

Annex:

Resolution of the Asad 1399 (August 2020) Consultative Peace Loya Jirga (AAN working translation)

(وامرهم شوری بینهم) (1)

Inspired by the holy verse [from the Holy Quran] ”فَأَصْلَحُوا بَيْنَ أَخَوَيْكُمْ” [translation: Therefore, make peace between your brothers] and pursuant to decree number 51 dated 14 Asad 1399 (3 August 2020) of the President of the Islamic Republic of Afghanistan, as well as according to paragraph 21 of the resolution of the 2019 Consultative Peace Loya Jirga, this jirga began on 17 Asad 1399 (7 August 2019) and lasted for three days. We, the 3,400 members of the Consultative Peace Loya Jirga, including both women and men representing 23 different classes of society from 34 provinces, came together in the capital of the country. We did so in order to present our consultations/advice regarding the release of 400 Taleban prisoners and to determine the framework for peace negotiations with the Taleban.

Acknowledging that the Loya Jirga is deemed to be the highest manifestation of the people’s will for consultation on issues of supreme interest to our country, and that our dear country’s history show that the people of Afghanistan, at critical junctures, have referred to their collective wisdom through historical loya jirgas for the purpose of maintaining territorial integrity, national sovereignty and the taking of important and most appropriate decisions.

The Consultative Peace Loya Jirga, based on the consultations of its members during their working committees, presents the following recommendations to the government of the Islamic Republic of Afghanistan, the Taleban, Islamic countries and the international community:

1. The Loya Jirga members welcome and support the peace process in achieving an enduring and dignified peace that will result in security and stability throughout the country.
2. The Jirga approves the release of 400 prisoners demanded by the Taleban in order to remove any obstacles so that peace negotiations can begin, to stop the bloodshed and observe the public interest.

3. If there are foreign nationals among these prisoners, they should be handed to their respective countries upon securing credible guarantees from them [for the ex-prisoners].
4. It [should] be ensured that upon the release of these prisoners, direct negotiations start immediately, without any excuses
5. The Jirga calls for an immediate and lasting ceasefire throughout the country and calls on the international community, especially the US, to deliver on their commitments to the people of Afghanistan in this regard.
6. The people and government of the Islamic Republic of Afghanistan [must] be assured that the prisoners who are released do not return to the battlefield and that their activities be monitored.
7. Considering that the government releases the Taleban prisoners, the Jirga also calls on the Taleban to fulfil their obligation to release all civilian and military captives of the government and release them immediately.
8. The *haq ul-abd* [victims' rights] of those released by the Taleban shall be reserved in case of demand.
9. We request the international community to prevent any interference by countries directly or indirectly involved in destabilising the country or supporting terrorist groups.
10. While peace efforts are underway, the Loya Jirga members call on the government and the Taleban to cease armed violence and to resolve all disputes through talks. The people of Afghanistan will take a firm decision regarding any party that insists on the continuation of violence
11. Islamic values, the role of the *ulema*, basic government institutions, democracy and the achievements of the people of Afghanistan [made] in the last two decades should be preserved and strengthened
12. During peace negotiations, the principles of democracy and the republican system (*jamhuriyat*) as well as the fundamental rights of the citizens of the country, especially ethnic, religious [*dini* and *mazhabi*] minorities, which are enshrined in chapter two of the constitution and its other articles should not be compromised at all.

13. The Consultative Peace Loya Jirga emphasises that the country's women, who represent half of society, should enjoy legal and political status and should have a constructive role and participation in all phases of the peace process.

14. The Consultative Loya Jirga members believe that the constitution is the national document and should be preserved. But in case of need, amendments to the constitution are possible [only] through the mechanism provided for in [the constitution] itself.

15. The Loya Jirga members recommend that the principle of national participation be observed in the formation of the High Council for National Reconciliation and national figures, political leaders, respected *ulema*, tribal elders, women, youths, civil society and other strata of society be included in its composition. In order to further ensure that the peace process is people-centric [*mardomi*], its activities should be extended to all provinces

16. The Jirga emphasises the transparency of the peace process and expects the High Council for National Reconciliation and the negotiation team to provide information to the people of Afghanistan on a timely basis regarding any developments within the process.

17. The country's security and defence forces, as the guardians of national sovereignty and territorial integrity, should be supported and strengthened. Meanwhile, the heirs of martyrs of security institutions and victims of terrorist incidents [should] be better looked after.

18. The Jirga stresses that in the course of negotiations with the Taleban, understanding [should] be reached on a clear mechanism to provide social order, security of installations and infrastructure and [broader] stability in the country to dispel people's concerns.

19. In order to pay tribute to the country's security and defence forces, which are the pride of the people, it is recommended that the government commute the remaining prison terms of those among the country's security and defence forces convicted of crimes [the amnesty of which is] under the authority of the president, with the exception of treason. In addition, those convicted on mere charges of [having had] relations with the Taleban should [also] be included in a [presidential] decree about an amnesty.

20. The government of the Islamic Republic of Afghanistan is obliged to present specific guidance in the light of national interests and to take necessary action to further improve and strengthen the negotiation team and to strengthen women's presence in all phases of the peace process

21. The Jirga emphasises that the necessary conditions be created for negotiations between the Islamic Republic of Afghanistan and the Taleban within the country as both parties are citizens of the country. If not, they should be held in a third, impartial country. These negotiations should be continuous and this process should not be stopped for any reason.

22. The Jirga members are grateful for the cooperation and support of the international community, especially the US. At the same time, the Jirga members request that all countries and international organisations deliver on their commitments and continue their assistance and cooperation throughout the negotiations process and after a peace agreement has been reached at.

23. We request Islamic countries and the Organisation of Islamic Cooperation, especially Afghanistan's neighbours, to help our people achieve permanent peace and stability, and fulfil their Islamic responsibility towards the selfless sacrifices of the mujahed nation of Afghanistan

24. The Loya Jirga members announce their complete preparedness for providing any necessary advice and cooperation during the peace process and the government [should] make full use of the advice and capacities of the Loya Jirga members for ensuring the continuation of the discussion on peace, which is one of its [the government's] priorities.

25. Since the Jirga members have provided specific and detailed recommendations on various issues, which are useful for future action by the government, these recommendations [should] be sent to the president as an attachment to this resolution so that relevant institutions [can] be instructed in this regard

This resolution includes an introduction and 25 paragraphs issued by the Consultative Peace Loya Jirga members on 19 Asad 1399 (9 August 2020)