgeting needs.<sup>376</sup>

## **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.<sup>377</sup> As of October 2020, CSSP employed 113 advisors who assisted 405 Afghan prison authority advisees. These advisors primarily supported case-management efforts, such as reviewing case files and identifying inmates either eligible for release or who had not yet made their mandated court appearance.<sup>378</sup>

As of November 30, 2020, the latest date for which adult prison population data is available, the Office of Prison Affairs (OPA) was incarcerating 22,346 males and 486 females (down from 23,201 males and 514 females as of July 30, 2020). This OPA total does not include detainees held by other Afghan governmental organizations, for which INL has no data. According to State, since June 2020, the Afghan government has not released any more prisoners to prevent the spread of COVID-19.<sup>379</sup> Between mid-July and September 2020, the UN Secretary-General said no prisons reported any new cases of COVID-19 among prisoners or staff (though there may be under reporting due to limited testing).<sup>380</sup>

Continued prison overcrowding and reduced disinfection efforts have increased the risk of a second COVID-19 outbreak, the UN Secretary-General reported. As of October 2020, approximately two-thirds of prisons operated above full capacity. Further, many prisons appear to be unprepared for a possible second wave of the disease.<sup>381</sup>

State also observed prison overcrowding this quarter, describing it as “a persistent, substantial, and wide-spread problem” affecting OPA-managed male prison facilities. As of December 2020, State estimated that 55% of male prison facilities exceeded International Committee of the Red Cross (ICRC) recommended standards.<sup>382</sup> Whereas the UN reported that women are held in “overcrowded conditions” at Pul-e Charkhi Prison,<sup>383</sup> State reported that no OPA-managed female prisoners exceed ICRC-recommended capacity. Overall, State says that the male prison population

is 28% over total prison capacity, whereas the female prison population is only 25% of total capacity.<sup>384</sup>

From October 1 to December 7, 2020, State learned of 10 major internal-security incidents affecting civilian prisons in Afghanistan. Of these 10 incidents, five were hunger strikes and five were protests or riots. Half of the incidents related to prisoner transfers, with prisoners either requesting a transfer or protesting a planned transfer (both to other facilities and within cell blocks at their facility). Of the remaining incidents, one riot was a protest against a major search of the facility, one was a protest because the prisoners were not released under a presidential decree, one was a protest of the duration of their prison sentences, one was a demand by national security threat inmates to repatriate to their home countries, and one was a protest against the transfer of the prison commander to another facility.<sup>385</sup>

Taliban and Islamic State-Khorasan (IS-K)-affiliated prisoners were among those leading some, but not most, prison disturbances. In one October incident, 126 IS-K-affiliated prisoners held a hunger strike demanding to be transferred from the Kabul Detention Facility to Pul-e Charkhi Prison after their convictions were upheld on appeal. In the same month, Taliban-affiliated prisoners in Nimroz Province barricaded themselves in their cellblock to protest the Afghan government's decision to transfer national-security-threat prisoners to Pul-e Charkhi Prison.<sup>386</sup>

A number of detained IS-K-affiliated families pose unique challenges, prompting State to coordinate a broader response. Following military defeats in late 2019 and early 2020, many IS-K fighters and their families surrendered to Afghan government forces. Approximately 135 women and 275 children, mostly foreign citizens, are held in the Kabul Female Prison and Detention Center.<sup>387</sup> According to the UN Secretary-General, many of the IS-K-affiliated prisoners have been held in pretrial detention for almost a year.<sup>388</sup>

State was unable to provide the typical support it offers to incarcerated women and children due to concerns with providing material support to known terrorist affiliates. Following discussions in November 2020, ICRC and UNICEF agreed to work with State to develop long-term solutions for individual IS-K-affiliated prisoners, including potential prisoner repatriation to their home countries.<sup>389</sup>

## Anticorruption

According to the latest Asia Foundation survey results, 85% of respondents surveyed in 2020 reported that corruption was a major problem in their daily life, and 95% said it was a major problem in Afghanistan as a whole.<sup>390</sup>

The Afghan government's anticorruption strategy expired in December 2019.<sup>391</sup> In September, donors expressed several concerns with the draft of a new strategy in comments they shared with the Afghan government, including:



A mural painted by the group ArtLords on one of Kabul's ubiquitous blast walls calls out corruption. (U.S. Embassy Kabul photo)

