

Natural Resources and Conflict in Afghanistan

Seven Case Studies, Major Trends and Implications for the Transition



Renard Sexton - July 2012

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Introduction

In Afghanistan, natural resources and conflict have a intimate and complex relationship. Conflict assessment surveys have consistently reported that access to natural resources is the cause for more than half of local level conflict incidents in Afghanistan.¹ In particular, competition for land and water are regularly cited as two top causes of conflict in communities across Afghanistan.

Western donor aid to the Afghan central government has already started a dramatic decline from its peak levels of several years ago². Natural resources, especially in the extractive industries sector, have been identified as the top prospect for generating state revenues to replace those funds. The central government has worked hard to tender and award concessions to exploit mineral deposits to international investors in the hope that these arrangements will ensure a consistent stream of royalty payments. In the scramble to develop a tax base for the Afghan state, however, underlying rivalries and disagreements regarding issues such as centralization of power and government structures have provoked conflict in the sector.

1. Waldman, Matt (2008). *Community Peacebuilding in Afghanistan*. Oxfam International, p. 29; Dennys, Christian and Idrees Zaman (June 2009). *Trends in Local Afghan Conflicts*. Cooperation for Peace and Unity, p. 12

2. For example, US aid appropriations for "Governance and Development" peaked at \$4.6 billion in 2010, falling in 2011 and 2012 to just under \$3 billion. "Humanitarian" and "Counter-Narcotics" appropriations also have fallen since 2010; even "Security", which makes up nearly 70 percent of US aid appropriations, fell from 2011 to 2012. Figures from: Cordesman, A. H. (14 May 2012). *The U.S. cost of the Afghan war: FY2002-FY2013 cost in military operating expenditures and aid and prospects for "transition"*. Center for Strategic and International Studies, Washington, p. 9

The linkages between natural resources and conflict is a major factor for the short and long term stability of Afghanistan. Thus far, detailed and publicly available research on such linkages has not been conducted. Development opportunities in the natural resource sector, such as hydroelectric dam construction, irrigation schemes, gemstones for export, industrial minerals extraction and timber production, have been promoted by the international community and Afghanistan's leadership, but sectoral risks have not been sufficiently examined. In order for natural resources to produce sustainable benefits for the country, they must be exploited in a way that does not aggravate the associated drivers of conflict.

This study identifies the major conflict trends in the natural resource sector in Afghanistan by developing and examining seven representative case studies. The cases are drawn from across the country, representing diverse geographic, ethnic, social and resource settings.

The current period of transition is a critical time for Afghanistan. With the gradual withdrawal of ISAF/NATO forces to be completed in 2014, many observers have focused on the security transition that is underway. Equivalent progress towards both national and local political stability has not been achieved. An important component of that process will be an economic and political accommodation to allocate the division of natural resources. The hope is that this research can facilitate a sober and pragmatic approach to that overdue process.

# Case	Sector	Sub-sector	Region
1	Water	Local irrigation water	North
2	Water	Hydro-electric dam	West
3	Land	Rangeland	Center
4	Land	Land for urban construction	East
5	Mining	Small scale	North
6	Mining	Large scale	Center
7	Renewable extractives	Timber; medium scale	East

Natural resources as a driver of conflict

In each of the seven case studies, a natural resource has been linked to local level conflict as a contributing or driving factor, in concert with political, economic and social forces. The analysis demonstrates that the linkage to conflict is in large part dependent upon the type of resource, with the case studies illustrating three basic relationships between natural resources and conflict.

The first driver is the profit motive, where actors use force to gain local control of trade in a natural resource that generates significant cash flow. This phenomenon is demonstrated in the cases of lapis lazuli extraction in Badakhshan (Case 5) and cedar smuggling in Kunar (Case 7). In both cases, the resource is extracted in semi-legal environments for the benefit of local power brokers, and the final value of the resource is derived from external demand. Without the ability to export lapis or cedar timber to or through neighboring countries, the value of both resources would be greatly diminished.

When exploitation of a natural resource is motivated by export-generated profits, conflict over control of the trade is often accompanied by widespread corruption, including collusion by government officials for both personal and political gains. Political actors often use their standing to better position themselves for a share in the resource trade, depending on the level of formalization in the sector. In Badakhshan, the connections of a member of Parliament with President Karzai's inner circle allowed him to aggressively take over the lapis lazuli trade by force, while in Kunar the main timber barons used political connections in Kabul to eliminate rivals in the trade.

The second driver is the issue of scarcity, where a natural resource is of limited availability, whether due to reduced supply and/or increased demand. This is illustrated in the cases of the Salma dam project in Herat province (Case 2) and the rangelands of Wardak and Ghazni provinces (Case 3). In both cases, political factors rather than simply ecological or economic changes increased the risk of scarcity. It was political calculation that prompted actors in danger of losing out to take dramatic action. In the case of the Salma Dam, Iran's fear of water scarcity on the Hari-rod River has been roused by the increase of irrigated agricultural activity in Razavi Khorasan province and the Tejen delta, Turkmenistan. Due to Afghanistan's political weakness and limited ability to deter meddling by neighbor states, Iranian elements attempted to stop the Salma dam project by fomenting instability in the dam area by means of a proxy Taliban commander, Mullah Mustafa.

In the case of the rangelands of Ghazni and Wardak provinces, traditional accommodations between settled and nomadic communities have been complicated by an improved political position for the settled Hazara people along with their population growth. The result has been attempts to limit the access of Kuchi nomads from limited summer upland pastures.

In both cases, resource scarcity could have been solved by the opposing parties negotiating a solution that would have required concessions on both sides. Instead, one or both of the parties sought a decisive victory through confrontation, as opposed to accommodation through compromise. In both cases resource scarcity led to violent conflict.

The third driver is the way in which natural resources are used to project political power. This is described

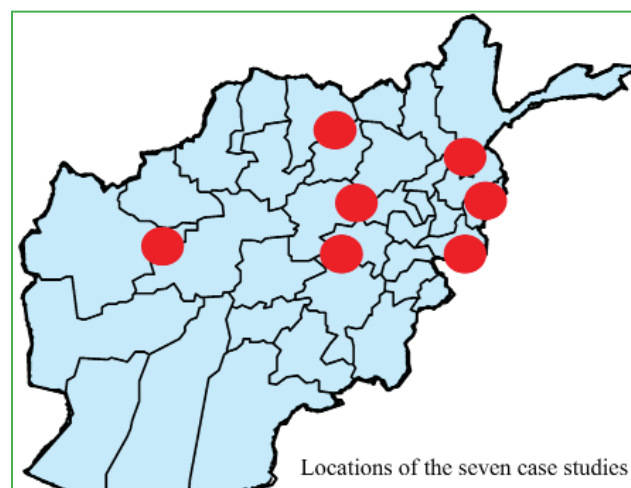
by cases of irrigation water in Samangan and Balkh provinces (Case 1), land for construction in Nangarhar province (Case 4), and the iron ore deposit in Bamiyan and Wardak provinces (Case 6). In the case of Nangarhar Province, two sub-tribes of Shinwari Pashtuns struggled to control a patch of deserted land in part for its value as a construction site, but more as a symbol of territorial expansion and tribal power. In the case of the Hajigak iron deposit in Bamiyan, some observers have concluded that the large size of the iron ore deposit will prompt a competition for control of the resource between India and Pakistan. The study finds instead that the competition between the two countries will likely not be for the iron ore itself but instead for the political influence that control of the resource provides vis-à-vis the Afghan government and the regional balance of power. In Samangan, control of irrigation water from the Khulm and Balkhab river basins was used as leverage by an warlord to attempt to dominate downstream areas. The diversion of river water was a tool of conflict, but was ultimately unsuccessful due to technical limitations. These cases show how natural resources in Afghanistan become a proxy for, as well as an instrument of, political power for both local and regional actors.

This brief analysis of the three main drivers of conflicts related to Afghan natural resources is intended to define a conceptual structure of the linkages between resources and conflict that are explored in the case studies. The drivers cut across natural resource sectors, and several of the cases exhibit the characteristics of more than one driver. Nonetheless, the three general categories provide the framework within which to evaluate the predominant conflict trend displayed in each case.

Structure of the Study

Each case is explored in a detailed manner to examine the technical, political, economic and social factors that contribute to a given conflict. Each case study is structured with four sections:

1. **The Resource:** an examination of the economic, environmental and social factors specific to the natural resource in question, asking “What is the natural resource and why is it in demand?”
2. **Political and Historical Context:** an exploration of the political background to the case, looking at “What



Locations of the seven case studies

is the historical context in which this resource conflict has occurred?”

3. **Conflict Details:** an accounting of the actual events that occurred during a resource conflict, including specific violence, political machinations and the actions of key parties to the conflict, answering “What happened during the conflict?”

4. **Political Economy of the Conflict:** an analysis of the drivers of the conflict, the interests of the involved actors, and an evaluation of how the conflict fits within larger national issues, examining “Why did the conflict occur?”

The subjects of the case studies were selected with the objective of representing the main natural resource sectors in the country, as well as the various regional, political, ethnic and ideological interests at play. The following table lists the case studies and the dynamics they correspond to.

Each case study has been formatted to stand on its own, and will be published in a separate electronic document to facilitate usage by those interested only in a specific sector or issue. The chapter format of notes and references (compiled at the end of each case rather than at the end of the study) is meant to assist that.

Drawing from the seven cases, the penultimate chapter entitled “Observations and Analysis” examines the six major trends for natural resource conflicts in Afghanistan. The final chapter “Conclusions and Recommendations” aims to distill the information and analysis of the cases for a programming-oriented

audience. The recommendations are targeted towards individuals working on the transition process over the next 5-10 years.

This analysis does not aim to be comprehensive. Each province, district and village in the country experiences differing linkages between natural resources and conflict, shaped by unique factors of geography, climate, demography, politics and economy. By identifying conflict dynamics that are common between the cases, however, the general conflict landscape can be discerned, and the associated risk factors can be better calculated during the process of formulating policies and decision.

Before moving into the first case study, it is important to identify the limitations of the research. While the case studies encompass a substantial portion of the key natural resources of Afghanistan, the study does not focus on the narcotics sector, including opium poppy and cannabis production. Originally the study plan was to examine opium production in Helmand as a case that would both encompass the narcotics industry and represent southern Afghanistan. Due to limitations in time and accessibility, however, along with the recognition that there is already a considerable amount of literature on Helmand's poppies being produced by UNODC, various agencies of the United States government, AREU, and others, the decision was made to not extend the analysis to that situation.

The deteriorating security situation in Afghanistan during the fieldwork period (January to July 2012) limited travel access to many areas, requiring many of the interviews to be conducted in Kabul rather than in situ.

It is hoped that the conceptual framework of the research and the demonstrated linkages between natural resources and conflict that have been illustrated by the case studies will prove useful to those engaged in the transition process. The goal has been to provide reliable accounts of natural resource conflicts and an identification of the drivers of such conflict in a manner to facilitate effective policy making and peace building in Afghanistan.

Case Study 1:

Irrigation and Drinking Water in Samangan and Balkh Provinces

1. The Resource

Irrigation water is a fundamental element of survival for most people in Afghanistan. Rainfall is rarely sufficient to provide the necessary water for crop cultivation. River water that originates primarily from melting winter snowpack in Afghanistan's numerous mountain ranges is therefore vital.

Afghanistan has five major river basins, which have generally been the primary locus for the historical patterns of settlement around the country (See Figure 1). The largest basin is the Helmand river watershed in southern Afghanistan, covering more than 40 percent of the nation's land area (262,341 square kilometers). The second largest, at 14 percent of land area (90,692 square kilometers), is the Amu Darya/Panj watershed, which is also the basin with the most water availability per capita. With an average of 7,412 cubic meters of water available per person per year, the area is well above the generally accepted water scarcity threshold of 1,000 cubic meters per capita¹ (See Figure 2).

The Northern basin contains the provinces of Samangan, Balkh, Sar-e Pol, Jowjan and Faryab, where the population regularly contends with serious water scarcity. The Northern basin has an annual average of just 676 cubic meters of available river water per capita, well below the water scarcity threshold and less than 40 percent of the 1,700 cubic meters recommended for avoiding water stress.

At the eastern extreme of the Northern watershed lies

1. The Falkenmark Water Stress scale states that at below 1,700 cubic meters, there will be occasional water shortages ("water stress"). Below 1,000 cubic meters there are consistent shortages ("water scarcity"); Falkenmark, Malin and Gunnar Lindh (1976). *Water for a Starving World*. Westview Press. Boulder, Colorado.



the Khulm river basin, also known as the Samangan river watershed. Draining the mountains of Ruy-e Du Ab district in southern Samangan province, the Samangan River² flows northward until it reaches the fertile Khulm delta,³ which is one of the greenest areas in the region.

Historically the Samangan River continued northward until it reached the Amu Darya.⁴ As population grew in the surrounding plains, however, corresponding increases in water usage for irrigation meant that the river eventually only reached the Khulm delta. As the city of Aibak, the capital of Samangan Province, has swelled in recent decades, today only a small fraction of the Samangan River reaches the Khulm delta.

2. Also known as the Tashkurgan River

3. Favre, Raphy and Golam Monowar Kamal (2004). *Watershed Atlas of Afghanistan: Working Document for Planners*. Ministry of Irrigation, Water Resources and Environment, Afghanistan, p.141 (Part IV)

4. Historically known by Europeans as the Oxus River

While the Samangan river basin covers the majority of Samangan province, to the west in the Dara-e Suf area there are several tributaries of the neighboring Balkhab River, which come together to flow westward from Samangan into Balkh. Dara-e Suf town is located on the largest tributary, in what is now called Lower Dara-e Suf district.

While effective management of irrigation water is always important, in situations of water scarcity, good management becomes an imperative. With the livelihoods of families and communities at risk, water management authorities must make decisions that will be respected, as otherwise competition for water in upstream areas may wreak havoc on downstream communities.

Figure 2: Major watersheds of Afghanistan, per capita water availability

Basin Name	Location	Available river water (cubic m) per capita
Amu/Panj	North-east	7,412
Kabul	East	2,889
Hari-rod/Murghab	West	1,777
Helmand	South/South-west	1,581
Northern	North	676
Afghanistan	Nationwide	2,775

Source: Favre and Kamal (2004) and Central Statistics Office of Afghanistan in UN Human Development Report Afghanistan 2011

The traditional method of water management in northern Afghanistan has been for a local *mirab*, water master, to allocate the resource at each locality. He is meant to ensure that water is distributed according to pre-set agreements among communities and landowners. On large rivers, mirab councils are responsible for allocating water in a legitimate and sustainable fashion up to 20 km of the river, taking into consideration the various communities along the way and their many canals and lands. In exchange for this work, a mirab traditionally receives 7 kg of wheat from each farm whose water he manages.⁵ Typically, each mirab has at least one assistant, known as a *chachbashi*, who helps to administer water arrangements.

5. Interview with government authorities in Balkh province, 6 June 2012

Water management in Afghanistan has a highly decentralized structure that typifies the historical relationship between the central state and outlying areas. Local mirab and councils deal with water allocation from the main canals to individual landowners. Macro-level agreements for the entire course of the river are negotiated between mirab to ensure water security for the river basin.

The role of the central government has traditionally been to enforce these agreements, rarely meddling in the specifics on behalf of one party or another. In other words, the central government helped legitimize the mirab agreements and ensure that the arrangements were respected, with the police/military occasionally intervening. In most cases, however, the enforcement capacity was projected rather than consistently present. Only in cases of crisis would state forces be mobilized to resolve a conflict, especially if they were occupied elsewhere putting down revolts or ensuring the flow of revenues from key areas. The mirab system in northern Afghanistan functioned therefore on the basis of the consent of local landowners and elites, the symbolic power of the mirab position, and the threat of state intervention.⁶

In post-2001 Afghanistan, the relationship between the government and mirab has become more complicated. In most rural areas the function of the state has been checked by local power brokers. In the wake of 30 years of instability and conflict, these local forces have established military, political and/or economic control of many zones. In urban areas and their immediate surroundings government authorities often exert a measure of oversight over water arrangements. Coercive and corrupt politicking, however, have often replaced legitimate water management practice. In this unstable provincial environment the position of the mirab has been weakened, but they retain some measure of support and legitimacy.⁷

In addition to the challenges posed by a limited water supply and sometimes chaotic social relationships, there is a compounding issue of inadequate infrastructure. The earth and stone canals, dams, reservoirs and other tools of traditional water

6. Interviews with water sector experts in Kabul, Mazar-e Sharif, 23 April 2012, 5 June 2012 & 6 June 2012

7. Interviews with Ministry of Agriculture and Irrigation officials in Balkh and Samangan provinces

management that were in place before the 1970s were by no means modern or efficient. Compared to today's circumstances, however, traditional engineering and an effective mirab system, backed by a relatively strong monarchy in Kabul, succeeded in bringing a measure of stability to a precarious water situation.

Three decades of war, minimal investment, little reconstruction, and limited human capital have weakened today's water management infrastructure. Periods of scarcity alternate with destructive floods. Poor flow control results in springtime flooding, washing out fields and homes, while in summer and fall there is not enough water, with many water courses running dry or nearly dry.

In the Khulm river basin water management is handled through several systems.⁸ There are reportedly about 100 mirab throughout the province, with about 40 in the area of the city of Aibak.⁹ Officials of the Ministry of Agriculture, Irrigation and Livestock (MAIL) are ostensibly the responsible authorities, yet by their own admission are extremely limited in the services they can provide. The head of the newly established 'Irrigation Office for the Khulm River Basin' (within MAIL) suggested that resource constraints are the main reason people do not see the authorities as particularly relevant.

*"Several months ago, numerous villagers came to me repeatedly, for several weeks, after a period of bad flooding, asking for the government's assistance in fixing broken canals. I could not help them; we do not have the resources to do so. I told them this, and then I never saw them again."*¹⁰

The formal authority of the central government is split between the Ministry of Energy and Water and the Ministry of Agriculture, Irrigation and Livestock, with the former responsible for overall water management and planning and the latter in charge of water management related to irrigation¹¹. Based on the law¹²,

8. While this description focuses on the Samangan river basin, it is largely applicable to the Balkhab tributaries in Dara-e Suf as well

9. Interview with Samangan government official, 7 June 2012

10. Interview with Samangan government official from Ministry of Agriculture, Irrigation and Livestock, Office for the Khulm River Basin, 7 June 2012

11. Water Law of Afghanistan 2009. (26 April 2009) Ministry of Justice Official Gazette No. 980, p. 3

12. The "Water Law" of 2009 is the relevant national legislation.



Even a slightly damaged irrigation canal (top) quickly loses its integrity, while a well functioning canal (bottom) can move great quantities of water from river to cropland.

(photos: Yasin Yawari, Renard Sexton; from Samangan province)

the election of mirab is supposed to be overseen by government authorities to ensure that regulations set out in national policies from Kabul are followed regarding mirab, the establishment of water users' associations, and other topics.

In practice this rarely occurs. In the best case scenario, mirab are selected at the local level and then brought to Aibak city to be introduced to the authorities¹³. In most cases this simply does not happen. The government authorities in Samangan and Balkh provinces openly admit that they do not even know, let alone have any regulatory authority over, the majority of mirab in their province¹⁴.

Along with the lack of centralized authority, there

13. Interview with Samangan provincial authorities, 7 June 2012

14. Interviews with government authorities in Mazar-e Sharif and Aibak, 6 & 7 June 2012

is evidence of local political manipulation and intimidation in the mirab systems of the Khulm and Balkhad river basins. In the case of Samangan, the Uzbek commander Ahmad Khan retains considerable authority in certain rural areas; people are expected to ask his permission to run for public office, even for relatively low level posts like mirab. Large landowners, especially those with important patrons in local government, also regularly influence or control the selection and actions of mirab.¹⁵

In the context of these elements of instability, it is not surprising that water is identified by local inhabitants as a major source of conflict in northern Afghanistan. Conflict surveys regularly list water as the first or second most common cause of conflict, with land as the other main area of contention.¹⁶

This case study will focus primarily on the relationship between water and conflict in Samangan and Balkh provinces in northern Afghanistan.

2. Political and Historical Context

The provinces of Balkh and Samangan are located on the plains of northern Afghanistan to the south of the Amu Darya River, the southern boundary of the ancient region of Transoxiana.¹⁷ It is a zone of ethnic mixing, with Tajiks, Uzbeks, Hazaras and Pashtuns, the four main ethnic groups of Afghanistan, all having notable populations.

Long connected with their brethren north of the Amu Darya, the residents of the region became part of the sphere of influence of Afghanistan during the “great game” between Russian and Britain in the late 19th century. Seeing Russia’s advances in Central Asia in the 1860s, especially as they took the ancient Turkic khanates of Bukhara and Samarkand, the British Raj in Calcutta, fearing Russian invasion into India, decided that the Amu Darya was the point past which the Russians could not be allowed to pass. This contributed to the British invasion of Afghanistan in

1878 (the second Anglo-Afghan war), culminating in the eventual accession of King Abdur Rahman to the throne in Kabul, and established British control of Afghanistan’s foreign policy, which persisted until 1919. Various treaties were concluded to define Afghanistan’s northern borders; it was the joint Russian-English boundary commission of 1895-6 that finalized the frontier along the Amu Darya and Panj rivers.

Since that time, relations between the Uzbek and Tajik-dominated north and the Pashtun monarchy in Kabul have repeatedly been fraught with discord. The great Hindu Kush mountains separated the north from the east and south, which limited communications and the reach of central authorities. From the end of the 19th century, a dynamic of push and pull emerged between the north and Kabul. The monarchy attempted to consolidate its control of the country and introduced some centralizing measures, while the northerners alternatively resisted and cooperated depending on the interests at hand. In the late 19th and early 20th centuries the central authorities implemented a significant resettlement of Pashtuns to the northern region (often voluntarily but sometimes forcibly), in large part to modify the demographics in their favor.¹⁸

The communist coup in 1978 and subsequent Soviet invasion provoked a whole series of alignments and realignments. General Abdul Rashid Dostum has been a key player in this process. He got his start as a union organizer and then, sympathetic to the ideologies of the socialist Saur Revolution in 1978, joined the military soon after the communist takeover. He went on to command the 53rd Division, based from his Uzbek-dominated Jawzjan province, and developed a reputation as a “brave and decisive military leader who never gave up the opportunity for a fight.”¹⁹ He remained loyal to the government forces aligned with the People’s Democratic Party of Afghanistan (PDPA) until relations began to fray after the Soviet withdrawal in 1989. In 1992, when the position of President Najibullah became increasingly untenable, he publicly switched his support to the anti-communist jihad.

Along with local leadership of Jamiat-e Islami,

15. Interviews with mirab, government officials in Samangan and Balkh, 7 June 2012

16. See Waldman, Matt (2008). *Community Peacebuilding in Afghanistan*. Oxfam International, p. 29; Dennys, Christian and Idrees Zaman (June 2009). *Trends in Local Afghan Conflicts*. Cooperation for Peace and Unity, p. 12

17. The area between the Amu Darya (Oxus) and Syr rivers, which was conquered by Alexander the Great, the Sassanids, the Samanids, Ghengis Khan and many others, and now corresponds with parts of Tajikistan, Uzbekistan, Kirgyzstan and Kazakhstan.

18. Barfield, Thomas (2010). *Afghanistan: A Cultural and Political History*. Princeton University Press. pp. 131

19. Giustozzi, Antonio (2009). *Empires of Mud*, p. 108

the political party and mujahideen group led by Burhanuddin Rabbani and Ahmad Shah Massoud, Dostum founded Harakat-e Shamal (Movement of the North) in order to advance the combined interests of the northern power brokers. In the scramble for Kabul after Dr. Najibullah fell from power in 1992, Harakat-e Shamal was converted to an explicitly political movement called Junbesh-e Milli-e Islami (Islamic National Movement).²⁰ Junbesh initially was a broad-based grouping, with Dostum as leader and Jamiat commander Atta Mohammad Noor as deputy leader. The executive committee originally included representatives from the communist PDPA, the Hazara Hezb-e Wahdat, and others, in addition to core Uzbek and Tajik mujahideen commanders. Factionalization soon took hold, however, much as it did in Kabul.²¹

With Jamiat's fortunes rising in Kabul²² and no apparent place for Junbesh in the central government, Atta and many of his Tajik commanders left Junbesh in 1993, opting to challenge Dostum's primacy in the post-communist north. While ethnicity was not the most important factor driving allegiances, the Junbesh-Jamiat divide began to take on an ethnic character from this point forward. Several key Uzbek commanders, such as Ahmad Khan in Samangan province, switched from Jamiat to Junbesh, where Dostum and his inner circle were Uzbeks. At the same time, Jamiat became more identifiably Tajik, with Atta, his key commanders, and their leaders in Kabul from Rabbani, Massoud and Mohammad Qasim Fahim all being Tajiks.

The clash of interests came to a head in 1994 when the forces of Dostum and Atta came to blows in various places across the north. Dostum, with superior firepower and tactical maneuvering, decisively put down Atta, establishing himself as the unquestioned top power broker for the region. He then moved into Mazar-e Sharif, installing himself in what was the most prestigious and largest city in north.²³

20. Giustozzi, Antonio (2005). *The Ethnicisation of an Afghan Faction: Junbesh-I-Milli From its Origins to the Presidential Elections*. Working Paper no.67, Crisis States Research Centre, LSE, p. 2

21. *ibid.* p. 3

22. Burhanuddin Rabbani had been made President and Ahmad Shah Massoud Minister of Defense, despite furious opposition from other jihadi groups. Kabul eventually descended into chaos and infighting

23. Giustozzi, Antonio (2009). *Empires of Mud*, p. 111

While civil war raged across Afghanistan, Mazar-e Sharif and the northern areas under Dostum's control were relatively quiet. That said, Junbesh's decentralized structure meant that individual commanders outside Dostum's core area were able to exercise a great deal of autonomy and engaged in independent operations to expand their territory.

One such commander was Ahmad Khan of Samangan, who became Dostum's main agent and representative in the province in 1997 and quickly established himself as the dominant player.

3. Conflict Details

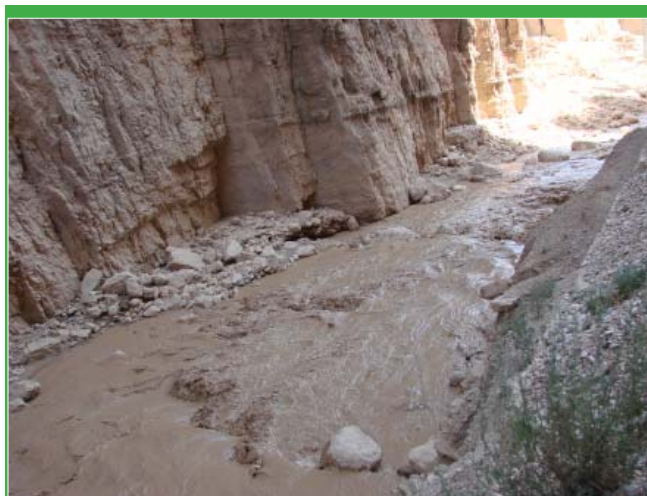
In a move symbolic of his growing power in the province, Ahmad Khan incorporated Khulm district into his zone of control. He expanded northward from his stronghold in the Uzbek areas in central and eastern Samangan to a Tajik-dominated zone that was traditionally within Jamiat's area of influence. At the same time, he pushed into Dara-e Suf district to the west.

While military strength was an important element of his initial success in Khulm, Ahmad Khan used river water allocation as a tactic to ensure compliance from local notables, many of whom were large landowners. The threat was evident. Ahmad Khan controlled the upstream areas of the Samangan river basin and if farmers wanted water to not be diverted upstream, they had to submit to his authority. It is unclear to what degree this policy was enforced during this period, especially when Taliban militias began to contest the area.

Taliban forces from neighboring Kunduz made several attempts to take Samangan, including occupying Khulm and moving to take Aibak in 1997. They were not able to consolidate control, however, and were forced out of Khulm in October 1997, just days in fact after the Taliban success of recapturing Mazar-e Sharif in Balkh.²⁴ Ahmad Khan played a substantial role in this reversal of fortune. The question has been asked, however, whether the Tajik residents of Khulm felt more secure with being part of Ahmad Khan's zone of influence rather than that of the Taliban.

24. Matinudda, Kamal (1999). *The Taliban Phenomenon: Afghanistan 1994-1997*. Oxford University Press, p. 266

Ahmad Khan's control of Khulm from 1997 to 2002 was often tenuous. With his irregular militia forces often needed elsewhere, his military superiority was not enough to maintain his influence. Evidence suggests that it was instead through his potential, if not demonstrated, ability to cut off water supplies that kept the notables quiet,²⁵ even as they began to lobby Balkh-based Jamiat forces loyal to Atta for their



The Samangan river within the Tashkurgan gorge, not far from the Khulm delta. Most of this water (a relatively small flow) is actually from a spring just upstream, rather than river water from the mountains (photos: Yasin Yawari)

eventual liberation.

The Taliban seizure of Mazar-e Sharif forced Dostum into exile; from 1998 to 2001 he resided in Turkey. Atta was by this point again nominally allied with Dostum as part of the anti-Taliban National Islamic Front (Northern Alliance). Atta's forces actively opposed Taliban operations in the north and cooperated with Ahmad Khan in resisting Taliban incursions into Dara-e Suf and Khulm in Samangan in 1999 and 2000.²⁶

The invasion of Afghanistan by the United States in late 2001 again changed the political equation, empowering the National Front to rapidly push the Taliban out of the north. Mazar-e Sharif was jointly taken by Atta and Dostum with significant support from US Special Operations Forces. Thus the Taliban threat that had bound the two together as allies for the previous several years was eliminated for the time

being.

When the Northern Alliance and NATO forces triumphantly entered Kabul, the renewed battle for supremacy in the north between Dostum and Atta had already begun. The showdown for Khulm district began in February 2002 between Ahmad Khan and one of Atta's subordinates, General Abdul Sabor. With the transitional administration in Kabul dominated by Jamiat Tajiks such as Marshal Fahim, Yunus Qanooni and Dr. Abdullah, Atta had a nearly free hand in the north. Though exile and the decentralized structure of Junbesh had weakened his political position, Dostum still retained a measure of military strength.

As confrontation loomed between Ahmad Khan and Abdul Sabor for Khulm district, Tajik notables who had previously quietly submitted to Ahmad Khan's authority actively supported Abdul Sabor's advance. According to local reports, when Ahmad Khan found his military position deteriorating he repeated previous threats to cut off irrigation water to maintain his downstream position.²⁷ Two factors prevented the threat from having any significant impact. First, it was still winter, which meant that almost no irrigation water was in demand. Second, people knew it was unlikely that he had the equipment necessary to carry out such a operation.

