Afghanistan: The Future of the National Unity Government

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Executive Summary

Two and a half years after it was created to prevent the bitterly contested 2014 presidential election from plunging Afghanistan into turmoil, the future of the National Unity Government (NUG) is shaky, as is broader political stability. The NUG is beset with internal disagreements and discord and facing a resurgent insurgency. Several options are being discussed in Afghan and international circles for how best to tackle the political and constitutional tensions that, if left unresolved, would increase the risk of internal conflict and insecurity in an already fragile state. The only promising way forward is for the two protagonists, President Ashraf Ghani and his Chief Executive Officer (CEO), Abdullah Abdullah, to acknowledge that the stability of their government and country requires them to work together.

Their discord stems from the vagueness of the U.S.-devised power-sharing agreement that frames the government and the widely diverging interpretations of their powers and authority. Abdullah believes the agreement gave him an equal share in government; Ghani and his advisers insist that ultimate power, as defined in the constitution, resides in the presidency.

Even where the agreement is being implemented, notably on appointments to senior civil and military posts, both sides are stacking the government and security agencies with allies, mainly on ethnic grounds, with Ghani favouring fellow Pashtuns and Abdullah fellow Tajiks. The resulting perception of discrimination within excluded communities, particularly Hazaras and Uzbeks, exacerbated by the lack of consultation, including on development programs, is contributing to a widening ethnic and regional divide.

Political partisanship has permeated every level of the security apparatus, undermining the command structures of the Afghan National Defence and Security Forces (ANDSF) and their capacity to counter a growing insurgency. While the Afghan National Army (ANA) has thus far prevented the Taliban from capturing and holding any major population centre, it is thinly stretched and suffering high casualties. Though the Afghan National Police (ANP) is in urgent need of reform, the unity government's leadership has yet to tackle the corruption, nepotism and factionalism within it. These weaknesses have played a major role in allowing Taliban advances countrywide, including in Uruzgan's capital, Tirin Kot.

Despite insecurity and political tensions, though, some progress has been made in stabilising the economy: fiscal reforms and tighter control over tax collection have increased domestic revenues. Yet, sustainable growth requires improved security, political stability and progress in countering corruption. Efforts to reduce corruption are strongly resisted by resilient networks within and outside government. Other vital reforms, particularly of the electoral system and institutions, without which future polls will likely be as controversial as the 2014 presidential contest, have been stymied by the troubled relationship between the executive and legislature, which contributes to governmental dysfunction.

As parliamentary and district council polls have repeatedly been postponed due to security and political instability concerns, a constitutional Loya Jirga (Grand Assembly) cannot be held to formalise the CEO's position, as pledged in the NUG agreement.

Suggestions to end the political impasse by the NUG's opposition, spearheaded by former President Hamid Karzai and his allies, including early elections or a traditional Loya Jirga to determine a future governing arrangement, are unlikely to find favour with either the president or CEO. Ghani mistrusts Karzai, while Abdullah is unwilling to risk losing his CEO position; neither wants to cut the NUG's five-year tenure short.

Yet, as their differences mount, with Abdullah facing challengers from his own power base in the Jamiat-i Islami and Ghani negotiating with Abdullah's rivals, particularly Balkh Governor Atta Mohammad Noor, the NUG's future is increasingly in doubt. Even if Atta and other Jamiat leaders were to join Ghani's government, the result could be more disgruntlement and internal discord since the president is unlikely to accept their power-sharing demands.

International assistance, fiscal and military, is important for forestalling insurgent advances, but the country's stability ultimately depends on Ghani and Abdullah resolving their differences and working together to meet the many security, economic and humanitarian challenges that confront the country and threaten their government roles and political survival.

Recommendations

To restore political stability, improve governance and ensure security

To the Afghan government

1. The president and chief executive officer should end hostile public rhetoric and/or negotiations aimed at undermining each other's power and authority.
2. Consult more closely with parliament, particularly on reforming the governance system and on a roadmap for presidential, national legislature and district council elections.
3. Consult those ethnic communities that are excluded or under-represented in government, including Hazaras and Uzbeks, on major political and economic initiatives so as to prevent perceived biases from fueling alienation and discord.
4. Announce the schedule for parliamentary and district council elections, along with a firm date for presidential elections in 2019, and reform the electoral system prior to holding the polls.
5. End appointments on partisan, including ethnic, grounds in the executive branch of government.
6. Strengthen the Afghan National Defense and Security Forces (ANDSF)'s ability to counter the insurgency, including by appointing competent professional officers, and holding those responsible for dereliction of duty to account.

To support political stability and security in Afghanistan

To the international community

7. Respect commitments made at NATO's July 2016 Warsaw summit to fund the ANDSF until 2020, and at the Brussels conference in October 2016 to provide Afghanistan $15 billion in financial aid for 2017-2020.
8. Encourage impartially the president and CEO to work toward resolving their differences, while refraining from imposing any externally-driven political or security agenda on the NUG.

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Afghanistan: The Future of the National Unity Government

I. Introduction

The National Unity Government (NUG), beset with internal factionalism and embroiled in disputes with the legislature and opposition groups, confronts governance, economic and humanitarian challenges and an insurgency that is gaining momentum.[1] Differences over appointments, priorities and the future of the governing structure, including Chief Executive Officer (CEO) Abdullah Abdullah's powers, are straining internal cohesion amid growing concern about the NUG's future and political stability more generally. Divisions and dysfunction in government are also undermining the capacity of the Afghan National Defence and Security Forces (ANDSF) to counter the insurgency, as civilian and military casualties as well as the numbers of the conflict-displaced and those in need of urgent humanitarian assistance continue to rise.

This report examines the unity government's shifting power dynamics and the manner and extent to which internal tensions are challenging both its power and legitimacy at the national and sub-national levels and its ability to manage escalating ethnic and regional tensions. It also assesses the adverse impact of political polarisation on ANDSF command structures and thus on the security of citizens and the state.

It is based on interviews with NUG officials, ANDSF personnel, members of parliament, political party leaders, civil society activists, journalists, business leaders and Western diplomats and security officials. These were conducted in Kabul, the locus of the national contest for power; Kandahar, an important political battleground between the NUG and its opposition, spearheaded by former President Hamid Karzai; and Mazar-i-Sharif, the stronghold of powerbroker, Jamiat-i Islami leader and Balkh Governor Atta Mohammad Noor.

[1] For Crisis Group analysis of political and security developments in Afghanistan, see Asia Reports N°s 268, *The Future of the Afghan Local Police*, 4 June 2015; 260, *Afghanistan's Political Transition*, 16 October 2014; 256, *Afghanistan's Insurgency after the Transition*, 12 May 2014; 236, *Afghanistan: The Long, Hard Road to the 2014 Transition*, 8 October 2012; 221, *Talking About Talks: Toward a Political Settlement in Afghanistan*, 26 March 2012; and 207, *The Insurgency in Afghanistan's Heartland*, 27 June 2011; and Briefing N°141, *Afghanistan's Parties in Transition*, 26 June 2013.

II. NUG: Formation and Performance

The unity government was the result of a U.S.-brokered agreement between Ashraf Ghani and Abdullah Abdullah after both claimed victory in the 2014 presidential election. Rejecting the Independent Election Commission (IEC)'s 7 July preliminary results, which gave Ghani 56.4 per cent of the vote and Abdullah 43.6 per cent, the latter's powerful supporters threatened to form a "parallel government". Some reportedly seized government centres in three provinces and threatened to storm government offices in Kabul, including the presidential palace.[2]

To defuse a political crisis that risked dividing Afghanistan along political and ethno-regional lines, U.S. Secretary of State John Kerry mediated the agreement, signed by the two leaders on 21 September, that resulted in formation of a "National Unity Government" with Ghani as president, Abdullah as CEO and both committing to a "genuine and meaningful partnership" to govern together. Later that same day, the IEC announced Ghani's appointment as president but not as the official winner of the election.[3]

The NUG agreement included pledges to convene a constitutional Loya Jirga (Grand Assembly) that would formalise the position of CEO as "prime minister" within two years; and to adopt comprehensive electoral reforms within a year and prior to parliamentary elections. Two and a half years later, the agreement's lack of clarity in defining the roles and responsibilities of the president and CEO is largely responsible for internal tensions and hence governmental dysfunction. Yet, despite rifts and deteriorating security, the government, belying the expectations of many sceptics, remains intact and has made limited progress in stabilising the economy.