- The draft displayed insufficient candor regarding the Afghan government's achievements on anticorruption. For example, donors wrote that "it is disingenuous to hail efforts to prosecute high-level officials when many of those culpable have gone unpunished, and when the former [chief executive officer] of Kabul Bank was granted early release last year."<sup>392</sup>
- The draft lacks a "theory of change" linking the Afghan government's proposed "low-level benchmarks" to the broader outcome of reducing corruption.<sup>393</sup> Donors appreciated that the Afghan government wrote that anticorruption strategies tend to propose a large number of discrete actions which, while useful, lack an overarching rationale that explains how they fit together. However, they complained that the draft strategy "turned into wish lists in their own right."<sup>394</sup>
- The draft strategy paid insufficient attention to "the impact of corruption on the everyday lives of citizens, whether through policy or in access to services, and particularly on those least protected by patronage, and the most vulnerable among them, including women." Donors called on the Afghan government to increase recruitment of women into the civil service and in key senior positions and pay more attention to the accessibility of services to women, claiming these measures will reduce women's vulnerability to corruption.<sup>395</sup>

In June 2020, the UN expressed concern at the government's failure to establish the Anticorruption Commission called for in the 2017/2018 anticorruption strategy.<sup>396</sup> On November 12, President Ghani announced the appointment of the five commissioners (including two women) to the

Anticorruption Commission, thus finalizing the establishment of anticorruption institutions. The framework for anticorruption legislation, however, remained incomplete, the UN reported. The Office of the Ombudsperson continued to operate without a confirmed legal basis.<sup>397</sup>

On October 6, the lower house of parliament rejected the anticorruption law, which had been enacted in September 2018 by presidential legislative decree. The lower house argued that the process through which the law was enacted was irregular. On November 1, the upper house of parliament approved the law, with amendments. The law remains in force pending a decision of a joint committee of both houses.<sup>398</sup>

Donors called for a functionally independent Anticorruption Commission to be operational, with sufficient resources, by June 2021, making this one of the 2021 targets in the APF. For 2024, donors hope that the commission will have conducted at least 15 independent, objective, and evidence-based evaluations on high-level institutional processes vulnerable to abuse, and on organizational cultures enabling corruption, and that these evaluations will have resulted in effective reform.<sup>399</sup>

## 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.<sup>400</sup>

As of November 2020, the Afghan government reported that 49 of 255 ACJC warrants remain unexecuted and 32 fugitives are presently outside Afghanistan.<sup>401</sup>

According to DOJ, the ACJC had an active docket that included high-profile cases this quarter. These cases included:<sup>402</sup>

- On October 12, 2020, the ACJC appellate court convicted Mohammed Mossa Ali, the former head of the Norms and Standards Department, of bribery and sentenced him to 16 years' imprisonment, and a \$100,000 fine. Ali was previously convicted and given the same sentence in the ACJC primary court in August. According to DOJ, the case was notable for its efficient and effective investigation involving a call by the victim to an AGO hotline, referral to the National Directorate of Security and Kabul police and cooperation between the two agencies, the availability and use of \$100,000 in marked AGO currency for the victim to pay the

## SIGAR AUDIT AND ALERT LETTER

S. Rept. 116-126, accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 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 2021.

On November 6, 2020, SIGAR issued an alert letter saying the Afghan government has taken limited steps to curb systemic corruption, but more tangible action is required. The Afghan government often takes paper or process steps, such as drafting regulations or holding meetings, rather than taking concrete actions that would reduce corruption, such as arresting or enforcing penalties on powerful Afghans, SIGAR found.



bribe, videotaping the transaction, and arresting the defendant as he left the meeting site.

- On October 18, 2020, the ACJC primary court convicted three Ministry and Energy and Water officials in absentia of misuse of authority in a case dating to 2006. When an initial contract for the construction of a hydroelectric dam in Panjshir Province was terminated, the three officials improperly awarded the contract to a new company in a restricted bidding process. Each defendant was convicted of misuse of authority sentenced to three years' imprisonment, fined \$306,718. The court also ordered that the officials of the company receiving the contract be prosecuted.
- The ACJC appellate court convicted five defendants of embezzlement and forgery in a scheme to negotiate fraudulent checks at the Azizi Bank. The court sentenced the defendants to prison terms ranging from one year and six months to seven years and six months, and cash fines. The defendants are all in custody.