In the end, the Jamiat forces proved superior and Ahmad Khan was forced to agree to a ceasefire that required his retreat.²⁸ The victory coincided with Atta's consolidation of power in Balkh province. Emblematic of the transition, Khulm district was formally removed from Samangan province and added to Balkh province by the authorities in Kabul.

Another zone of conflict between Ahmad Khan and Abdul Sabor was Dara-e Suf district in western Samangan. Dara-e Suf is part of the Balkhab river basin rather than the Khulm and is mostly populated by Tajiks, making the district a natural area of expansion for Atta and Jamiat. Fighting began in summer 2003, leaving numerous dead and wounded on both sides.²⁹

25. Interviews with knowledgeable individuals in Samangan; interviews with UN officials, 30 May 2012, 6 June 2012 & 7 June 2012

26. Interviews with government officials, 20 April 2012 & 7 June 2012

27. Interviews with individuals and authorities in Samangan, 7 June 2012

28. McCarthy, Rory (3 March 2002). Warlords' Tanks Roll Over Peace. *The Observer*, retrieved 13 June 2012 from <http://www.guardian.co.uk/world/2002/mar/03/afghanistan.rorymccarthy>

29. Pitman, Todd (6 July 2003). Latest Afghan Skirmishes Kill 3, Hurt 5. *Agence France Presse*

Violence continued for months, despite a least one declared ceasefire,³⁰ with the conflict stopping only when winter set in.³¹

This time with the weather on his side, Ahmad Khan utilized his upstream position to divert water from the eastern tributaries of the Balkhab that stood within his area of control during the conflict with Abdul Sabor. In the hills of eastern Dara-e Suf, villages are relatively small and water management technology is limited. Using his sway with the population, and ostensibly with the local mirab in tow, Ahmad Khan instructed villagers to divert as much water as possible from the streams, even if they could not use it.³²

Again, the impact of the tactic seems to have been limited, as Ahmad Khan did not control all the small tributaries that lead to the Dara-e Suf River, and his allied villagers possessed only rudimentary engineering techniques. The military strength of Atta's forces eventually brought Dara-e Suf solidly back into Jamiat hands.

In the end, Abdul Sabor delivered Samangan to Atta and Jamiat, taking full control of Khulm and nearly all of Dara-e Suf. While Dostum was victorious in other areas, such as the northwestern provinces, it was clear that in Balkh, Samangan and Sar-e Pul, Jamiat was the ascendant power. In 2004, Dostum and Atta signed a truce, with each agreeing to cede core areas to the other. Dostum was uncontested as leader of the northwest (especially Jawzjan, Faryab, and parts of Sari Pul) and Atta was named Governor of Balkh province, that includes the biggest prize of Mazar-e Sharif.

One important postscript to the conflict in Khulm district is that following its 2002 reassignment to Balkh, there has been a growing problem with documents pertaining to water and land rights for the district. While part of Samangan, Khulm's official land and water rights were registered with the provincial authorities in Aibak. After the shift to Balkh, however, they became resentful of Khulm's perceived "defection". Accordingly, under one pretext

or another, they have not been cooperative with the Balkh authorities or with locals in Khulm to facilitate the transfer or access to key papers, including documentation of water rights.³³

In the immediate aftermath of the 2002 conflict, the Khulm delta still received around one to two days of water from the Samangan River per week. Subsequently Khulm has slowly been cut off from the Samangan's flow. This is partially because of the natural growth of Aibak, which has intensified water extraction, and also because there were several dry years. Today almost no river water from the Samangan reaches the Khulm delta; instead, the area relies on a spring near the Balkh-Samangan border for irrigation water. The river water reduction has been dismissed as purely coincidental by the authorities in Aibak, but sources suggest an overall pattern of retaliation against Khulm.³⁴

4. Political Economy of the Conflict

The defeat of Ahmad Khan by Jamiat political and military forces on the boundaries of his territory in 2002-03 spelled the end of his supremacy in local politics in Samangan and what became eastern Balkh. While the conflict was driven by ambitions for territorial expansion, access to irrigation water played an important role. Unfortunately for Ahmad Khan, though threats of limiting flows of river water initially proved effective, when he attempted to actually follow through, the tactical impact was relatively insignificant.

The conflict in Khulm illustrated a trend in Afghan politics of increasing limitations on the role of autonomous warlords like Ahmad Khan. Using the historical model of governance inherited from the Pashtun monarchy, the Karzai government endeavored to bring patrimonial patronage into the formal government system, with a goal of limiting the reach of independent actors. Atta Noor quickly figured out how the new system worked and established his new domain within the context of his formal appointment by the central government as Governor of Balkh. His actual techniques did not change, but, swapping battle garb and bushy beard for suit and tie,

30. *New York Times* (7 July 2003). 3 Killed in Fresh Afghan Fighting Despite Truce. Associated Press

31. Herman, Burt (22 October 2003). *New Police Deploy to Afghanistan's North*. Associated Press

32. Interview with a UN official, 20 April 2012

33. Interview with Balkh government official, 6 June 2012

34. Interviews in Aibak city, 7 June 2012

he adapted to the new reality of foreign occupation, donor reconstruction funds, and patronage flows through the Karzai administration.

Ahmad Khan, on the other hand, remained a politician who drew support not from city elites and business people but from rural co-ethnics and some large landowners. Eventually, when his marginalization was becoming increasingly evident, he also recognized that formalization was key to his continued relevance. He participated in UNDP's "DIAG" disarmament program in 2005³⁵ in order to make himself eligible for the parliamentary elections of September that year.³⁶ He went on to win a seat in the Wolesi Jirga, and was appointed to its Environment and Natural Resources Committee.

Alluded to by his committee assignment in Parliament, influence over water allocation remained a method for Ahmad Khan to exert control in his home base, along with mobilizing rural supporters for political protest³⁷ and local level mafia-style intimidation.³⁸ Given that water management is a highly decentralized operation, a local actor with a profile like Ahmad Khan can have a pronounced impact. While government and urban-oriented elites try to expand their influence in the sector, their role is limited outside of urban centers such as Aibak.

Another opportunity to exert control via water presented itself recently. Aibak has experienced rapid population growth in recent years and possesses limited municipal water supplies, especially for drinking. A popular solution is to construct a pipe system to bring water to Aibak from a spring in Khuram wa Sarbagh district, which happens to be the traditional heart of Ahmad Khan's territory. Ahmad Khan quietly lobbied for the project and stood to gain from its implementation through a cut of the business and mafia-type protection. The effort has yet to be implemented, however, due to limited government

and foreign donor resources³⁹.

Ahmad Khan's transition from an autonomous Junbesh warlord with authoritarian control over a substantial area, to a weakened, partially legitimated political and mafia-type actor illustrates a larger trend in Afghan politics. In the more constrained political space of the Karzai administration, rural natural resources like water continue to be an area where an autonomous militia figure can exert power. Flexibility is required if such a provincial strongman is to remain relevant, as exhibited by Ahmad Khan's smooth transition to Parliament and his recognition of new opportunities for control and profit.

The broader political position of Ahmad Khan also transitioned. There was a reported falling out between him and Dostum in 2007, which contributed to Ahmad Khan's closer cooperation with Jamiat and Jamiat-allied authorities in Aibak, such as within the Provincial Council.

While Dostum again supported President Karzai in the election of 2009, Ahmad Khan switched to backing the Jamiat candidate, Dr. Abdullah, collaborating with Atta on the campaign. This was as much in recognition of Atta and Jamiat's strength in the north as it was a repudiation of Karzai, and Ahmad Khan himself profited substantially from payments from Atta to switch his support.⁴⁰ The Karzai camp was not at all pleased by the defection and arranged to have Ahmad Khan disqualified from the 2010 parliamentary elections on grounds of electoral fraud⁴¹. While Ahmad Khan was initially not allowed to take up his seat, along with numerous other disqualified winning candidates, the Independent Election Committee (IEC), after months of dithering, eventually reinstated him in August 2011.⁴²

His seat in parliament safe, and his political position in Aibak improved by stronger relations with the Chairman of the Provincial Council Haji Serajuddin of

35. Like other participants, it is unlikely that he comprehensively disarmed, instead turning over just enough old and broken weaponry to become certified.

36. Ibrahim, Sayed Yaqub (17 November 2005). *Another Attempt to Disarm Gunmen*. Institute for War and Peace Reporting (IWPR)

37. Barat, Muhammad. (7 Apr 2009). *Rally Wants Samangan Governor to be Dismissed*. Pajhwok Afghan News

38. As alluded to in a US Embassy cable dated 13 September 2009, entitled "PRT MAZAR: SAMANGAN PROVINCE ASSESSMENT", in which the PRT states that "[Ahmad] Khan is believed to be behind criminal gangs responsible for kidnappings and drug smuggling in the province"

39. Interviews with government and US officials

40. An unclassified US Embassy cable leaked by Wikileaks, dated 12 July 2009 and titled "With Deep Pockets, Governor Atta Leads Charge For Abdullah" stated that "Atta admits to having given [Ahmad] Khan a large sum of money ("but not as much as he asked for") to campaign for Abdullah."

41. Interviews with government officials in Balkh, Samangan

42. van Bijlert, Martine (21 August 2011). *A new result for the parliamentary election? Afghanistan Analysts Network*

the Jamiat party and the new Governor (Khairullah Anosh, an Uzbek Junbesh member from Faryab), Ahmad Khan -- until his untimely death by suicide bombing in July 2012⁴³ -- seemed to have found a niche between the formal and informal. To the end he continued to be a power player in the rural parts of Samangan, with a still important role in water allocation and water politics, but with an eye towards the urban economy and the patrimonial state for the future.

43. Ahmad Khan was killed 13 July 2012, two days before this study went to press. According to BBC Persian, he was murdered by a suicide bomber who approached and embraced Ahmad Khan at his daughter's wedding ceremony before detonating himself.

Case Study 2:

Water for Hydroelectricity and Irrigation in Herat Province

1. The Resource

In western Afghanistan, irrigation-based agriculture is vital to the majority of the population, making the consistent flow of irrigation water of great importance. In addition, the region has few local sources of electricity, with hydropower having been identified as one of the best opportunities for electrification.

The Harirod River, which makes up the majority of the Harirod-Murghab river basin in western Afghanistan, is the main source for Herat province of both irrigation water and hydroelectric potential (see Figure 1). The Harirod begins in the Koh-e Baba mountains of Ghor province in central Afghanistan and then flows westward through Herat province to Iran, at which point it turns northward and eventually enters Turkmenistan. The river briefly delineates the boundary between Afghanistan and Iran, and then Iran and Turkmenistan.

Historically, Afghanistan has not utilized very much of the river's water. In the upper Harirod only 2 percent of watershed area is irrigated cropland, with minimal water taken by local residents.¹ In the lower Harirod, where the city of Herat is located, there is more usage, with nine percent of the watershed is irrigated cropland.²

In Iran and Turkmenistan there is heavy reliance on the Harirod river for irrigation of cropland. For



example, in Iran's Razavi Khorasan province the waters of the Harirod irrigate numerous areas of agricultural production which grow wheat, barley, potato, cotton and saffron.³ The waters of the Harirod end in Turkmenistan in the Tejen delta, another area of intensive crop production.

In 2005, Iran and Turkmenistan inaugurated a new dam on the Harirod, known as the Iran-Turkmenistan Friendship Dam, located where the shared river defines the border between the two countries. The dam agreement splits the irrigation water from the dam reservoir into equal halves between the two countries⁴ and envisions the eventual construction of hydro-electric turbines.

1. Favre, Raphy and Golam Monowar Kamal (2004). *Watershed atlas of Afghanistan : working document for planners*. Ministry of Irrigation, Water Resources and Environment, Afghanistan, p. 154 (Part IV).

2. *ibid*, p. 157

3. Koopahi, M., Sadat Barikani S.H. et al. (2008). *Econometric Estimates of Scale Economies in Iranian Agriculture, Case Study: Three Khorasan Provinces*. *World Applied Sciences Journal* 5 (3): 340-344, p. 343

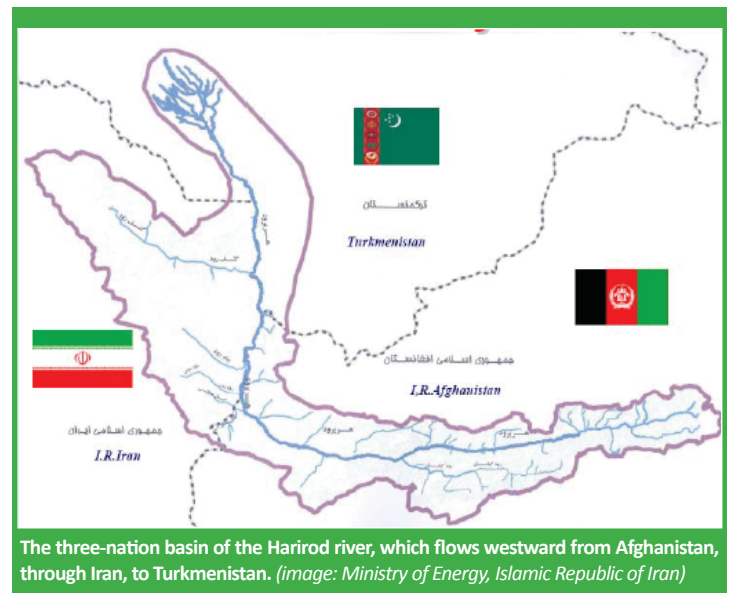
4. Payvand Iran News (11 April 2004). *Iran-Turkmenistan Friendship Dam to be Operational*. Islamic Republic News Agency, Iran

Afghanistan's downstream neighbors voiced concerns when in 2004 plans were announced by the government in Kabul to reconstruct the Band-e Salma Dam on the Harirod. The reconstructed dam, originally started in 1976 with financial and engineering support from the government of India, would provide 42 megawatts of power for Herat province, as well as water storage capacity to augment the area of irrigated cropland in the province by 25,000 hectares,⁵ a more than 60 percent increase on the 40,000 hectare existing irrigated area in Afghanistan's portion of the Harirod basin.⁶ The dam is located in Chisti- Sharif district in eastern Herat province, on the border with Ghor province, through which the Harirod also flows.

While the electrical power generation function of the Band-e Salma Dam will not affect on a long term basis the river's flow to downstream neighbors, during the filling period for the dam reservoir, which reportedly could take up to a year, the Harirod's flow would be greatly reduced and possibly even stopped.⁷ Moreover, the planned increase in irrigation capacity will result in a sizeable net reduction of flow.

Construction work on the Band-e Salma Dam began in 2006, with the full endorsement of the Afghan government, namely Minister of Energy and Water Ismail Khan, the former 'Amir' of Herat in the 1990s.⁸ The project has been funded by the Indian government, with the planning, engineering and construction handled entirely by state-owned companies and civil servants of India, with WAPCOS, a state-owned company, implementing the project with Indian Embassy oversight.⁹

Through the construction of both large scale and micro hydroelectric plants, hydropower has emerged as an important component of Afghanistan's mid-term energy strategy. Since 2004, the government has declared the development of irrigation and hydropower dams as a "strategic objective" for the



country,¹⁰ and in cooperation with the Germans, British and Americans has sought to build or reconstruct numerous hydropower dams such as Kajaki Dam in Helmand province and the Kunar River Dam project in eastern Afghanistan.

The lack of strategic water agreements between Afghanistan and its neighbors, however, remains a stumbling block for both the development of hydroelectricity production and improved irrigation capacity. While a treaty between Afghanistan and Iran regarding the Helmand River and the shared Sistan basin wetland complex was reached in 1973, the Harirod remains outside of any formal agreement between the two countries. In contrast, Turkmenistan and Iran have long standing agreements on transboundary waterways that date from the 1920s, including water usage policies regarding the Harirod. According to a 1926 treaty (still in force today) between the Soviet Union and Iran, Turkmenistan is due 70 percent of the "average overall flow" of the Harirod (known in Turkmenistan as the Tedzhen), with Iran ostensibly having rights to the other 30 percent.¹¹ Afghan water rights were not defined by the treaty, and Afghanistan was not party to the negotiation or signing.

The lack of defined water rights between Afghanistan

5. Sarwaryar, Ihsan (17 December 2004). *Reconstruction of Salma dam begins with Indian aid*, Pajhwok Afghan News

6. UNECE (August 2011). *Second Assessment of Transboundary Rivers, Lakes and Groundwaters*, p. 129

7. Interview with Indian government official

8. Qurishi, Ahmad (18 March 2006). *Construction work on Salma Dam begins*, Pajhwok Afghan News

9. Interview with Indian officials, 11 June 2012

10. Ministry of Irrigation, Water Resources and Environment (May 2004). *A Strategic Policy Framework for the Water Sector*, Islamic Republic of Afghanistan, p. 26

11. Food and Agriculture Organization of the United Nations (FAO). (1997). *Turkmenistan. Aquastat: FAO's Information System on Water and Agriculture*. retrieved 16 June 2012 from <http://www.fao.org/nr/water/aquastat/countries/turkmenistan/index.stm>

and Iran -- and by extension, Turkmenistan -- has been a noteworthy preoccupation of the government of Afghanistan as the Band-e Salma Dam project has proceeded. According to US Embassy cables, the Ministry of Foreign Affairs of Afghanistan repeatedly requested technical support in negotiating an agreement with Iran regarding riparian rights to the Harirod.¹² USAID reportedly contracted a lawyer specializing in transboundary water arrangements to assist Afghanistan in the negotiation of a deal in 2009, but no such arrangement has emerged, at least by the time of writing. Since the commencement of the reconstruction of the Salma Dam in 2006 there has been nearly constant tension, targeting killings and general deterioration of security in the region around the dam site, in no small part due to trans-boundary tensions between Afghanistan and Iran regarding the waters of the Harirod River.

This case study will examine the political economy of water and conflict in the context of the Salma Dam project in Herat province.

2. Political and Historical Context

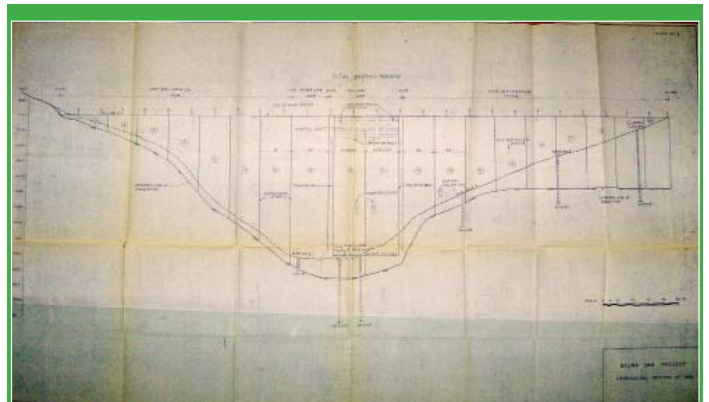
Herat Province, located in western Afghanistan, was long a contested area between empires from east and west until it was integrated into the realms of the Durrani Pashtuns in the early 18th century. British imperial interests, which were opposed to Persian designs on reintegrating the city into the Shah's territory, helped defend Herat city from Persian invasion in the 1850s, solidifying the province's status as a dominion of the monarchy in Kabul.

The present ethnic profile of Herat is complex, though the vast majority of the population are Persian-speaking Sunni Muslims. There are a substantial number of Pashtuns, though many speak Persian rather than Pashto. In addition, though most people identify as "Tajik" for the purposes of government registration¹³, most would likely identify differently if

given the opportunity¹⁴.

In recent times, Herat was one of the first parts of Afghanistan to forcibly resist the policies of the communist People's Democratic Party of Afghanistan (PDPA) after their takeover of Kabul in 1978. Initiated by rural landowners opposed to the PDPA's land reform agenda, the Herat uprising of March 1979 pitted the local military garrison and rural protestors against government troops brought in from Kandahar¹⁵, who eventually put down the rebellion. One key figure in the garrison mutiny was officer Mohammad Ismail Khan. After escaping the government retaliations in Herat by going into Iran, he connected with Jamiat-e Islami, the mujahideen group led by Burhanuddin Rabbani. After maneuvering his way to the top of Jamiat's local power structure, he built a small but effective militia group, the Hamza Brigade.

As the top Jamiat commander in Herat, Ismail Khan



The original plans for Salma Dam (shown here) were drawn up in New Delhi by Indian government engineers in 1972, and construction began in 1976, before being halted by the 1978 Saur Revolution and Soviet invasion. (photo by Renard Sexton; courtesy of the AREU Library, Kabul)

was ostensibly leading the anti-communist jihad in the west. With only a few hundred trained men and only limited connections to the struggle at the center, however, his activities were focused more on eliminating rivals and integrating local strongmen into his network than toppling the PDPA government.¹⁶

12. Unclassified US Embassy Cable dated 27 May 2009, and entitled "Afghanistan Repeats Request For Assistance On Water Negotiations With Iran"

13. Rzehak, Lutz (17 May 2012). *How to name Universities or: Any Linguistic Problem in Afghanistan? Afghanistan Analysts Network*

14. This is as the result of a process of elimination: because most Heratis are clearly not Pashtun, Hazara or Uzbek, Tajik is the closest approximation, as they are fellow Persian-speaking Sunnis with no Pashtun tribal background

15. Giustozzi, Antonio (September 2006). *Genesis of a 'Prince': The Rise of Ismail Khan in Western Afghanistan, 1979 – 1992*. Crisis States Research Centre, LSE, p. 2

16. *ibid*, p. 8

The fall of President Najibullah and taking of Kabul by Jamiat forces in 1992 allowed Ismail Khan to take the city of Herat, where he immediately set up an administration almost entirely autonomous from Kabul. With a constant stream of customs revenue from goods entering and exiting the border with Iran, Ismail Khan was able to operate what he called the “Amirate of Southwest Afghanistan.” The Taliban eventually dislodged him in 1997 and captured him. He escaped from prison in 1999 in a brazen breakout assisted by bribed Taliban guards and went again to Iran.¹⁷ He returned to Afghanistan in 2001 and retook Herat with the assistance of US forces, aiming to resume his standing as the “Amir” of Herat and environs. Iranian support, which had been instrumental during his first period of ascendancy, 1992-97, was also important in reestablishing his authority in the early 2000s. His position was formalized when he was appointed as governor by the central government in 2002.¹⁸

This time, however, the Kabul government under President Hamid Karzai determined to either bring regional warlords into a centralized governance and patronage system or alternative to sideline or eliminate them. Ismail Khan’s near stranglehold on Herat during the early 1990s and 2000s had led to disillusionment among some of his subordinate commanders, who were thus primed for recruitment by the central government to oppose him. At the same time, the Ministry of Finance worked to secure border post customs revenue for the Kabul government, setting up a showdown between Ismail Khan and Minister of Finance Ashraf Ghani, who went to Herat in mid 2003 to demand that at least a portion of taxes make their way to Kabul.¹⁹

The tension came to head in March 2004 when the Kabul-appointed commander of the local military garrison (Zaher Naibzadah, a known rival of Ismail Khan) and Ismail Khan’s people got into an altercation that resulted in the death of Ismail Khan’s son, Mirwais Sadiq, who was then Minister of Civil Aviation. Ismail Khan quickly retaliated, driving Naibzadah from the province and killing numerous soldiers, assistants and

associates of his. By August, there was open rebellion against the governor’s authority, with Amanullah Khan, one of Ismail Khan’s former commanders, leading a military campaign against him²⁰ with support from various southern Pashtun power brokers, such as the Governor of Kandahar Gul Aga Sherzai²¹.

In September 2004, Karzai removed Ismail Khan as Governor of Herat, and after having the offer of several other governorships rejected, eventually appointed Ismail Khan as the Minister of Water and Energy (MWE) in Kabul.²² In Herat, no clear successor to the ‘Amir’ emerged, and former Hamza brigade commanders, unaffiliated militias, and bandits all moved to fill the political vacuum. The center appointed first one governor and then another to succeed Ismail Khan, but their influence in the Herat hinterlands was much weaker.

It was during this period from 2004 to 2006 that the Salma Dam project got underway. It was Ismail Khan, rather than the governors who had replaced him, who could ensure that construction moved ahead. By 2006, Afghan news agencies were reporting that about 150 former mujahedeen, mostly associated with Ismail Khan’s former militia, were being employed on the Salma project.²³

From his perch in Kabul at MWE, and with his influence in Herat reduced but by no means eliminated, the Salma Dam project became an item of particular importance for Ismail Khan. Indian Embassy officials with knowledge of the project explained that whenever there has been a major problem at the dam project site they would go to visit the Minister, who “quickly and decisively gets it sorted out.”²⁴

Despite his extensive previous connections with the Iranian government, however, neither Ismail Khan nor the diplomatic or security establishments of the Karzai government were able to prevent Iran from undermining the Band-e Salma project.

20. Gall, Carlotta (18 August 2004). *U.S. Ambassador Helps to Negotiate Cease-Fire in Afghan Fighting*. New York Times

21. Giustozzi, Antonio (October 2004). ‘Good’ state vs. ‘bad’ warlords? A critique of state-building Strategies in Afghanistan, London School of Economics Crisis States Research Centre, p. 9

22. Gul, Ayaz (11 September 2004). *Afghan President Removes 2 Key Governors Ahead of October Elections*. Voice of America

23. Qurishi, Ahmad (8 December 2006). *Ex-Commanders Get Jobs in Reconstruction Projects*. Pajhwok Afghan News

24. Interview with Indian officials, 11 June 2012

17. Johnson, Thomas H. (July 2004). *Ismail Khan, Herat, and Iranian Influence*. Strategic Insights, Volume III, Issue 7, p. 2

18. Interviews with a US official and a former APRP advisor, 26 April 2012 & 19 July 2012

19. Gall, Carlotta (23 May 2003). *Kabul Announces Push to Gain Revenue and Combat Corruption*. New York Times

3. Conflict Details

After the removal of the Taliban in 2001, Herat enjoyed relatively good security through the early period of the Karzai administration, in large part thanks to Ismail Khan's ability to contain individuals and groups not aligned with his regional regime. By late 2006, not long after the Salma Dam project had been launched, factional fighting involving former Ismail Khan sub-commanders, Taliban commanders and others had begun. In October 2006, Amanullah Khan, who had led the charge to remove Ismail Khan as Governor of Herat, was killed in an intertribal feud with another local Pashtun warlord.²⁵

The violence spread to Chisht-i Sharif district the following year, with complex attacks specifically targeting the Band-e Salma project site and personnel. In August 2007, the security commander for Salma Dam was assassinated in a planned ambush, in what was initially described as an act of "personal hostility" rather than "anti-government elements."²⁶ When his successor, along with five guards, were killed four months later in a similar attack,²⁷ people began to suspect that larger forces were involved.

The hostility escalated in September 2008 when an attack on the Salma Dam project site killed 13 security guards and prompted the Indian Ambassador to call the continuation of the project into question if security continued to worsen.²⁸ As if to rebuke the Ambassador, three weeks later the local Taliban militia kidnapped five guards from the dam site, one of whom was rumored to be collaborating with them.²⁹

The escalating violence, assassinations and kidnappings were largely the work of a gangster and sometime Taliban commander named Mullah Mustafa who operated from his base in the neighboring Sharak district of Ghor province. Mullah Mustafa was initially a small time commander in Ghor during the Taliban

regime, but turned to criminality in the wake of the Taliban's exit from power. He was arrested in 2005 for stealing the car of a humanitarian aid group and was later released; according to Afghan news reports, he had been running a "gang of armed robbers" on the highway between Herat and Ghor since the fall of the Taliban.³⁰

The activities of Mullah Mustafa against Band-e Salma attracted the attention of the US military operating in western Afghanistan. Herat Governor Ahmad Yusef Nuristani reported to a US PRT representative that representatives of Mullah Mustafa had in early 2009 offered to end hostilities against Band-e Salma if the administrator for Chisht-i Sharif were replaced.³¹ The US military took action against him soon after, launching a June 2009 airstrike that reportedly killed 17 militiamen as well as Mullah Mustafa, which later turned out to be untrue.³² In November, Governor Nuristani replaced the district administrator of Chisht-i Sharif, assigning former Herat provincial intelligence chief Abdul Qadus Qayyum in his place.

Just two months later, Qayyum and five others were killed during a major assault on Salma Dam by Mullah Mustafa's forces along with other Taliban-linked commanders. For the first time Afghan security officials publicly suggested that Iran was behind the alarmingly successful campaign against the dam project. The local police commander was quoted as saying that "Mullah Mustafa has promised Iran that he will succeed in halting work on the Salma Dam."³³

Harassment of convoys bringing supplies to the project site increased in frequency after the killing of Qayyum, leading the Indian Embassy in Kabul to prohibit Indian workers from WAPCOS or diplomatic staff to travel by road, insisting on helicopter transport only³⁴. In October 2010 another brazen attack was mounted by Mullah Mustafa's forces against militiamen guarding

25. *Unclassified US Embassy cable dated 25 October 2006, entitled "Assassination of Tribal Warlord in Herat Province."*

26. *Qurshi, Ahmad (25 August 2007). Band-i-Salma commander, two guards killed in ambush. Pajhwok Afghan News*

27. *Pajhwok News Wire (7 December 2007). Commander killed along with son, five guards. Pajhwok Afghan News*

28. *Qurishi, Ahmad (28 September 2008). India warns halting work on Salma dam. Pajhwok Afghan News*

29. *Qurishi, Ahmad (22 October 2008). Five security guards kidnapped in Herat. Pajhwok Afghan News*

30. *Sarwaryar, Ahmad Ehsan (17 December 2005). Ex-commander involved in robberies arrested in Herat. Pajhwok Afghan News*

31. *Unclassified US Embassy cable dated 17 March 2009, entitled "Herat Governor Tells Of Ongoing Security Challenges And Presses For More USG Resources And Attention"*

32. *Radio France International (10 June 2009). Air Strike Kills Taliban commander and Up to 16 Militants, US Says. RFI*

33. *Saber, Shapoor (19 February 2010). Iran Again Accused of Trying to Halt Afghan Dam. Institute for War and Peace Reporting (IWPR)*

34. *Interview with Indian official, 11 June 2012*

Salma dam, resulting in a reported 13 fighters dead³⁵. Despite the major progress that had been made on the dam construction, Indian officials again contemplated shutting down its operation; indeed, they did not allow Indian staff to visit the project site for several periods during 2010 and 2011³⁶, and work crawled to a near halt.