A. *Socio-economic Reforms*

Economic revival and reform have been high on the agenda of the NUG and particularly President Ghani. Yet, the growing insurgency and insecurity pose major challenges in enacting socio-economic reforms. A senior presidential aide characterised the government's first year as one of "survival", when internal divisions threatened to destabilise it, and the second as one of "defence", during which it faced an uphill battle against the insurgency following the December 2014 international military drawdown.[4] It has, nevertheless, maintained macro-economic stability, increased the collection of domestic revenues and overcome some budgetary shortfalls, including by securing donor commitments.

Fiscal reforms and tighter control over tax collection have helped with domestic revenues, the NUG's most significant economic success. According to the World Bank,

[2] Crisis Group Report, *Afghanistan's Political Transition*, op. cit. "IEC announces preliminary results of the 2014 Presidential election run-off", press release, 7 July 2014; "Anxious moments for an Afghanistan on the brink", *The New York Times*, 14 July 2014.

[3] "Agreement between the Two Campaign Teams Regarding the Structure of the National Unity Government", Kabul, 12 July 2014. The agreement was witnessed by the Special Representative of the UN Secretary-General Jan Kubis and U.S. Ambassador James Cunningham and released by the U.S. embassy on 21 September.

[4] Crisis Group interview, Kabul, November 2016.

those revenues increased to 10.4 per cent of GDP in 2015 from 8.7 per cent in 2014. In 2016, revenue mobilisation continued to yield higher results, between $173 and $180 million monthly, a 33 per cent increase in total in the first six months. The second half of 2016 also saw some economic and infrastructure development policies and strategies take more tangible shape, including the Afghanistan National Peace and Development Framework 2017-2021 (ANPDF).

Officials complain that achievements are "overlooked and underestimated" because many programs are infrastructural projects that will take years to produce visible results.[5] Along with revenue collection and World Trade Organization (WTO) membership in July 2016, the following examples of progress often cited:

- working toward self-reliance in energy, including by designing and completing the bidding process for the CASA 1000 (Central Asia-South Asia) and Turkmenistan 500 KV power projects; completing the Salma Dam project; and signing the contract for two large hydroelectric projects as part of public-private partnerships;
- expanding and deepening regional trade, including through the Sino-Afghan Special Transportation Railway between Haimen (near Shanghai), through Uzbekistan and Kazakhstan and Afghanistan's Hairatan rail port on the Uzbek border; inauguration in November of the Lapis Lazuli Railway Project connecting Afghanistan through Turkmenistan to Azerbaijan, the Balkans and Central Europe; planned construction of six logistical hubs to provide export access to each of Afghanistan's major regions; and construction of the Iran-Afghanistan rail line that has begun in Herat; and
- launching the $800 million Citizen Charter Afghanistan Project (CCAP) in September, an inter-ministerial, multi-sectoral national priority program to improve delivery of core infrastructure and social services to communities.[6]

As presidential candidate, Ghani made several pledges in 2014 to redress the government's gender imbalance, including by appointing more women to the cabinet and other senior positions. Though very few have been given leadership positions at the sub-national level, and the parliament rejected his candidate who would have been the first woman on the Supreme Court, there are now four women in cabinet and far more in senior executive posts. Ghani has also been vocal about protecting women in the workplace and the ANDSF, and because of the proactive first lady,

[5] "Afghanistan Development Update: Afghanistan Riding into the Headwinds of Lower Aid", World Bank, 20 April 2016. Data provided to Crisis Group, Kabul, August 2016. Presented at the Brussels conference in October 2016, the ANPDF set out strategic policy priority programs to advance sustainable development and stability (including the Citizens' Charter Afghanistan Project; women's economic empowerment; urban development; comprehensive agriculture and national infrastructure). Crisis Group interview, President Ghani's chief infrastructure, human capital and technology, Kabul, November 2016.

[6] The two hydroelectric projects resulting from a public-private partnership are with the Ghanzanfar group in the north and the Alokoza group outside Kabul. "Afghanistan and Turkmenistan open first rail connection", BBC, 28 November 2016; "New railway route to China carries hope for Afghan economy", *Stars and Stripes*, 7 September 2016; "Afghanistan-Iran railway construction kicks off near Herat", *Khaama Press*, 8 September 2016. "Government Inaugurates Citizen Charter to Target Reform and Accountability", World Bank, 10 October 2016.

Rula Ghani, the women's rights community is more directly connected to the palace than ever before.[7]

Better relations with donors, another achievement, helped secure commitments at NATO's July 2016 Warsaw summit for up to $5 billion annual funding of the ANDSF until 2020, and $15.2 billion in financial aid through 2020 at the October 2016 Brussels conference. With a glaring gap between expenditures and resources and a $7.4 billion trade deficit, Afghanistan will be dependent on foreign military and civilian aid for several years.[8] Commitments for economic and military assistance are important for several reasons: economic stabilisation, development, military security and assurance of continued international help.

NUG officials insist the government has already "laid the foundation" for steady economic growth. Though some progress has been made, the economy remains weak and prospects for recovery slim. Important partners believe growth prospects over the next three years will depend on improved security, political stability and essential reforms, particularly on corruption.[9]

B. *Countering Corruption*

Both candidates pledged to fight corruption during the presidential campaign. In one of his first initiatives, Ghani set up the National Procurement Authority (NPA) to centralise the procurement system. In November 2016, it said it reassessed around 2,000 contracts, approving $3 billion worth, while rejecting 90, "generating savings of $270 million" and blacklisting some 100 companies.[10]

In preparation for the Brussels conference, the president set up a number of anti-corruption structures, including the Anti-Corruption Justice Centre (ACJC), a specialised court to combat serious cases, under the attorney general's direct supervision. In March 2016, the High Council on Governance, Justice and Anti-Corruption was created to improve coordination among anti-corruption structures, including the High Office of Oversight (HOO) and the Independent Joint Anti-Corruption Monitoring and Evaluation Committee. On 2 October, Ghani, chairing a High Council meeting, said his office had submitted sixteen cases, some involving senior Karzai government

[7] As of February 2016, the NUG had appointed only one woman governor and one deputy governor and no female district governor (in 375 districts). Mohammad Aqil Zada, "Women and political participation: Challenges, achievements and opportunities", Free and Fair Election Forum of Afghanistan, January 2017.

[8] "Warsaw Summit Declaration on Afghanistan issued by the Heads of State and Government of Afghanistan and Allies and their Resolute Support Operational Partners", NATO press release, 9 July 2016; official communiqué, Brussels Conference on Afghanistan, 4-5 October 2016. "Afghanistan Trade Summary 2015", World Integrated Trade Solution, World Bank, 2016.

[9] Crisis Group interview, senior finance ministry official, Kabul, August 2016. According to Central Statistics Organisation (CSO) estimates, which include the opium economy, from March 2015 to March 2016, real GDP shrunk 2.4 per cent. This was attributed to a 48 per cent drop in opium production, due to adverse weather conditions and a more effective eradication campaign. After excluding the opium economy, GDP grew by 0.9 per cent. "Quarterly Report to the United States Congress", U.S Special Inspector General for Afghanistan Reconstruction (SIGAR), 30 April 2016.