According to CSTC-A, the Afghan Supreme Court has significantly constrained the MOD's ability to combat serious crime and corruption through its narrow interpretation of the prosecutorial authority of military lawyers and the jurisdiction of military courts. Afghanistan's Supreme Court limited the authorities of these bodies to "military crimes" that are specified in the penal-code annex pertaining to the military. Instead of being handled through military courts and prosecutors, major crimes and corruption cases have to be referred to other bodies, such as the ACJC. Following the Supreme Court's decision, CSTC-A said there have been no meaningful ACJC prosecutions of senior MOD officials.<sup>403</sup>

MOD believes that the Supreme Court's decision negatively affects military discipline and has hindered the ministry's response to corruption. CSTC-A supports MOD's efforts to reconsider the authorities of military lawyers and the jurisdiction of military courts over corruption cases.<sup>404</sup>

## **CSTC-A Anticorruption Partners Make Some Progress**

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

- This quarter, the MCTF, acting on intelligence and supported by CSTC-A, executed search warrants on a Kabul trucking company compound, arresting two civilian suspects and seizing approximately 45,000 boots and 65,000 Afghan security-force uniform sets. Initial reports suggest the trucking company stole the items in 2015/2016 and planned to resell them to the Afghan government. CSTC-A said this case shows the ability of reliable MCTF partners to develop corruption cases, despite continuing organizational problems.<sup>405</sup> According to DOJ, the MCTF director was unexpectedly dismissed after leading

an investigation that resulted in the arrest of the mayor of Herat on October 26, 2020.<sup>406</sup>

- The MOD Inspector General (MOD IG) was recently involved in a fuel corruption case that CSTC-A views as an example of an effectively coordinated MOD response to corruption. After an MOD IG inspection of the 201st Corps found that fuel was stolen, the matter was referred to the MOD Criminal Investigative Directorate (MOD CID). This group investigated the matter, confirmed fuel was stolen, and referred the case to MOD legal authorities for prosecution. CSTC-A observed the MOD IG sharing the related reports and complaints to facilitate follow-up.<sup>407</sup>
- MOD CID is not effectively investigating complex criminal cases, such as crimes involving senior officials or high-dollar amounts, CSTC-A says. (This is in contrast to the minister of defense' statement to IG Sopko during an October 2019 meeting that he was very optimistic about the potential for the MOD CID.<sup>408</sup>) While CSTC-A says it does not “do investigative work on behalf of the Afghan government,” U.S. government-contracted law enforcement professionals have been investigating these cases and sometimes identify tips and leads that are provided to the Afghan security forces. Senior MOD leaders review the information produced through these contracted-out investigations and may take administrative actions in response. CSTC-A says that unclassified portions of these investigation reports are provided to MOD CID for criminal investigation.<sup>409</sup> MOD CID, with assistance from a number of NATO Resolute Support elements, is currently investigating a case of fuel and medical-supply theft, ghost soldiers, and overcharging for electricity at the Regional Military Hospital in Balkh. CSTC-A suspected theft when it observed funding requests for generator fuel and electricity utilities were higher than normal. CSTC-A has been decreasing its funding for fuel and sees such theft as a threat to the Afghan security forces' viability.<sup>410</sup>

This quarter, CSTC-A helped MOD legal and investigative bodies agree on the importance of clear lines of authority for developing case files necessary for criminal convictions. CSTC-A said the various MOD bodies charged with responding to corruption (including the MOD IG, intelligence officials, and MOD CID investigators) have agreed that professional MOD CID investigators should be responsible for identifying, collecting, recording, and preserving evidence. Afghan law regarding these responsibilities is unclear, CSTC-A says, making meaningful and immediate change difficult. Some of these MOD entities lack a mission statement, the ability to compel cooperation, and meaningful measurements of success.<sup>411</sup>

## COUNTERNARCOTICS

### Little Progress Combating Opium Poppy Production

U.S. drug-control priorities for Afghanistan, according to the Department of State, include disrupting the drug trade, targeting its revenue streams, promoting alternative livelihoods for farmers, reducing demand, strengthening law enforcement, and building Afghan government capacity. Unfortunately, State said “overall progress in meeting these long-term objectives remains slow, inconsistent, and insufficient.”<sup>412</sup>

According to the United Nations Office on Drugs and Crime (UNODC) *2020 World Drug Report*, an estimated 163,000 hectares of opium poppy were cultivated in Afghanistan during 2019 (more current reporting has been delayed). Although a 50% reduction from the record high in 2017 (328,000 ha), 2019 cultivation remained nearly three-times the pre-2002 average (1994–2001).<sup>413</sup> Based on 2018 data, Afghan opiate production accounted for 84% of the global morphine and heroin seized;<sup>414</sup> seizure data is important because it provides a rough indication of the share that Afghan opiates have in the global market.