Iran's alleged role in the disruption of the dam project was brought to the fore in August 2011 when a captured Taliban commander from neighboring Farah province publicly stated that he had been trained in Iran and offered \$50,000 to destroy the Kamal Khan Dam in Nimroz.³⁷ The Kamal Khan project is under construction on the Helmand River and has been a source of major dispute between Iran and Afghanistan.

Despite the incriminating pattern of violence in Chisht-i Sharif district from 2007 to 2011 and the growing chorus of allegations of Iranian involvement, Iran repeatedly denied trying to stop the construction of Salma Dam.³⁸ Nonetheless, all evidence points to a broad largely indirect effort by the Iranian intelligence services to disrupt the dam project. The Qods Force, the foreign arm of Iran's Revolutionary Guard, has been repeatedly linked to Mullah Mustafa, as well as anti-government commander Ghulam Yahya Akbari³⁹ (killed in 2009 during a joint US/Afghan raid in Gozara district, Herat).⁴⁰ Afghan intelligence agents have publicly stated that during investigations following attacks by Mullah Mustafa, Iranian ammunition and weapons were recovered.⁴¹

Indian government sources independently confirm that Indian "intelligence says that Iran is obviously behind the attacks, though local factors have also made things

worse."⁴² In addition, some evidence emerged that Iran made considerable efforts to infiltrate the dam security apparatus, possibly compromising the most recent head of security, Gulu Khan. In place since mid 2009, Gulu Khan was the first head of security for Salma Dam since the attacks began in 2007 who was never targeted for assassination by insurgent militia forces. Gulu Khan was removed in late 2011 after questions emerged regarding his loyalty; after his removal, security around the project site improved dramatically.⁴³

In spite of the repeated efforts to shut down the Salma project, as of June 2012, the project continues. Though it was originally scheduled to be completed in 2009, Indian officials now say that Band-e Salma should be operational by the end of 2013. The original project budget was announced to be \$80 million, the final price tag is reported to be more than \$150 million.⁴⁴ The project management team says that the dam is about 85 percent finished, and if security holds the deadline can be met.

The rather dramatic shift in security that took place in late 2011 went beyond simply a change in the local security leadership. In October, US General John R. Allen, the top NATO commander in Afghanistan, personally visited the Salma Dam site. Accompanied by Herat Governor Dr. Daud Saba and Italian General Luciano Portolano, in charge of the NATO regional command in Herat, General Allen showed the commitment of international forces to improving the security situation in Chisht-i Sharif. The ISAF press release that announced his visit publicly endorsed the dam construction, calling it "a major development project to improve the living conditions and the economy in the west of the country."

The visit was preceded and followed by a major increase in Afghan National Security Forces (ANSF) and NATO operations in eastern Herat,⁴⁵ including a standing presence on the only road between Herat and Ghor,⁴⁶

35. Qurishi, Ahmad (30 October 2010). 13 dead in Herat clash. *Pajhwok Afghan News*

36. Interview with Indian official, 11 June 2012

37. Radio Free Europe/Radio Liberty (RFE/RL) (23 August 2011) *Captured Taliban Commander: 'I Received Iranian Training'*

38. Shoaib. (30 October 2010). *Long Wait for Salma Dam. The Killid Group*

39. MacKenzie, Jean and Mustafa Saber (15 October 2009). *U.S. forces Managed to Kill Ghulam Yahya Akbari, But at What Cost?* MinnPost, retrieved 17 June 2012 from <http://www.minnpost.com/global-post/2009/10/us-forces-managed-kill-ghulam-yahya-akbari-what-cost>

40. Interviews with US and Indian officials, 26 April 2012 & 11 June 2012,

41. Shoaib. (30 October 2010). *Long Wait for Salma Dam. The Killid Group*

42. Interview with Indian official, 11 June 2012

43. *ibid.*

44. Saber, Shapoor (19 February 2010). *Iran Again Accused of Trying to Halt Afghan Dam. Institute for War and Peace Reporting (IWPR)*

45. Afghanistan NGO Security Organization (ANSO) *Reports from 16-31 October 2011, 1-15 November 2011, 1-15 December 2011, 16-31 January 2012, and 1-15 February 2012*, retrieved from Relief Web

46. ANSO Report 1-15 December 2011 and 1-15 February 2012, retrieved from Relief Web

where Mullah Mustafa and other militia groups based their operations. In addition, the Afghanistan Peace and Reintegration Program (APRP), launched in July 2010, provided local militiamen the option to officially join the government in exchange for cash payments of several hundred dollars.

The military operations and payment scheme fractured Mullah Mustafa's militia, likely taking advantage of fissures between the top commanders and their subordinates that often crop up in such militias. In December 2011, less than two months after General Allen's visit, a small group of 10 fighters from Mullah Mustafa's area of operation surrendered weapons and officially joined the APRP program.⁴⁷ In February 2012, 19 more militants under a Mullah Mustafa sub-commander named Syed Zia joined APRP in Chisht-i Sharif, earning \$300 per fighter and \$600 for the leader.⁴⁸ Finally, in April 2012, Mullah Mustafa himself, whose militia had once included more than 150 fighters, signed up to the reconciliation program, bringing with him just 36 rebel fighters and weapons.⁴⁹

At the same time as military operations by the central government and coalition forces were mounting and militia groups were turning themselves in, the security team around the dam project was also bolstered, from 100 Afghan National policemen to 220, a full battalion.⁵⁰ For the first time in nearly five years the project could proceed towards completion without major security concerns, at least for the short term.

4. Political Economy of the Conflict

The efforts by local anti-Taliban elements and Iran to derail the Salma Dam project through violence were not without precedent. The Kajaki Dam, located on the Helmand River in Helmand Province, was the target of several major attacks by anti-government militants in early 2007.⁵¹ The dam was slated to receive a third hydroelectric turbine in 2008, which would increase Kajaki's power generation potential

47. Quraishi, Ahmad (19 December 2011). *Militant Group Surrenders in Herat*. Pajhwok Afghan News

48. Quraishi, Ahmad (13 February 2012). *Militant Group Joins Peace Process in Herat*. Pajhwok Afghan News

49. Ghorri, Obaid (18 April 2012). *98 Rebels Lay Down Arms*. Pajhwok Afghan News

50. Interview with Indian official, 11 June 2012

51. Radio Free Afghanistan (13 February 2007). *NATO Says Taliban Attack On Kajaki Dam Thwarted*. Radio Free Europe/Radio Liberty (RFE/RL)

by 50 percent. British military forces conducted a massive convoy operation to bring hundreds of tons of machinery across Taliban-held territory to the dam site.⁵² Persistent insecurity in Helmand, however, especially on the road leading to the site, has prevented key building materials from arriving, raised security costs for US and British contractors, and drove away the Chinese company who was leading the installation effort. After more than three years of stop and go efforts, it looks unlikely that the turbine will be installed.

The opponents of the Kajaki Dam learned that a sizable development project could be delayed or aborted by direct violence, and as well by financial attrition. Significant delays in project implementation usually lead to substantial cost overruns. Many major development projects in post-Taliban Afghanistan have been abandoned for this reason.

Cost overruns have bedeviled the Band-e Salma project as well, proving as much of a threat as violence. Though the Indian authorities insist that the dam project will proceed to completion, construction delays menace its financial viability. Despite the improved security situation, the project was halted in late 2011 because WAPCOS' contract arrangements with its sub-contractors (Indian companies) had expired. All the contractors, especially the company responsible for the complex engineering required for the spillway and turbine installation, demanded major cost increases. Part of the calculation is likely the realization that with the project 85 percent completed, the Indian government is unlikely to abandon the effort.

Two major factors have prevented the Salma Dam project from being abandoned, in spite of massive security problems and four years of delays. First, it is clear that India sees this project as a matter of prestige, and values its long term relationship with the Afghan government. They openly describe their development projects in Afghanistan as "political" in nature and explain that they have a strong interest in a stable Afghanistan that has a strong collaborative relationship with India.

Second, Minister of Water and Energy Ismail Khan, who remains an important personality in Herat

52. Boone, Jon (12 December 2011). *US Cuts Put British-Backed Afghan Hydropower Project in Doubt*. The Guardian

politics, has a personal stake in the completion of the project. He avoided being sacked in 2009, despite major American pressure on President Karzai to remove him,⁵³ which likely reinvigorated the effort. The successful completion of Salma Dam will provide electricity and improved irrigation to many in Herat, with Ismail Khan due to receive a substantial amount of credit. This is key for his post-2014 political future, which could see him removed from power in Kabul and could also provide an opportunity for a formal reentry into Herat politics.

Ismail Khan's consistent support for the project has been mirrored by support by the inner circle around President Karzai. The President himself, who was educated in India, has a strong and cordial relationship with the Indians, and reportedly views the Salma Dam project as an important demonstration of growing Afghan-Indian cooperation. This relationship is illustrated by the security arrangement for Salma Dam between the Indian and the Afghan government. Managed by the Ministry of Interior rather than a private firm, the security for the site has been carried out by Afghan police. The Indians, in turn, have paid a "top up" to the salaries of the "dam police" unit in recognition of its special role. The Indian Embassy insists it has confidence in the Ministry of Interior to provide security for the dam.

With these mutual commitments, it is unclear why it took so long for decisive military action to be taken by the Afghan National Army against Mullah Mustafa and his associates. Given that the Ministry of Foreign Affairs was committed to a diplomatic settlement with Iran regarding the Harirod, one possibility is that the Kabul government was loathe to make a military move while negotiations were being pursued. At the same time, the Karzai administration's fundamental distrust of Ismail Khan and his intentions, along with a belief that US military action against Mullah Mustafa in 2009 would solve the problem, likely delayed any decisive move.

Since the national and international military commitment on behalf of the dam in late 2011, Iranian support for activities against Chisht-i Sharif and the dam site do not seem to have continued. Perhaps the calculation has changed. With the project significantly

advanced and with the continued support of the Indian government and key Afghan officials, stopping it now would be challenging. Perhaps more fundamentally, however, given the demobilization of Mullah Mustafa and elimination of Ghulam Yahya, there is not a viable proxy to support at present.

This sequence of events demonstrates a disadvantage to the Iranian approach of using local proxies to achieve policy goals. Though proxies are challenging to control in any environment, Afghan proxies have proven particularly difficult to manage during the convoluted conflicts of the past three decades.

In the 1990s, Iran endeavored to develop Ismail Khan into a proxy, building a strong relationship with him and the Jamiat leadership. While he may have been quite responsive to some Iranian requests during that period, his position from 2004 onwards regarding Salma Dam and the Harirod was unmoved and clearly in opposition to Iranian interests and policy.

The difficulty of managing a proxy is clearer in the case of Mullah Mustafa. For example, it is unclear if Mullah Mustafa's demands to have the district administrator of Chisht-i Sharif removed in 2009 was for strategic reasons related to Salma Dam or for personal reasons of trying to remove a rival. While support from Iran was certainly important to his success as a commander (mainly through the provision of weapons and ammunition), it was likely not his primary source of income. Instead, the mafia-type activities in which he reportedly excelled were a more consistent revenue stream. And with district administrators around Afghanistan being notorious for their willingness to involve themselves or their hirelings in corruption, rackets and extortion, it is quite conceivable that Mullah Mustafa and the targeted district administrator were rivals.

On the other hand, district administrator Qayyum, who was killed in January 2010, was clearly a representative of the government establishment, especially as a member of the state security services. Again though, his elimination served Mullah Mustafa's personal interests as much as those of the Iranians. Having a senior intelligence officer in his area of operations was a clear threat to his business operations and to his survival.

⁵³ Associated Press (1 January 2011). *WikiLeaks: Karzai Rejects US request to Replace Minister*

When the position of Mullah Mustafa became sufficiently destabilized by military incursions from the National Army and international forces, much as happened to Ismail Khan before him, Mullah Mustafa bowed to superior power for the short term and joined the reconciliation program. Throughout the conflict over Salma Dam, it is clear that Mullah Mustafa was advancing the interests of the Iranians, but only as long as they corresponded with his own local interests.

In the end, Ismail Khan and Mullah Mustafa, despite being on opposite sides of the Band-e Salma conflict, demonstrated almost identical approaches to regional warlordism and political maneuvering.

The warlord playbook is methodical. Eliminate local rivals or integrate them into your militia. Connect with a neighboring outside power, both as a bulwark against the central government's intrusions into your area of influence and as a means of gaining the upper hand on local rivals. When the display of force by the central authorities and their allies becomes too threatening, resist just long enough to extract concessions. By that means, ensure a strengthened position within the state structure. Hedge your bets by quietly regrouping and preparing for the time when the central government again becomes weakened. Leave the door open to eventually fill a local or regional power vacuum and reestablish your area of exclusive control.

Large water infrastructure projects in Afghanistan, whether on the Kunar River to the east, the Helmand to the south, Harirod to the west, or Amu Darya to the north are likely to continue to provoke conflicts in the future. Thanks to its mountainous terrain Afghanistan is a major water exporter; a substantial quantity of irrigation water for each of its neighbors flows from the snowmelt of Afghanistan's highlands each spring. Managing these water resources will certainly continue to pit local and regional power brokers against the central government in Kabul. The ability of downstream neighbors to meddle in these political and water management conflicts, especially given their historical experience in doing so, is unlikely to diminish.

Case Study 3:

Rangelands in Ghazni and Maidan Wardak Provinces

1. The Resource

Animal husbandry is fundamental to the economy and society of rural Afghanistan. About two-thirds of Afghan households have livestock, according to FAO's 2003 livestock census,¹ with average holdings of about 17 animals, distributed across nine main species (see Figure 1).

Rangelands, which support livestock through most of the year, cover about 46 percent of Afghanistan's surface area, as compared to 12 percent for arable land, 39 percent mountainous areas and 3 percent forested woodlands.² These rangelands are of variable quality, ranging from well-watered pastures that annually provide consistent vegetation for animals to converted mountainous areas or 'wastelands' that are only occasionally of value for grazing.³ With many pastures classified as semi-arid, long periods of drought can have disastrous effects on the ability of rural farmers and herders to feed their animals.

There are two basic methods of raising livestock in Afghanistan: extensive production, also called nomadic, and sedentary, or village-based, production. While a sharp distinction is often drawn between these two techniques, the reality is more nuanced. Some historical nomads have settled down over time and now migrate very little in practice. In sedentary villages, many people

graze flocks at *Aylaghs* (upland seasonal pastures, used only in the summertime), resulting in a semi-nomadic lifestyle.

One important nomadic grouping in Afghanistan are called the Kuchis. For extensive livestock production, the Kuchis typically move seasonally, often using highly consistent routes, from lower altitude winter zones to highland summer areas and back again.

Nomadic livestock production focuses on the raising of small ruminants, namely sheep and goats raised for sale in towns rather than for personal consumption. In a 2008 survey of the six major urban livestock markets in Afghanistan, the 'Afghanistan PEACE' project found that 72 percent of sheep and 64 percent of goats were reported by sellers to have come from Kuchi flocks.⁴ Traditionally, Kuchis have bought, sold and traded for animals along their migration routes, taking advantage of the often large price differences between rural villages and urban consumers.

Sedentary, village-based, livestock production is a more common approach in Afghanistan, as it is worldwide. Villagers almost always raise livestock in the context of mixed crops and livestock farms by using a mixture of pasture land and grain fodder. Sedentary farms are where most cattle in Afghanistan are raised, along with chickens, sheep and goats.

The highlands of Hazarajat, located in the central region of Afghanistan, are a unique habitat. Due to its high altitude, the region's winter is quite long and cold, with access routes in and out largely blocked.

1. Food and Agriculture Organization of the United Nations (FAO). (2008) *National Livestock Census 2002-2003, Final Report*. Rome.

2. Central Statistics Organization of Afghanistan (CSO). (2009) *Afghanistan Statistical Yearbook 2008-09*. Kabul

3. Wily, Liz Alden (2009). *Recommended Strategy for Conflict Resolution of Competing High Pasture Claims of Settled and Nomadic Communities in Afghanistan*. UN Environmental Programme, p. 13

4. Afghanistan PEACE Project (2008). *Afghanistan Livestock Market Assessment*. Texas A&M, USAID & UC DAVIS.

In summertime, hillside pastures are revealed as the winter ice and snow melt.

For the last 120 years, hillside summer rangelands throughout Hazarajat have been an area of competition between local Hazara villagers and migrating Kuchi nomads. In recent years, however, four districts in the provinces of Ghazni and Maidan Wardak have been the core of conflict. In Wardak province, the districts of Markaz-e Behsud, Hesa Awal-e Behsud and Daymardad have seen extensive fighting (see Figure 2). In neighboring Ghazni province, the massive pasture in Nawur district has also been a zone of conflict.

This case study will focus on the political economy of the on-going conflict between the Hazara and Kuchi communities, their political leadership and the central government.

2. Political and Historical Context

The relationship between Kuchi and Hazaras has a long and tortured history that goes back at least several hundred years. Hazarajat, the highland enclave of the mostly Shia Hazaras, was for generations an autonomous area. It was unaffiliated and unconcerned with the Pashtun belt to the south and east and was generally left to its own devices by the Durrani monarchs in Kabul. The early Pashtun kings were typically not interested in extending their rule into areas where significant surplus goods could not be extracted and easily transported out.⁵

Though the heart of the Hazarajat lay not more than 125 km⁶ to the west of Kabul, the Hazaras were generally left unmolested, the isolation reinforced by the surrounding treacherous mountain geography. Nestled among the Koh-i-Baba and Hindu Kush ranges, Hazara settlements were often difficult to reach.⁷ The Hajigak and Shibar passes, which are vital to the overland route between Kabul and the city of Bamiyan, the economic and political hub of Hazarajat, are often blocked by snow during the area's long

Figure 1: Average holdings among households with livestock, nationally

Livestock	average head per household
Chickens	6.0
Sheep	4.3
Goats	3.6
Cattle	1.8
Donkeys	0.8
Turkeys	0.3
Ducks	0.2
Camels	0.1
Horses	0.1
Source: FAO livestock census 2003	

winter.⁸

The Hazara people are commonly defined as an ethno-linguistic group from central Afghanistan that is Persian-speaking and of the Shia or Ismaili sects of Islam.⁹ Population estimates range from 2.5 to 5 million, representing 9 to 18 percent of the population of Afghanistan.¹⁰ They are generally non-tribal and until the late 1980s did not have a cohesive political structure, instead being dominated by factionalism, with various elements of the Shia clergy, traditional khans and the military class competing amongst themselves.¹¹ Since then, the Hazaras have slowly emerged as a cultural and political force in Afghan national politics, particularly under the leadership of Abdul Ali Mazari, the first head of the *Hezb-e Wahdat-e Islami Afghanistan*, or the Islamic Unity Party of Afghanistan.

The Kuchi people are more difficult to delineate. The word 'Kuchi' means 'nomadic' in Persian and has entered the lexicon to identify Afghan nomads, particularly by the government and international agencies in Kabul. While the majority of nomads in Afghanistan are ethnic

8. The Hajigak route is shorter, but quickly snows under. The Shibar route is longer but more consistently open in winter.

9. Many sources also mention that Hazaras often have some degree of Mongolian or Eastern Turkic heritage, sharing characteristic facial features, but this, while common, is not a definitive factor.

10. Making ethnic population estimates, especially in the absence of an accurate census is more a parlor game than an exact science; significant numbers of Hazaras have returned from Pakistan or Iran in recent years. The range given here is based on the Central Statistics Office and the CIA Factbook.

11. Ibrahimi, Niamatullah. (2009a). At the Sources of Factionalism and Civil War in Hazarajat. Crisis States Research Centre, London School of Economics. Working paper 41, p. 2

5. Barfield, Thomas (2010). *Afghanistan: A Cultural and Political History*. Princeton University Press. pp. 186

6. 122 kilometers as the crow flies

7. Ibrahimi 2009a explains that while numerous Hazara lands were taken by southern Pashtuns in the 18th and 19th century, their advance was effectively stopped by the mountains

Pashtuns,¹² there are numerous non-Pashtun nomadic groups who are often loathe to use the word 'Kuchi' to describe themselves, often preferring *malدار*. Even among Pashtuns, there are various terms, such as *powindah* among the southern Durrani. As put by the anthropologist Richard Tapper:¹³

"It is futile to lay down a general definition of what constitutes, for example, a Kurd – or a Kuchi. It depends who is asking the question, in what circumstances – time, place, audience – and for what perceived purposes."

Afghan nomads have migrated with their animals between and within Afghanistan and Pakistan for generations. While estimates of the Kuchi population in Afghanistan are both uncertain and often politically charged, there seem to be between one and a half and three million Kuchis in Afghanistan.¹⁴ Most of the Kuchis relevant to this case study come from the eastern Ghilzai Pashtun confederation, who, as suggested by their lifestyle, have a highly decentralized political configuration. The post-Taliban government has repeatedly attempted to bring the Kuchis within its structures, such as through the allocation of ten seats in the Parliament that are separately elected and the designation of elder Naim Kuchi as the Kuchi tribal leader and/or spokesperson. Nonetheless, Kuchi groupings remain only partly co-opted, insisting on setting their own independent agendas.

The equilibrium of de facto non-interference between the Pashtun monarchy and Hazarajat was disrupted in the late 19th century by several coinciding factors. Perhaps the most important was the intensification of the so-called 'Great Game' between the British and Russian empires in central Asia, where both powers were attempting to extend their reach. The increasing consolidation of the southern Pashtun tribes under the monarchy's control and improvements in military technology also played important roles.

12. Usually characterized as Pashto-speaking Sunnis who are accepted as fitting within the patrilineal Pashtun tribal structure

13. Tapper, Richard (2008). *Who are the Kuchi? Nomad Self-Identities in Afghanistan*. *Journal of the Royal Anthropological Institute (N.S.)* 14, p. 101

14. If only 'active', or annually migrating, Kuchis are included, the lower figure is more likely. If 'historical' Kuchis -- those who were previously nomadic but have since settled -- and non-Pashtun Kuchis are included, the higher figure is more reasonable. The three million figure comes from the Central Statistics Office, while FAO estimates that only 60 percent of these Kuchis "actively migrate"

The second Anglo-Afghan war from 1878 to 1880 was provoked by fears among the British leadership in India that Russian adventures in central Asia would lead to an eventual invasion of the subcontinent.¹⁵ When British diplomatic overtures were rebuffed by Sher Ali Khan in Kabul, the British invaded Afghanistan, aiming to ensure that a friendly regime would protect British interests and prevent further Russian or Persian incursions. The war ended when the British agreed to support a new Amir, Abdur Rahman Khan, and withdraw their troops in exchange for control of Afghanistan's foreign policy.¹⁶

Abdur Rahman was provided with a generous financial subsidy and modern weaponry from the British, who encouraged him to extend his writ over as much territory as possible. He was happy to oblige, and embarked on a territorial consolidation tour that lasted practically his entire reign (1880 to 1901). "The Amir relied on Duranis (sic) to defeat the Ghilzais, on Pashtuns to fight non-Pashtuns and on Sunnis to beat the Shiites," writes historian Niamatullah Ibrahim.¹⁷ "In each war he sought to declare his war as a jihad and to accuse his enemies of heresy."

The divide-and-conquer approach was effectively implemented in Hazarajat, where Abdur Rahman first sought to foment divisions among the Hazara khans by selectively favoring certain leaders, especially weaker ones, leading to fierce in-fighting.¹⁸ When his authority was consolidated in the southern Pashtun areas and northern Turkmen territory, Abdur Rahman moved for full control of Hazarajat, first using taxation and then all out war to dominate the region. Declaring the Shiite Hazaras to be *kafir* (non-believers), the 'Iron Amir' mobilized a tribal army of Pashtuns with promises of land and loot, and took even Hazaras themselves as spoils of war; thousands became slaves in Kabul. In the end, Hazarajat was conquered and significant amounts of land seized in the fighting were granted to Pashtun settlers and

15. Hopkirk, Peter (1992). *The Great Game: The struggle for empire in central Asia*, Kodansha Globe, p. 382

16. Two other Amirs, who each ruled for less than year, took power between Sher Ali and Abdur Rahman, illustrating the chaotic succession crises that occurred during this period.

17. Ibrahim, Niamatullah (2009b). *Divide and rule: State penetration in Hazarajat (Afghanistan) from the monarchy to the Taliban*. Crisis States Research Centre. London School of Economics. Working Paper 42, p. 3

18. *ibid*, p. 4

nomads.¹⁹ Kuchis made up an important part of Abdur Rahman's army in Hazarajat, but the exact size of contingent is unknown.

This conflict naturally had major implications for relations between Kuchis and Hazaras. Until the communist coup in 1978, Pashtun nomads were generally favored by the Kabul monarchy in their relations with the Hazaras, resulting in an often exploitative relationship. That said, according to testimony from Hazara villagers and individual Kuchis collected and published by the Afghan NGO CPAU, the reign of Zahir Shah from 1933-1973 -- two generations after Abdur Rahman -- was marked by more peaceful relations between Hazaras and Kuchis.²⁰ The authors of the study attributed this to a strong government, who reportedly held both sides to account and prevented disputes from escalating.²¹

Nonetheless, Hazaras, as both an ethnic and religious minority, were systematically discriminated against throughout the two centuries of the Pashtun monarchy. Beyond being bought and sold as slaves, Hazaras were faced with dramatic official and unofficial persecution ranging from being denied entry to universities and barred from government jobs.²²

The Kuchis also have a legitimate narrative of marginalization that has become more intense in recent years. Following the global trend of nomads settling down into sedentary lifestyles, the Kuchis who settled and integrated themselves into sedentary Afghan society have become the wealthiest, most educated and best connected of their community. Thirty years of war left countless unexploded cluster bombs and landmines scattered across the pastures. Several intense periods of drought without an effective safety net in place have wreaked havoc on Kuchi migration routes and devastated their flocks. Today, actively migrating Kuchis are arguably the country's most vulnerable residents, with more than half (54 percent) living in poverty, as compared to 36 percent of Afghans nationwide.²³ Among



Figure 2: The main provinces of Hazarajat, with the area of conflict in Maidan Wardak and Ghazni provinces highlighted

Kuchis the literacy rate is less than ten percent, with just 14 percent of men and 3 percent of women being literate.²⁴

Since the fall of the monarchy in the 1970s and particularly in the post-Taliban period since 2001, the Hazaras as a group have been in slow but steady ascendance in Afghan society. While they remain a vulnerable and often marginalized minority, their political representation, levels of education and economic position have generally improved. They now represent a major proportion of the population of Kabul -- perhaps 40 percent -- and have a growing consciousness of ethnic pride and solidarity, whereas in the past many among them were inclined to strategically deny their ethnicity or religion to avoid discrimination.²⁵

For the Kuchis, it has been a more challenging transition. While certain Kuchi leaders have taken advantage of their links to the Pashtun elites in Kabul and elsewhere, most have not been able to adapt well to the changing societal landscape. They are often seen by political and economic elites and urban dwellers as vestiges of a past era, and the Kuchi leadership has tended to compound this through confrontational statements and actions. For example, as conflicts raged between Hazaras and Kuchis in Wardak

19. *ibid.* p. 5

20. Rassul, Khobar (2010). *Fractured Relationships. Cooperation for Peace and Unity (CPAU)*, p. 13

21. *ibid.* p. 14

22. Interviews with Hazara intellectuals and historians, 18 April 2012, 19 July 2012

23. NRVA (2008). *National Risk and Vulnerability Assessment 2007/8*, ICON-INSTITUTE, European Union

24. Swedish Committee for Afghanistan's Kuchi Literacy Program

25. Interviews with Hazara leaders and intellectuals, 18 April 2012, 19 July 2012

province in 2008, outspoken MP Alam Gul Kuchi stated that the Kuchi people were the only “original residents” of Afghanistan and implied that all other groups were migrants to the country,²⁶ managing to alienate not only Hazara, but also Tajik and Uzbek parliamentarians.

The conflict between Kuchis and Hazaras in eastern Hazarajat has been the result of the confluence of numerous factors. The change in the political fortunes of both groups has led to the Hazaras becoming emboldened to reverse what they see as a century of exploitation at the hands of Kuchis and other Pashtuns. War, drought and population growth have reduced the amount of available rangeland, leading to conditions of scarcity. Finally, as will be illustrated in the next section, opportunistic political actors from both camps have sought, often successfully, to use the conflict to their advantage in dealing with the Karzai administration.

3. Conflict Details

During the years of communist regimes and anti-Soviet jihad (1978-1992), and civil war (1992-1996), there was little direct contact, let alone conflict, between Kuchi nomads and the residents of Hazarajat. A combination of general insecurity, migration routes blocked by bandit militias and little in the way of central governance kept the Kuchis from making their annual journey to the central highlands for nearly twenty years.²⁷ This included Kuchi landholders, who during that period were unable to collect rent from Hazara tenants or sharecroppers.²⁸

The emergence of the Taliban, dominated by conservative southern Pashtuns, was therefore viewed by many Kuchis as an important opportunity to regain access to the lands in Hazarajat that they saw as their legal, if not God-given, right. Mobilized under the leadership of Haji Naim Kuchi, and explicitly encouraged by Taliban leader Mullah Omar,²⁹ Kuchis entered Panjab and Waras district of Bamiyan province with in the name of collecting over a decade of back rent, and took, by force, animals and other property

of the local Hazaras.³⁰ They reportedly destroyed numerous homes, injured and killed villagers and terrorized the entire population.³¹

In Ghazni and Wardak provinces, Hazaras granted Kuchis access to pastureland in Nawur and the Behsud districts with the threat of violence clearly in mind.³² The fear-inspiring rampage of Naim Kuchi to the west in Bamiyan, along with the Taliban’s economic blockade of Hazarajat by control of key roadways, were influential factors in this capitulation. These factors also led to the Taliban taking control of Bamiyan in 1998. Some active resistance continued until 2001, particularly by certain commanders within *Hezb-e Wahdat*. After the fall of Bamiyan, however, the Hazara leadership splintered, with the Shia religious and ethnic nationalist elements sometimes working at cross purposes. Some leaders and their families went into exile in Pakistan or Iran.