[10] "Reforming the Procurement: The Journey So far", pdf presentation prepared for the weekly donor stakeholder meeting, Kabul, 12 February 2017.

officials, to the ACJC for prosecution.[11] In January 2017, Transparency International reported that Afghanistan had slightly improved over the previous year in its annual Corruption Perception Index ranking to 169th from 175th. Critics, however, argued that the NUG was merely attempting to assuage donor demands; other than prosecuting two minor cases in November, the ACJC has made little progress.[12]

With donors also increasingly frustrated at a perceived lack of political will on corruption, HOO head Ghulam Hussain Fakhri criticised the ACJC for failing to "meet people's expectations" and asked it to investigate major cases. On 15 January 2017, the centre's head, Alif Erfani, said investigations had been finalised into a major embezzlement case involving nine defence ministry generals as well as a case linked to the urban development ministry involving 27 officials. In March, a senior general, appointed in December 2015 to counter ANDSF corruption in Helmand province, was reportedly arrested on corruption charges.[13]

Such efforts have yet to dent the massive corruption. Integrity Watch Afghanistan's (IWA) 2016 National Corruption Survey concluded that some $3 billion was paid in bribes in 2015, an almost 50 per cent increase over 2014. The IWA survey and the 2016 Asia Foundation Survey found that after insecurity and unemployment, Afghans ranked corruption as the most serious and growing problem. Officials, however, reject criticism of government efforts in this field. They emphasise that reform takes time, and they are dealing with strong, resilient corruption networks at a time when a fragile government and state face several serious challenges.[14]

C. *Electoral Reform*

Though the NUG agreement included pledges to hold a constitutional Loya Jirga to formalise the CEO's position as "prime minister" within two years, such an assembly cannot be constituted without elections that allow district councils to be set up.[15] These elections and those to parliament have yet to be held. Nor have pledges to enact urgently needed electoral reforms prior to any polls materialised, stymied by internal NUG mistrust and the power play between the executive and legislature (see be-

[11] The ACJC has seven primary and seven appellate court judges, 25 prosecutors and twelve Major Crimes Task Force investigators, plus administrative staff. "Presidential Decree", 30 June 2016, cited in "Quarterly report to the United States Congress", SIGAR, 30 October 2016.

[12] The most significant change was in the Rule of Law Index score which increased from two to thirteen. During the London conference, in December 2014, the NUG pledged to draft an anti-corruption strategy by mid-2017 but little progress has been made. Crisis Group interviews, board member, Monitoring and Evaluation Committee, Kabul, November 2016.

[13] "Afghan general tasked with cutting corruption is now accused of it", *The New York Times*, 28 March 2017.

[14] "ACJC fails to meet public's expectations: HOOC", TOLOnews, 1 December 2016. "ACJC making progress in tackling corruption", TOLOnews, 16 January 2017. "2016 National Corruption Survey", Integrity Watch Afghanistan, 8 December 2016; "Afghanistan in 2016: A Survey of the Afghan People", at www.asiafoundation.org. Crisis Group interviews, senior palace officials, Kabul, November 2016.

[15] According to the constitution's Article 110, the Loya Jirga is composed of members of parliament and heads of district councils.

low).[16] The NUG took some steps to kickstart the process, notably setting up a Special Election Reform Commission (SERC) in June 2015. It recommended important reforms, including replacing the Single Non-Transferable Vote (SNTV) system with mixed proportional representation; invalidating current voter cards and introducing electronic national identity cards (*E-taskera);* 25 per cent representation of women in provincial and district councils; and a greater role for parties. The Wolesi Jirga (lower house) rejected these in December 2015.[17]

In March 2016, Ghani issued a presidential decree that focused more narrowly on the structure, authority, and duties of the Independent Election Commission (IEC) and Independent Electoral Complaints Commission (IECC). Changing the requirements and tenure of electoral commissioners, the Selection Commission appointed seven new IEC members (two women, one less than in 2010-2016), and five new IECC members (one woman) in November.[18]

Without consulting the government, the IEC announced on 18 March 2016 that Wolesi Jirga and district council elections would be held on 15 October. Ghani's and Abdullah's teams rejected this, partly because of concerns about weak support bases, but also due to apprehension an early vote in the current state of political polarisation could produce more instability.[19] There now appears to be some consensus on electoral reform, including replacing voters' cards and distributing electronic ID cards. Elections to district councils but particularly to parliament, already delayed, cannot be postponed indefinitely; it is in the interest of both the president and CEO to implement major electoral reforms prior to polls, as provided in the NUG agreement.[20] Yet, even the most credible election could be disputed if they do not overcome the mistrust that mars their relationship and their government.

[16] For Crisis Group analysis on the electoral system, see Report, *Afghanistan's Political Transition*, op. cit.; Briefings, N°s 117, *Afghanistan's Elections Stalemate*, 23 February 2011; 96, *Afghanistan: Elections and Crisis of Governanc*e, 25 November 2009; and Report, N°171, *Afghanistan's Election Challenges*, 24 June 2009.

[17] The SERC also recommended including two foreigners in the Independent Election Complaints Commission (IECC). "The IEC Announces 2016 Election Date – But What About Electoral Reform?", Afghanistan Analysts Network (AAN), 18 January 2016.

[18] "The law on the structure, duties and authorities of Independent Election Commission and Independent Election Complaints Commission", IEC statement, 5 March 2016.

[19] "Press Release to announce the date for conducting WJ and DC elections", IEC, 18 March 2016. Meeting with the electoral commissions in December 2015, Ghani said parliamentary elections would be held in either summer or autumn 2016. "Parliamentary elections to be held in mid-next year, President Ghani", *Kabul Times*, 30 December 2015. Crisis Group interviews, Abdullah's and Ghani's advisers, Kabul, May 2016.

[20] "Breakthrough: Govt leaders agree to rollout e-NIC", TOLOnews, 28 February 2017; "The Troubled History of the *E-tazkera*: Political Upheaval", AAN, 25 January 2016. Ghani extended parliament's five-year term, due to expire in June 2015 because of security concerns and NUG disagreements on electoral reform.

III. Stresses and Strains

In September 2016, the UN Secretary-General's Special Representative for Afghanistan (SRSG) Tadamichi Yamamoto said the NUG was "at a defining moment" amid a "precarious political situation". In December, NATO's Resolute Support Mission and U.S. Forces Afghanistan (USFOR-A) commander, General John W. Nicholson, warned of the threats to stability posed by political "fracture" and urged the government to act quickly to improve the "leadership situation".[21] Though the NUG remains intact, Ghani and Abdullah have yet to bridge many fundamental differences, including about their respective roles and powers.

A. *Power-sharing Challenges*

Tensions between the president and his CEO largely stem from widely divergent interpretations of the NUG agreement. While Ghani is the main beneficiary of a centralised constitutional framework that vests considerable powers in the presidency, the vaguely worded agreement gives the CEO's office, which lacks any constitutional or formal legal standing, few defined powers or responsibilities other than shared responsibility with regard to senior appointments. Yet, Abdullah and his team claim he has the right to function as prime minister, pending national deliberation through a constitutional Loya Jirga to legalise the position. As an influential pro-Abdullah Tajik parliamentarian representing the Jamiat's Panjshiri faction said, "we got what we wanted: we wanted the creation of the prime minister's position for our team, and we achieved it".[22]

Ghani and his team, however, maintain that ultimate power, as enshrined in the constitution, lies with the president. They also refer to the agreement's text, which says, "the position of CEO will be created by Presidential decree on the basis of Article 50 of the constitution" and that the relationship is a "political partnership" under the "authority of the President". While they also contend that the CEO has no "veto" power over appointments and NUG policies, including its reform agenda, Abdullah and his team insist that the agreement clearly defined a"50-50" power-sharing arrangement, including such veto powers.[23]

The text does refer to "parity" on appointments to ensure "equitable (*barabarguna*) representation from both parties and with attention to inclusivity" along political and social lines. While there is no explicit reference to a "50-50" power-sharing arrangement, it states: "the President and the CEO will agree upon a specific merit-based mechanism for the appointment of senior officials" and will "consult intensively on the selection of senior appointees" not covered by the Civil Service Commission. In a July 2014 op-ed, aimed at clarifying the arrangement, Secretary Kerry wrote: "It creates a new position of chief executive who will report to the President until the President convenes a Loya Jirga to determine whether a permanent change

[21] "Briefing to the UN Security Council", UNAMA, 14 September 2016; Department of Defense press briefing, 2 December 2016.