The statistics merely hint at the scope of the challenge posed by Afghan narcotics production. As SIGAR quarterly reports have repeatedly noted, the U.S. Congress has appropriated \$9 billion for counternarcotics efforts in Afghanistan since FY 2002, yet the opium-economy has grown exponentially over that period, while interdiction efforts have had only a minimal impact on the illicit narcotics trade. Importantly, that trade helps fund insurgents, terrorists, and criminal networks; fosters corruption; undermines public regard for the government; and creates public-health and social problems.<sup>415</sup>

New impediments to progress emerged in 2020, as the COVID-19 pandemic and economic distress simultaneously hindered counternarcotics operations, delayed reporting, and increased financial incentives for farmers and other Afghans to profit from the narcotics trade. U.S. and Afghan counternarcotics strategies are in flux, and the formal organization of Afghan counternarcotics agencies has been restructured. Further, despite the long-standing problems with the counternarcotics effort in Afghanistan and the aggravating factors, international donors at the November 2020 Afghanistan conference in Geneva, Switzerland did not condition future funding on counternarcotics indicators.<sup>416</sup>

### Afghanistan Opium Surveys Still Delayed

State’s Bureau for International Narcotics and Law Enforcement Affairs (INL) reported that the methodological disagreements between the UNODC and the Afghan National Statistics and Information Authority (NSIA) that derailed their collaborative opium-poppy survey projects in 2019 and 2020 remain unresolved. However, there has been incremental progress with UNODC and NSIA signing a letter of assistance this quarter for the

*Afghanistan Opium Survey* projects that should enable effective collaboration on the 2020 and subsequent surveys.<sup>417</sup> INL has disbursed \$24.2 million since 2006 for the surveys.<sup>418</sup>

The UNODC normally produces an annual *Afghanistan Opium Survey: Cultivation Estimate* report along with an *Afghanistan Opium Survey: Socioeconomic Analysis* report in partnership with the Afghan government. The cultivation estimate tracks trends in the locations and extent of opium-poppy cultivation, while the socioeconomic report focuses on the opium economy's effect on the social and economic situation of rural Afghans. According to the UNODC, these reports are “essential for planning, implementing, and monitoring measures required for tackling a problem that has serious implications for Afghanistan and the international community.”<sup>419</sup>

SIGAR remains concerned that the biannual *Afghanistan Opium Survey* reports are still delayed after more than a year of disagreements between the Afghan government's National Statistics and Information Authority (NSIA) and the United Nations Office on Drugs and Crime (UNODC). SIGAR first reported on these delays in January 2020.<sup>425</sup> Disagreements between these partners emerged when NSIA objected to UNODC's measurement of the opium-poppy yield for the 2019 season, despite UNODC's use of a long-standing methodology that employs field measurements of mature poppy plants. NSIA specifically objected to the use of opportunistic sampling, which UNODC has used since 2012 to improve data quality. INL explained that UNODC's opportunistic sampling method allowed surveyors operating in a small number of highly insecure areas some discretion in selecting sample areas within a district.<sup>426</sup> SIGAR hopes that these disagreements will be resolved and that the 2019 and 2020 reports will be released in early 2021.

Both of these reports have been delayed; the most recent was published in July 2019. Although INL reported last quarter that the 2019 *Afghanistan Opium Survey: Socioeconomic Analysis* report was scheduled for publication by the end of 2020, the report is awaiting final clearance from the NSIA and has no target release date.<sup>420</sup>

INL says the 2020 *Afghanistan Opium Survey: Cultivation Estimate* is expected to be released in early 2021. But if the report is released, it still may not include the annual yield estimates.<sup>421</sup> This is because NSIA performed no field sampling, random or otherwise, in 2020. Without field sampling, UNODC began developing a methodology to estimate the 2020 opium-poppy yield using satellite imagery.<sup>422</sup> NSIA has not approved the UNODC satellite imagery methodology and continues to review it.<sup>423</sup> However, the recently signed agreement between UNODC and NSIA includes language that should enable field-sampling surveys this spring for the 2021 season and subsequent reports.<sup>424</sup>



**President Ashraf Ghani** chairs the inaugural meeting of the Counter Narcotics High Commission on February 4, 2020. (Afghan Government photo)

## Policy-Making Body, Not Counternarcotics Police, Sets Counternarcotics Policy

In a departure from previous responses, INL notified SIGAR this quarter that a policymaking Counternarcotics High Commission (CNHC)<sup>427</sup> sets high-level Afghan counternarcotics policy, and not the Ministry of the Interior's (MOI) Counternarcotics Police of Afghanistan (CNPA). Although the 2018 Counter Narcotics and Intoxicants Law formally created the CNHC, it has been directing policy only since early 2020.<sup>428</sup> President Ashraf Ghani chaired the inaugural CNHC meeting on February 4, 2020. In his opening statement, President Ghani summarized the CNHC role saying that “Fighting against narcotics and intoxicants is one of the five priorities of the government—there is need for creating overall synergies among the security, justice, judicial, and health sectors to take serious and appropriate actions accordingly.”<sup>429</sup> The second vice-president Sarwar Danish leads the Commission.<sup>430</sup> The CNHC delegates responsibility for coordination and development to the MOI, which executes CNHC orders through government-wide implementation strategies.<sup>431</sup>