The US-led invasion of Afghanistan in October 2001 quickly led to the demise of the Taliban government and was greeted by Hazaras as liberation from Pashtun domination. Naim Kuchi, whose activities in concert with the Taliban had gained him no shortage of notoriety, was arrested by US forces in January 2003 and was eventually sent to the Guantanamo Bay detention camp in Cuba. Though officials in the transitional government lobbied for his release, Kuchi was held for almost two years until being freed in September 2004. Afghanistan’s then attorney general Abdul Jabar Sabit was quoted by McClatchy Newspapers as explaining Naim Kuchi in the following way: “He was pro-king, and then he was pro-communist and then he was pro-mujahedeen when they took over Kabul, and when the Taliban came, he was a staunch supporter.”³³

As Afghanistan’s post-Taliban political landscape began to take shape, the change in power relations between Kuchis and Hazaras became clear. While Naim Kuchi, the best known Kuchi leader, sat in maximum security detention, Haji Mohammad

26. Monir, Makia (11 May 2008). *Protesting MPs End Boycott of Parliament*. *Pajhwok Afghan News*

27. Ibrahimy 2009b, p.16

28. *ibid*

29. *ibid*, p. 17

30. Wily (2009), p. 19

31. *ibid*

32. Waras and Panjab districts, in southern Bamiyan province, border Nawur (Ghazni) and Markaz-e Behsud (Maidan Wardak) to the west

33. Lasseter, Tom. (2008). *Guantanamo Inmate Database: Naim Kuchi*. McClatchy Newspapers. retrieved 27 May 2012 from http://detainees.mcclatchydc.com/mi_services/gitmo/detainees/41

Mohaqqiq (one of the leaders of Hezb-e Wahdat) was appointed as a Vice-chair and Minister of Planning in the Interim Administration (2001-2003). He was followed by another Hezb-e Wahdat leader, Karim Khalili, who became Second Vice President during the Transitional Administration and continues to hold the post at present. Hashmat Ghani Ahmadzai, a wealthy businessman and brother to then Finance Minister and former World Bank official Ashraf Ghani (the Ahmadzai are considered as a sub-tribe of Kuchis), was appointed as official leader of the Kuchis in Naim Kuchi's absence, but held little legitimacy with the general Kuchi population.

In the summer of 2003 Kuchi herders were allowed to graze their animals in the Behsud districts of Wardak province for one year as guests of the local Hazaras.³⁴ However, conflict began brewing again in the spring and summer of 2004, with one person reported killed. By this point, militias on both sides were beginning to arm themselves with upgraded weaponry and were progressively mobilizing more people.³⁵ It was clear that if there were not sustained efforts to resolve the underlying land dispute and neutralize the militias through deployments of security forces, the conflict would escalate.³⁶

The presidential election of October 2004 was the almost exclusive focus of the government and international community during this period. Recognizing the importance of the Kuchi vote to his election prospects, then interim President Hamid Karzai heavily lobbied the United States for the release of Naim Kuchi from custody. In a perfect photo finish, Haji Naim arrived in Kabul a month before the election, giving a press conference at Karzai campaign headquarters just several days before the vote.³⁷ While he was opaque about his support for Karzai in public, it was clear that his liberation motivated many Kuchis to vote for Karzai rather than abstaining -- potentially

the votes that tipped Karzai to his majority (55 percent of the just over 8 million votes cast) and prevented a run-off round from taking place.

Reinvigorated by the return of Naim Kuchi and their closer connections to the Karzai government, who seemingly owed them somewhat for his electoral victory, the Kuchis continued to contest the eastern pastures of Hazarajat -- mainly in Behsud districts I and II and Daimardad in Wardak and Nawur in Ghazni. They gave up on Bamiyan province, judging that the Hazara opposition was simply too strong to overcome and that migration routes were fully blocked.³⁸

In 2005, renewed summer conflict, much like that of 2004, led to the death of another villager. In 2006, further escalation led to major destruction of property and displacement of local villagers, but no deaths.³⁹

By 2007, militias had been mobilized and heavier arms had been acquired by both sides. This was particularly true of the Hazara, who had been somewhat outgunned in the two previous years. These escalations brought the region to a tense stand-off. Violence exploded during the summer, with 12 deaths and a reported displacement of 1900 families.

The simmering conflict had been generally ignored by the media up until this point, focused as they had been on the impending election cycle. With the surge in violence, the Afghan and international press took notice: reports of the conflict appeared in the *Economist*, the *Telegraph* and repeatedly in the Afghan news agency Pajhwok Afghan News. The media coverage forced the central government itself to pay attention after years of inaction. A delegation was sent to Wardak province in August 2007 led by former Hezb-e Islami leader Wahidullah Sabawoon, a Pashtun from Kunar province.⁴⁰ The delegation told the Kuchis to leave the area as a temporary measure, promising that a longer term solution would be found through a government-led peace commission.

34. *Afghanistan Independent Human Rights Commission (AIHRC) (2010). Report on the Case of Conflict between Kochies and the Local People in Behsood (Hessa-e-Awal, Hessa-e-Dowm) and Diamirdad Districts of Maidan Wardak Province, p. 2*

35. *Interviews with residents of Wardak and Ghazni provinces, 22 April 2012 & 23 April 2012*

36. *Interviews with Hazara political leaders, 24 April 2012 & 25 April 2012*

37. Birch, Douglas (5 October 2004). *A Leader Freed May Reap Votes for Karzai*. *The Baltimore Sun*. retrieved 27 May from http://articles.baltimoresun.com/2004-10-05/news/0410050095_1_naim-karzai-afghanistan

38. *Interview with a Wardak government official, 25 April 2012*

39. *AIHRC (2008). Afghan Independent Commission on Human Rights' report on dispute between Kuchi (Nomadic People) and locals in the Hesaee Awal Beshood district, Hesaee Dow Behsood district (first and second parts) and Dymirdad district of Maidan Wardak province during the year 1387Af (2008), p. 3*

40. *Babakarkhail, Zubair (2 August 2007). Govt Assures to Resolve Kuchi-Hazara Feud*. *Pajhwok Afghan News*

In 2008, the conflict became further politicized, with emotional debates taking place in the Parliament, with allegations of political manipulation, inaction, and illegality being hurled between the parties in dispute, including the Karzai administration.⁴¹ In Wardak, 24 local villagers and reportedly 30 Kuchi men were killed in the fighting, another 53 injured people were reported between the two sides.⁴² 6000 families, more than three times the number of the year before, were displaced.⁴³ The Afghan National Army (ANA) was deployed to the area in June, but struggled to control the fighting. Only a presidential declaration in August requiring the Kuchis to leave the area, was able to end the armed conflict for the year.

The Presidential elections of 2009 again required the government to take more decisive action. The administration worked throughout the early part of the year to negotiate a settlement that would prevent a clash, ensure that Kuchis would vote in the elections and would hopefully encourage some Hazaras to vote for Karzai. It was reported that the deal, according to which the Kuchis would not migrate to Hazarajat that year, included a large cash payment of “something between two and three millions (sic) of dollars” to Naim Kuchi to hold the Kuchis in check.⁴⁴ In the end, the Kuchis did not migrate to Hazarajat and, at least for one year, there was no conflict.

The calm was broken in May 2010 when conflict again erupted in Wardak province as Kuchis attempted to move across the province to enter summer pastures. Hazara villagers and mobilized militias intercepted the Kuchis and prevented them from coming any further, triggering several weeks of fighting that resulted in approximately 6 dead.⁴⁵ A government commission was again dispatched, and agreed to pay ‘compensation’ to the Kuchi nomads in exchange for their withdrawal, which was enforced by an ANA detachment.

Beginning in 2007, when the conflict resulted in multiple deaths and militia mobilization, Hazaras in

41. *Each side attempted to discredit the other through alleging connections with unpopular actors: the Hazaras claiming that the Kuchis were Taliban supporters and the Kuchis claiming that the Hazaras were in league with Iran.*

42. AIHRC 2010, p. 2

43. *ibid.*

44. Foschini, Fabrizio (27 May 2010). *The Kuchi-Hazara Conflict, Again. Afghanistan Analysts Network*

45. AIHRC, p. 4

Kabul began to hold protests against the violence. In 2008 the demonstrations grew in number and press coverage was more extensive. By 2010 numerous political gatherings by Hazaras took place and Hazara MPs staged a parliamentary walk-out, threatening to boycott President Karzai’s Peace Jirga later that year if the Kuchis were not ordered to leave Wardak.

In the summer 2011, militias on both sides again mobilized, leading to significant clashes. An ANA deployment to Wardak at the last minute prevented all out war in Behsud and Daimirdad, but minor clashes continued. In Ghazni province at least 15 people were killed, with hundreds of fighters mobilized on both sides, before the ANA intervened and imposed a de-escalation.⁴⁶

2012 has again brought violent clashes between Kuchis and Hazaras in Behsud, Wardak province. As this article goes to press, there have been numerous fighters on both sides reported killed.

4. Political Economy of the Conflict

The Kuchi-Hazara conflict over access to summer rangelands in Ghazni and Wardak has often been described as issue of scarcity. In fact, the political realities are more complex. The ongoing seasonal violence has been repeatedly exploited by leaders from both groups as a means to apply political pressure at the national level. Similarly, for those who have an interest in undermining the authority of the central government, the enduring violence serves a purpose.

Both Hazara notables, namely Khalili and Mohaqiq, and the Kuchi leadership, most prominently Naim Kuchi, have been able to extract concessions from the central government as the conflict raged. Despite being the leaders of the parties to the conflict, they have consistently put the responsibility for resolving the dispute on the government, knowing full well that the central government is incapable of such a task. The status quo, while occasionally painful, benefits the notables of both sides by keeping their otherwise marginalized constituencies in the spotlight. As the popular aphorism has it: “the squeaky wheel gets the oil”.

This is not to say that scarcity is not a key driver of the

46. ANSO (June 2011). *The ANSO Report 16-30 June, Afghanistan NGO Security Organization. Kabul, retrieved from Relief Web*

conflict. Anecdotal evidence from years and decades past confirm that, in general, Kuchi-Hazara tensions have been worse during times of drought and reduced productive rangeland.⁴⁷ At the same time, population growth, both natural growth and returnees, and slightly improved living standards have put additional pressure on the pastures. Indeed, if there were more summer rangelands available in Afghanistan the historical incentive for nomads to invade and occupy Hazarajat pastures over a century ago would have been much reduced, and current pressures to migrate to a hostile territory would not have built up.

There is a third factor to the conflict. Many Afghan politicians have difficulty to mobilize and consolidate their political constituencies. Both the Hazaras and the Kuchis have major issues regarding political unity resulting from generations of internal rivalry, competing interest groups and a generally decentralized political structure. The rangeland conflict is one of the few political opportunities that the leaderships have to galvanize their communities and mobilize social and ethnic solidarity. The protests, riots and clashes in Kabul illustrate this point rather dramatically: despite not being directly involved or affected by the conflicts in Wardak and Behsud, Hazaras (and to a much lesser degree Kuchis) demonstrated en masse in the streets of the capital in support of their co-ethnics. There is arguably no greater way to project ethnic unity and demonstrate the newfound political power of a historical marginalized group.

When it comes to Khalili and Mohaqiq, there is also an element of political competition between them. In the years since the murder of the revered Hazara leader Ali Mazari at the hands of the Taliban in 1995, both have tried to capture his unifying mantle. Khalili, as Vice President and ally of President Karzai, has thrown his lot in with the post-2001 centralized state to obtain substantial benefits for his constituency and to gain advantages for himself personally. Mohaqiq, as a member of Parliament and founder of the opposition National Front (with Uzbek power broker Abdul Rashid Dostum and Tajik notable Ahmad Zia Massoud), has taken a more confrontational approach, regularly and publicly chastising the government for its perceived slights against non-Pashtuns. In the case

of the Hazarajat rangelands conflict, Mohaqiq has gone on hunger strikes, arranged demonstrations, initiated walk-outs of Parliament and other public relations efforts to focus attention to the conflict and raise his personal profile as an advocate for Hazara rights. Khalili, on the other hand, has traveled with several government delegations to the zones of conflict, usually declaring that he has negotiated a solution to the dispute for the year and that a long term agreement will shortly follow.

On the Kuchi side, there have been parallel battles for internal control. The position of principal Kuchi interlocutor during the post-Taliban period was held initially by Hashmat Ghani Ahmadzai, who comes from Kuchi stock but is obviously an urban Kabuli member of the elite, far from the nomadic lifestyle. When Naim Kuchi was being held in Guantanamo Bay, there was no one to challenge Hashmat's position. When Naim Kuchi returned to Afghanistan, he quickly reclaimed the position of Kuchi representative. Nonetheless, fractures have begun to appear between Naim Kuchi, the ten Kuchis MPs and Kuchi business notables, who are resentful that an unelected and only partially legitimate actor has so comprehensively dominated the historically decentralized Kuchi camp since 2004.

In the face of such complex and deeply rooted tensions, the Karzai government's inability to come up with a long term solution to the rangeland conflict is not surprising. By presidential decree, Karzai has made various concessions to the Kuchis in the form of small tracts of land in Kabul, Logar and Nangarhar provinces. The tactic of the center is to settle the Kuchis, rather than negotiating a migration deal with the Hazarajat residents -- an approach that is seemingly backed by the 2004 Constitution. In both the Persian and Pashto (although notably, not in the official English translation) versions of the constitution, the government is required to work towards the settlement of the Kuchi people. Nonetheless, so far efforts by the government in this regard have not resulted in a reduction in violence or even a significant number of Kuchis settling into sedentary lifestyles.⁴⁸

47. Interviews with Hazaras and Kuchis, 24 April 2012, 25 April 2012, 6 May 2012

48. Dr. Michael Jacobs, an expert on rangeland management who has worked extensively with nomads in Afghanistan says that nomadic livestock production is a necessity for the country, due to its physiographic nature. He argues that in a country with wide expanses of very marginal grazing land nomadic livestock production is a must.

Given the high political profile of the conflict, numerous national and international attempts to find a solution have been undertaken. These have included a half dozen peace-building programs: (a) the 'PEACE' project funded by USAID, (b) a documentation and negotiation program implemented by the Afghan NGO 'Cooperation for Peace and Unity' (CPAU), (c) a government-oriented effort by the UN Environment Program, (d) a reconciliation project by the UN Food and Agriculture Organization funded by the British development agency DFID, and (e) repeated work by the Ministry of Agriculture. Any small progress that has been achieved by these programs⁴⁹ -- and it can be argued that they produced some tangible results -- has so far not penetrated the public consciousness, nor produced a sustainable solution, making the conflict seem fully intractable.

Because the central government must court favor with both sides, the Karzai administration has avoided taking decisive action, instead performing damage control when violence gets out of hand.

A resolution to the conflict will only come when there is clarity regarding the realignment of power that evolved in recent years in favor of the Hazaras vis-à-vis the Kuchis. With the withdrawal of foreign forces looming on the horizon, some on the Kuchi side consider that their fortunes will improve as the central government tries to consolidate its political position by appealing to traditional Pashtun nationalism. On the other hand, if the Hazaras' increased sway in Kabul is a permanent fixture of the political landscape, the Kuchis are likely to be forced to eventually give up their claims to Behsud, Daymirdad and Nawur in favor of more marginal lands in Pashtun areas.

49. In the opinion of the author, the PEACE program, though it sometimes seems to be tilted in favor of the Kuchis, has been the most successful to date.

Case Study 4: Land Conflict in Nangarhar Province

1. The Resource

Nangarhar is the most densely populated of Afghanistan's 34 provinces, a locus of transit in constant movement with trade and migration between Pakistan's northwestern Pashtun areas and eastern Afghanistan. The road from Peshawar through Jalalabad to Kabul is one of the most important arteries of transport and trade in the region.

Development activities by the central government and US-led Provincial Reconstruction Teams (PRTs) have begun to transform the province's road network. As many of the routes that branch off the main highway have been paved, the value of the surrounding land thus opened up for easier access has increased dramatically.

Traditionally, non-irrigated land is not of high value, as it has minimal worth for agricultural activities. As population density in Nangarhar has increased, especially due to family groups returning from sojourn in Pakistan refugees, barren land has become useful for building settlements, including homes, guesthouses, businesses and so forth.

Where the Jalalabad-Peshawar highway passes from Bati Kot to Mohmand Dara district, approaching the Pakistan border crossing at Torkham/Khyber pass, a side road passes through the district centers of Shinwar district and continues to north-eastern Achin district. This road was paved by a PRT project in 2010, dramatically reducing travel times.

Traditionally, rain-fed land (that is, non-irrigated) is not of high value, as it has minimal worth for

agricultural activities. As population density in Nangarhar has increased, especially through migrants coming or returning from Pakistan, however, previously unused barren land has become important for building settlements, including homes, guesthouses, businesses and so forth.

To the west of the new asphalt road is a stretch of arid land, approximately 10-15 square kilometers, previously unclaimed, now of economic interest. Located at the border between the territories of two sub-tribes of the Shinwari Pashtuns, this tract of land in northeast Achin district has been disputed for some time, perhaps a generation, but was never of sufficient value to motivate either group to make a decisive move to claim it.

Throughout Afghanistan, disputes over land ownership are a common and often violent proposition. According to surveys done by Oxfam and Cooperation for Peace and Unity (CPAU), an estimated 28 to 36 percent of local level conflicts in the country are related to land.¹

In the post-Taliban era, urbanization has accelerated in Afghanistan. Massive infusions of foreign aid money into cities have energized urban economies, attracting prospective workers and their families from rural areas. At the same time, millions of Afghan refugees have returned from neighboring countries. Having been exposed to a more urban lifestyle in exile and with limited opportunities in the rural zones of their birth, most returnees have settled in cities and towns. Kabul and the districts that surround it have seen the

¹ L. Waldman, Matt (2008). *Community Peacebuilding in Afghanistan*. Oxfam International, p. 29; Dennys, Christian and Idrees Zaman (June 2009). *Trends in Local Afghan Conflicts*. Cooperation for Peace and Unity, p. 12

biggest boom, with construction, trade, services and migration driving up land values in and around the city. The big money to be made in the construction business has attracted the interest of everyone with the means to participate; it is common for notable families to have a least one construction company, and corruption and mafia type deals have quickly permeated the business.

One particularly common issue stems from the lack of a reliable land tenure or titling system. Across the country disputes have erupted regarding land ownership. In some cases, the government has claimed land, which it can then sell at preferential rates (or simply give) to allies, friends and those who pay the largest bribes. Emblematic cases of governors and mayors allegedly distributing government land to relatives and friends have emerged in Ghor, Helmand, Nangarhar, Kabul and among other provinces².



The financial inducements to participate go beyond simply bribes and construction contracts. Vertically integrated operations have emerged, with the same families and associates being involved in construction, private security, related import/export businesses (for example of building materials) and retail and consumer businesses in newly constructed urban townships, along with the provision of other services.³

In Nangarhar, the areas adjacent to the provincial capital Jalalabad, especially along the main highway route, have witnessed similar convoluted construction schemes. In the ensuing and almost

inevitable land disputes, the deciding factor has usually been the comparative strength of political connections. The international media reported in 2011 one such case in Jalalabad, where a small landowner had returned from Pakistan to find his land occupied by a wealthy businessman.⁴ After nearly a decade of legal maneuvering in the snail-paced court system of Afghanistan, no final judgment has been made. The notoriously corrupt and inefficient courts have convinced many Afghans that other measures, often illegal or extra-legal, including violence or Taliban adjudication, are preferable.

2. Political and Historical Context

Nangarhar is situated in a geographic transition zone between the lowlands of western Pakistan and the highlands of the Hindu Kush. The province is overwhelmingly Pashtun in ethnicity, with the vast majority of the province's 1.4 million people belonging to various Pashtun tribes. The Shinwari, Mohmand and Khoghani are the major tribal groups, with each having numerous sub-tribes within them. Each tribe has important populations on both sides of the Durand Line, the contested boundary between Afghanistan and Pakistan that was imposed by the British Raj more than a century ago.

Achin district, one of Nangarhar's 21 districts,⁵ is inhabited almost entirely by the Shinwari tribe. In the central and southern part of the district, where the Spin Gar mountains form the border with Pakistan, is the Sipai sub-tribe, who make up the majority of the population of Achin. In the far north of the district are members of the Alisherkhel sub-tribe, who are dominant in neighboring Shinwar district. The two groups contest Achin territory close to the border with Shinwar.

Achin district is an area historically known for opium poppy cultivation. Through the mid 2000s, while the rest of Nangarhar was under great pressure to eliminate the growing of poppies, the crop was being "openly" grown in Achin, and efforts to eliminate it by international and national

2. Foschini, Fabrizio (16 June 2012). *Land Grabs in Afghanistan (1): Nangarhar, the disputed orange land*. Afghanistan Analysts Network

3. Interviews with individuals in the construction sector, 23 May 2012

4. Murray, Rebecca (6 Dec 2011). *Afghanistan: Land Triggers New Conflicts*. Inter Press Service

5. Jalalabad city is a separate zone, making a total 22 administrative areas in Nangarhar

military forces provoked rioting⁶. The Shinwari tribe is well-known for its expertise in the transport and smuggling sector, using its wide network of contacts and fellow tribesmen in Pakistan to move goods, licit and illicit⁷.

Jalalabad has had a long linkage with the central authorities in Kabul. For generations, lowland Jalalabad was the winter capital of the Durrani monarchy, with Kabul being situated in the cooler mountains as the seat of power in summer. During the anti-Soviet jihad, the province was a hotbed for Hezb-e Islami (Khalis) mujahedeen and a major transport point for other mujahedeen groups on their way from Peshawar to different destinations in Afghanistan.

While Nangarhar was closely associated with the monarchy and the jihad, the border tribes have consistently sought to remain autonomous of interference in their local affairs, except, of course, when it could be obtained on one's behalf. The Karzai administration has sought to maintain relatively tight control over the region because of its strategic importance. As the supply lifeline for NATO forces in Afghanistan passes through Nangarhar, the province has been a magnet for Taliban and other anti-government militant groups, who have carried out hundreds of attacks on convoys on both sides of the Pakistan/Afghanistan border.

Gul Aga Sherzai, who was governor of Kandahar before the Taliban took over and briefly again in 2002, was appointed by President Karzai as governor of Nangarhar, where he has presided since 2004. An ally of Karzai, and also a political rival, Sherzai has built a considerable power base from Jalalabad, and is the decisive power broker in the province at present⁸.

3. Conflict Details

Conflict in Achin, Shinwar and neighboring districts of Nangarhar has been nearly constant in recent years. Tribal groups have battled with each other, and insurgents have mounted an escalating campaign against NATO and central government forces.

The recent conflict between the Alisherkhel and Sipai has its proximate roots in actions taken by the Sipai. In early 2010, elements of the Sipai tribe set up tents, cabins and reportedly a small school on the area of land in question in Achin district in order to stake their claim. As reported by the Afghanistan Analyst Network, "The Alisherkhel reacted swiftly, demolishing the buildings which, according to them, represented the first step towards their rivals' encroachment" on territory they viewed as rightfully theirs.⁹

The fighting quickly intensified, with numerous dead and injured reported on each side.¹⁰ Afghanistan National Army forces were present in the area but were "struggling to overcome" the fighting and secure the area.¹¹ The conflict also caught the attention of international media, such as the New York Times, who reported that the combat included the use of RPGs, machine guns and mortars.¹²

Neither side achieved decisive victory and the Afghan National Security Forces were either unable or unwilling to enforce any of several ceasefires proposed by the provincial authorities from Governor Sherzai's office. The combatants settled into trench-style warfare that would last for nearly two years.

A parade of peace initiatives from the central government began soon after the initiation of hostilities, with senior officials from the Ministry of Interior and the President's office arriving in Nangarhar in late March 2010, with the intention of bringing together tribal elders in a traditional 'peace shura'. Initial efforts were unsuccessful, with leaders from both sub-tribes accusing their rivals of not respecting the process.

6. Rubira, Justine, Philibert de Mercey, Rodolphe Badeau (November 2005). *Agribusiness Assistance Programs in Afghanistan: Balkh and Nangarhar Provinces*. Altai Consulting, for the Japanese Embassy, Kabul, p. 46

7. Chauvy, Pierre-Arnaud (1 March 2003). *Opiate Smuggling Routes from Afghanistan to Europe and Asia*. Jane's Intelligence Review

8. Interviews with US and Afghan government officials, 26 April 2012

9. Foschini, Fabrizio (30 October 2011). *How Outside Interference Politicised the Achin land conflict*. Afghanistan Analysts Network

10. Hashmion, Abdul Moeed (9 March 2010). *Many Feared Dead Over Land Dispute*. Pajhwok Afghan News

11. *ibid*.

12. Rubin, Alissa (11 March 2010). *Afghan Tribal Rivalries Bedevil a U.S. Plan*. New York Times

Governor Sherzai then intervened. He sent interlocutors to meet with leaders from the Alisherkhel and the Sipai, and coordinated the intervention of elders from the Khoghani tribe as third party mediators. Several short term ceasefires were negotiated and then broken by one or both sides. The violent conflict continued virtually unabated; by May 2011, after more than a year of armed hostilities, 30-40 casualties had accumulated between the two camps

But what had prompted the Sipai to make their initial incursion into the disputed area in March 2010? And how were both sides able to obtain relatively advanced weaponry, including sufficient ammunition to continue fighting for such a long period?

The Sipai clan live primarily in the Mamand Valley in southern Achin district near the Pakistani border. In mid 2009, a leader of the Sipai, Malik Niyaz, came into dispute with local Taliban commanders, who often used the valley as a transit point into Afghanistan. Previously, the Sipai had a history of cooperating with the Taliban,¹³ likely because of economic benefits¹⁴ and mutual interests in the smuggling of goods to and from Pakistan. According to an interview with the US State Department representative in Nangarhar PRT at the time, however, a “street fight” broke out between two nephews of Malik Niyaz and the local Taliban commander¹⁵, reported in the New York Times as Commander Khona.¹⁶

The fight resulted in the death of the two nephews, enraging Malik Niyaz. He wasted no time in endeavoring to take badal, or ritual revenge, on the perpetrators and the Mamand Valley quickly descended into warfare. Commander Khona called for Taliban reinforcements from Pakistan, enlisting a “more senior commander” to help him regain control of the valley.¹⁷ Sensing that the entire Sipai sub-tribe was under threat from the angry Taliban, other tribal

leaders, namely Malik Usman, the other major power player among the Sipai, joined Malik Niyaz in raising a tribal militia to defend the valley. In the end, after numerous clashes, the combined Sipai militia forces successfully drove off the Taliban fighters at least temporarily.¹⁸

The two leaders promptly approached US military forces for assistance, in the expectation that a Taliban retaliation against the Sipai would not be long in coming. The PRT in Jalalabad had previously attempted to enlist the support of the Sipai against the Taliban but had been repeatedly rebuffed, so they viewed the development as a major opportunity. The senior civilian at the PRT at the time recounted in an interview with the US Institute of Peace the following account, which because of its illustration of the US civilian/military perspective, is worth quoting at length.

“I went to my PRT commander and said, “This is an opportunity that we have got to grab onto. Because one of our goals is to separate the population from the insurgents and these guys have been intertwined for this whole time. Now they’re apart. Doesn’t matter why. Now they are fighting. We need to support them. We need to start pumping development into that particular area. Don’t go through the Provincial Development Committee. It will take too long and special interests will prevent money from flowing to that area. Let’s just put a lot of money and development in that area now.

We also put in Special Forces units to train their militia or informal, illegal village defense force and show them that they are not alone out there. That’s an example of how the situation on the ground changed our strategy in that particular area.

When I left a couple of weeks ago [in late September 2009], they were on our side. They were solidly on our side because they knew that they would get weapons, ammunition, training, and police support. We had convinced the governor to send a unit of police up there and cooperate with them. They suddenly realized the value of working

18. According to a classified US Embassy cable, dated 26 January 2010 and entitled “RC EAST: NANGARHAR PROVINCE TRIBAL ELDERS UNITE AGAINST TALIBAN”, retrieved 31 May 2012 from <http://www.cablegatesearch.net/cable.php?id=10KABUL337>

13. Interview with US military officials, 22 May 2012

14. *Fighters in transit often make it worth the while of Pashtun communities that they interact with or stay with regularly by providing payment, weapons or other desirables*

15. United States Institute of Peace (USIP). (21 September 2009). PRT Interview #9. Iraq/Afghanistan provincial Reconstruction Teams: Lessons Learned Project, p. 11

16. Filkins, Dexter (22 November 2009). *Afghan Militias Battle Taliban With Aid of U.S.* New York Times

17. *ibid.*

*with the provincial government and the coalition forces. That was one of our big success stories but that was because we responded quickly to a changing situation, into an opportunity that had sprung up.”*¹⁹

US military and civilian authorities the Sipai leaders viewed the intervention as a considerable success, as the expected Taliban reprisal did not materialize, and benefits were flowing for both sides. The Americans immediately deepened their relationship with the Sipai through regular civilian and military contacts, the provision of weapons and training for the Sipai militia and the delivery of development funds in a rapid fashion. The Sipai leaders, seeing an opportunity for long term benefits, rallied to the US cause in record time. In January 2010, the Sipai leadership, led by Malik Usman and Malik Niyaz convened a tribal shura that outlawed collaboration with the Taliban (threatening massive fines or destruction of the collaborator’s home) and the cultivation of poppies (a concession to the Americans). The shura’s condemnation of corruption in all its forms was not relevant to the situation in the Mamand valley, but showed that the tribal leadership was well aware of the policy objectives of the US PRT.

The tribal shura was also notable for the fact that the Sipai claimed not to represent only their sub-tribe, but instead the entire Shinwari tribe in Nangarhar. Indeed in US Embassy cables, interviews and media reports in 2010, the tribal pact is referred to as the “Shinwari pact” against the Taliban, even though no representatives from the other Shinwari sub-tribes, especially the Alisherkhel, were even tangentially involved. Regional Command East, the top level US military authority for the eastern region, taking the bait, cabled Washington that “all major Shinwari power brokers were present or represented” in the January tribal shura, which was attended by US representatives and was detailed in the cable.²⁰

The commander of the US Army brigade in Jalalabad, Colonel Randy George, after being lobbied by the PRT, became convinced of the need to support the Sipai through direct financing. Taking advantage of the Commander’s Emergency Response Program (CERP), which allowed US military commanders in

Iraq and Afghanistan to make rapid investments in development and reconstruction projects without being subject to normal development restrictions or oversight, Col. George authorized \$200,000²¹ in cash (euphemistically dubbed ‘cash for work’) support to the Sipai. The package also included \$1 million in development projects, which would be allocated by the tribal leadership and implemented through the PRT.²²

The US-Sipai deal was reported in national and international media in late January 2010 to great fanfare. The backlash from the Afghan central government was swift. Governor Sherzai saw his authority in the province as being undermined and/or circumvented by the US military and likely saw the potential for internecine conflict among the Shinwaris. He complained bitterly to President Karzai, who in turn objected to US Ambassador Karl Eikenberry.