[22] Crisis Group interview, Kabul, September 2016. Panjshir province is in the north east.

[23] Crisis Group interviews, senior palace officials, Abdullah's aides and advisers, both Kabul, November 2016; "Agreement between the Two Campaign Teams", op. cit.

is in the best interests of the country". Visiting Afghanistan in April 2016 to reinforce the NUG's legitimacy and counter its opposition, he also confirmed that the government has a five-year mandate.[24]

While such support from a powerful international backer should have given the NUG leaders sufficient incentive to work together, they have instead attempted to undermine each other. Ghani has increasingly sidelined Abdullah over key appointments. Some on his team even allegedly attempted to remove Abdullah before the Brussels conference and to abolish the CEO position by presidential decree, but abandoned these efforts in the face of Western, particularly U.S., opposition.[25] Publicly declaring that Ghani was "unfit for the presidency" less than a month before Brussels, Abdullah was equally unhelpful. Western officials at the conference insisted that the unity government was the only practical option, and there was no alternative that excluded Abdullah. This gave both an opportunity to mend fences, but they have not done so meaningfully.[26]

Though Ghani's desire for efficiency and oversight may be driving his efforts at administrative reforms, many in the opposition mistrust his intentions and say he and his aides are trying to monopolise power and centralise decisions around the Administrative Office of the President (AOP). That office, described by some staff as the locus of decision-making, has expanded rapidly, with more deputies and general directorates appointed and new High Councils created and run by advisers to coordinate policy development and monitor progress in key sectors.[27] Led by the president's close aide, Hanif Atmar, the National Security Council, responsible for coordinating security policy, has also been expanded, presumably to cope with the resurgent insurgency, and now has two additional deputies and several new directorates.

Abdullah's team perceives Ghani's administrative restructuring as primarily aimed at undermining the CEO's powers. For instance, the Afghanistan Investment Support Agency (AISA), which had been headed by Abdullah's aide in accordance with the power-sharing arrangement, has been integrated with the trade and industries ministry controlled by the president's team. The finance ministry, headed by Ghani's

[24] "Agreement between the Two Campaign Teams", op. cit. "Op-Ed from Secretary Kerry", TOLO news, 30 July 2014; "Joint Press Availability with Afghanistan President Ghani", Dilgusha Palace, Kabul, U.S. State Department, 9 April 2016.

[25] Ghani consulted Abdullah neither on Nader Nadery's August appointment to head the Independent Administrative Reforms and Civil Service Commission (IARCC) while remaining senior presidential adviser on strategic and public relations, nor in naming IEC head Yusuf Nuristani ambassador to Spain. "Announcement on the Appointment of the New Head of IARCC", press release, Administrative Office of the President, 9 August 2016; "Ex-IEC chairman appointed as ambassador to Spain", Pajhwak News, 11 July 2016. Crisis Group interviews, Western officials, Kabul, November 2016.

[26] "Afghan Chief Executive Abdullah denounces President Ghani as unfit for office", *The New York Times*, 11 August 2016. Crisis Group interviews, Western officials, Kabul, November 2016.

[27] Crisis Group interviews, senior presidency staff members, Kabul, August 2016. In one of his first decisions, Ghani merged the Office of the President and the Administrative Affairs Office into what is now the Administrative Office of the President (AOP). According to information provided to Crisis Group, Ghani has some 130 advisers. He has also set up five sectoral High Councils for economic development; governance, justice and the fight against corruption; human resources; water and energy; and urban development.

aides as the result of the NUG agreement, has been given more responsibilities, including over regional trade and transit.[28]

B. *Executive versus Legislature*

The president's and CEO's relations with parliament are as strained as their mutual ties. The February 2016 Democracy International survey of 215 members of parliament (MPs) found that 59 and 70 per cent were "dissatisfied" or "somewhat dissatisfied" with Ghani and Abdullah respectively. Several factors are responsible, some dating back to the presidential election in which MP support for the candidates was almost evenly divided. Abdullah's backing has since declined among MPs affiliated with the Jamiat-i Islami, the most powerful party and his main power base, as well as with ethnic Hazara MPs who supported him during the campaign. Many accuse him of failing to represent their interests by standing up to a president they perceive is empowering fellow Pashtun officials.[29]

Many of Ghani's parliamentary supporters who had hoped to benefit from his victory are equally disappointed and alienated by his refusal to give them perks and privileges. In his inauguration speech, for instance, he demanded that MPs "do not ask for personal meetings with the ministers or managerial departments", and should stop "recommending employment, or ask to discharge or transfer staff within the state institutions".[30] This likely contributed to most rejecting the first round of NUG-recommended ministers in June 2015. Some, with stakes in mining, oil and gas industries, also opposed Ghani after he tasked the National Procurement Authority (NPA) and mines and petroleum ministry to re-evaluate contracts and halt large extraction for a time.

Beyond personal and business interests, opposition in the legislature stems from the executive's lack of consultation on key governance reforms and the NUG's failure to hold parliamentary elections, which many MPs see as undermining the credibility of both branches of government. Though Ghani has extended parliament's term, MPs believe the government takes advantage of a constitutional vacuum and question the legality of his decrees.[31] Fraught executive-legislative relations resulted in the November Wolesi Jirga vote of no confidence in seven of sixteen ministers, including two of the four women. A female MP called the vote an opportunity to "showcase our power and remain relevant".[32]

[28] The Afghanistan Investment Agency (AISA) was responsible for facilitating registration, licensing and promotion of investment. Ghani also issued a decree, reasserting his authority under the constitution to appoint officials at director and director-general levels in all ministries and independent directorates. Presidential decree, 29 September 2014.

[29] "A Survey of the Afghan Parliament", Democracy International, February 2016; Timor Sharan and Srinjoy Bose, "Political networks and the 2014 Afghan presidential election: Power restructuring, ethnicity, and state stability", Conflict, Security & Development, vol. 16, no. 6, December 2016; Crisis Group interviews, parliament members (MPs), Kabul, November 2016.

[30] "President Ghani's Inauguration Speech", AOP, 29 September 2014.

[31] Crisis Group interviews, MPs, Kabul, November 2016.

[32] Ministers who had failed to spend less than 70 per cent of their development budget for the fiscal year 1394 (2015) were dismissed. Crisis Group interview, Kabul, November 2016. Thomas Ruttig,

On 12 November, Salahuddin Rabbani, the foreign minister and acting Jamiat-i Islami leader, was dismissed along with the ministers for labour, transport and civil aviation, public works, higher education, education, and social affairs, martyrs and disabled. The next day, the government called on parliament to postpone further confidence votes, an intervention many MPs rejected as "unconstitutional" and an "insult" to the house.[33] The president's team managed to muster sufficient support, mainly among Pashtun MPs, to gain approval of some Pashtun ministers, including Finance Minister Ekil Ahmad Hakimi. Ghani referred the dismissals to the Supreme Court, which has yet to rule.