INL said that a number of the CNHC directives have already been implemented. For example, in September 2020, the MOI, Afghan National Army (ANA), and the National Directorate of Security (NDS) signed a trilateral interagency memorandum of understanding that addressed counternarcotics “cooperation in intelligence sharing, coordination, eradication, trafficking, and drug distribution enforcement.”<sup>432</sup>

Nonetheless, INL noted that oversight of Afghan counternarcotics policy has continued to evolve and that the policy-making process has at times been unclear.<sup>433</sup> In June and September 2020, INL told SIGAR that the CNPA became the counternarcotics policy-making entity following the dissolution of the Ministry of Counternarcotics (MCN) in 2019. At the time INL said moving “MCN’s policy-making role under the [CNPA] has the potential for greater efficiency and more effective coordination.”<sup>434</sup> INL has subsequently clarified that the CNPA’s policy development role was “likely unclear and confusing due to the recent dissolution of MCN and distribution of its activities.”<sup>435</sup> INL contacts that were close to these developments also reported that these processes were “very unclear and confusing.”<sup>436</sup>

## Counternarcotics High Commission's Directives Seek to Produce a New Counternarcotics Strategy

INL said this quarter that the Afghan government has decided to produce a new National Drug Action Plan (NDAP) based on the CNHC’s February 4, 2020, order issued at its inaugural meeting.<sup>437</sup> The original 2015–2019 NDAP was widely regarded as Afghanistan’s “counternarcotics strategy” and has been under revision since 2017. This new NDAP will follow CNHC directives and MOI’s Planning and Policy Department is leading the NDAP’s development with the MOI Deputy Minister for Counternarcotics chairing the meetings.<sup>438</sup>

## PAST EFFORTS TO REVISE AFGHAN COUNTERNARCOTICS POLICY AND STRATEGY

Revising Afghanistan’s counternarcotics policy and strategy to effectively address the opium-economy has been a perennial issue. INL noted that “Afghan CN policy transformation has been underway for some time.”<sup>439</sup> For example, as early as July 2013, then-President Hamid Karzai issued a decree ordering the Ministry of the Interior (MOI) and the Ministry of Counter Narcotics (MCN) to develop a plan to merge the ministries.<sup>440</sup> The MCN was not dissolved then and continued to be the ministry coordinating counternarcotics efforts and reforms for the next six years.

A major MCN task at the time was to formulate Afghanistan’s National Drug Action Plan (NDAP). The MCN issued the initial 2015–2019 NDAP in October 2015, providing the Afghan government with strategic policy guidance as well as annual objectives and metrics.<sup>441</sup> In February 2017, the MCN presented its first NDAP implementation report, noting that only 35% of its first-year objectives were achieved. The MCN also emphasized improvements in government counternarcotics coordination, facilitated by establishing the Counter Narcotics High Commission (CNHC).<sup>442</sup>

The CNHC was formalized in the February 2018 Counter Narcotics and Intoxicants Law, but the CNHC took little further action. Meanwhile, President Ghani in January 2019 decreed that the MCN would be dissolved and significant MCN components would be merged into the MOI.<sup>443</sup> The CNHC would henceforth become the counternarcotics policy-making entity while MOI provided policy expertise and coordinated policy implementation across Afghan government bodies. INL said it was not until the CNHC’s inaugural meeting in February 2020 that “[President Ghani] rebooted the CNHC to account for MCN’s dissolution and to diversify [CNHC] membership.”<sup>444</sup>

The MCN’s NDAP revisions underway since 2017 were overtaken by events when the MCN was dissolved in mid-2019. At the inaugural CNHC meeting, President Ghani directed that a new NDAP be written.<sup>445</sup> INL reported throughout most of 2020 that the NDAP had been revised and was awaiting final clearance.<sup>446</sup> In retrospect, this does not appear to be correct. INL said that policy development in 2020 was unclear and confusing due to the MCN’s dissolution and distribution of its activities.<sup>447</sup>

Rather, the Afghan government only began seriously planning the current draft of the NDAP in September 2020 when the first two planning conferences were held.<sup>448</sup> In December 2020, INL reported that the MOI Deputy Minister for Policy Hosna Jalil recently approved some version of an NDAP and sent that version to the president’s office for review. Once the president’s office reviews it, it will then be sent to the CNHC for further consideration.<sup>449</sup> INL also elaborated that the current NDAP draft is no longer in a narrative format. Instead, it is now a matrix-style planning tool that includes an overview of CN goals, activities, indicators, implementation status, expected results, responsible entities, and budget requirements.<sup>450</sup>