The Karzai government protest, which went through top-level diplomatic rather than local or military channels, set off a massive internal policy battle between American agencies. The US State Department in Kabul, led by Ambassador Eikenberry, lambasted the military for working around rather than through the provincial government.²³ The US military, which usually has the final say on most affairs regarding US policy outside of Kabul through the invocation of “national security” or “force protection,”²⁴ in turn countered that the provincial government was corrupt and slow, and that working through them would have delayed and likely killed the deal.²⁵

In the end, diplomatic sensibilities and the commitment of the US authorities to building capacity within the Afghan government won out. By May 2010, the US Embassy had “disavowed” the deal and drafted regulations that no Embassy personnel could work on

21. \$200,000 is the maximum that a brigade commander (Colonel) can authorize without going through the regional command’s “CERP Validation Board”.

22. The \$1 million in development funds had to be approved by the division commander at RC-East and by contracting officers at USFOR-A at Bagram Airbase. The full procedures can be found at <http://usacac.army.mil/cac2/call/docs/10-10/ch-8.asp> (retrieved 2 June 2012).

23. It was a US State Department advisor at the PRT who designed and advocated for the plan, while the military was initially resistant.

24. Prevention of US military casualties

25. Interview with a senior US official, 26 April 2012

19. USIP, 2009, p. 11-12

20. *ibid*, note 16

so-called “tribal pacts,”²⁶ while the US military also enacted rules to restrict, though not eliminate, these type of deals.²⁷

The top level policy retraction from the US Embassy three months after the agreement was struck did not prevent it from being at least partially implemented, with at least \$167,000 of the promised \$200,000 in ‘cash for work’ reportedly being distributed to the Sipai²⁸. US Special Operations also continued to support the Sipai with food, ammunition and training, which was considered separate from the CERP support deal.

Returning to the conflict between the Sipai and the Alisherkhel, it is clear that when the Sipai set up their tents and military positions on the disputed territory in March 2010, they felt that they had a major advantage over their rivals because of their new weapons, cash and connections with US forces. The Alisherkhel, seeing themselves outgunned and outmaneuvered by the Sipai, turned to the Taliban, who were happy to assist them with supplies of ammunition and weapons.

As the battle raged to the end of 2010 and into 2011, the initial Sipai advantage that had been built on relations with the US military ebbed somewhat. The regular rotation procedures of PRT and brigade personnel, both civilian and military, meant that few foreigners would stay in the area of operation for more than a year. By the time the conflict between the Shinwari sub-tribes became fully entrenched, many of the Americans directly involved in developing the project to support to the Sipai had rotated out of Afghanistan, let alone Nangarhar. While the Sipai still held a considerable advantage over the Alisherkhel in terms of arms and training, it was not sufficient to bring decisive victory.

In April 2011, a large delegation came to Nangarhar from Kabul that included numerous respected senior Pashtun tribal leaders. Led by Asadullah Wafa, the former governor of Helmand and Kunar provinces, the mission met with both Sipai and Alisherkhel leaders and insisted that the government would

mediate a solution to the conflict.²⁹ Soon after, Afghanistan National Army forces, numbering about 300, were deployed to Achin on a mission to serve as peacekeepers in the disputed zone.

Supported by the outreach and mediation efforts of Governor Sherzai and the Karzai advisors, national army and police attempted to control the fighting for six months, to little effect. With the soldiers “camped out between” the two fighting sides, the battles continued with impunity around them, with machine gun fire and grenades exchanged on a daily basis.³⁰

In October 2011, Sherzai warned that if a ceasefire was not reached and immediately followed by mutual disarmament, military action would be taken by government forces against both sub-tribes. Up to that point national army or police forces had not engaged the combatants in combat.³¹ Using the argument that the land in dispute was actually government property, the governor insisted that the two tribes vacate the area or face an assault by Afghan and US military forces.³²

The ultimatum partially worked, with the Alisherkhel submitting to the disarmament decree, turning their weapons in to government authorities the following day³³. To them, the government solution, while not ideal, was acceptable; even though they would not get the disputed land, neither would their rivals. Given the large military and financial edge held by the Sipai throughout the conflict, the government seizing the land and the weapons of both sides was seen as a victory by the Alisherkhel, which would also position them well for a potential future push to claim the land.

It is unclear how the ultimatum was received by the Sipai, though they were clearly unhappy with the government actions. Intervention in a local tribal

26. Partlow, Joshua and Greg Jaffe (10 May 2010). *U.S. military runs into Afghan tribal politics after deal with Pashtuns*. *Washington Post*

27. Interview with US official, 22 May 2012

28. *Washington Post*, 10 May 2010

29. Stanikzai, Khushal (21 May 2011). *Land Dispute in Nangarhar: The Killid Group*

30. Phillips, Michael (7 October 2011). *An Afghan Alliance Takes Unexpected Turn*. *Wall Street Journal*

31. Hashmion, Abdul Mueed. (10 October 2011). *Sherzai warns rival tribes over land dispute*. *Pajhwok Afghan News*.

32. Hashmion, Abdul Mueed. (25 October 2011). *Sherzai orders action against warring tribes*. *Pajhwok Afghan News*.

33. In line with all other ‘disarmament’ programs that have taken place in Afghanistan, it is unclear as to the quantity and quality of the weapons the Alisherkhel turned in. Typically, fighters submit their oldest and least functional weapons along with inoperable ammunition, keeping their main weapons stashed away for the future.

conflict, with a decision that seemingly favored one tribe over the other, was unusual for Sherzai or the Karzai administration. Sherzai's was well-known for threatening and intimidating people with action by ISAF military forces if they failed to do what he instructed, which turned out in many cases to an empty threat, so the Sipai may have discounted his ultimatum. This was not unreasonable, given that Afghan forces had been on the battlefield for months and US forces regularly operated in the region, without any action against the Sipai or Alisherkhel.

The Sipai tentatively agreed to a three-year ceasefire and began to withdraw from the disputed territory,³⁴ but they did not immediately turn in their weapons to Sherzai's delegation. What happened next remains unclear, with media reports and interviews yielding differing accounts. Fabrizio Foschini from the Afghanistan Analysts Network, whose account seems the most probable,³⁵ wrote that when government forces attempted to meet with the Sipai to arrange disarmament, gunfire broke out and after some sustained fighting, Sipai militiamen attacked a nearby compound where Governor Sherzai and his staff were holding a meeting and damaged an American helicopter parked nearby.³⁶

The Sipai had clearly pushed their luck too far this time, as US military retaliation was swift and deadly. US troops from a temporary US base in nearby Bati Kot district,³⁷ likely present to protect Governor Sherzai and other provincial officials from Taliban or other attacks while outside Jalalabad, engaged the Sipai militia and called in air support from Jalalabad airfield. The gun battle and air strikes left 30 Sipai fighters dead or wounded -- though Sipai leader Malik Usman put the figure at 50.³⁸ Thoroughly

34. Siddique, Abubakar (27 October 2011). *Afghan Government Forces Shaky Truce In Tribal Land Dispute*. Radio Free Europe/Radio Liberty

35. In interviews with knowledgeable individuals, Foschini's report was viewed as plausible, whereas as a report from the *Associate Press* that claimed that "insurgents attacked a convoy of Afghan and international troops" was repeatedly discounted.

36. AAN, 30 October 2011

37. According to US order of battle reports from the Institute for the Study of War (ISW), it seems that a US cavalry unit called TF Raider (3rd squadron, 4th cavalry regiment, US Army) was stationed at Forward Operating Base Shinwar in Bati Kot district from May to December 2011, at which point they moved back to Jalalabad. They left Afghanistan with the rest of TF Bronco in May 2012.

38. This represents more Sipai casualties in one day than in the entire rest of the conflict with the Alisherkhel

Figure 1: US Military units responsible for Nangarhar province 2008-2012

Name	Unit	Time
Task Force Duke	3rd Brigade Combat Team, 1st Infantry Division (US Army)	June 2008-June 2009
Task Force Mountain Warrior	4th Brigade Combat Team, 4th Infantry Division (US Army)	June 2009-June 2010
Task Force Bastogne	1st Brigade Combat Team, 101st Airborne Division (US Army)	June 2010 - May 2011
Task Force Bronco	3rd Brigade Combat Team, 25th Infantry Division (US Army)	May 2011-April 2012
Task Force Mountain Warrior	4th Brigade Combat Team, 4th Infantry Division (US Army)	April 2012 - present

Sources: US military press releases, ISW order of battle reports

defeated and likely fearful of further US strikes, the Sipai immediately sued for peace and within days had "surrendered their weapons" to government authorities.³⁹

After several months of negotiations between the sub-tribes with the Asadullah Wafa-led commission from Kabul, a three-year truce was announced in February 2012. The Sipai and Alisherkhel were required to end hostilities, remove any structures from the disputed territory and agree not to build any new ones. According to Wafa, the deal must be ratified by a court in Kabul, which as of June 2012 was still pending.⁴⁰

4. Political Economy of the Conflict

The Pashtun people of Afghanistan and Pakistan are organized into a highly segmented tribal society, considered to be the largest of its type in the world. Tribes are structured into patrilineal groups who collectively, as Pashtuns, follow what is called the "Pakhtunwali", or Pashtun moral and ethical code. Within Pakhtunwali there are several concepts of rivalry, competition and honor that often drive tribal disputes and power plays. Without overly generalizing

39. Hashimion, Abdul Mueed (10 November 2011). *Sepai tribe surrenders weapons*. Pajhwok Afghan News

40. Author's interview with Assadullah Wafa, 15 May 2012

about Pashtun structures, there are often separate rivalries that occur between communities, tribes or sub-tribes, and disputes and rivalries between individual leaders.

With this in mind, the dispute between the Sipai and Alisherkhel over 15 square kilometers of 'wasteland' should not seem out of place. The two Shinwari sub-tribes have been in almost constant competition over the generations regarding the appropriate placement of the border between their two territories. Based on their relative power positions, the territorial boundaries occasionally shift, either through a deliberate power play by one group or other, or through slow attrition, as stronger families encroach relatively uncontested into what was previously lands of the other sub-tribe. As the increased value of the land by the newly paved regional highway became apparent to leaders on both sides, the competition likely intensified.

Using outside resources to one's advantage is by no means prohibited by the tribal code of conduct; in fact gaining support and protection from bigger, more powerful actors is usually regarded as a desirable and crafty move. An influential outside actor can quickly gain himself numerous enemies by favoring a single tribe or sub-tribe, as the excluded tribal leaders view their privileged cousin -- and his backer -- with envy and antagonism.

When Sipai leaders Malik Niyaz and Malik Usman enlisted US military support for their position against the Taliban, they profited in two ways. The first was in strategic terms, as their vastly increased financial resources and military strength put them in position to expand their territory and influence in the province. The second was in terms of prestige, as they outshone their rivals among the Alisherkhel and even outside the Shinwari tribe, such as among the Mohmand and Khoghani. Whether this played a role in Sherzai's eventual decision to prevent the Sipai from taking the land in northeastern Achin, thereby reestablishing parity among tribal leaders, is unknown. The governor had likely heard complaints from every other tribe and sub-tribe after the US-Sipai deal was inked.

The role of the US military is also complex. By early 2010 the Sipai had almost unquestioned support from

US forces responsible for the region, including special forces and the Nangarhar PRT. Just 18 months later they were being branded as 'insurgents' and subjected to a massive and deadly assault that left dozens dead. The rotation of US military units helps explain how this took place. Throughout the time period in question there was a succession of US Army Brigade Combat Teams (BCT) based from Jalalabad Airfield, responsible for not just Nangarhar province as well as Kunar, Nuristan and Laghman provinces (see Figure 1).

The Nangarhar PRT, located in Jalalabad across the street from the brigade headquarters, was the first contact with US authorities for the Sipai. The PRT was a separate, civilian-military hybrid tasked with economic development duties that worked with a different rotation schedule. The PRT reported to the brigade commander in Jalalabad and in principle cooperated with the battalions that make up the BCT. In practice, however, the lines of communication between the battalions and the PRT were weak at best, and the civilian advisors at the PRT made their case for CERP initiatives directly to the brigade commander.⁴¹

When the initial dispute between Sipai and Taliban took place in July 2009, a new BCT had arrived just a month earlier, Task Force Mountain Warrior, replacing Task Force Duke (see Figure 1). The commander of the Nangarhar PRT had also recently rotated, meaning that the civilian representative on the PRT, with about 10 months in the area, was the longest tenured senior official in the local American command structure. After advising the brigade commander and the senior military leadership in Kabul to intervene with a massive program of training and support to the Sipai, he soon rotated out himself, leaving in September 2009.

The commander of TF Mountain Warrior, Colonel Randy George, became an outspoken supporter of the Sipai plan, which he mistakenly understood to be a 'Shinwari pact' that would bring the whole tribe to the US side. His senior civilian, Dante Paradiso, also backed the plan, trusting that his civilian subordinates at the PRT knew what they were doing.⁴²

By October 2011, it was TF Bronco that was responsible

41. Interviews with a US military advisor, 22 May 2012

42. *ibid.*

for Nangarhar province, having replaced TF Bastogne in May 2011. TF Bastogne, in turn, had replaced Col. George and TF Mountain Warrior in June 2010, just as the so-called 'Shinwari pact' was being publicly disavowed by the US Embassy in Kabul. By the time decisive military action was taken against the Sipai by TF Bronco in October 2011, the US command structure had limited knowledge of the activities of the previous units and certainly no personal experience with the Sipai. They may not have even known that the 'insurgents' targeted for elimination were in fact former allies of US forces.

The role of the Taliban was also an important element to the extended nature of the conflict between the Alisherkhel and Sipai. Outgunned by the Sipai from day one of hostilities, the Alisherkhel were open to Taliban assistance. While the Taliban were not able to match the heavy weaponry and training that Sipai had received from the US, they could provide ammunition for AK-47s, grenades and RPGs, which were sufficient to hold off a decisive Sipai victory. The Taliban were quick to condemn the US military's October 2011 strike against the Sipai and afterwards began to repair relations with the Sipai leadership.

Taliban involvement in the conflict served several of their purposes. The first was to undermine the government's efforts to negotiate a peaceful solution, thereby working to discredit the provincial and central authorities in the eyes of the two sub-tribes. The second was to exact a measure of revenge on the Sipai, who had killed a Taliban commander and defected to the occupying Americans. Finally, the engagement allowed the Taliban to build connections of trust and reliance with the Alisherkhel, which could be useful in the future.

While the conflict between the Alisherkhel and Sipai was, in principle, put to rest for a three year ceasefire period, the broader conflict continues between the insurgent groups and the Karzai government and its international backers. The failed US attempt to turn the Sipai sub-tribe or the Shinwari tribe at large into an effective anti-Taliban fighting force instead provoked nearly two years of conflict between sub-tribes and seemingly drove the Alisherkhel, previously relatively neutral, into the arms of the Taliban. The US air strikes that finally forced the Sipai to come to

the bargaining table likely deterred them from future collaboration with the Americans (at least in the short term) and pushed them back to their previous position as active collaborators with the Taliban.

Case Study 5:

Gemstones (Lapis Lazuli) in Badakhshan Province

1. The Resource

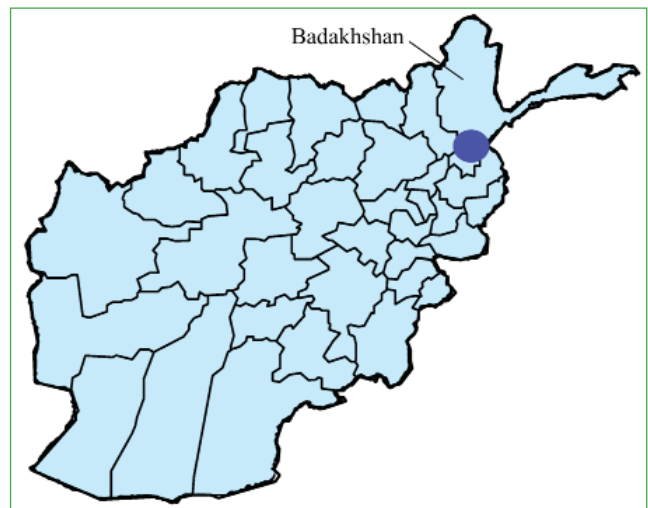
Lapis lazuli is a semi-precious stone, celebrated for its deep blue color. Locally known as *lajward*, lapis is commonly used for jewelry, artwork and distinctive blue dyes, and has a global market.

Lapis has been extracted from Badakhshan province in northeastern Afghanistan for several millenia. Ancient burial sites in places as far away as Egypt have included ceremonial items made of lapis.¹ The stone is found in the southern part of Badakhshan, primarily in a district called Koran wa Munjan along the banks of the Kokcha River, which flows northward from the Pamir Mountains down to the Amu Darya (also known as the Oxus River).

For the last several decades, the most common route for lapis export has been from Badakhshan directly to Pakistan to the east, where the city of Peshawar has become a center for the *lajward* trade. The business has traditionally been well organized but informal, operating largely outside the control of the Afghan central government. Today, much more lapis travels through official channels than ever before, though informal exports (smuggling) still exists.

Lapis, as a semi-precious stone, does not command the high prices of gemstones such as rubies and emeralds. In top-end international markets, high quality cut and polished lapis is worth \$1.90 to \$2.80 a carat, much less than the several thousand dollars per carat for emeralds, and orders of magnitude less than the tens of thousands of dollars per carat that cut diamonds command (See Figure 1).

L. Moorey, P. R. S. (1999). *Ancient Mesopotamian Materials and Industries: The Archaeological Evidence*. Eisenbrauns. Warsaw, Indiana, p. 86



Reports from Badakhshan indicate that the quality of lapis that is being extracted and exported presently is of significantly lower quality than 15 or 20 years ago, due to exhaustion of the best deposits in river valleys.² With primitive techniques still widely in use, and little in the way of technology being deployed to identify the best veins of lapis, maintaining quality is a problem for the lapis industry. The most common mining technique continues to be dynamite to blow up lapis deposits and then sift through the rubble with hand tools to extract the stones.³ Most high quality specimens emerge badly damaged.

Nonetheless, though profits are irregular and local businessmen are concerned about the long term stability of the industry, there are substantial revenues being earned from lapis for notables in Badakhshan. Due to its remoteness and marginal

2. Interview with several Badakhshan businessmen in the lapis industry, 2 June 2012

3. Interview with lapis engineer, 16 May 2012

Figure 1: Lapis prices in western markets

Type	Price per Carat	Price per kg
Cut/polished high quality	\$1.90 - 2.80	\$9,500 - 14,000
Cut/polished medium quality	\$0.90 - 2.00	\$4,500 - 10,000
Uncut high quality	\$1.70 - 2.10	\$8,500 - 10,500
Uncut low quality	\$0.09 - 0.55	\$450 - 2,750

*Sources: United States-based gemstone dealers**

** Prices were obtained by comparing three major gemstone dealers in the US, using their published prices (on the internet): Gem Select, Mineral Miners and Gem Rock Auctions*

economy, Badakhshan relies on lapis extraction and export as an economic driver for the province. According to individuals in the business, between laborers, businessmen, transport companies, security and militias, mafia actors, equipment suppliers and government officials, a large portion of Badakhshanis rely in some way on the lapis trade.

Local prices range greatly depending on the quality of the lapis, which has traditionally been broken into 12 levels. Depending on the characteristics, color, density and size of specimens, the price per carat when purchased in Badakhshan ranges from \$0.003 to \$0.24, or twenty times less than prices in the exterior (see Figure 2).

This case study will examine the political economy of the extraction and export of lapis lazuli in Badakhshan province as a driver of conflict in the region.

2. Political and Historical Context

Badakhshan province is situated in far northeastern Afghanistan, sharing a border with three of Afghanistan's six neighbors: Tajikistan to the north, Pakistan to the southeast and China to the far east at the end of the fingerlike Wakhan Corridor. Nestled among the Hindu Kush and Pamir Mountains, Badakhshan is one of the most isolated and remote parts of the country.

The province was integrated formally into the Afghan state as a result of an accommodation between the Russia and Britain, when the Wakhan Corridor, along with much of northern Afghanistan, was established as a buffer between their domains. The international borders were agreed by treaty between the two competing empires in the 1890s, after the second Anglo-Afghan war brought Afghan foreign policy under British control.

Though ethnic approximations in Afghanistan are notoriously prone to error, Badakhshan is estimated to have about 71 percent Tajiks, 12 percent Uzbeks, 10 percent Pamiris and 6 percent Pashtuns.⁴ The vast majority of the various ethnic groups speak Dari Persian, and though the population is entirely Muslim, the confessional split is approximately 80 percent Sunni and 20 percent Ismaili.

Due to its remote position, Badakhshan has been long disconnected from the central rulers in Kabul, whether the monarchy, the communists, the Taliban or the present government. Nevertheless, Badakhshanis played a key role in the anti-Soviet jihad, with Burhanuddin Rabbani, a Badakhshan native, leading the Jamiat-e Islami Party, which was the first mujahedeen group to enter Kabul in 1992 after the collapse of the regime of Dr. Najibullah Khan. Rabbani would become President of the ill-fated mujahedeen government of the early 1990s.

During the anti-communist jihad in the 1980s, Rabbani was the dominant political player in Badakhshan, though many experts contend that his influence was "very loose and his authority was seen as merely symbolic" in most cases.⁵ By the late 1980s, Ahmad Shah Massoud, who had become top military commander of Jamiat and the coordinator of the Shura-e Nazar, became a significant political force in Badakhshan as well.

Despite efforts to negotiate a functional coalition government between the various mujahedeen factions that resulted in the Peshawar Accord of April 1992, civil war soon broke out. Notwithstanding

4. Giustozzi, Antonio and Dominique Orsini (2009). *Centre-periphery Relations in Afghanistan: Badakhshan Between Patrimonialism and Institution-building*. *Central Asian Survey*, Vol. 28, No. 1, p. 2

5. *ibid*, p. 4

Rabbani's formal title as President of the Islamic State of Afghanistan, he was essentially a figurehead. Massoud of Jamiat, Gulbuddin Hekmatyar of Hezb-e Islamic, Abdul Ali Mazari of Hezb-e Wahdat, Abdul Rashid Dostum of Junbesh-e Milli, Abdul Rasul Sayyaf of Ittehad-i Islami and yet more were fighting, making and breaking alliances, and collaborating with Afghanistan's neighbors to better position themselves in the increasingly fractured political competition.

In large part due to the resulting chaos, the Taliban movement, supported by Pakistan, entered Kabul in 1996. Rabbani and Massoud retreated to the northeast and resisted the Taliban advance across the country. By 2001 the Taliban controlled almost all of the country; Badakhshan was one of the few places they had not been able to overrun.

In the 1990s, political control in Badakhshan was split. Rabbani's power base was in the central portion of the province, including Faizabad, the provincial capital. Massoud's area of influence lay in southern Badakhshan and the far north.⁶ Political administration on Rabbani's part was mostly done through patronage, by redistributing land and government resources in order to shore up his support.⁷ For Massoud, the top priority was mounting a defensive and insurgent resistance against the advancing Taliban forces, which apparently received only token support from local commanders in Badakhshan.

3. Conflict Details

The conflict between the Taliban and the National Front (Northern Alliance) forces in the northeast during the mid 1990s was driven by territorial ambitions on both sides. After 1996 it was an expansionist advance for the Taliban, for Massoud a defensive battle.

To fund his military activities, Massoud relied on taxing the extraction and export of gemstones, namely lapis lazuli from southern Badakhshan and emeralds from the Panjshir Valley, his home territory. Contemporary estimates suggested that more than half (50-60 percent) of the National Front's budget was funded by lapis and emeralds, with Massoud taking a 20 percent

cut of all sales⁸. By 1997, he had established full control of Koran wa Munjan district of Badakhshan, where the lapis mines are located, relying on his top commander in Badakhshan, Najimuddin Khan, to take the region and ensure the flow of revenues.

Najimuddin Khan did not directly control Koran wa Munjan or the lapis lazuli mines, instead operating through a subordinate, Commander Abdul Malik. When Najimuddin Khan was killed in late 1999, Massoud moved to take direct command of his subordinates in Badakhshan, including Commander

Figure 2: Prices for lapis from mines in Badakhshan

Quality	Price per Carat	Price per kg
Highest (I)	\$0.24	\$1,200
High (II)	\$0.21	\$1,050
Above average (IV)	\$0.13	\$650
Average (VII)	\$0.06	\$300
Low (X)	\$0.01	\$50
Very low (XII)	\$0.002	\$10

Source: Lapis dealers, exporters and businessmen from Kabul and Badakhshan

Malik. At the same time, Massoud came to an agreement with a Polish company called Inter Commerce to market and distribute his lapis lazuli and emeralds in order to generate more significant and consistent cash flows.⁹

The assassination of Ahmad Shah Massoud in September 2001, followed months later by US military intervention, caused an upheaval in political arrangements in Badakhshan. Massoud's associates from Jamiat, particularly his fellow Panjshiris, entered Kabul in November 2001 and immediately began to consolidate their dominance of the Ministry of Defense and related security structures. Commander Malik stayed in place in Koran wa Munjan and was named as the police commander for the district. His militia was reconstituted as the local police unit. Though native Badakhshanis associated with Rabbani endeavored to get hold of the lapis trade, Marshal Mohammad Fahim, Massoud's former deputy and by 2002 the Minister of Defense in Kabul, became the chief patron

6. *ibid*, p. 5

7. *ibid*, p. 6

8. Rubin, Barnett (2000). *The Political Economy of War and Peace in Afghanistan*. World Development Vol. 28, No. 10, p. 1797

9. *ibid*, p. 1797

of Commander Malik and the lapis industry.

Despite Fahim's formal position within the central government during the early 2000s, the lapis trade remained almost entirely informal; taxes were not collected for the Ministry of Finance. Lapis shipments of varying quality were purchased from mine operators in Koran wa Munjan by contractors associated with Panjshiri notables in Kabul, then brought to Peshawar.¹⁰

By 2005, however, newly elected President Hamid Karzai decided that Badakhshan's decentralized system of power politics and patronage must be subsumed into his regime's increasingly centralized structure. Afghanistan's new and ostensibly democratic political system declared the unitary government in Kabul to be the ultimate authority on all matters, ranging from provincial and district appointments, security, economic development and social affairs. Despite the rhetoric emanating from the center, the individuals guiding the state were neither capable of nor interested to organize the governance institutions required to administer such a system.¹¹ Instead, the Karzai government aimed to adjust the lines of patronage so that provincial notables would become allied with and eventually dependent on the benefaction of Kabul.¹² The approach had a 'divide and conquer' element to it as well; Kabul could favor certain local actors over others and deliberately marginalize opponents.

It was within this context that Zalmay Mujaddedi Khan emerged as a key player in the political drama of Badakhshan. Based in Kabul from 1988 onward as the head of Presidential Security for the National Directorate of Security (NDS), Zalmay became closely acquainted with Karzai after the latter's inauguration as President in 2002. Using his high-level connections with both Karzai and Rabbani, Zalmay Khan amassed the political weight and wealth required to make a power play back in Badakhshan. He was elected to Parliament in 2005. By 2007, he was, as per

10. Interview with lapis industry insiders from Badakhshan, 2 June 2012

11. Thomas Barfield, in his book *Afghanistan: A Cultural and Political History*, notes that governance in Afghanistan traditionally is based on individuals rather than institutions. Patrimonial patronage structures are a fundamental element of this, as opposed to institutional patronage, as tends to be practiced in the West.

12. Giustozzi and Orsini 2009, p. 10



Hundreds of kilograms of mid-grade lapis in a Kabul warehouse packed and ready for export to India. The overall shipment was nearly 200 metric tons. (photo: Renard Sexton)

Antonio Giustozzi, Karzai's "shadow viceroy" for Badakhshan province, positioned to undermine the traditional political power bases of local leaders like Rabbani, circumvent the official structures in Faizabad, and centralize patronage through the Karzai administration. Such was the underlying strategy of those close to the President in Kabul.¹³

One of Zalmay Khan's first moves was to make a play for control of the lapis lazuli mines in Koran wa Munjan. Installing his brother Asadullah Mujaddedi as the security commander for the mining area, he intimidated and in some cases killed rivals to become the dominant player in the district. According to individuals in the lapis industry, several small-time former mujahedeen commanders who actively opposed the attempt to take over the lapis trade were eliminated through the use of contract killers.¹⁴ Commander Malik initially resisted Zalmay Khan's takeover of the region, reportedly manipulating local Sunni and Ismaili rivalries in the district to undermine the new regime in town.¹⁵

In 2007 the newly established Independent Directorate for Local Governance (IDLG) decided that provincial district police chiefs, including those of Badakhshan, would be replaced by more professional individuals. Zalmay Khan intervened to save Commander Malik's position, as well as the jobs of three other district chiefs

13. Giustozzi and Orsini 2009, p. 14

14. Interviews with lapis industry insiders from Badakhshan, 2 June 2012

15. Giustozzi and Orsini 2009, p. 12-13

of police in his sphere of influence.¹⁶ This seems to have started a process of rapprochement between the men, who both had an interest in avoiding meddling in their local fiefdoms by either Kabul or Faizabad.

Commander Malik likely realized that Zalmay Khan was the rising power in the province's politics and that Karzai's man had the financial, political and military clout to eliminate practically anyone in his path. A



Many in the lapis trade are former mujahedeen commanders or their children from Badakhshan and Panjshir. (photo: Renard Sexton)

reduced role in the lapis sector mafia was far more desirable than being fully marginalized or killed. Malik shifted his focus to pushing out rivals to achieve full control of the fraction of the lapis trade still under his control. He reportedly eliminated at least one former mujahedeen commander involved in lapis smuggling in 2008 and clashed with another in 2009.¹⁷

Malik also agreed to a non-aggression pact with the growing Taliban/insurgent movement in neighboring Nuristan, pledging that he would not interfere with

their operations if they did not disturb the lapis mines.¹⁸ Koran wa Munjan district was a key transit zone for insurgent groups coming from eastern Afghanistan and Pakistan to the northern region. This arrangement became press fodder in August 2010 when a squad of about a dozen Taliban fighters assaulted and killed a team of western medics in Koran wa Munjan who were also engaging in covert Christian missionary work.¹⁹

In early 2011, Malik's efforts to push out competing commanders again came to a head, with his militia forces clashing with those of Ghulam Nasir, another former mujahedeen commander with interests in the lapis trade.²⁰ The dispute was reportedly related to lapis transit routes and shipment payments, as well as a degree of personal enmity between the men. In spite of interventions by provincial police officials to mediate, the conflict continued for months.²¹

After direct fighting between the rival forces in March 2011, Ghulam Nasir's men fired RPGs at government facilities in April, followed by a retaliatory IED that was detonated near Nasir's home.²² This was followed by RPG attacks on Malik's headquarters in May, and by clashes in June.²³ Periodic fighting continued in November, when numerous civilian casualties were reported as a result of the conflict.²⁴ Finally, after three intensive weeks of fighting in May 2012, members of the Badakhshan High Peace council and provincial security officers reported that a mediated ceasefire had finally been negotiated between the parties in conflict. At the time of writing a tenuous ceasefire is in place between the factions.