Rabbani and his party were the biggest losers. On 13 November, the Jamiat released a statement claiming his rejection was the result of a "deceptive political process" initiated by "a certain circle". Jamiat's anger could have more adverse implications for the political future of Abdullah than Ghani. The Jumbish-i Milli Islami of First Vice President Abdul Rashid Dostum, now a staunch Ghani foe, also questioned the impartiality of the process.[34]

C. *The Jamiat Factor*

Abdullah is under immense pressure from non-Pashtun backers for failing to protect the interests of their ethnic constituents. On 22 September 2016, ethnic Uzbek and Turkmen leaders including ex-Minister Wahidullah Shahrani and ex-MP Sardar Rahmanoghlu publicly withdrew their support.[35] At a gathering in Kabul on 9 February, hundreds from Khost province and Freng and Gozargah-e-Noor districts of Baghlan province accused Abdullah of "failing to deliver on his election promises" and to implement the NUG's power-sharing arrangement.[36]

The most serious threat is from his main base in Jamiat. Many prominent party leaders strongly criticise his "inability to stand up to the president" and protect their and party interests. A fortnight before the Brussels conference, at a Kabul dinner senior Jamiat leaders hosted, he was given an ultimatum: either confront the president or risk being "removed" or "abandoned".[37] This disaffection has given the party's chief executive, Balkh Governor Atta, an opportunity to present himself as a more effective advocate for party interests in dealings with Ghani.

"Parliament kicks out ministers again: A multi-dimensional power struggle", AAN, 19 November 2016.

[33] "MPs discussion during the plenary session in Wolesi Jirga", weekly report, Assistance to Legislative Bodies of Afghanistan project, U.S. Agency for International Development, 13 November 2016.

[34] "Statement of Jamiat Islami of Afghanistan in relation to interpellation of Ministry of Foreign Affairs", 13 November 2016. The Jumbish party's 13 November statement, released on its Facebook page, said "lawful oversight of government and questioning and interpellation of cabinet ministers is a key responsibility of the parliament …. However (Rabbani's) dismissal questions the impartiality of MPs. According to Salahuddin Rabbani, he was rejected even though he provided supporting documents outlining the spending of 73 per cent of the ministry's budget".

[35] "Wahidullah Shahrani and Sardar Rahmanoghlu, supporters of Turkic people withdraw their support from Abdullah Abdullah", 1TV News Channel, 22 September 2016.

[36] Crisis Group interview, demonstration organiser, Kabul, 12 February 2017.

[37] Crisis Group interviews, senior Jamiat officials, Kabul, December, Mazar-i Sharif, October 2016; former Abdullah supporters, Kabul, September 2016.

Since September, Atta has reportedly discussed with Ghani inclusion in the unity government while retaining his Balkh province powerbase. Citing Abdullah's representation failures as motivation for a deal with Ghani, he insists the 2014 agreement was between the president and Jamiat, not Abdullah, and says his negotiations are aimed at "breaking the current political impasse". Abdullah's aides accuse Atta of promoting his own interests and say "only Abdullah has the authority to discuss and negotiate the content of the [NUG] agreement". [38]

The Jamiat has been beset with factionalism since the 2011 assassination of its leader, Buhanuddin Rabbani, and the 2014 death of Marshal Qasim Fahim. The rifts have further widened, and the party is now split into two main factions, supporting Abdullah or Atta. The CEO's faction currently includes influential leaders such as former Vice President Yunus Qanuni, former Defence Minister Bismillah Khan Mohammedi and MPs mainly from Panjshir province. The governor appears to have the support of, among others, Jamiat President Rabbani and Ahmad Zia Masoud, the brother of the late anti-Soviet mujahidin leader Ahmad Shah Masoud. His success inside the party is reflected in its 5 February statement that the "Leadership Council of Jamiat recommends … Ustad Atta to continue to negotiate with the palace on behalf of the party".

Yet, while Atta might succeed in sidelining Abdullah, he could lose support if he does not gain concessions for the party from the president. Regardless of the outcome of those negotiations, Ghani has the opportunity to consolidate power vis-à-vis a weakened CEO and an internally divided Jamiat, putting, as an MP said, "the last nail in the coffin of one of the oldest mujahidin parties".[39]

D. *Political Opposition*

Even if Ghani and Abdullah were to mend fences, the NUG would still be challenged by the opposition led by ex-President Karzai, who, meeting regularly with disgruntled serving officials, generals and tribal chiefs, has publicly criticised it on issues ranging from foreign policy to governance. Senior officials say Karzai seeks to exploit internal NUG divisions to make a comeback and or bring one of his allies to power; some ex-Karzai senior officials call the government "illegitimate" in private meetings and are actively lobbying for a Loya Jirga or an early election. Ghani's supporters even allege Karzai has supported protests such as the Enlightenment movement (see below) to incite anti-government violence.[40]

[38] Atta wrote: "With the good intentions I have seen from the President, I feel that the only way to strengthen the government and improve legitimacy [is to] establish a common axis [*mehvar*] to end the current crisis". "Afghanistan's situation needs a closer political grouping", BBC Online, 18 December 2016. "Fazel Sangcharaki's interview", Freedom Radio, 24 December 2016. Crisis Group interview, senior CEO advisor, Kabul, August 2016.

[39] Crisis Group interview, Kabul, November 2016.

[40] In interviews, Karzai, among other issues, criticises Ghani's outreach to Pakistan's military, hoping to bring the Taliban to the negotiating table. "We want a friendly relationship but not to be under Pakistan's thumb", he said. Also criticising the NUG for blaming his government for failures, he said, "rather than going back into the past, they should begin to deliver". "Interview with Hamid Karzai", video, *The New York Times*, 5 August 2016; "Afghanistan is in chaos. Is that what Hamid Karzai wants", ibid, 5 August 2016; "Hamid Karzai: Afghanistan in danger of sliding 'under thumb'

Old Karzai officials and allies are prominent in opposition groups, including the Afghanistan Protection and Stability Council (APSC), formed in early 2016, that reject the NUG's legitimacy. Chaired by ex-mujahidin leader Abdul Rasul Sayyaf, with ex-Northern Alliance leader and Vice President Yunus Qanuni as vice chair, it includes Karzai's erstwhile presidential aide, Sadiq Modaber, and the water and energy and interior ministers, Ismail Khan and Omar Daudzai.

A smaller group, the New National Front of Afghanistan, formed in January 2016, is led by Karzai's one-time finance minister, Anwar ul-Haq Ahadi, who supported Ghani's election but now backs an early election, because the NUG faces a "legitimacy crisis". The High Council of Jihadi and National Parties (Shora-ye-Aali Ahzab Jihadi wa Melli), another small opposition group of ex-mujahidin leaders, formed in 2015, is led by former President Sebqatullah Mujaddadi and a Karzai vice president, Karim Khalili. Members supported Ghani's election but distanced themselves largely because they were excluded from government. However, they seem to be keeping their options open. Mujaddadi told a press conference: "We support the government and want to make sure that the current situation does not lead to political instability".[41]

Ghani also faces opposition within his own camp, primarily from First Vice President Dostum. Relations between the two have been strained since the president ordered an investigation into the alleged June 2016 mass arrests of villagers, destruction of property and killings of suspected insurgents by Dostum's militias in Faryab province. The rift grew when Ghani called for an investigation in December into allegations by Ahmad Ishchi, the vice president's rival, that he had been forcibly confined in Dostum's house in Sheberghan city and subjected to torture and sexual assault. Dostum's office denied the accusations, saying they were designed to discredit him in the wake of a failed assassination attempt. On 17 December, the attorney general's office said it had begun an "impartial and transparent investigation regarding the recent incident with Mr Ahmad Ishchi".[42]

Dostum came to Kabul with hundreds of armed men and has since refused to comply with a summons from the attorney general's office. Ghani's aides say Dostum will be removed from office if there is sufficient evidence to prosecute; Dostum's office insists vice presidents have constitutional immunity, though there does not appear to be such a provision.[43] The attorney general's office issued arrest warrants for nine of his bodyguards on 23 January but appears to be backtracking on its initial summoning of Dostum, whose prosecution seems unlikely.

of Pakistan'", *The Guardian*, 9 March 2015; "Hamid Karzai in his retirement, says of Afghanistan: 'We should not be failing'", *Los Angeles Times*, 27 December 2016. Crisis Group interviews, National Security Council officials, Ghani's advisers and ministers, Kabul, August-November 2016.