The results of the inaugural meeting of the CNHC and the new NDAP suggest that Afghan counternarcotics structures remain in flux since the dissolution of the MCN. The original 2015–2019 NDAP was a five-year strategic plan<sup>451</sup> whereas the current draft NDAP is being written as a two-year plan.<sup>452</sup> INL clarified that the “two-year NDAP will be the national action plan for CN and serve as a bridge until . . . a new five-year formal CN national policy is developed before the NDAP’s two year expiration.”<sup>453</sup>

## SIGAR SPECIAL PROJECT REPORT

On January 14, 2020, SIGAR issued a special project report titled “Hamid Karzai International Airport: Despite Improvements, Controls to Detect Cash Smuggling Still Need Strengthening.” According to a 2015 Integrity Watch Afghanistan study, upwards of 65% of all cash leaving Afghanistan was illegally earned, transferred, or used, and a significant portion of this cash is tied to the opium trade. To counter cash smuggling, the U.S. government installed cash counting machines at Kabul International Airport in 2011. Nonetheless, SIGAR found that customs officials are not regularly using the cash counting machines to track cash leaving Afghanistan and the machines are not even connected to the internet. These findings come nearly a decade after the U.S. government installed the machines.

## CNPA Components and their Missions

CNPA personnel are located in all 34 provinces and comprise regular police as well as specialized units. The CNPA’s counternarcotics operations 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.<sup>454</sup> INL provides support to specialized units within the CNPA through an interagency agreement with the Drug Enforcement Administration (DEA).<sup>455</sup>

CNPA specialized units consist of three major components: the U.S.-supported National Interdiction Unit (NIU) and Sensitive Investigative Unit (SIU), and the UK-supported Intelligence and Investigation Unit (IIU).<sup>456</sup> Additionally, the U.S.-supported Technical Investigative Unit (TIU) provides support to the NIU and SIU components.<sup>457</sup>

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 and has access to facilities in Kunduz, and Herat.<sup>458</sup>

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, thoroughly vetted personnel.<sup>459</sup> The SIU also has four officers responsible for administrative management of court orders obtained by SIU investigators to conduct Afghan judicially authorized intercepts.<sup>460</sup>

DEA reported that the NIU and SIU conducted a combined total of 47 DEA-mentored, -partnered, or otherwise-supported operations from October 1 through December 8, 2020.<sup>461</sup>

The Technical Investigative Unit (TIU) is a CNPA component consisting 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.<sup>462</sup>

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 counter-organized crime.<sup>463</sup> The Afghan Uniform Police and Afghan Border Police (ABP) also participate in counternarcotics activities.<sup>464</sup>

This quarter, DOD notified SIGAR that the Special Mission Wing (SMW) is now fully funded by ASFF and no longer funded by any counternarcotics programs such as DOD’s Counternarcotics and Global Threats fund.<sup>465</sup> The 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 counterterrorism support.<sup>466</sup> Transitioning all SMW funding to ASFF aligns funding with the counterterrorism and counterinsurgency mission that the SMW has assumed in recent years.<sup>467</sup>

## **U.S. Funding for Afghan Counternarcotics Elements**

INL continues to work under the 2017 South Asia Strategy, which is the main policy document for U.S. efforts in Afghanistan, including counternarcotics policy.<sup>468</sup> Both INL and DEA continue to report that while there are no formal U.S. interagency working groups focused on Afghan-specific or regional counternarcotics, both entities coordinate with relevant Afghan or regional CN stakeholders as needed. In addition to coordinating with one another, other stakeholders often include DOD's Central Command and UNODC, among others. DEA also participates in the Kabul law-enforcement working group that meets regularly.<sup>469</sup>

INL estimates that it funds approximately \$21 million per year in operations and maintenance for INL programming in Afghanistan, including for the NIU and SIU. INL has disbursed \$43.4 million to DEA through an interagency agreement to support the specialized units. Costs directly attributable to NIU and SIU include \$6 million for two years of JWIP (not including other costs DEA and DOD may incur in support of the wiretap system), \$9.6 million for two years of other interagency-agreement support, and \$825,000 per year for NIU salary supplements.<sup>470</sup> Salary supplements are used to attract and retain the most qualified and highly trained officers to join the specialized units rather than remain with the regular CNPA. A graduated scale of supplements is provided to all NIU officers, from police officers to unit commanders.<sup>471</sup>