The upsurge in conflict between local commanders in Koran wa Munjan corresponded with a period of political instability in Badakhshan. This has been presaged by the assassination of Burhanuddin Rabbani, then the head of President Karzai's High

18. *The Australian* (16 August 2010). *Afghan Police Chief Blamed for Aid Killings*

19. *ibid.*

20. Tayar, Jafar (3 March 2011). *16 armed men detained in Badakhshan*, Pajhwok Afghan News

21. Interview with lapis industry insider, 2 June 2012

22. ANSO Report 1-15 April 2011, Afghanistan NGO Safety Organization, retrieved from Relief Web

23. ANSO Report 1-15 May 2011, Afghanistan NGO Safety Organization, retrieved from Relief Web

24. Pajhwok Afghan News (21 November 2011). *Daily Security Brief: November 21, 2011*. PAN

16. *ibid.*, p. 13

17. Interviews with Badakhshani lapis industry insiders, 18 March 2012 & 2 June 2012

Peace Council, by a suicide bomber in September 2011. His death coincided with a perceived reduction of the authority of Zalmay Khan due to cooling relations with Kabul. Accordingly a substantial power vacuum was opened in the province.

After several months of uncertainty, Rabbani's son Salahuddin was named to replace his father as chief of the High Peace Council²⁵ and has been tipped as the next leader of Jamiat-e Islami.²⁶ He does not have the credentials of his father as a mujahedeen leader or as an Islamic scholar, leading many to regard his appointment as largely symbolic.

Local commanders involved in the lapis trade have reacted to both developments with efforts to consolidate and expand their positions. Both Commander Malik and Ghulam Nasir have reinforced their positions as actors with some independence. Zalmay Khan, whose political base is farther north in Jurm district, has seen his influence wane in Koran wa Munjan, though his brother remains the security chief for the lapis mines.

The province is poised for dramatic realignments in the near future as younger leaders and politicians jockey to make their mark. The 'old guard' of Rabbani loyalists are being challenged by the next generation. Jamiat's relatively hostile relationship with the Karzai government at present also portends a showdown as NATO forces withdraw from the region. Regardless of the outcome, whoever gains power provincially will immediately set their sights on the lapis trade as a source of income.

4. Political Economy of the Conflict

The conflicts linked to lapis lazuli extraction have changed over the past thirty years as power relations and structures have evolved in Badakhshan. Initially, Jamiat-e Islami militants engaged in jihad against communist and later Taliban forces dominated the sector, relying on lapis extraction for a considerable portion of the revenues that funded their armed struggle. After the death of Ahmad Shah Massoud and the elimination of the Taliban as a territorial threat, a

scramble for control was settled by the emergence of a Karzai client warlord, Zalmay Khan. The death of Burhanuddin Rabbani and a weakening of Kabul's commitment to Zalmay Khan in 2011 once again opened the door for local commanders to compete for control of the sector.

Political changes in the lapis industry have been accompanied by a growing role for central government officials in the trade, marking a transformation from the strictly informal approach that marked the jihad period. Today the trade is semi-formalized, with low and mid grade lapis often traveling openly through official channels, including the payment of taxes to Ministry of Mines officials in Badakhshan and the assessment of customs duties before export from Afghanistan. This process is marked by systematic corruption, however, as little of the revenues actually reach the Afghan exchequer. For example, despite an increase in state involvement in the lapis sector during 2009-10, the government recorded receiving only



Hundreds of kilograms of mid-grade lapis in a Kabul warehouse packed and ready for export to India. The overall shipment was nearly 200 metric tons. (photo: Renard Sexton)

25. BBC News. (14 April 2012). *Murdered Afghan Talks Head Rabbani Replaced by son*

26. Interview with Jamiat officials, 23 May 2012

\$16,000 (800,000 Afs) in royalty revenues from lapis sales during that period.²⁷

Industry insiders report that regardless of quality, \$2 in extraction royalties is paid by mine operators to the Afghan government per 7 kg (an Afghan traditional measurement of weight called a *ser*) of lapis²⁸. These operators are local businessmen who manage the mines, provide the capital and tools, pay laborers and foremen, pay rent to local 'maliks' who own the rights to mine from a given area, pay off militia commanders like Commander Malik and Assadullah Mujadeddi and then sell their lapis to traders.

A typical medium sized trader will annually move 150 to 200 metric tons of lapis that varies in quality from very low to high, and nationally the annual take is estimated to be 2 to 3 thousand tons. These figures would imply that just the extraction royalties would be worth at least \$570,000 to \$860,000 per year. These revenues are distributed to numerous individuals in the provincial government, Ministry of Mines, local notables, power brokers, members of Parliament like Zalmai Khan and the Provincial Council.²⁹ If the \$16,000 officially collected by the government in 2010 is any indication, only a token trickle actually makes its way to the coffers of the central state.

Traders commonly bring their cargo from Badakhshan to Kabul, where it is cleaned, sorted and packed into metal boxes for export. Typically, each box is 10 *ser*, or 70-75 kgs, and contains lapis of a similar grade. Other fees and protection money for security in and outside of Badakhshan is usually required, around \$2-4 per *ser*.³⁰

To ship the cartons of lapis out of the country, traders are required to pay a customs tax, which reportedly ranges from 15 to 20 percent of the value of the stone. Despite that seemingly high figure, there are many ways for traders to reduce their tax burden at customs. One option is to bribe customs officials in order to pay the customs tax on a lower quantity and/or quality of stone. For example, if you are exporting 100 tons of

mid-grade lapis, customs agents would be bribed to register the customs assessment as only 25 tons of low grade lapis.

Similarly, it is easy to hide small quantities of high-grade stones among the hundreds of containers needed to move hundreds of thousands of kg of low or mid grade stones. Typically, metal containers of 70 to 75 kg are used to move lapis: a typical shipment of 150 metric tons of mid grade lapis for export would be about 2000 containers. Usually there are drug sniffing dogs at the customs inspection to insure opium or cannabis resins are not moved with lapis, but hidden high grade lapis is difficult to discern for the untrained eye.

Outright smuggling of lapis is still an option, though it seems that today smuggling is undertaken only for very high quality stone, valuable enough to warrant working around the system. Smuggling is expensive and risky from Badakhshan to Peshawar and beyond; it is simply not possible to hide up to a dozen large trucks moving the tens if not hundreds of metric tons needed for a trader to make a decent profit.

One in Pakistan, additional bribes are needed, with the amount dependent on the extent of the trader's connections in the region. For former mujahedeen commanders and their associates, their time based in Peshawar collaborating with Pakistani officials during the anti-Soviet jihad and afterwards continues to pay off today: they usually only pay around \$2,000-2,500 per shipment to move from the Khyber Pass through to Peshawar. Poorly connected traders find themselves paying much more in protection money and bribes, around \$30,000-35,000. When the sales of high grade stone are finalized in Peshawar, the traders and businessmen in Badakhshan receive substantial profits, estimated to be about a 60 percent profit margin.

Given the large quantities of cash that are associated with the trade, conflict over its benefits is not a surprising phenomenon. Due to Badakhshan's remoteness and high rate of poverty, the lapis trade is one of only a few options for generating cash revenues for the province (another being opium production and processing). The lapis industry is relied on by many extended hands, from top level commanders,

27. Tanha, Gul Muhammad and Hadi Kazimi (23 August 2010). *Lapis Lazuli Extracted Improperly in Badakhshan*. Pajhwok Afghan News

28. Interviews with lapis industry insiders from Badakhshan, 18 March 2012 & 2 June 2012

29. *ibid*.

30. Interview with lapis industry insider, 2 June 2012

businessmen, government officials and political notables down to laborers, militiamen, police officers and truck drivers.

Zalmai Khan's eroding political position in Badakhshan is perhaps due in part to the fact that so many influential as well as more normal residents of the province now rely on the lapis trade for their livelihoods. When Zalmai Khan effectively secured a monopoly on the industry in 2007, he made numerous enemies of people who saw their main livelihood being closed off. He likely calculated that in the short term, his support from Kabul would deter any serious challenge to his authority, and that for the long term he would be able to build his own patrimonial patronage network to maintain control if the Karzai administration backed off. With so many rivals for control over the lapis trade, and the political adjustments after Rabbani's demise, his plan seems to have run into difficulties. Indeed, the conditions are ripe for Badakhshan to suffer its next round of battle for control of the deep blue *lajward*.

Case Study 6: Industrial Iron Mining in Bamiyan Province

1. The Resource

Afghanistan is very rich in minerals, with significant deposits of copper, iron, chromite and gemstones, along with fossil fuel reserves of coal, oil and natural gas. Due to the country's geographic isolation and lack of infrastructure there has been minimal development of these resources, with the notable exception of precious and semi-precious gemstones.¹

Donor assistance to Afghanistan peaked several years ago and is currently in decline. Large scale industrial mining has been identified as a strategic goal by the Afghan government and its foreign partners, to generate revenue for the central government and to expand employment. Development of the sector will first target copper, iron ore and hydrocarbons and will require substantial capital investment and skilled labor, neither of which Afghanistan has at present. The strategy therefore is to attract foreign investment and with it the expertise needed to exploit the reserves.

The first large mining concession was tendered in 2007, with the Aynak copper deposit in Logar province awarded to a Chinese consortium led by the China Metallurgical Construction Company (MCC). The production contract between the state-owned MCC and the Afghan Ministry of Mines was signed in 2008, though it has not been publicly released.²

1. Because they can be extracted in an artisanal fashion and are sufficiently valuable to be exported without processing, gemstones like lapis lazuli, emeralds and tourmaline have long been mined and exported using techniques that require minimal capital investment, such as dynamite and hand shovels.

2. The UK-based NGO Global Witness released a report in April 2012 in which they claim to have seen the final Aynak contract and compare its provisions to the Qara-Zaghan gold concession (awarded in 2011).



The tender received several competitive bids and a binding agreement was signed with the government's first choice bidder - both of which are considered as positive indicators for the further development of the mining sector. Soon after, the US Geological Survey released a minerals survey indicating that there are extensive and diverse mineral deposits throughout the country, resources potentially worth hundreds of billions of dollars.³

The next resource tagged for immediate priority was iron ore, specifically an iron ore deposit in central Afghanistan known as Hajigak⁴. Located in far eastern Bamiyan province, in fact straddling the border between Bamiyan and neighboring Maidan Wardak province in some places, Hajigak has been called

3. Risen, James (13 June 2010). U.S. Identifies Vast Mineral Riches in Afghanistan. New York Times

4. The area is known locally as "Ajagak" rather than Hajigak, based on an old myth regarding an old woman the "Aja" who ran a stopping place for caravans that were going through the pass now known as "Hajigak".

“the jewel of Afghanistan” for its immensity and high quality ore⁵.

Iron ore is usually not exported in raw form, due to its low value per weight and volume. Instead, basic smelting into high-carbon “pig iron” adds considerable value and makes export, especially from a country like Afghanistan, more economically viable. Pig iron is the main input for the manufacture of steel, where iron is alloyed with carbon, manganese and small amounts of other elements.

Today China is by far the biggest producer of both iron and steel, producing 46 percent of global crude steel (more than 6 times the second largest producer Japan, at just over 7 percent⁶) and 55 percent of the world’s pig iron.

The Hajigak bidding process was opened by the Ministry of Mines in 2009, but there was at the outset only minimal interest from mining companies. The tender was cancelled in early 2010 by incoming Minister Wahidullah Shahrani, who decided to reissue the tender in a more “streamlined” fashion. In the end, six bids were submitted by companies from four countries. In November 2011, after three months of deliberations, the Afghan government awarded three of the four blocks of the Hajigak concession to a consortium of seven Indian companies, led by the state-owned Steel Authority of India Limited (SAIL), and one block to a Canadian company, Kilo Goldmines Limited⁷. The contract was negotiated through early 2012 and according to reports will be signed and brought into force in July or August 2012, when a revised Mines and Minerals law is expected to be passed by the Parliament.⁸

India’s high profile, government-backed bid to invest in Hajigak reflected a strategic decision on the part of the Indian state, with Prime Minister Manmohan Singh reportedly saying that a broader Indian presence in Afghanistan was “essential for Indian security”.⁹ Not surprisingly, has set alarm bells ringing

5. Noorani, Javed (10 July 2011). *Hajigak: The Jewel of Afghan Mines*. Integrity Watch Afghanistan, p. 26

6. followed by the United States at 6 percent and India at 5 percent

7. Najafizada, Eltaf (29 November 2011). *Afghanistan Awards Indian Group Hajigak Iron-Ore Mining Rights*. Bloomberg

8. Interview with Ministry of Mines officials, 19 June 2012

9. Najafizada, Eltaf (29 November 2011). *Afghanistan Awards Indian Group Hajigak Iron-Ore Mining Rights*. Bloomberg

in Pakistan, with India being suspected of trying to ‘encircle’ Pakistan through its western neighbor.

Because the industrial mining sector in Afghanistan is so young, there are no major mines presently in operation. Based on similar examples in other developing countries, especially those emerging from conflict, it is clear that mining is an activity with considerable potential to cause conflict. This case study will focus on the political economy of the Hajigak iron mine and the potential for conflict as it is developed.

Because the case is based on anticipated scenarios, it is more speculative than the other case studies. The work is grounded in analogous examples from other resource sectors of the Afghan economy and the stated intentions of key players.

2. Political and Historical Context

Bamiyan province, where Hajigak is primarily located, has a long and complicated relationship with the central Afghan state. Bamiyan is the cultural and political center of what is known as “Hazarajat”, a contiguous group of districts across seven provinces in central Afghanistan that was once the autonomous homeland of the Hazara people, one of Afghanistan’s main ethnic groups.¹⁰ Hazarajat was only fully integrated into the state of Afghanistan in the late 19th century, during the reign of Amir Abdur Rahman. The Amir was encouraged and supplied by the British Raj in India in order to deter a possible Russian invasion and he used the opportunity to consolidate state control over regions nominally considered as Afghan territory. Hazarajat was subdued by force, with the ‘Iron Amir’ mobilizing his Pashtun co-ethnics to attack the central highlands by declaring the Shiite Hazaras as ‘kafir’ (non-believers).¹¹ The consequences included massive land seizures and the enslavement of large numbers of Hazara.

The position of Hazara people began to improve following the communist revolution of 1978, as the leftist ideology of successive communist governments

10. The Hazaras are generally defined as Persian-speaking Shias with links to Hazarajat and make up an estimated 9-18 percent of the population of Afghanistan (about 2.5 to 5 million people). They are often described as having mongolian facial features

11. This narrative is discussed in greater detail in Case Study 3: Rangelands in Ghazni and Maidan Wardak Provinces

avowedly did not discriminate based on ethnicity or religion. Hazarajat suffered a period of oppressive occupation by the Taliban in the mid to late 1990s. In the post-Taliban period, the active Hazara role in the ethnic balancing act of the center and the growing percentage of Hazara population in the capital have been factors in their increasingly prominent national role.

Hazarajat has emerged as the most peaceful part of Afghanistan in the post-2001 period, with Bamiyan province often leading the way in security indicators. Today, the people of Bamiyan and western Maidan Wardak, who are predominantly Hazara, are very sensitive about domination from Kabul, especially by Pashtuns. The efforts by the now Pashtun-dominated Karzai administration in Kabul to take control of strategic resources are regularly met with reflex hostility by non-Pashtun provincial populations, especially in Hazarajat.

India has a history of several decades of cooperation with Afghanistan, going back to 1950, when the two nations signed a 'Treaty of Friendship'. In 1963, during the reign of King Zahir Shah, India sent a high level delegation to Afghanistan, which included a visit to the site of the "colossal" Buddhas in Bamiyan. Prime Minister Indira Gandhi herself later visited the Bamiyan Buddhas, which were in disrepair at the time, and committed India to supporting a archeological restoration project in cooperation with the Afghan government.¹² The work, which celebrated the common Buddhist religious heritage of Afghanistan and India, was started in 1969 and was completed in 1972.

India's collaboration with the Afghan government has been a source of anxiety for Pakistan, which has a unique relationship with Afghanistan. Pakistan and Afghanistan share a contested 2430 kilometer border, based on the British imposed Durand Line. The border divides the Pashtun homeland, with the Afghan government officially claiming that the treaty has expired after a century of dubious validity.

Pakistan was a key factor in the anti-soviet jihad,

sponsoring most of the mujahedeen groups with billions of dollars sourced from the United States and Saudi Arabia. The Pakistanis attempted to mediate several political accommodations during the post-Soviet period, but when Afghanistan descended into civil war, Pakistan sponsored backed the Taliban and supported their eventual government. Subsequent to the American invasion that deposed the Taliban, many insurgents have again found sanctuary in the tribal parts of Pakistan, repeating the pattern established during the jihad period. Relations between the Karzai government and Pakistan have consequently lurched from crisis to crisis during the past ten years.

India's relationship with Afghanistan during the past ten years has been more harmonious. In October 2011, during a state visit by Afghan President Hamid Karzai to New Delhi, Indian Prime Minister Singh and Karzai signed a treaty of "strategic partnership" between their respective nations.¹³ The agreement specified that the two countries would collaborate on security, trade and cultural issues, but remained vague as to how this would be achieved. Karzai has personal ties to India as well, having done his postgraduate studies at Himachal Pradesh University in Shimla in the late 1970s.

This relationship has had practical outcomes as well as rhetorical flourishes. India has been the fifth largest donor to Afghanistan's post-Taliban reconstruction, committing \$2 billion to numerous development projects, large and small.¹⁴ The highest profile initiatives, namely India's construction of a strategic highway in the southwestern province of Nimroz, the rehabilitation of Salma Dam in Herat province, a 400 kilometer electrical connection from Uzbekistan to Kabul and the construction of a new parliament building in Kabul, have built India's reputation as an important player in Afghanistan. The confirmation of India's major investment in Afghanistan's emerging mining sector must be viewed, therefore, as an important step in a process of progressively stronger ties between the two governments.

12. Sen Gupta, R. (1972). *The Buddha in Afghanistan : India's Aid to Bring Bamiyan Back to Life*. New Delhi : Ministry of External Affairs, India

13. Al Jazeera. (4 October 2011). *Karzai Seals Strategic Pact With India*.

14. Basar, Eray (March 2012). *The Roles of India & Pakistan in Afghanistan's Development & Natural Resources*. Civil Military Fusion Centre

3. Conflict Analysis

To date there have not been violent incidents at the Hajigak site. The mine project remains in the planning and development stage; actual construction, extraction and export is expected only in the medium term. Few observers have focused on the potential for conflict related to the mine project. Instead, most attention has been directed to the legal details of the SAIL consortium contract with the central government, which is meant to include substantial environmental and social protections along with royalty payments to the Ministry of Mines.

The exploration contract is set to be signed in 2012, launching an 18 month development period, after which construction and engineering activities can start. Nonetheless, there are three main areas of possible conflict with regard to the Hajigak project as it is developed.

The first issue of concern is the potential for a showdown between local and regional notables and the central government over the benefits and revenues of the mine. Hajigak has already been cast by some as an usurpation of local autonomy for the benefit of the Kabul government, which is well known to be corrupt.¹⁵ Local people in Bamiyan are hopeful that the mine will bring employment; the Ministry of Mines has said that 30,000 people from the province will be employed once construction begins. It is unclear, however, how the region's political leadership and notables, especially those who are not presently allied with the central government, will benefit.

This risk of confrontation is colorfully illustrated by recent events in the northwestern provinces of Sar-e Pul and Faryab over the development of the region's oil fields. The government in Kabul awarded the area's Amu Darya oil concession to the China National Petroleum Corp (CNPC) in late 2011, with exploration slated to begin in mid 2012. The CNPC selected the Watan Group, a largely Pashtun company owned and operated by cousins of President Karzai,¹⁶ to be the national partner for their operations in Afghanistan.

General Abdul Rashid Dostum, a major Uzbek power broker and former warlord who remains the dominant political player in Faryab and Sar-e Pul provinces, took issue with this arrangement, which cut him and other Uzbek notables out of the business. In June 2012, it was reported that Dostum's militias were actively trying to intimidate CNPC, "disrupting" their exploration work in protest for the lack of an accommodation with the General.¹⁷ Dostum's position is that the revenues from oil blocks in the two provinces belong to the residents of those areas, and that they should receive at least a portion of the proceeds, channeled, undoubtedly, through leaders like himself. He is widely popular throughout the region and has significant public support in the region for this position. Nonetheless, the central government has declared the deal done, and has sent 300 policemen to secure the site from further tampering.¹⁸

In the case of Hajigak, there is no dominant political or military figure who could mobilize a militia to attempt to intimidate the center in the style of Dostum. The Hazara however regularly use public demonstrations to agitate for their political positions, some of which have descended into violence. Such protests could be mobilized by power brokers in Bamiyan or elsewhere in Hazarajat, or in Kabul itself, where at least 1.5 million Hazaras reside.

In addition to the issue of revenue and benefits sharing, there are concerns that the SAIL commitments for local development (roads, educational facilities and clinics) could be a source of conflict whether they are implemented effectively or not. If the work is viewed as insufficient, there could be social unrest among local people, who have very high expectations for the mine. If it is extensively implemented, there is likely to be tension and perhaps conflict between those who have received the benefits and those not within the area of patronage.

A good example of this phenomenon was documented by the Afghan NGO 'Integrity Watch Afghanistan'. The Aga Khan Foundation has deployed a variety of economic and social development projects on the Bamiyan side of the Hajigak area during the last ten

15. BBC Persian (27 May 2012). 'Illegal' Extraction of Coal in Bamiyan Banned by Government.

16. According to the New York Times, one of Watan's biggest shareholders is Qayum Karzai, brother of the President

17. Shalizi, Hamid (11 June 2012). Afghans Say Former Warlord Meddling in China Oil Deal. Reuters

18. *ibid.*

years, and is regarded as having had a positive impact on the communities there. Just across the border in Maidan Wardak province, however, the villagers have been “left completely out” of the programming, an omission that has caused considerable resentment.¹⁹

In the case of the much grander scale Hajigak project, more will be at stake for the surrounding villages. If benefits are not perceived as being equitably spread throughout the adjacent districts, such a situation could lead to conflict. The mine will immediately become the center of attention for local communities desperate for opportunity and advancement, whether compensation for lands taken during construction, employment contracts, or the building of clinics and schools.

The second major risk for conflict related to the Hajigak project is the ongoing competition between Pakistan and India for influence in Afghanistan. Pakistan has shown a willingness in the past to use proxies to achieve policy goals in Afghanistan, especially by arming and mobilizing militia groups. While Bamiyan does not have a ethnic or political profile that is conducive to this sort of an effort, the neighboring provinces do.

The only serious security incidents that have taken place to date in Bamiyan province in the post-2001 period have been Taliban-affiliated militants infiltrating Kahmard district (northeastern Bamiyan) from Baghlan province to attack shoot ANP checkpoints.²⁰ According to military officials from New Zealand, who have managed the Provincial Reconstruction Team (PRT) for Bamiyan province since 2003, these militants are more mercenary than ideological in their aims.²¹ To date, they have only take action against (relatively soft) government targets when money arrives from sources in Pakistan or eastern Afghanistan. When attacks are carried out, the goal seems more to generate headlines and undermine the psychological position of the police and government officials rather than inflict casualties. At first response from Afghan or international security

forces, they are quick to flee.²²

Nonetheless, these attacks have had a noticeable impact on the perceived security of Kahmard district, with the area developing a reputation locally and regionally as ‘insecure.’ New Zealand military forces have conducted numerous operations in response, such as an August 2010 raid²³ in Kahmard against insurgents and in April 2011 to seize a weapons dump by joint ISAF/Afghan forces.²⁴

As part of the on-going transition to Afghan security forces assuming the lead for security across the country, New Zealand military forces will withdraw from Bamiyan in 2013. In both Kabul and the province it is widely assumed that security will remain good. Given the generally light footprint of Afghan national security forces in the province, however, it is possible that militants from Baghlan (or elsewhere, transiting through Baghlan), supported by Pakistan, could cause significant problems to the development of the Hajigak project. A similar situation unfolded around the Salma Dam in Herat province, where Iran incited more than four years of serious security problems, nearly derailing the project by supporting militants based from neighboring Ghor province (as profiled in Chapter 4).

A third issue that may cause conflict is related to competing claims for resources between the Chinese Aynak copper mine and Indian-run Hajigak. While it is unlikely that the concession companies or nations themselves would become engaged in active dispute, their suppliers, transport contractors and Afghan partners could become embroiled in conflicts, especially over coal or construction materials.

Both operations will require a regular supply of high quality thermal coal for power generation and coking coal for smelting. Thermal coal is also greatly in demand locally and in cities for heating and cooking. With a limited supply of local coal resources, supply

19. Noorani, Javed (10 July 2011). *Hajigak: The Jewel of Afghan Mines*. Integrity Watch Afghanistan, p. 14

20. Interview with New Zealand military official, 22 May 2012

21. *ibid.*

22. *ibid.*

23. NZ Defense Force (20 April 2011). *NZ Defence Force Operations In Bamiyan Province*. Press Release, retrieved 21 June 2012 from <http://www.nzdf.mil.nz/news/media-releases/2011/20110421-noibpo22a2010.htm>

24. International Security Assistance Force Joint Command. (April 15, 2011). *Forces Capture Insurgents, Weapons in Afghanistan*. International Security Assistance Force Joint Command News Releases, retrieved 21 June 2012 from <http://www.defense.gov/news/newsarticle.aspx?id=63572>

shortfalls will cause competition between contractors as well as mafia actors in the coal business. Bouts of intense competition for supplies in other industries (such as fuel) in the past have provoked conflict.

Of the three potential causes of conflict, supply competition is the issue most firmly within the control of the concession companies themselves, as opposed to 'outside' political concerns. Accordingly, they will be able to take measures to avoid this scenario. The most positive scenario is the opportunity for cooperation between the Indian and Chinese ventures, for example, by jointly constructing stretches of railway that can support both sites..

4. Political Economy

As put by Indian officials, the SAIL-led bid for Hajigak was an expressed "effort of the Indian government to support Afghanistan."²⁵ India's political interests in Afghanistan led the Indian Ministry of Foreign Affairs to approach public and private Indian companies to organize a competitive bid; the ministry cast its support for the Hajigak project in terms of national interest. The lead company of the winning Indian consortium is state-owned.

Despite the political overtones, the Hajigak investment also makes economic sense for India. It has become difficult in recent years to expand the mining sector in India, due to the growing strength of environmental and social protections and the efforts of activists to publicize the negative impacts of mining to local communities. In a nation as densely populated as India, it is difficult to find mineral reserves that can be exploited without upsetting communities in the vicinity.

For example, in the case of the Indian state of Goa, open pit iron ore mining for export to China was very profitable, but caused uproar about environmental concerns, including the health of a nearby tiger reserve.²⁶ Investigations by the central government have been launched and local activists have called for the industry to be shut down, despite its positive impact on employment in the state.

China is the world's largest consumer of iron, in 2011

²⁵ Interview with an Indian official, 11 June 2012

²⁶ North, Andrew (14 November 2011). *India's Controversial Iron Mining Boom*. BBC News

accounting for about 50 percent of global imports, and India is China's third largest supplier, behind Brazil and Australia. The output of the Hajigak mine could be exported directly to China or brought through India. In either case it can help to relieve the pressure on domestic extraction as well as serving a foreign policy goal.

The Indian approach to negotiating and developing Hajigak used the central government in Kabul as its sole interface. This is common in the global mining sector. International mining companies prefer to have a single authoritative counterpart who manages the domestic landscape and ensure a good working environment. Given Afghanistan's persistent problems of center-periphery relations, however, this method is of questionable efficacy, as shown by the nascent conflict over the oil concession in Faryab and Sar-e Pul provinces.

The Indian embassy describes its development approach by saying:

*"Our work is much less expensive than American, European or Japanese development because we employ civil servants who are generally technical experts, rather than private consultants or private security. We do not bring on economists or political people, leaving security and politics up to the Afghan government, as they are not our role."*²⁷

With this in mind, it can be anticipated that a mining arrangement without adequate reference to regional power brokers that cuts them out of the revenue stream, could provoke violence. The local power brokers know that it will be a challenge for the Afghan central government to secure the remote project site, smelter, coal supply lines, and export routes, especially after NATO forces have left the country. If a determined opponent mobilizes militia groups associated with insurgents or others, it would not be difficult to slow down, if not halt, the development or operation of the mine, even if the immediate area around Hajigak is secure.

The role of Pakistan's various official agencies and unofficial actors is vital in this context, because India's long-term economic and political presence in Afghanistan is assured through the Hajigak project.

²⁷ Interview with Indian official, 11 June 2012

Whereas smaller projects like the construction of the new parliament building in Kabul, the rebuilding of Salma Dam in Herat and road construction in the south are time-bound ventures, the Hajigak contract envisions a Indian commitment to Afghanistan of several decades. Fearing encirclement by their arch-enemy, the Pakistani intelligence services and military may calculate that it is worth taking decisive action to prevent Hajigak from becoming operational.

In this context, China and its interest in the Aynak copper mine will play a tangential but potentially important role. There has been ongoing speculation as to whether the Aynak copper mine was taken by the Chinese for immediate development or as a matter of “strategic depth”. China is the world’s largest importer of copper, accounting for about 30 percent of copper imports globally. Chinese stockpiles of copper have been rising in recent years, as its economy has slowed slightly in the wake of the global financial crisis of 2008, making the variation in Chinese copper imports largely price dependent²⁸. Given the enormous costs of developing the Aynak site, which could at its peak produce 200,000 tons of copper per year (less than 5 percent of the 4.07 million tons of unwrought copper China imported in 2011), it is an open question of when and if it will suit the Chinese to bring the mine into production. Statements from one of the Chinese copper companies in the bid say that they “hope” Aynak will begin production between 2014 and 2016²⁹.