[41] "Newly-launched party calls for fresh presidential polls", Pajhwok News, 14 January 2016. "Live coverage of High Council of Jihadi and National Parties press conference", Ariana News Channel, 1 November 2016.

[42] "Afghanistan, Forces Linked to Vice President Terrorise Villagers", Human Rights Watch, 31 July 2016. Crisis Group interviews, Dostum's staff, Kabul, December 2016; "Afghan vice president escapes unhurt after Taliban ambush convoy", Reuters, 17 October 2016; "Taliban ambush Vice President Gen. Dostum's convoys in Faryab", Khaama Press, 17 October 2016. "Proclamation 17 December 2016", attorney general's office, Kabul. 17 December 2016.

[43] Crisis Group interviews, Ghani staff member and adviser; Dostum staff, Kabul, December 2016.

IV. Discord and Dysfunction

A. *Insecurity and Political Dysfunction*

With the Taliban challenging the state's writ from Helmand and Uruzgan in the south to Farah and Faryab in the west and Sar-e Pul and Kunduz in the north, 151 of the country's 375 districts were under "high threat" from the insurgency by December 2016, 65 were under "medium threat", and eleven had "collapsed". According to the U.S. Inspector General for Afghan Reconstruction (SIGAR), 57.2 per cent of the 375 districts were under Afghan government control or influence on 1 February 2017, an almost 15 per cent decline since end 2015. According to SIGAR, 6,785 Afghan forces were killed and 11,777 wounded from January to November 2016. The UN Mission in Afghanistan (UNAMA) also reported a 3 per cent increase in 2016 in civilian casualties (3,498 killed, 7,920 wounded). On 21 January, the Afghan government and humanitarian community, including UN agencies, launched the "2017 Afghanistan Humanitarian Response Plan", which estimates that 9.3 million people will need humanitarian assistance in the year.[44]

The sanctuary and other support Pakistan gives the Taliban will remain a major counter-insurgency challenge, but the NUG's internal rifts make the ANDSF's task all the more difficult. More than a year ago, in testimony to the U.S. Senate Armed Services Committee, General John Campbell, then Resolute Support Mission and U.S. Forces Afghanistan (USFOR-A) commander, warned that at least 70 per cent of the problems Afghan security forces faced were the "result of poor leadership". SIGAR identifies two main interlinked stabilisation challenges: NUG internal discord and weak ANDSF leadership. In its first year, the unity government failed even to appoint heads of key security ministries, including defence and interior, thus undermining ANDSF command structures.[45] After appointments were made, NUG rifts and mistrust have penetrated the security apparatus down to its directorates, hampering its capacity to counter security threats.

Under NUG power sharing, Abdullah's team appoints senior interior ministry (MoI) officials and has some influence in the Afghan National Army (ANA), since the chief of army staff appointment falls under that ministry's purview. Ghani's team appoints senior officials of and controls the defence ministry (MoD), the National Security Council (NSC) and the main intelligence agency, the National Directorate of

[44] In March 2017, the Taliban captured Helmand province's Sangin district. "Taliban capture an Afghan district, Sangin, that many marines died to keep", *The New York Times*, 23 March 2017. From January to December 2016, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 530,470 were conflict-displaced. "ANDSF Provincial/District Threat Assessment", interior ministry, 7 December 2016; "Quarterly Report to the U.S. Congress", SIGAR, 30 January 2017; "2016 Annual Report on Protection of Civilians in Armed Conflict", UNAMA, February 2017; "2017 Humanitarian Response Plan", OCHA, Kabul, November 2016.

[45] On Pakistan, see Crisis Group Asia Reports, N°s 271, *Revisiting Counter-terrorism Strategies in Pakistan: Opportunities and Pitfalls*, 22 July 2015; and 262, *Resetting Pakistan's Relations with Afghanistan*, 28 October 2014. "The Situation in Afghanistan", testimony, 4 February 2016; "Quarterly report to the United States Congress", SIGAR, 30 October 2016. For Crisis Group analysis of ANDSF performance, see Asia Reports, *Afghanistan's Insurgency after the Transition* and *The Future of the Afghan Local Police*, both op. cit. It took the NUG a year to nominate Masoum Stanekzai as defense minister, but the parliament rejected him.

Security (NDS). In an apparent effort to strengthen command and control and oversight and improve the appointment process, Ghani has tried to centralise ANDSF decision-making and operation procedures around the office of the armed forces commander-in-chief. That office is now responsible for day-to-day planning of military, MoI and intelligence agencies operations as well as MoD oversight. It is also authorised to recommend to the president appointments of ANA and Afghan National Police (ANP) commanders and generals. Yet, since this is perceived as a bid to further concentrate presidential power, it has aggravated NUG tensions and spurred rivalries between security ministries and directorates.[46]

The security challenges would have been graver had the unity government failed to retain international financial and military support. The "precarious" security situation resulted in President Barack Obama's July 2016 decision to keep 8,400 U.S. troops in country and loosen rules of engagement to allow them to fight the Taliban directly and carry out more airstrikes. While President Donald Trump's Afghanistan policy is still being formed, Secretary of State Rex Tillerson has backed NATO's Resolute Support Mission, whose commander, General John Nicholson, called in testimony before the Senate Armed Services Committee on 9 February for an additional "few thousand troops" to fill a "shortfall". In 9 March testimony to the committee, Central Command Chief General Joseph Votel backed such an increase.[47] Even if coalition numbers stay static, ANDSF will continue to benefit from NATO's commitment at its June Warsaw summit to train, advise and assist it and provide $4.5 billion annually until 2020.

1. The Afghan National Army

ANA and Afghan Air Force (AAF) personnel are 169,229, 13 per cent short of the approved 195,000 target.[48] The government and NATO are generally satisfied with overall performance in 2016. Though stretched thin and suffering high casualties, the army repelled insurgent advances in conflict-hit provinces, including Kunduz, Helmand, Uruzgan and Nangarhar, and prevented the Taliban from retaining a major provincial capital or district centre. According to General Nicholson, special forces mostly now operate independently of coalition advisers, forces or enablers, unlike two years ago when they were heavily dependent on international military and air

[46] SIGAR, 30 October 2016, op. cit. Crisis Group interviews, NSC; office of the armed forces commander-in-chief; resolution support mission advisers, all Kabul, December 2016.

[47] "Obama: 8,400 U.S. troops to remain in Afghanistan through January", U.S. Department of Defense, 6 July 2016; "Obama approves broader role for forces in Afghanistan", Reuters, 10 June 2016. On 31 March, Tillerson told a NATO foreign ministers meeting in Brussels: "NATO's train, advise, and assist mission is essential to our shared goal of ensuring that Afghanistan develops the capability to contribute to regional stability and prevail over terrorist threats, including al-Qaeda and ISIS". "Afghanistan plans to double special op forces, use drones", Voice of America, 2 April 2017. "U.S. general seeks 'few thousand' more troops in Afghanistan", *The New York Times*, 9 February 2017; "Top U.S. general: Send more troops to Afghanistan", *US News and World Report*, 9 March 2017.