## **Interdiction Results**

In a new measure, DEA reported this quarter that the value of narcotics intercepted from October 1 through December 8, 2020, was over \$235 million.<sup>472</sup> DEA reported that it no longer uses denied revenue to measure the value of interdicted narcotics and has instead developed the “drug value intercepted” (DVI) method to measure value. DEA noted that estimated production costs were previously used to estimate the value of revenue denied, which proved inconsistent. In contrast, DVI measures the street value of particular drugs by averaging three years of drug purchases.<sup>473</sup>

Between July 1 and September 30, 2020, DEA reported that U.S.-supported interdiction activities by Afghan security forces included 39 operations resulting in seizures of 126 kilograms (kg) (278 lbs.) of opium, 201 kg (445 lbs.) of heroin, and 445 kg of methamphetamines (979 lbs.). Additionally, 71 arrests were made and 6,049 kg (13,336 lbs.) of precursor chemicals and approximately 730 kg (1,609 lbs.) of hashish were seized by



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Afghan security forces during this period.<sup>474</sup> Table 2.15 contains interdiction results provided by DOD and DEA.

Despite the improved capabilities of Afghan specialized units over the years, drug seizures and arrests have had 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 2019, as reported by UNODC.<sup>475</sup>

TABLE 2.15

INTERDICTION RESULTS, FISCAL YEARS 2010–2020												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	TOTAL
Number of Operations	263	624	669	518	333	270	196	157	198	152	184	<b>3,564</b>
Arrests	484	862	535	386	442	394	301	152	274	170	263	<b>4,263</b>
Hashish seized (kg)	25,044	182,213	183,776	37,826	19,088	24,785	123,063	227,327	42,842	148,604	422,658	<b>1,437,226</b>
Heroin seized (kg)	8,392	10,982	3,441	2,489	3,056	2,859	3,532	1,975	3,242	3,507	585	<b>44,060</b>
Morphine seized (kg)	2,279	18,040	10,042	11,067	5,925	505	13,041	106,369	10,127	11,859	2	<b>183,331</b>
Opium seized (kg)	49,750	98,327	70,814	41,350	38,379	27,600	10,487	24,263	23,180	13,751	325	<b>398,226</b>
Precursor chemicals seized (kg)	20,397	122,150	130,846	36,250	53,184	234,981	42,314	89,878	22,863	81,182	30,849	<b>864,894</b>
Methamphetamine <sup>1</sup> (kg)	–	50	–	11	23	11	14	31	143	1,308	672	<b>2,263</b>

– indicates no data reported.

<sup>1</sup> In crystal or powder form.

Source: DEA, response to SIGAR data call, 12/16/2020.

## Eradication Update

INL reported this quarter that the MOI began eradication planning sessions on November 7, 2020, under the auspices of the Eradication Coordination Committee (ECC). Discussion at this meeting included how to facilitate high-level coordination amongst all entities involved in eradication as well as complaints about a lack of functional equipment, timely funding availability, and the increasing strength of the insurgency.<sup>476</sup> According to INL contacts, the ECC will meet weekly with high-level participation including from the president's office, NSIA, and local security and governance entities such as the National Directorate of Security, the Ministry of Defense, and the Independent Directorate of Local Governance.<sup>477</sup>

The Director General of the CNPA, Colonel Sami Popalzai, and Deputy Minister Aurtaq are expected to coordinate with the president or vice president to obtain an executive order asking all relevant national and provincial organizations to support eradication. Meanwhile, NSIA will ask UNODC and the Afghan national security advisor staff for the latest data on poppy cultivation. From these data, the NSIA will prepare a schedule for nationwide eradication and prepare provincial-level presentations on opium-poppy

cultivation. Once the eradication schedule is finalized, relevant authorities will conduct provincial visits to coordinate eradication activities.<sup>478</sup>

As previously reported, INL is currently not providing direct support for eradication programming in Afghanistan because Congress requires an audit of financial control mechanisms before monies can be released to the MOI for eradication following the dissolution of the MCN.<sup>479</sup> INL is contracting for a financial assessment of the CNPA so that direct monetary assistance can be provided to the MOI for CNPA eradication assistance.<sup>480</sup>

## 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 MOI now manages this ongoing program, with the CNPA implementing independent Afghan eradication and GLE.<sup>481</sup> When MCN managed the GLE program beginning in 2005, INL reimbursed provincial governors \$250 toward the eradication costs of every UNODC-verified hectare of eradicated poppy.<sup>482</sup>

INL did not provide an update on the GLE program this quarter because there has been no change in the status of their relationship. INL is currently unable to provide funding for the GLE program prior to the vetting of the CNPA's financial-control mechanisms.<sup>483</sup>