If Chinese development of Aynak proceeds alongside the Indian development of Hajigak, there will be a joint interest in stability and security in the region of the mines, which are relatively close to each other. China retains influence with the Pakistani leadership and could be a force for moderation with regard to restraining any potential in Afghanistan for Pakistani proxy conflict with India.

This dovetails with the issue of Chinese competition with India for inputs. Given the confluence of interests for security in Afghanistan and a good business environment, it is very unlikely that direct conflict would break out between those local companies or notables contracting with the Chinese and Indian projects.

28. Bloomberg News (23 April 2012). *China March Copper Imports Decline as Exports Surge*.

29. Reuters (28 March 2012). *Jiangxi Copper says hopes Afghan Aynak mine to start in 2014-16*.

Given the relative scarcity of good quality coal and the premium to be paid for reliable delivery, Afghan actors (the central government, regional power brokers, legitimate and non-legitimate businesspeople) will scramble to control the extraction and transport of coal. As witnessed with similar service contracts negotiated between international companies and Afghan providers, there is often a great deal of corruption, nepotism and sometimes conflict associated with these arrangements.³⁰

In short, there are numerous points in the process of developing the Hajigak concession in which conflict may be ignited. Depending on the intensity, such conflicts might threaten the viability project, or simply ensure a bumpy but tolerable ride for the Indian concessionaires, local power brokers and the Afghan central government. Ideally a settlement of each issue will be negotiated that is profitable and acceptable to all involved. Should resolution not be found, however, state force would be the tool to compel unhappy parties to cooperate, or at least to not interfere. But given the Indians unwillingness to deploy military force in Afghanistan and the Afghan central government’s apparent weakness in the region, the protagonists may not have enough firepower to keep quiet or control any aggrieved parties. Therefore the optimal solution will be a careful mix of carrot and carrot, by co-opting those who can be persuaded and mollified by payoffs and patronage.

30. For example, transportation contractors typically are obliged to pay protection money to mafia groups, local militia commanders, Taliban groups, etc. to avoid being attacked on the road. Nonetheless, highway banditry remains an ongoing problem for truckers.

Case Study 7: Timber in Kunar Province

1. The Resource

Afghanistan's timber forests are one of its most important renewable resources. They are located primarily in two areas along the eastern border with Pakistan. The smaller southern belt, runs through Paktiya, Khost and Paktika provinces, while the more extensive northern belt is located in Nuristan, Nangarhar and Kunar provinces. Though smaller in land area than the other two provinces in the northern belt, Kunar is the most important province for timber extraction, especially wood for export.

There has been considerable discussion of the timber industry in Afghanistan, both as an alleged environmental disaster in the making¹ and as an economic resource that has supposedly funded armed groups like the Taliban.²

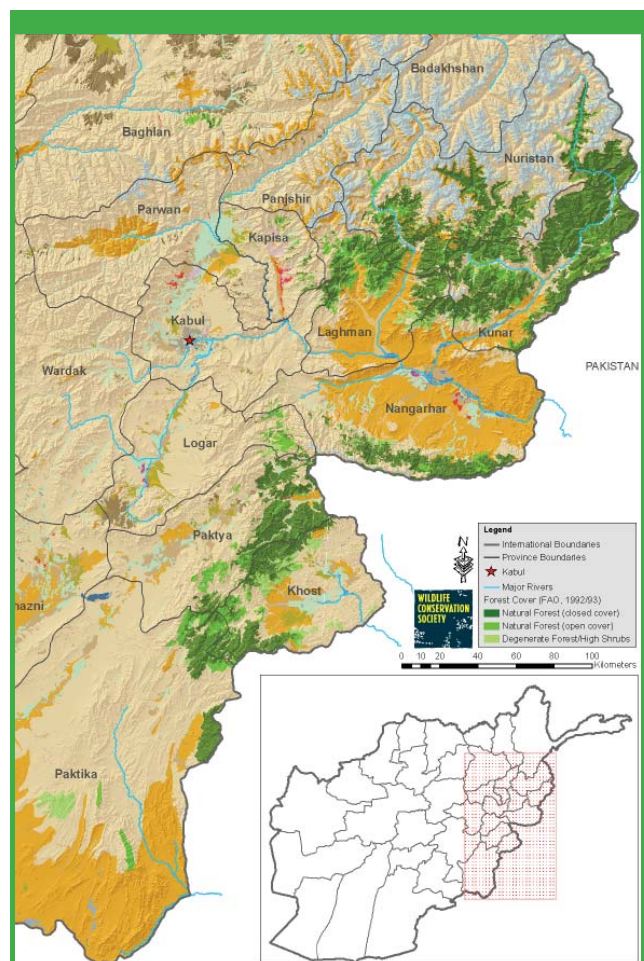
A UN Environment Programme (UNEP) assessment in 2003 (which has been repeatedly cited in media reports) concluded that between 1977 and 2002, more than 50 percent of the forests in Kunar, Nuristan and Nangarhar provinces had been lost.³ Afghan environmental organizations have suggested similar figures; the Afghan NGO 'Save the Environment' estimated that "as much as 48 percent of the Kunar forest may have been ruined" by 2001.⁴

1. Yaqub, Nadeem. (2001-May-01). *Afghan Forests Ravaged by Illegal Trade*. Inter Press Service (IPS)

2. Tromifov, Yaroslav. (2010-April-13). *Illegal Logging Financing Taliban Attacks on U.S. Troops*. Wall Street Journal

3. UN Environment Programme (2003). *Post Conflict Environmental Assessment: Afghanistan*. Geneva, Switzerland, page 70

4. Wafa, Daud. (2005-April-28). *The Rape of Kunar*. Institute for War and Peace Reporting.



The eastern forests of Afghanistan: today Kunar is the most heavily forested area in the country. (copyright World Conservation Society, by Haqiq Rahmani; image used with permission)

Subsequent studies by the Wildlife Conservation Society,⁵ which did a detailed analysis of forest cover change from the 1970s to 2007 using five sets of satellite imagery,

5. Delattre, Etienne and Haqiq Rahmani. (2007). *A Preliminary Assessment of Forest Cover and Change in the Eastern Forest Complex of Afghanistan*. Wildlife Conservation Society (WCS), p. 8

and by the Natural Resources Counterinsurgency Cell (NRCC, a joint USAID/US military team), have refuted these results.⁶ Their conclusion was that reports of apocalyptic deforestation in the eastern forests of Kunar and Nuristan have been exaggerated.⁷

In Kunar province, where the most intensive timber extraction is taking place, there are two main types of economically valuable forest resources.

At lower altitudes, located closer to valley settlements,⁸ mixed oak forests predominate. *Baloot*, as the wood is called locally, is used throughout the country for cooking year-round and heating in winter. Nationally, at least 39 percent of households use firewood at some point during the year, while in urban areas and the zones around timber-producing provinces the majority of households use firewood (see Figure 1). In Kunar, 67 percent of households use firewood for cooking in winter, identical to the Eastern region at large (which includes, Kunar, Nuristan, Laghman and Nangarhar provinces).

These oak forests are experiencing a great deal of pressure because they are accessible to local populations for harvest and are in high demand from local and urban consumers.⁹ The rapid growth of Afghanistan's cities, particularly Kabul, has increased the demand for firewood. Supply, however, has been held largely constant, resulting in price increases in urban areas. From 2006 to 2011, the winter price of high quality firewood increased threefold, from \$40 to \$160 per 600 kg (see Figure 2).

At higher altitudes, coniferous forests of cedar, spruce and pine, are present.¹⁰ *Cedrus deodara*, also known

as Himalayan or Deodar cedar, is the national tree of Pakistan. It is coveted worldwide for its beauty, durability and adaptability for construction and high quality furniture. Deodar cedar's high value, coupled with a national ban on logging, drives a complex and highly profitable clandestine smuggling industry that traffics illegal Afghan cedar to Pakistan, principally for export from the southern port of Karachi.¹¹

Figure 1: Percent of households using firewood for:

Region	Cooking summer	Cooking winter	Heating winter
Eastern	51%	67%	52%
South Eastern	31%	65%	66%
Central	30%	42%	58%
South Western	23%	38%	37%
North Eastern	15%	22%	22%
North Western	12%	19%	23%
Western	11%	14%	22%
National	23%	35%	39%

Source: NRVA 2005/CSO 2011

The quantity of cedar stands in Kunar province remains largely unknown, making it challenging to monitor, regulate or make effective policies for the sector. The only available analysis regarding the composition of Kunar's high altitude forest comes from the 2010 NRCC study, which concluded that:

"Approximately 12% of commercial standing timber was Cedrus deodara, which means that the conifer forests possess about 10 cubic meters of cedar per hectare.

At a wholesale Pakistan price of \$900 per cubic meter, the standing value of cedar is approximately \$9000 per hectare in the forested conifer bands supporting cedar".¹²

The authors go on to evaluate the amount of forest cover that remains, contending that USAID and UNEP estimates have been incorrect, perhaps by an order of magnitude.

6. Bader, Harry, Clint Douglas, et. al. (2010). *The Afghanistan Timber Trade: An Evaluation of the Interaction Between the Insurgency, Giroa and Criminality in the Task Force Bastogne Area of Operations*. Natural Resources Counterinsurgency Cell (NRCC). US JOINT CIV-MIL TEAM Task Force Bastogne, p. 7

7. In the NRCC report, the authors go as far as calling the UNEP report "discredited" and cite a passage in the WCS study that remarks that the UNEP/UNOSAT report did not include a technical justification common to such analyses and used low-resolution imagery as the basis of their claims of massive deforestation

8. *Quercus baloot*, the main species for firewood, dominates between 1200 and 2200 meters.

Freitag, H. (1971). *Studies on the natural vegetation of Afghanistan*, in Davis, P.H. et al.: *Plant Life of South West Asia*, Edinburgh. p.89-106

9. NRCC 2010, p. 4

10. *Cedrus deodara*, *Picea smithiana* and *Pinus wallichiana* are the relevant species, located between 2500 and 3100 meters; Freitag 1971

11. Interviews with former Kunar provincial officials, 14 May 2012; NRCC 2010, p. 16

12. NRCC 2010, p. 9

“Synthesizing data from its low altitude overflights, as well as imagery from unmanned aerial vehicles (UAVs), with prior existing information from WCS and UNEP, the team estimated that about 7000 square kilometers of forest land exists in [Nangarhar, Laghman, Kunar and Nuristan provinces].

Of this, a little over 4000 square kilometers is conifer forest, of which 1600 square kilometers are located in Kunar alone. This estimate is consistent with field observations, but is in marked contrast to the USAID reported estimate in 2009 which stated that only 189 square kilometers of forest remained in Kunar as a result of massive deforestation activity.”

Using the NRCC figures for conifer forest cover in Kunar, an elevation adjustment¹³ and the predicted value of cedar per hectare, the estimated value of Kunar’s standing Deodar cedar is approximately \$828 million.

This case study will focus primarily on the political economy of extraction and export of Deodar cedar, as well as the associated conflicts that have dominated the political and security environment of Kunar province for nearly two decades.

2. Political and Historical Context

Kunar province has long been a center for anti-government sentiments and activities and has a history of poor relations with the central authorities in Kabul. The province is dominated by Pashtuns, the largest tribes being the Safi, the Shinwari and the Mohmand. Kunar is also inhabited by non-Pashtun Gujars and Pashai. The Safi Pashtuns gained notoriety in the late 1940s, when they revolted against the policy of conscription of King Zahir Shah, and numerous Safi families were subsequently subjected to forcible relocation.¹⁴

Until the 1970s, when infrastructure advances slowly began to integrate Kunar into the larger society and economy of Afghanistan, many in the province had

closer relations with their tribal brethren across the Durand Line in Pakistan than with other Afghans. For example, Bajaur and Mohmand agencies in the Federally Administered Tribal Areas (FATA) and Dir district in Khyber Pakhtunkhwa province of Pakistan are the center of gravity for many of the smaller Pashtun tribes in Kunar, such as the Mushwani and Salarzai.

Figure 2: Firewood prices, per 600 kg, high quality, Kabul market

Year	Summer	Winter
2006	\$36	\$40
2007	\$39	\$44
2008	\$45	\$50
2009	\$50	\$56
2010	\$102	\$110
2011	\$154	\$160

Source: Kabul businesses and residents

A degree of infrastructure improvement in Kunar during the 1970s permitted loggers to penetrate farther into woodland areas, opening up some new zones of cedar forest for extraction and export. Provincial notables began to move into the trade of firewood for the domestic market and cedar for sale in Pakistan. It was at this time that the networks for the transport and sale of timber, based largely on transboundary co-ethnic relationships, began to take shape.

Zahir Shah’s government in Kabul also saw timber as a valuable resource and began to regulate its sale and transport, which held smuggling to a minimum.¹⁵ In addition, tensions between Afghanistan and Pakistan regarding their shared frontier increased border control. These tensions, combined with the still limited road network, served to limit clandestine timber trafficking.

FAO and World Bank assessments from the 1970s suggest that *Quercus baloot* (oak) and other firewood species were already under pressure “to meet the fuel needs of the major cities.”¹⁶ Rudimentary technology and transportation during the period meant that 40 to 70 percent of the felled timber was wasted, leading to estimated deforestation

13. Only 2300 of the 4000 square kilometers (57.5%) of coniferous forest in the region fall within the elevation range of *Cedrus deodara*; NRCC 2010 p. 10

14. Banuazizi, A. and Myron Weiner. (1988). *The State, Religion, and Ethnic Politics: Afghanistan, Iran, and Pakistan*. Syracuse University Press, p. 58; Interviews with US officials.

15. Interviews with former Kunar senior government officials, 30 April 2012

16. FAO. (1981). *National Parks and Wildlife Management: Afghanistan*. Food and Agriculture Organization of the United Nations, Rome, p. 38

of about 1,000 hectares per year¹⁷. While the reports confirm that *Cedrus deodara* was considered to be of high commercial value, it seems that selective cutting techniques,¹⁸ still common in Kunar today, prevented large scale deforestation of the conifer areas.¹⁹



A shop in Asadabad, Kunar. Deodar cedar is used for furniture and the production of veneers, which are used for wood paneling.
(photo: Paul Negley)

The 1978 communist coup, Soviet invasion and subsequent jihad against the Russians and the PDPA government forever changed the nature of politics in Kunar, much like it did in the rest of Afghanistan. Kunar province was one of the first regions to resist the new regime's land reform and social agenda, and quickly became a hotbed of anti-Soviet activities. Many Kunaris joined Gulbuddin Hekmatyar's Hezb-e Islami, while others became associated with Saudi-funded Salafi groups.

The anti-communist jihad (1978-1992) and subsequent Afghan civil war (1992-1996) reorganized the political landscape of Kunar, with mujahedeen commanders taking over as the dominant political force. They replaced the non-functioning provincial and central government structures in the province and both manipulated and forced their way into positions of tribal leadership.²⁰

17. *Ibid*, p. 45

18. *Selective cutting involves felling only trees that are of commercial value, excluding other species and individual trees that are too small. As deodar cedar only makes up about 12% of the relevant conifer forest, and only a portion of cedar is cut, in many cases the character of the surrounding forest is unchanged*

19. *Interviews with former Kunar government officials and timber industry participants, 10 April 2012 & 14 May 2012*

20. *Interviews with US military and former UN officials, 4 April 2012 & 30 April 2012*

While former jihadi brothers in arms brutalized Kabul through the early 1990s, Kunar province again became autonomous for the most part from central government control. Conflict grew in intensity within and between mujahedeen factions and tribal militias, with control of the province's natural resources as a primary target. In addition to timber, Kunar is also endowed with gemstones and some areas of rich agricultural land.

Malik Zarin of the Mushrani tribe in northern Kunar and Haji Jan Dod of the Safi tribe in the southern part of the province, former jihadi leaders, came to dominate the timber trade -- especially of Deodar cedar. With a wide open border and strong connections to the Pakistani tribes and the Pakistani government which had funded their jihad, smuggling of illegal timber across the border was easier than ever.

3. Conflict Details

The advance of the Taliban into Kunar in the mid 1990s precipitated more conflict. Though the Taliban, were Pashtun and conservative, as was the population of Kunar, the Islamist movement represented another attempt by outsiders to impose their will upon the local autonomy-loving population.²¹ The military situation had changed, with the Pakistani government having switched its support to the Taliban, and no other foreign powers being interested in intervening in a significant way.

As the Taliban consolidated their control of most Afghan territory, developing sources of reliable income became a high priority for the nascent regime. Revenues from taxing opium poppy cultivation and assistance from Pakistan and Saudi Arabia were inadequate to meet the financial requirements, so control of natural resources became a priority. Taliban leaders in Kandahar and provincial commanders in Kunar set their sights on the province's lucrative timber trade.

According to media reports, the Taliban closed the local frontier and "forced the loggers on a huge 800-km detour from Kunar province, on Afghanistan's

21. *In the early days the Taliban were largely lead by and drawn from southern (mostly Durrani) Pashtuns from Kandahar, the historical rivals of the eastern Pashtuns (many of them from the rival Ghilzai confederation) that live in Kunar*

eastern border, to a crossing in the south.”²² This ensured that taxes on the trade could be collected by the Kandahar-based Taliban leadership, extorting hundreds of dollars from each timber truck at the Chaman crossing.²³

This arrangement did not sit well with the so-called Kunar timber barons Malik Zarin and Haji Jon Dad. Cut out of the timber trade except for small smuggling operations in the rural zones that the Taliban could not control, Zarin and Jon Dad organized and deployed militias to fight against the Taliban authorities. The localized insurgency restricted Taliban influence from expanding much beyond the provincial capital of Asadabad, but it did not wrest the main transportation routes from Taliban control.²⁴



Timber yard in Asadabad, Kunar province. Numerous timber warehouse and dealers residences lie within the city. (photo: Paul Negley)

According to US military officials, Jon Dad and Zarin were the only two commanders in Kunar who fought the Taliban throughout the five years of the Islamist regime. While the fighting itself has not been well documented, anecdotal evidence suggests that hundreds of fighters and civilians were killed during the five years of conflict, which lasted approximately from late 1996 to late 2001.²⁵

Not surprisingly, when United States special

22. IWPR .2005-April-28

23. Ibid. A source in the IWPR report states that \$460 per truck was collected.

24. Interview with a US military official, 4 April 2012

25. Interviews with former provincial officials and Kunari residents, 11 April 2012 & 14 May 2012

operations forces units infiltrated Kunar in the aftermath of the 2001 Al Qaeda attacks on New York and Washington, Haji Jon Dad and especially Malik Zarin were eager to join the US-orchestrated campaign to oust the Taliban.

Malik Zarin and Haji Jon Dad went on to become major players in post-Taliban Kunar: Malik Zarin as friend and key supporter of President Karzai, and Jon Dad briefly as Governor of Kunar and then as the border brigade commander. Both retained their interests in the timber sector and earned their informal titles as the ‘timber barons’ of Kunar. The NRCC reported that as of 2010, their smuggling networks were the only significant timber operations in the province.²⁶ The Zarin network was considered to provide “better security” and a “greater likelihood of the product arriving in Pakistan quickly”, charged approximately \$335 per cubic meter of timber in 2010.²⁷ The Jon Dad network purportedly moved more product but was less reliable and charged a lower fee of \$215 per cubic meter.²⁸

Major investments were made by the Karzai government and United States in Kunar during the post-Taliban era, with the central government expanding its footprint in the province to nearly 15,000 employees, according to US military officials.²⁹ US forces and Afghanistan National Army units have tried to enforce security in the province, though Taliban fighters (mainly from the Haqqani network), anti-government groups affiliated with Hezb-e Islami, and growing local provincial insurgencies (such as the Korengalis) have continued to oppose them.

The coalition security campaign resulted in Kunari leaders associated with the government becoming targets for attacks and assassination attempts, as a means by insurgents to remove key government-affiliated notables and to undermine the credibility of the administration.³⁰

Malik Zarin was the primary ally in Kunar of the Karzai administration and the provincial point person

26. NRCC 2010, p. 16

27. Ibid, p. 22

28. Ibid, p. 22

29. Interview with a US official, 4 April 2012

30. The common rhetorical question is: “If they cannot even protect themselves, how can they protect you?”

for reconciliation activities with the insurgents. He was assassinated in 2011 by a suicide bomber in the village of Asmar, in Bar Kunar district, after a meeting of local leaders. The BBC reported that the bomber “approached [the elders], hugged Malik Zarin and then detonated the explosives strapped to his body”³¹ Zarin was laid to rest in Dir district, on the Pakistani side of the border, where he maintained his primary home. It was through Dir that his extensive smuggling network had passed for so many years.

Figure 3: Earnings structure for Deodar cedar exported to Pakistan from Kunar*

Actor	earnings per cubic meter
Network (Jan Dod/Zarin)	\$215/\$335
Contractor	\$197-317
Land owner	\$150
Accountant	\$100
Permit broker (Pakistan)	\$47
Loggers	\$33
Saw mill operator	\$14
Timber depot operator	\$12
Laborers	\$12

adapted from NRCC 2010, p. 23

* The networks arrange passage for the wood, including payments to government officials and hiring security, often from local villages. The contractors provide the up-front capital to buy timber from the land owners, pay the fees to the networks and other costs, and take the profits when the timber is finally sold in Pakistan (at a price of \$900 per cubic meter and the costs in Figure 3, the profit margin is 22 to 35 percent)

4. Political Economy of the Conflict

In the 1990s, the opposition of Malik Zarin and Haji Jon Dad against the Taliban was primarily a struggle over control of timber and other natural resources. Subsequently, the timber magnates, particularly Malik Zarin, came to be seen more as agents of the Karzai government than as independent actors. This added to the provincial conflict the dimension of an anti-government insurgency.

A symbol of the strong ties between Jan Dod, Zarin and other Kunar notables with the Karzai government and its foreign backers was the large number of

construction contracts granted to companies owned by or connected to the timber barons and their associates.³² Control of the illicit timber trade provided the capital and political influence (through bribes) necessary to get into the contracting game of implementing USAID, PRT and central government contracts to build roads, bridges, schools, health clinics and other infrastructure projects. In some cases, the profits from contracting with the US and government surpassed the revenues that could be obtained through timber smuggling. The quasi-legitimate business activity, however, was considered a short term opportunity while the latter was a sustainable source of income for the long term.

The illegal nature of timber extraction for export created a classic illicit economy. A high cost of entry into the industry due to the need for robust networks of forest landowners, reliable accountants and contractors, private security forces, compliant government officials and buyers in Pakistan (much like with drug cartels) tended to push out competitors. Indeed, though there continue to be small independent operators, often doing business with the Taliban and other insurgents, the Zarin and Jon Dad networks tower above all others³³.

It is difficult to find a person in Kunar who is not directly or indirectly involved in the trade, including within the provincial government. Some government officials have developed personal timber interests beyond simply taking a cut of the profits³⁴ (see Figure3).

Of the Taliban commanders involved in the cedar trade in the late 1990s, some transitioned to supporting the new government. Others initially retreated into Pakistan and later reemerged during the Taliban-resurgence that began in 2006, serving as local Taliban commanders. These insurgents earn relatively minor revenue by taxing the small independent smugglers.

In part due to pressure from foreign powers, the Karzai government banned the felling and exporting of timber upon taking power, citing ecological considerations. Despite evidence to the contrary, the commonly held view is that cedar extraction in Kunar is the main cause of environmental problems in the

32. Interview with former government officials, 30 April 2012 & 14 May 2012

33. NRCC 2010, p. 16

34. Interviews with US military officials, who cited Police chiefs, members of Parliament, provincial council members and district officials past and present, 4 April 2012 & 11 April 2012

31. BBC News (2011-April-13). Bomber kills Kunar Elder Malik Zarin. BBC News South Asia

province, such as flooding, erosion, wildlife loss, etc. Similarly, it is widely held that the Taliban benefit greatly from the timber trade,³⁵ an allegation that has not been substantiated, and that research by the US military seems to contradict.³⁶ It is unclear whether pressure from the timber barons played a role in this decision; they clearly knew that a ban would enhance their market position by all but eliminating competing small and independent operations.

The timber industry's illegality created a familiar legal and political two-step for the Kabul government and its agents in Asadabad. Much like the prohibition on poppy cultivation, the timber ban was designed to placate the regime's foreign backers and ensure that Karzai could publicly take the moral high ground when required. In private, the administration would quietly turn a blind eye to the rampant smuggling being done by its allies in Kunar as well as to the extensive payoffs that provincial government officials were taking (see Figure 4).

Much like the Taliban before them, the Karzai administration also saw in the timber industry an opportunity for its own revenue generation. Why should the provincial officials and timber barons have all the fun? In 2005, Karzai appointed Assadullah Wafa, a friend and ally from Kandahar province,³⁷ as the first non-Kunari Governor in the post-Taliban era. Wafa went on to carry out a major crackdown on timber smuggling, reportedly arresting Afghanistan National Army soldiers³⁸ and Pakistani smugglers,³⁹ among others⁴⁰.

35. In a classified US Embassy cable dated 15 October 2006 (released publicly by WikiLeaks), Kunar Governor Deedar is reported to have claimed to US officials that 90 percent of the value of smuggled timber goes to the Taliban.

36. NRCC 2010, p. 28 "Neither the Afghan nor the Pakistani Taliban interferes with the timber trade in any significant manner."

37. In an interview with the author, Wafa, who later became 'Advisor Minister and Head of the Petition and Complaints Department of the Presidential Office', as well as a senior member Karzai's High Peace Commission, declared that he was 'extremely close' with the President. His tribe, the Achakzai, have long supported Karzai, whose Popalzai tribe is, as are the Achakzai, from the Zirak branch of the Durrani Pashtun confederation.

38. Wahdat, Ilyas. (2005-October-2). A dozen soldiers held on timber smuggling charges. Pajhwok Afghan News

39. Zahid, Aziz (2005-November-30). Five Pakistani timber smugglers arrested in Kunar. Pajhwok Afghan News

40. It is notable that the November 2005 arrests took place in Ghazi Abad district (formerly the northern part of Bar Kunar district), then a stronghold of Malik Zarin. It is unclear whether the detained men were agents of Zarin's network, signifying a challenge to Zarin from the government, or independent or rival operators, who the government were eliminating on Zarin's behalf.

President Karzai decreed that the government owned all cut timber, that it had been illegally harvested and that it was property of the state. In December 2005, the central government released a plan in which it would purchase all such illegally cut timber in Kunar and Nuristan, at arbitrarily low prices, then sell the estimated 300-400 thousand cubic meters⁴¹ of cut timber in Kunar lumberyards to selected buyers at a thirty percent mark-up, with the revenue collected by the Ministry of Finance.⁴²

Figure 4: Approximate monthly payments by timber networks to selected government officials*

Position	Range
Provincial Police Chief	\$1250 - 2500
Customs Director	\$1000 - 1250
National Directorate of Security Rep.	\$800 - 1000
District Administrator	\$200 - 450
District Head of Police	\$100 - 200

Source: Interviews with US military officials, former Kunar government officials

* The payments are made in Pakistani rupees, as are nearly all transactions in the Kunar cedar trade. Networks typically only pay officials in the areas where they operate. It is unclear whether these monthly figures are per network, from only the large networks or their overall take from all smuggling.

After the issuance of this decree, Assadullah Wafa was replaced as Governor in 2006 by Salizhai Deedar, a former mid-level commander from Sibghatullah Mojaddedi's National Liberation Front. Deedar had been disqualified from the 2005 parliamentary elections for supposedly maintaining an illegal armed group. He was a weak choice⁴³ -- likely deliberately so-- as a concession to the Kunar power brokers who had been stung by Wafa's high-handed efforts on behalf of the central government.

The timber confiscation plan provoked a backlash from Kunar notables and provincial officials who felt excluded from a deal they suspected had been struck between Kabul and their timber baron allies. Various factions weighed in, with the US calling the plan "Soviet-

41. Using NRCC 2010 price of \$900 per cubic meter, these stocks would be worth \$27-36 million

42. Unclassified US Embassy Cable dated 9 August 2006, entitled "PRT Kunar: Soviet-style Sale Of East Afghan Timber Stockpile"

43. Many candidates for the 2005 parliamentary elections maintained militias that could have disqualified them. Only candidates not sufficiently protected by power brokers in Kabul or without a significant political base of their own to merit deference were actually disqualified.

like”, the Attorney General in Kabul declaring the deal illegal, and members of the provincial council accusing top provincial officials of corruption.⁴⁴ In March 2007 Karzai officially cancelled the deal, but not before massive quantities of cedar had been sold to timber contractors, primarily from Malik Zarin’s network, and it was not until later in 2007 that the sales were ended.

In November 2007 the appointment of Fazlullah Wahidi as governor again changed the political landscape in Kunar. Wahidi was not personally close to Karzai, but brought mujahedeen credentials and an association with the Afghan Millat, a Pashtun nationalist but relatively secular political party.⁴⁵ His appointment represented an attempt by the Kabul government to place a relatively reliable agent in the province, and a signal to the timber barons and ‘former’ Hezb-e Islami members that they remained as Karzai’s trusted allies in Kunar.

From 2007 to the present, an on again, off again approach to the formalization of timber sales has evolved. While the ban on cutting and smuggling has stayed in force, a cedar timber sale at market prices was approved by the Cabinet and parliament in September 2009.⁴⁶ The plan, which ultimately took nearly a year to implement, allowed the government to take a portion of the proceeds in taxes.⁴⁷ Between August 2010 and May 2011, timber contractors were reportedly allowed nine months to get cut timber out of Kunar, presumably to market in Pakistan.⁴⁸ The ban on cutting new timber remained in force throughout, and transportation of timber was again banned at the end of that period. In March 2012 the central government again permitted the timber industry to remove previously cut timber from the lumberyards of Asadabad, with a reduced tax as an incentive.⁴⁹

Cedar extraction, smuggling and sale in Pakistan by the two main timber smuggling networks carried on

throughout the period of the Karzai administration, with the partial exception during the governorship of Asadullah Wafa. The Kabul government has attempted to extend its writ in Kunar with the public rationale that the province is a center for anti-government activities and a route for insurgents from Pakistan.⁵⁰ Timber smuggling was publicly tagged as a rationale, but the campaign was also a means to generate state revenue. In reality, Kabul continued to tolerate rampant smuggling by the timber barons to appease its allies in the region, because it could not realistically prevent smuggling over the long term, and because the barons would prevent the Taliban from controlling the trade. At the same time, the timber barons were keen to prevent a Taliban resurgence from again taking over their economic lifeline, so they cooperated with the government that generally protected them and their interests.