[48] Women are only 1 per cent of the force. In August 2016, Resolute Support Mission set the goal of 5,000 women in the ANA and 5,000 in ANP, but there are only 877 and 2,866 respectively. SIGAR, 30 October 2016, op. cit.

support. Yet, reliance on these some 17,000 elite forces for 70 per cent of the army's offensive operations risks overburdening them.[49]

A senior MoD official, claiming the delay in appointing a minister had adversely affected ANA's "resource management and strategic planning", said the army still faced considerable hurdles in "organising offensive operations at the zone level and coordinating across command structures". In a letter leaked to the media, another senior MoD official called Defence Minister Lt. General Abdullah Khan Habibi "one of the most incompetent in the cabinet", with "few management skills" and whose incompetence had contributed to an "increase in the casualty numbers …", an assessment widely shared by security officials.[50]

With many corps-level appointments still patronage based, the NUG, in talks with the defence ministry and Resolute Support Mission, is exploring options to reform personnel and command structures prior to an expected Taliban spring offensive. Possible reforms include creating a special army committee under the president to streamline appointments.[51]

2. The Afghan National Police

ANP personnel are 148,480, just short of the 157,000 target, excluding the Afghan Local Police (ALP) which is not part of the structure.[52] While it suffers higher casualties than the army because it is often at the front during the "hold" phase of counter-insurgency operations, its poorly rated performance is largely due to "inadequate training in counter-insurgency, poor planning processes and sub-optimal force postures" that leave personnel vulnerable at static checkpoints. The ANP and ALP are, moreover, ridden with corruption and nepotism. ANP officer appointments are often patronage based; staff positions are stacked with junior and inexperienced officers, appointed due to nepotism, corruption or simply the ability to read and write. The many weaknesses, including lack of professionalism and internal power struggles, were evident in the siege of Uruzgan's capital, Tirin Kot in September 2016.[53]

The assassination of Uruzgan's controversial police chief, Matiullah Khan, in April 2015 and the political and tribal rifts that ensued set the stage for a Taliban assault on the provincial capital. Khan, a Karzai ally and fellow Popalzai tribesman who also had strong NATO backing, had kept the insurgents at bay but was perceived by rivals to favour his tribe. His successor, General Gulab Khan, was killed in an insider attack a month later. Subsequent political and tribal tussles over the police chief post un-

[49] General Nicholson said the ANDSF was "tested" and "prevailed" in 2016. Department of Defense press briefing, 2 December 2016. Crisis Group interviews, senior Afghan security and Resolute Support Mission officials, Kabul, December 2016; Kandahar, September 2016.

[50] Crisis Group interview, Kabul, December 2016. "Abdullah Habibi, the most incompetent minister in cabinet", ITV 6 O'clock News, 24 December 2016. Crisis Group interviews, security officials, Kabul, December 2016.

[51] Crisis Group interviews, Western ambassadors; Resolute Support Mission commander, Kabul, December 2016.

[52] Women are 1.8 per cent of the ANP. SIGAR, 30 October 2016, op. cit.

[53] SIGAR, 30 April and 30 October 2016; Crisis Group Report, *The Future of the Afghan Local Police*, all op. cit. Crisis Group interviews, senior MoD, NSC advisers, Kabul, December 2016; also, Kenneth Katzman, "Afghanistan: Post-Taliban Governance, Security, and the U.S. Policy", Congressional Research Support Report, 8 November 2016.

dermined ANP discipline and capacity. The bid of Maitullah's brother, Rahimullah, to take over the job was thwarted by MP Obaidullah Barekzai, representing the rival Barezkzai tribe. Rahimullah's disaffection with the government grew after he was appointed only deputy chief, while reforms by the new chief, on Ghani's instructions, to counter ANP corruption, further weakened his power base, including his late brother's militia.[54]

On 6 September 2016, hundreds of insurgents attacked checkpoints on the three main routes to Tirin Kot city. As fighting continued for three days, officials and local politicians alleged that police under Rahimullah's command, including Qaher Tokhi, the third brigade commander, deliberately abandoned some 60 posts on the outskirts, allowing the Taliban to capture ALP headquarters on the morning of 8 September. Kandahar police chief and regional strongman General Abdul Raziq broke the siege that afternoon with international air support, and the Taliban, fearing his ruthless reputation, abandoned the city.[55]

B. *Ethnic Tensions*

ANDSF ethnic and tribal rifts are reflected in the polity more generally. Ethnic partisanship perceptions within the NUG fuel mistrust and alienate excluded minorities. Ghani and Abdullah appear to have favoured ethnic constituents in appointments to senior posts, as have the vice presidents and their deputies. Even if solely made on merit, Ghani's decision to appoint mainly fellow Pashtuns to positions of power and authority is seen as reflecting bias; all four of the president's closest advisers are Pashtuns, while Abdullah appears to favour fellow Tajiks.

According to data a diplomatic mission collected on ethnic identities of appointments to the NUG cabinet and provincial governorships, fourteen of 23 made by Abdullah were Tajiks, five Hazaras, and only three Pashtuns or Uzbeks. Of 40 made by Ghani, 29 were Pashtuns, five Uzbeks and five Tajiks and Hazaras. A dataset that compared 150 appointments found that the president's team favoured Pashtuns and the CEO's Tajiks over ethnic Hazaras and Uzbeks. A June 2016 study by an Afghan newspaper found that sixteen senior posts were filled by Pashtuns, fourteen by Tajiks and two each by Uzbeks and Hazaras in 46 Afghan embassies and consulates.[56]

Preventing perceptions of ethnic bias in appointments and taking urgent remedial measures to deal with ethnic grievances is particularly important in a country already in the grip of conflict. Ethnic competition and bargaining is inevitable in multi-ethnic, multi-regional Afghanistan, but if left unaddressed, grievances can fuel alienation and discord, as the Enlightenment movement shows.

[54] Crisis Group interview, Uruzgan MPs, security officials, Kandahar, October; Kabul, November 2016; "Taliban kill second police chief from same Afghan province", Reuters, 26 April 2016; "Taliban close to taking over Afghan provincial capital", *The New York Times*, 8 September 2016. The reforms included new police appointments and removal of "ghost soldiers" from salary rosters, a lucrative form of income.

[55] Crisis Group interviews, Uruzgan MPs, security officials, Kandahar, October; Kabul, November 2016. Raziq is known as the "killer of Taliban" for how he deals with captured insurgents.

[56] Data provided to Crisis Group. "Assessing the election promise against composition of embassies and consulates", *Etilaatroz*, 28 June 2016; also, Sharan and Bose, op. cit.

The 30 April 2016 cabinet decision to reroute a power transmission line from the originally proposed route through Bamiyan, a Hazara-dominated province, to the Salang pass in the north sparked a major confrontation between the president and Hazara leaders and civil society activists. On 6 May, calling the TUTAP "our red line", former Vice President Khalili, an ethnic Hazara, warned that the "government must not provoke people [ethnic communities] against each other".[57] By mid-month, Hazara civil society activists, backed by their political leaders, had set up the Enlightenment movement (Jonbish-i-Roshanayi), managed by a 40-member High Council of the People. The protestors alleged that the new route was yet another "deliberate attempt" by Pashtun leaders "to systematically discriminate against Hazaras" by depriving them of the benefits of an economic development project. Seeing this as an opportunity to target the NUG, non-Hazara, pro-Karzai NUG opponents, including former Interior Minister Daudzai and former NDS Director-General Rahmatullah Nabil backed the movement.[58]

On 16 May 2016, more than 10,000 Hazaras took to Kabul streets calling on the government to reverse the decision.[59] Though the protests, which continued in many Afghan cities, were largely peaceful, there were some skirmishes with the police. Justifying the Salang route as shorter, thus accelerating the project and saving costs, the government proposed a sub-line to Bamiyan that some Hazara leaders, including Mohammad Mohaqqeq, Abdullah's second deputy, accepted; others urged more protest. The protests fuelled tensions between Hazaras and Pashtuns; counter-demonstrations in Pashtun-dominated cities criticised Hazaras for turning a national infrastructure project into an ethnic controversy.[60]

The anti-Shia Islamic State-Khorasan (IS-K) attacked an Enlightenment movement demonstration in Kabul in July 2016, killing over 85 and injuring some 400. With four further strikes by IS-K, including the 21 November suicide bomb at a Kabul mosque that killed 32 and injured 50, failure to protect the predominately Shia Hazaras and the TUTAP controversy have undermined the administration's and particularly the president's standing with Hazaras.[61]

Hazara protests have remained peaceful, but ethnic grievances and tensions have in the past triggered conflict and continue to do so. Indeed, conflict in multi-ethnic provinces such as Baghlan, Kunduz and Faryab has as much to do with disputes be-

[57] "Karim Khalili on TUTAP Route via Bamiyan: 'Government should not create crisis'", Mitra News Channel, 6 May 2016. TUTAP stands for Turkmenistan-Uzbekistan-Tajikistan-Afghanistan-Pakistan but the transmission line no longer includes Pakistan.