## REFUGEES AND INTERNAL DISPLACEMENT

### Afghan Refugees

As of December 12, the United Nations High Commissioner for Refugees (UNHCR) reported that 2,045 refugees have voluntarily returned to Afghanistan in 2020. Most of the refugees returned from Iran (890) and Pakistan (1,055). COVID-19 led to temporary suspension of voluntary repatriation between March 4 and April 29, 2020. UNHCR agreed to continue the facilitated voluntary repatriation of Afghan refugees during the winter season. Such a measure will allow Afghan refugees who plan to return during winter to do so as well as enable other refugees who were unable to return earlier due to COVID-19 related restrictions to also return during the winter.<sup>484</sup>

### Undocumented Afghan Migrant Returnees

According to State, the combined effects of COVID-19 and economic contraction has led to high numbers of spontaneous returns of Afghan migrant laborers from Iran.<sup>485</sup> As of December 31, the International Organization of Migration (IOM) reported that 859,092 undocumented Afghans returned from Iran (534,313 spontaneous returnees and 324,779 deportees) and 6,701

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**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.

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

undocumented Afghan migrants returned from Pakistan (5,956 spontaneous returnees and 745 deportees) in 2020.<sup>486</sup>

By comparison, 476,887 undocumented Afghan migrants had returned from Iran in 2019, as of December 28 of that year and 767,663 undocumented Afghan migrants had returned from Iran in 2018, as of December 29, 2018.<sup>487</sup> According to State, the Iranian economic downturn caused by U.S. sanctions drove outward migration in 2018.

## Conflict-Induced Internal Displacement

As of December 1, 2020, conflicts had induced 332,255 Afghans to flee their homes, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). That count of conflict-induced internally displaced persons recorded is 25% lower than for the same period last year, when OCHA reported 443,090 displaced persons.<sup>488</sup>

## WOMEN'S ADVANCEMENT

Presently, USAID has only one remaining Promote program, which aims to strengthen women's participation in civil society.<sup>489</sup> Table 2.16 shows the current Promote and women-focused programs.

All the Promote programs that focused on employment and job readiness training ended last quarter. USAID does not expect future updates on the number of Promote beneficiaries who secure employment.<sup>490</sup>

To date, Promote's Musharikat (Women's Rights Groups and Coalitions) program reports it has recruited over 7,000 women-focused advocates to its network. This past year, Musharikat began requiring a certain number of recruits from their grantees and began targeting university students. According to the program, the strength and influence of the Musharikat coalitions relies on continued growth of the number and diversity of members within the coalitions, as well as in their participation in Musharikat activities.<sup>491</sup> Musharikat seeks to engage its coalition members through registration with the network and participation in an online community and live events. To help sustain this engagement, Musharikat developed a free mobile phone application for easy access to the program's online community. Since its release in August 2019, the application has been downloaded only 150 times, despite smart-phone usage being high among Musharikat's coalition members.<sup>492</sup>

COVID-19 has made Musharikat's online engagement options more popular for members. In the third quarter of 2020, Musharikat recorded over 9,000 member log-ins (compared with 2,410 in the previous two quarters).<sup>493</sup> Many of the most popular discussion prompts on Musharikat's member website over the past year related to the ongoing peace process, including:<sup>494</sup>

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- Since the talks started on September 12, 2020, what progress do you think has been made?
- Do you think the Taliban will change their mentality, ambition and behavior of 1990s and play an equal role in ensuring social justice?
- What are your specific opinions about women’s situation after a potential agreement with the Taliban?
- What are your specific recommendations for women representatives in peace process talks?
- Is there any guarantee that the released Taliban will not return to the battlefield?

According to Musharikat, their member website offers a protected forum for activists to discuss their perceptions of the peace process and to make observations about where Afghan women’s own agenda for peace stood among negotiators’ priorities.<sup>495</sup> Two members of the Islamic Republic’s negotiating team have undergone Musharikat’s persuasion training. According to USAID, these negotiators communicate with other Musharikat members in real time through meetings, roundtables, and surveys.<sup>496</sup>

TABLE 2.16

USAID GENDER PROGRAMS				
Project Title	Start Date	End Date	Total Estimated Cost	Cumulative Disbursements, as of 1/8/2021
Promote: Women’s Rights Groups and Coalitions	9/2/2015	9/1/2021	\$34,534,401	\$27,030,402
Promote: Rolling Baseline and End-Line Survey	2/21/2017	1/20/2021	7,577,638	7,357,293
Gender Based Violence (GBV)	7/8/2015	1/7/2021	6,667,272	6,667,272

Source: USAID, response to SIGAR data call, 1/11/2021.