By doling out construction and other government contracts to the timber barons and other Kunar notables, the government slowly co-opted most non-Taliban Kunar power brokers. The timber traders recognized that losing out on government contracts would hurt even more than having reduced timber sales, so they have agreed to pay some government taxes on the trade.⁵¹ The US military, working generally in concert with the provincial government, was encouraged to selectively interdict timber smugglers, usually with the end of protected the networks of Zarin and Jan Dod by eliminating rivals⁵².

It remains unclear who was behind the assassination of Malik Zarin in April 2011. His stranglehold on Kunar’s northern timber smuggling route, his extensive network of government officials and contractors, and his militia-type security force were likely contributing factors. His conflicts with both the Afghan Taliban and Pakistani Taliban (TTP) were well known. He had numerous other rivals as well. In the end, political motivations may have superseded economic rivalry, as Malik Zarin’s role as a peace negotiator and spokesperson for the Karzai administration had eclipsed his status as timber baron as his chief failing in the judgment of anti-government forces.

44. Hashmi, Abdul Mueed. (2006-November-13). *Legislators see officials hand in timber smuggling*. Pajhwok Afghan News

45. Interviews with former provincial officials suggest he was part of with Pir Gillani’s National Islamic Front, 30 April 2012

46. *Unclassified US Embassy Cable dated 28 November 2009, entitled “Kunar’s Timber Industry and Smuggling”*

47. The tax was reportedly 300 Afs (\$6) per foot.

48. Sadaat, Sayed Is’haq. (2011-July-21). *Timber Smugglers. The Killid Group*

49. Interview with a source from the provincial government; the tax was reportedly reduced to 200 Afs (\$4) per foot

50. Foschini, Fabrizio. (2011-May-10). *‘Insurgency corridor’ in the making in Kunar and Nuristan*. Afghanistan Analysts Network

51. Interview with present and former government officials, 30 April 2012, 14 May 2012 & 15 May 2012

52. Interview with a US military official, 4 April 2012; NRCC 2010, p. 27

Observations and Analysis

The seven cases detailed in this study point to several notable trends in present day Afghanistan regarding natural resources and conflict. Some dynamics described in individual cases are quite specific to local circumstances, while a number of important elements are common across cases. One must be cautious, as any effort to generalize about social and political trends in Afghanistan is prone to error. Nonetheless the results of the study's fairly broad examination of conflict trends enables five observations regarding the dynamics of natural resources and conflict in Afghanistan.

1. Bandits, Commanders and Warlords

During the chaos of the anti-Soviet jihad in Afghanistan, military actors with varying levels of scruples emerged as a important segment of society. Where previously traditional khans, elders and mullahs held the most prestige in local areas, mujahedeen commanders and fighters became established as a prestigious and politically influential class. In the post-Taliban era, the central government has sought to integrate or marginalize these commanders as much as possible, either by bringing them into a centralized patronage system administered from Kabul or by excluding them from the benefits of the system.

For bandits, gangsters and warlords with connections to the powers-that-be, control of resources provides a way to maintain some autonomy from the centralized system by means of an independent income stream or a means of applying political pressure. For those armed elements without the political connections required to take advantage of the new system, the natural resource sector is one place where they can still

thrive despite pressure from the central government and foreign military and development forces.

In the case of Uzbek warlord Ahmad Khan of Samangan (Case 1), his political position eroded as his former patron General Dostum experienced a reduction of influence. His rural base of power has been weakened by the slow march of urbanization in Samangan and Balkh. The irrigation and potable water sectors were prospective arenas for him to define a decisive role and to generate considerable revenue, before his assassination in July 2012.

In Badakhshan (Case 5), numerous commanders have fought to control the extraction and trade in lapis lazuli, in part because they have been excluded from other elements of central patronage from Kabul. Local power brokers with Kabul's backing, such as MP Zalmai Khan, have an advantage in this competition, though independent mafia actors, bandits and commanders continue to operate and in some cases thrive. The realignment of politics in Badakhshan following the assassination of Burhanuddin Rabbani has presented an opportunity for these marginalized actors to jockey for better position, using violence when necessary.

Lastly, the two major timber barons of Kunar province (Case 7) are emblematic examples of former mujahedeen commanders who successfully transitioned into businessmen power brokers by means of natural resources extraction. Because of their influence and importance to the central government's ability to operate in Kunar, the Karzai government has endeavored to integrate them into their system, rather than trying to marginalize them. The timber

networks, however, have operated in blatant violation of national laws and have resorted to violence, coercion, corruption and political manipulation to protect their operations. The central government was not capable of controlling the timber trade and its independent revenue stream for the Kunar warlords, and eventually resorted to construction contracting as an effective method of patronage to co-opt the local competition.

2. Centralized Versus Decentralized Governance

The unitary state that emerged in the wake of the US-led western invasion of Afghanistan in the early 2000s set up a fight between Afghanistan's long history as a decentralized, rural society and the desire of many elites for a modern, centralized state based in Kabul. Natural resource management, among many other sectors, became a flash point in the competition between the central authorities in the capital and provincial notables in rural areas. the power of the center as regards natural resources, the 2004 Constitution declares that all "mines and underground resources are properties of the state" (Chapter 1, Article 9). Legislation passed by Parliament and ministerial policies have furthermore asserted the primacy of the state's role in allocating land, water and other resources.

Many regional power brokers dispute this approach, and argue that Afghanistan requires a decentralized approach more in line with its traditions and a realistic evaluation of the capacity of the central government to fulfill its mandate. the power of the center as regards natural resources, the 2004 Constitution declares that all "mines and underground resources are properties of the state" (Chapter 1, Article 9). Legislation passed by Parliament and ministerial policies have furthermore asserted the primacy of the state's role in allocating land, water and other resources.

In the case of Salma Dam in remote Chist-i Sharif district of Herat province (Case 2), the perceived intrusion of the central government into the rural sphere of influence of Taliban commander and gangster Mullah Mustafa was a factor that drove him to terrorize the construction site with brazen attacks for nearly four years. Mullah Mustafa received arms and

possibly training from the Iran Qods Force, which he saw as a convenient bulwark against further incursion by the center. In the end, only a display of force by the US military and Afghan National Security Forces obliged him to surrender to the APRP reconciliation program, essentially accepting - at least temporarily - the development of the local water resource for national strategic reasons.

The conflict over the summer rangelands of Ghazni and Wardak provinces (Case 3) contains similar elements of antagonism between center and periphery. Under earlier regimes the central government supported the access of Pashtun Kuchi nomads to scarce rangeland resources to pasture their flocks during the summertime, to the real and perceived detriment of local Hazara communities. In the post-Taliban period, the Hazaras have sought to prevent this and have used their improved political position in Kabul (Second Vice President Karim Khalili is from one of the affected districts in Wardak province) to limit nomadic access to the pastures. The Kuchi leadership has declared government and Hazara efforts to prevent them from using the Hazarajat rangeland as an infringement on their traditional rights and an unwelcome intrusion by the center into the affairs of the autonomous nomadic communities of Afghanistan. Similarly, the Hazaras have argued that local government structures should allocate the rangelands rather than the central. They also argue that the concessions for rangeland usage given to the Kuchis by previous central governments (namely the former monarchy) are invalid and oppressive.

Lastly, the central government's handling of the tender process for the Hajigak iron ore deposit in Bamiyan and Wardak provinces (Case 6) has already begun to elicit dissent. Local communities argue that more of the revenues to be earned by the mega-project should be devoted to the region, and that the massive amount of coal and other resources needed for Hajigak should not be monopolized by the mining project. The government in Kabul, by way of the Ministry of Mines, has conducted all negotiations with the Indian government-led consortium of companies that will exploit the Hajigak deposit, with a limited role for local power brokers and notables. Such factors have led to resource conflict in other parts of Afghanistan.

Though conflict directly related to the Hajigak project has not yet occurred, there is a significant risk.

3. Foreign Government Involvement

Afghans habitually cite the interference of foreign powers as the cause of all the problems the nation has faced over the past three decades. While this assertion can come across as an attempt to evade responsibility or to excuse bad behavior, there is no denying the major role that Afghanistan's neighbors and global powers have played in the violent conflicts that have afflicted the country during the last thirty years.

Natural resources have been and will continue to be of interest for foreign governments seeking influence in Afghanistan. In three of the seven case studies, direct involvement of foreign governments has played a fundamental role in the conflict. The NATO occupation of Afghanistan has often gotten itself embroiled in natural resources disputes, whether intentionally or not.

As discussed previously in this chapter, Iran's attempt to slow or stop the Salma dam project in Herat province (Case 2) was an essential element in the conflict and insecurity that gripped Chist-i Sharif district for more than four years.

The United States military played a major role in aggravating the land dispute between Shinwari sub-tribes in Nangarhar province (Case 4). The provision of arms, funding, and training by US forces to the Sipai to fight the Taliban was the facilitating factor in that sub-tribe's attempted takeover of disputed land and the two years of trench warfare with the Alisherkhel sub-tribe that followed. US forces thought that they had been handed an opportunity to wean the entire Shinwari tribe from Taliban influence. Instead, due to unfamiliarity with the intricacies of Pushtun rivalries, the foreign intervention worsened and complicated an already difficult conflict.

Finally, there is a risk of armed conflict in the context of the Hajigak iron deposit in Bamiyan and Wardak provinces (Case 6) that is related to Pakistan-India rivalries and their competition for influence in Afghanistan. Pakistan views India's long term investment in Hajigak as part of a larger insidious strategy on the part of its adversary to gain influence

Afghanistan in anticipation of NATO's military withdrawal and to progressively encircle Pakistan. In its turn, India views Pakistan's subterfuges in Afghanistan as part of a wider effort to gain strategic advantage, to recruit and train militants to attack Indian targets, and to empower the Pakistani security services - the arm of the Pakistani state that India most distrusts.

In each of the three cases, foreign powers have taken geopolitical or tactical decisions in the natural resources sector of Afghanistan that they viewed to be in their national interests and that consequently caused real or perceived conflict in a local area. And it was Afghans, as usual, who suffered the brunt of the conflict.

4. Natural Resource Conflicts for the Future

The case studies offer evidence of several trends in natural resource conflict that are likely to intensify over the next several years. Strategic planning by international agencies and development banks in concert with the Afghan central government call for an expansion of hydroelectric dam construction along with the rapid development of the industrial mining sector.

The dynamics of the Salma Dam conflict in Herat (Case 2) are likely to be replicated in the context of hydropower projects on the Kunar River (with Pakistan as the worried neighbor and Taliban militants as the proxy), the Helmand River (Iran as opponent to the project) and the Amu Darya basin in the north (with the central Asian neighbors Tajikistan and Uzbekistan as parties to the conflict).

In the artisanal mining sector, minerals and gemstones for export, such as chromite in Khost province (exported to Pakistan) and precious gemstones from the Panjshir Valley and Jegdalek area in Kabul province, are likely to repeat the conflict scenario of the lapis lazuli trade in Badakhshan (Case 5). On the industrial side of the mining sector, the same sort of geopolitical repercussions of the Hajigak tender (Case 6) will complicate future oil and gas exploration in the north, copper tenders in Ghazni, Sar-e Pul, Balkh and Herat provinces, and gold mining in Badakhshan. In each of those cases, center-periphery tensions will add an extra dimension to the complex issues that

complicate each project.

The lack of standard legal procedures to adjudicate land disputes and the rampant land grabbing that is occurring nationwide suggests that the territorial dispute at the center of the Shinwari conflict (Case 4) is representative land conflicts around Afghanistan. Violence and intimidation in comparable cases at diverse locations in the provinces of Helmand, Kabul, Herat and Balkh have been widely reported in the Afghan press.

A major source of resource conflict that has been only tangentially addressed in this study is poppy cultivation, which can be viewed technically as a renewable resource oriented towards export. The dynamics of the opium trade are reflective of those seen in the Kunar timber smuggling example (Case 7), where corrupt power brokers conduct an illicit trade, weave a complex supportive network, and generate large profits for public and private actors. The conflict between rival provincial notables, who might be warlords, officials or insurgents, vying for control of revenue-generating resources is much like the lapis trade in Badakhshan (Case 5), except with higher dollar figures involved and no legal route for export. Conflict in this sector between power brokers, criminal networks, extortionists, mafia, government officials and international forces is likely to be a long term problem in provinces such as Helmand, Badakhshan, Takhar and Kandahar.

5. Conflict and Corruption: Two Sides of the Same Coin

There are two main types of coercive activities in Afghanistan: violence or the threat of violence and corruption/patronage. These techniques are closely related and are deployed depending on the power relationship of the players in a given situation. To persuade or placate an ally or rival, an actor often must make use of elements of both strategies, with promised payoffs as the metaphorical 'carrot' and threats or displays of violence as the 'stick'. The natural resource sector in Afghanistan is prone to the liberal application of both tactics, especially in circumstances with significant amounts of cash on the line.

The Badakhshan lapis lazuli situation (Case 5) is a prime example, with local level violence being used

by commanders, bandits and political actors to gain market share and sometimes push out rivals entirely. When a rival is too strong to be comprehensively intimidated, such as the case between Zalmai Khan and Commander Malik, payoffs must be arranged to ensure compliance. Indeed, Zalmai Khan displayed the power of his militia and assassination operation early on, but then moved to conciliate Commander Malik with a portion -- albeit reduced -- of the lapis trade revenues.

In the case of the Hajigak iron ore deposit (Case 6), the potential conflict between the central government and provincial notables is illustrated in the ongoing clash between General Abdul Rashid Dostum and the central government over oil fields in Sar-e Pul and Faryab provinces. Dostum has used intimidation against engineers from the Chinese state oil company in order to obtain a share of the revenues from a resource (the oil fields) he views as located within his sphere of influence. The central government, at least publicly, has committed to using military forces to compel Dostum to cease and desist. The Chinese National Petroleum Company (CNPC) is well known for being willing to make payoffs when required and is likely to make an arrangement with Dostum if the central government cannot secure the area by force.

Lastly, the case of timber smuggling and conflict in Kunar province (Case 7) exemplifies the relationship between corruption and conflict in the natural resource sector. The Taliban and the local timber barons, Malik Zarin and Haji Jon Dad, fought over the resource in the mid 1990s, resulting in the eventual victory of the timber barons when the United States military intervened on their side in 2001. Because the Karzai government in Kabul needed Zarin and Jon Dad to improve the legitimacy of the new administration in the province, the central authorities tolerated their independent smuggling operation. The timber barons used US military forces, working on behalf of the provincial government, to push out rival operations in the province, selectively applying the rule that timber extraction and export was illegal, and exploiting the revenue link between insurgents and certain timber smugglers. The tolerated networks could only operate in the province by building and maintaining a large corruption network within the provincial government,

border authority, police and others. No doubt government officials in the province realized that if they did not participate in the payoff system, the security forces of the timber barons' (militias) would resort to violence to coerce their cooperation.

This research study has documented much evidence of multiple linkages between natural resources and conflict in Afghanistan. All things considered, however, a clear model of causality has not been defined. Each case study can be understood as a component of one or more macro trends of causal linkage between resources and conflict, yet each resource conflict is unique in its micro compendium of local, national and international factors. Anticipating this duality enables allows each resource conflict to be studied within a viable investigative framework to structure the seemingly inevitable complexity of all matters of interest in Afghanistan.

Conclusions and Recommendations

The main thrust of this research study has been to compile relatively detailed accounts of natural resource conflicts across numerous sectors in Afghanistan, analyze the political economy behind them and deduce the main resource conflict trends in the country. This has a substantial knowledge value in that it presents new information to the public, civil society, government, researchers and international actors on an issue of importance, which should facilitate better planning and policy making.

On the other hand, even the best research often elicits from policy makers and practitioners a sympathetic but impatient reply, “That’s very interesting work. But what can we do about it?”

While it is not appropriate to attempt prescriptive policy making in the pages of an analytical research paper, it is feasible to refine the themes, trends and observations of the research into some practical guidelines for policy makers.

Often, policy windows in the natural resource sector are quick to open and even quicker to close, and opportunities to affect policy are extremely difficult to foresee. Accordingly, the suggestions included here are specific but not exact; they are meant to provide ideas and words of caution to policy makers rather than precise policy instructions.

1. A Window of Opportunity

Natural resources are viewed by development specialists as an essential part of the on-going transition to the full exercise of national sovereignty by the Afghan central government. The focus thus far

has been on the potential for large scale exploitation of natural resources, namely in the mining sector, to fill the projected central government budget deficit as western donors reduce their financial support to the Afghan state. The prospect of filling gaps in national income through theoretical windfall mining profits, however, is only a small part of the story.

With such a wide spectrum of valuable resources, from land and water to extractives and renewables, there is potential for the sector to play a fundamental role in a broader political settlement in Afghanistan. Official reconciliation efforts between the central government and armed opposition groups have focused on ideological considerations, such as the role of Islamic Sharia law in Afghan society, the legitimacy of the 2004 Constitution and the appropriate social rules and relationships that should govern Afghan society. The context to these political considerations, however, are issues of economy and power that are significant factors in Afghanistan’s continued instability.

The legitimization of natural resource rights can serve as an enticing ‘carrot’ to lure divergent actors to the negotiation table. An eventual political settlement could formalize the rights to natural resources in a way that gives key actors a vested interest in stability, including establishing a process for a future reallocation. This would have to be backed up with significant firepower to persuade all actors to accept the eventual allotment of access and power. It would be the vested interests of the various power brokers, rather than the implied threat of security forces that would guarantee compliance in the future.

The domestic and international arbiters of transition and political adjustment are for the most part the same organizations that ten years ago assumed the necessity of centralized governance. During the past ten years, surely enough Afghan reality has intruded on grand strategy and ambition for the perceptive to realize that decentralized power distribution has many rationales in Afghanistan. As regards the natural resource sector, policy makers should recognize that resource management is in fact a highly decentralized function in Afghanistan. The Afghan government and its international partners can design the allocation of resources as concessions to local power brokers in a way that actually concedes very little in practice. Instead the policy change would be a reflection of a simple reality check: Kabul is simply incapable of managing the nation's resources from the center, and few knowledgeable people in the capital believe it will be capable of doing so anytime soon.

The timing is right for a political settlement that realistically links natural resources management within a functional distribution of centralized and decentralized political power. This relationship is well entrenched in practice, but not acknowledged in the formal arrangements of the present governance system. The transition to the somewhat arbitrary date of 2014 provides a time frame to reorganize power relationships in the resource sector with a view to de-incentivizing conflict.

2. Theories and Practice of Peacebuilding

In the wake of the Soviet occupation, numerous attempts were made to bring the ensuing civil conflict to peaceful end. Mediators devised multiple political solutions based on a variety of power sharing arrangements.¹ This was ultimately unsuccessful, with the country's numerous factions unable to find a workable solution, in part due to foreign interference.

As a result of those failures and the ensuing forcible takeover by the Taliban, negotiated peaceful solutions to conflict have tended to be discounted by Afghans and foreigners alike. The alternative to negotiated peaceful solutions is for aggrieved parties to attempt to achieve their objectives through violence. With the many Afghan contenders abetted by international and

regional actors serving their own interests, however, the tactic of armed conflict usually never achieves a sustainable solution. This bloody conundrum prompts observers to throw up their hands and declare that Afghan conflicts are intractable and impossible to solve.

There are numerous theories of peacebuilding and conflict resolution, many of which require specific conditions to succeed. For example, John Paul Lederach's widely praised technique of 'conflict transformation' follows a prescriptive process of confidence-building, identification of the underlying interests of the parties in conflict and reliance on nonviolent advocacy to build social pressure for a peaceful conclusion.² In the case of natural resource conflict in Afghanistan, it seems that the reflex of many actors towards violence, along with cultural disincentives to compromise, conspire to render the conflict transformation approach ineffective in defining a workable solution in the near term.

Conflict resolution along the lines of Lederach's approach look to medium and long term peace and stability as the goal. While 'conflict transformation' is slow to take hold, its proponents argue, the lasting peace that emerges is well worth the wait. In Afghanistan, however, short term needs and perceptions usually drive decision making, and peacebuilding efforts must deliver immediate tangible benefits for people to be willing to invest in a longer process.³

One approach to peacebuilding that has shown promise at the local level in Afghanistan is power sharing, referred by theorists as political settlement. This method requires both sides to make concessions but also reflects the power relations in play - negotiations lean towards the actor with more political and military strength. In the case of Ahmad Khan and Atta Noor in Samangan province (Case 1), Ahmad Khan was forced by Atta's forces to relinquish control of numerous parts of Samangan that the former had previously dominated. The eventual power sharing arrangement in Samangan was a settlement in which Atta did not

2. Lederach, John P. (1997) *Building Peace: Sustainable Reconciliation in Divided Societies*. United States Institute of Peace, Washington

3. This point is discussed in Ruttig, Thomas and Matt Waldman (2011) *Peace offerings: Theories of conflict resolution and their applicability to Afghanistan*. Afghanistan Analysts Network

1. The Peshawar Accord of 1992 is most the emblematic example.

vanquish Ahmad Khan entirely, but instead placated the armed and dangerous notable by allowing him to maintain a reduced, but still influential role.

A second principle of conflict resolution that has proven essential to Afghan conflict resolution is that of inclusivity. When settlements do not include key actors, such as the Peshawar Accord in 1992 which excluded Gulbuddin Hekmatyar as a signatory, or the Bonn Agreement which excluded the Taliban, peace is rarely the result. In the natural resource sector, this is borne out in the case of oil exploration in Sar-e Pul and Faryab (Case 6), and in the Shinwari conflict in Nangarhar province (Case 4). In both situations, key actors were excluded and thereby incentivized to resort to intimidation and violence as the only remaining means to achieve their goals.

Lastly, mediation by disinterested third parties to facilitate negotiation between conflicting parties has proved useful when applied with political sensitivity in cases of natural resource conflicts in Afghanistan. In the case of the Kuchi-Hazara conflict in Ghazni and Wardak (Case 3), the fact that the government's Peace Commission is led by a Pashtun and the staff is stocked with his allies from Hezb-e Islami has undermined the commission's legitimacy as a mediator. In the case of the Shinwari conflict (Case 4), the peace delegation dispatched from Kabul was led by Pashtun leaders who were mostly viewed as not having a vested interest in one side or the other, and were therefore regarded as relatively acceptable mediators. The Shinwari combatants accepted a three year ceasefire, which so far has not been violated, whereas the Kuchis and Hazaras continue to fight on an annual basis.

3. The Link Between Conflict and Corruption

The evident linkage between conflict and corruption ought to be acknowledged by national and international actors in Afghanistan, as argued earlier in this report. In the post-Taliban period, efforts to deal with violence and corruption have usually been isolated from each other and treated as unrelated issues. This is a mistake.

In some cases, effectively reducing corruption may cause an upsurge in violence, as relationships that were previously maintained peaceably through patronage

and payoffs are destabilized. Conversely, reducing violence may require an increase in patronage and corruption, which, for institutions concerned with maintaining security, may seem an acceptable price to pay.

In the natural resource sector this scenario has played out dramatically. Anti-corruption campaigns have vilified prominent individuals for manipulative activities in water, land and extractives, at the same time as military and security efforts have tolerated or even encouraged those same individuals to maintain 'patronage' networks with the goal of reducing violence.

The best example of where this thinking must be challenged is in the context of the Hajigak iron deposit in Bamiyan (Case 6), where geopolitical, local politics and rampant corruption in the extractives industry converge. Despite efforts by the top level officials in the Ministry of Mines and their international supporters to project an image of clean contracting and transparency, the lower level contracts to supply construction materials, coal, security and transportation are wide open for manipulation during the development of the mine. And with security being a major concern, the Indian companies leading the development of Hajigak are likely to be happy with any arrangement that ensures consistent and secure supplies to the site.

In summary, the international coalition and Afghan leaders should structure attempts to diminish violence and corruption in the natural resource sector by linking both during risk assessments, rather than single-mindedly focusing on one or the other.

4. Ecological Considerations

Environmental concerns have historically been of minor importance for most people in Afghanistan, for whom short term issues of livelihood and survival usually trump long term considerations like ecological integrity. Awareness of the significance of the environment has slowly increased, however, except during periods of open conflict. In the post-Taliban period several notable natural resource management decisions, such as the banning of cedar timber extraction and export (Case 7) and several rangeland management policies aimed at reducing

strain on pastures (Case 3), have used environmental degradation as justification.

Unfortunately these environmental pronouncements have also had manipulative political calculations underpinning them. For example, in both the Kunar and Hazarajat cases, policies to limit resource extraction on environmental grounds were to the advantage of allies of the policy makers. Consequently, many local actors tend to view environmental activism as a thinly veiled technique for gaining international and government sympathy for an otherwise political move.

With the above risks in mind, however, ecological considerations have the potential to be a method of de-politicizing natural resource conflicts by asserting public stewardship of a common environmental resource, rather than allowing the resource to be controlled by one party or the other. In the case of the Shinwari land conflict (Case 4) the provincial government, seeing that there was no obvious solution to the land dispute between the Sipai and Alisherkhel, instead declared that the land was owned by the government. They did not use overt environmental language in the pronouncements, but noted that there is a scarcity of land in Nangarhar province (the most densely populated province in Afghanistan) and that this specific tract was to be protected and administered by the authorities for the public good -- exactly the logic that many environmentalists espouse.

For conflicts over access to or ownership of water, land or minerals, there may be circumstances where the authorities, whether formal or informal leaders, could use ecological concerns for long term resource accessibility and the logic of the public good to bar several conflicting parties from a resource in dispute.

5. Accountability in the Natural Resource Sector

An important element of effective natural resource management is accountability of leaders to the populations that rely on those resources for their livelihoods. In most cases, decisions that define the distribution of resources rarely have accountability mechanisms that work, either for the public or for individual users. The land and mining sectors are perhaps the worst offenders in this aspect, with

nontransparent and unaccountable decision-making considered the norm.

The international coalition and the Afghan central government have made various efforts to improve accountability, by means of instituting commissions and anti-corruption units, and by promoting elections for political leadership among other methods. These tactics have produced only slight change to the traditional approaches of Afghan power brokers regarding natural resources, especially in rural areas.

A compromise practice that could be used as an example for other sectors is the procedure for selecting mirab (water masters) in most parts of rural northern Afghanistan, as described in the Samangan/Balkh water conflict case study (Case 1). Mirab are normally selected by local councils with the consent of key landowners, at which point they are introduced to the central government representatives in the district or provincial capital. The central authorities are not involved in the selection process, but in theory they can reject a Mirab if they have a compelling reason to do so. The local councils accept that the government should set some rules regarding water management, but expect that outside of an extreme case, the authorities should respect their selection of the local mirab.

In general, when natural resource management is decentralized to the lowest possible competent (or semi-competent) level, political conflict is less common than when higher level power brokers or authorities -- who are usually disconnected somewhat from local realities -- are in direct control of resources. In Afghanistan, accountability tends to be done through localized personal relationships and actions rather than through formal centralized institutions. The accountability structures in the country should reflect that, and if they do, a handsome peace dividend can be anticipated.

6. The Instinct to Intervene

During this study's evaluation of natural resource conflict, one factor has stood out as particularly important for policies that aim to manage or transform these disputes. There are inevitably multiple perspectives on a given conflict. As one aphorism has it, "one man's terrorist is another man's freedom fighter."

The Nangarhar land conflict (Case 4) and the Hazara-Kuchi rangeland conflict (Case 3) are good examples of conflicts where both sides have compelling narratives of marginalization, human rights, the will of God and the bad behavior of their enemy. The combatants and political leaders view their own cause as just, while that of their opponent as nefarious and in bad faith.

These narratives can change rapidly depending on the political conditions at hand. In Afghanistan, hedging one's bets is a fundamental strategy for survival in uncertain conditions. Today's enemy can be tomorrow's ally. As a result, clearly mapping the interests, actors, drivers and other elements of the political economy of natural resource conflicts in Afghanistan is a challenge. In some cases, promoting resolution favors one party over the other, while preventing conflict can protect an unsavory status quo. Conflicts that have decisive winners, rather than divided or incomplete solutions that promote stalemate and intractability, are often preferable for long term stability, despite the probability of oppression by the winners over the losers. Lastly, conflict is an essential element of social and political change, which is the ultimate goal for domestic and foreign advocates of modernization in Afghanistan.

In summary, when examining natural resource conflicts in Afghanistan, the underlying factors must be understood within their own context, with an appreciation of the historical events that led to a given confrontation. Short term interests and actions should be considered, but not without a careful evaluation of the medium and long term games being played by actors on all sides. And if one decides,⁴ after careful consideration, to intervene or take sides in a natural resource dispute, it must be done with an awareness of the range of repercussions those actions may provoke.⁵

4. *Whether Afghan or international*

5. *As was seen in the case of the US military intervention in Nangarhar province (case 4), the results are often counterproductive if not disastrous*

Annexes

Annex I: Bibliography

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Annex II: Glossary

Aylagh: Upland areas of pasture for use in the summertime; families often set up tents and live temporarily on the mountainside away from their primary dwelling for the season

Badal: Ritual payback in Pakhtunwali; usually seen in the context of revenge but is also used in the context of paying back positive favors as well.

Chachbashi: The assistant Mirab (water master)

Amir: King or ruler

Lajward: Persian for lapis lazuli.

Maldar: One of many names for nomadic herders, usually used for non-Pashtuns

Malik: Local landowner, leader, notable.

Mirab: “Water master”; locally designated individuals who oversee the management of irrigation water. Most common in northern Afghanistan, but present throughout the country.

Pakhtunwali: The traditional code of conduct of the Pashtun tribes; it has different meanings depending on the area. Very politically charged.

Shura: Meeting of leaders/elders; used for many purposes, whether making decisions, resolving disputes, planning, etc.

Wolesi Jirga: The Pashto name of the Afghanistan National Assembly, used in common parlance for the Parliament

Annex III

A. Latest Publications

1. Haqiqat/Truth Newsletter [Monthly Publication]
2. Negotiation with Insurgents in the Afghan Print Media
3. View Points, Series 1: Politocal Settlement and Negotiation with Taliban
4. The First Experience[Voting Patterns and Political Alignments in Wolesi Jirga](2005-2010)
5. Charting a Course for a Sustainable Peace, Linking Transitional Justice and Reconciliation in Afghanistan
6. International Criminal Court (ICC) in Afghanistan
7. Transitional Justice in Afghanistan; End or New Beginning?
8. Between Impunity and Accountability

B. Forthcomming Publications

1. Report on the The Mazar messacre(1998)
2. Report on The Herat Massacre(24 Hut - 1979)
3. Report on The Afshar Massacre(1993)
4. Cunsoltation with the victims of the above mentioned massacres.