[58] Crisis Group interview, Enlightenment movement leader, Kabul, June 2016. Thomas Ruttig, "Power to the People (2): The TUTAP Protests", AAN, 16 May 2016.

[59] The government blocked major roads to the presidential palace with containers the night before, fearing a repeat of the 12 November protest, the "Tabasum Revolution", when the gates were stormed over beheadings of Hazaras claimed by the Islamic State-Khorasan. "Protesters angry about ISIS beheadings storm Afghan presidential palace", CNN, 12 November 2015.

[60] Crisis Group interviews, Ghani advisers, officials, July 2016. "Announcing the ten routes of demonstration for 27 Saur in Kabul", Enlightenment statement no. 6, 12 May 2016; "Thousands of Afghan Hazaras join power line protest in Kabul", Reuters, 16 May 2016. Rutting, "Power to the People", op. cit.

[61] "UNAMA Human Rights special report on 23 July Kabul Attack", press release, 18 October 2016; "Afghanistan: Shia Bombing Spotlights Need to Protect", Human Rights Watch, 21 November 2016.

tween rival pro-government ethnic militias as with the Taliban insurgency; the Taliban's ability to muster support, too, is largely the result of portraying itself successfully as the defender of Pashtuns.[62]

Perceptions of ethnic discrimination only benefit spoilers; the NUG should make appointments on merit, rather than ethnic or other partisan grounds. By engaging all ethnic communities on governance and security policies that affect their interests, it would be better placed to prevent misperceptions that mar its credibility and thus mitigate conflict risks.

[62] Crisis Group interviews, politicians, security officials, Kabul, June 2016; Reports, *The Insurgency in Afghanistan's Heartland*, op. cit; N°62, *Afghanistan: The Problem of Pashtun Alienation*, 5 August 2003.

V. The NUG's Future

Internal divisions, governmental dysfunction and mounting political opposition have raised concerns about the NUG's future and political stability more generally in an already fragile state. Several options are being discussed in Afghan and international circles on how to address political and constitutional challenges that, if left unresolved, could increase conflict risks.

A. *Policy Options*

1. Constitutional versus "traditional" Loya Jirga

Though Ghani and Abdullah pledged in the NUG agreement to hold a constitutional Loya Jirga to formalise the CEO position within two years, this cannot be done without district council elections. Ex-President Karzai and his supporters now back a traditional (informal) Loya Jirga in which delegates selected by the convenors would be authorised to transform the current presidential system in accordance with the NUG agreement. Ghani's and Abdullah's advisors question Karzai's motives. Given the extensive patronage network he cultivated during his presidency and his considerable popular support, particularly in the south and south west, they believe he could manipulate the forum to undermine the NUG and engineer "a comeback as Afghanistan's saviour".[63] Lacking the political capital and support to shape such a Loya Jirga's agenda or outcome, neither Ghani nor Abdullah supports the option. Ghani is concerned about Karzai's potential spoiler role, while Abdullah is unwilling to risk losing his CEO post.

2. Early elections

One opposition group, the Afghanistan Protection and Stability Council (APSC), calling the NUG "illegitimate", wants early simultaneous presidential, parliamentary and district council polls. But this appears to be a bargaining demand. Erstwhile Interior Minister Omar Daudzai, who allegedly lobbied for it in Washington, and other influential APSC members seem willing to drop it if Ghani includes them in his administration.[64] Otherwise, they will continue to push it. Neither Ghani nor Abdullah wants early elections. Along with concerns about security, they would not wish their terms cut short. Given the lack of preparations, such an option is also logistically unfeasible.

3. Chapter 11 (bankruptcy)

High-ranking ex-ministers and senior bureaucrats shared a document with Western embassies in Kabul and U.S. State Department and National Security Council officials in Washington in October. Titled "Plans for Strengthening National Unity and Enhancing Political Stability", it became widely known as "Chapter 11", or "bankruptcy". Arguing that a "bankrupt" unity government needs renewed credibility to keep power until the end of the president's five-year term, its stated objectives

[63] Crisis Group interviews, Karzai aides, Ghani and Abdullah advisers, Kabul, November 2016.
[64] Crisis Group interviews, opposition leaders, Kabul, November 2016; Western officials, Washington DC, November 2015; Ghani advisers, Kabul, September 2016.

included preventing a looming political crisis, building consensus on key national issues and garnering support for the government by including opposition groups in the political process and peace efforts. It proposed NUG leaders present their reform agenda and plans to a traditional Loya Jirga for deliberation and vote. A "panel of independent Afghan scholars", as arbitrators, would devise "a solution about the position of CEO and deputies" in a way that "preserves the spirit of the NUG through the end of this presidential term". Loya Jirga approval would give the NUG the legitimacy to run the country until its term ended.[65]

International backers are unlikely to take this option seriously, since it would weaken Ghani's control. They would rather the NUG broaden its political base, which would help to stabilise the government and polity more generally.

4. Broadening the NUG's base

Since September 2016, Ghani has been under international pressure to govern more inclusively, which could involve reaching out to disgruntled opposition leaders such as Khalili, Sayyaf, Daudzai and former NDS head Asadullah Khalid. Yet, he seems more focused on broadening his powerbase through overtures to key Jamiat leaders, including Qanuni and the former NDS director-general, Amrullah Saleh, whom he made state minister for security sector reforms in March.[66]

Much depends on the talks with Jamiat powerbroker Atta. While Ghani might gain from a divided Jamiat and weakened CEO, using Atta to undermine Abdullah's party support could potentially spur intra-Tajik conflict.[67] More importantly, even if Atta and other Jamiat leaders were to join Ghani's government, the result could be more disgruntlement and internal discord, since the president is unlikely to accept their power-sharing demands. Given Afghanistan's security straits, it cannot afford another political crisis that would only benefit spoilers.

B. *The Way Ahead*

A credible election in 2014 and a peaceful, constitutional transfer of power from one government to another would obviously have been preferable to an imperfect, U.S.-devised power-sharing agreement that has spawned new stability challenges. Yet, with security threats mounting and slim chances of generating consensus around a new governance arrangement, retaining the NUG as presently composed remains the most desirable option. But Ghani and Abdullah must put aside their differences and forge the "genuine and meaningful partnership" they pledged in the NUG agreement.

[65] Text provided to Crisis Group. The proposal also included an Independent Appointment Commission to interview, nominate and recruit candidates for all positions above grade 3, based on merit and representative of all ethnic groups. The bureaucracy has seven grades, with one the highest.
[66] Crisis Group interviews, senior presidential advisers, officials, Kabul, November 2016. "Saleh appointed as state minister for security reforms", TOLOnews, 11 March 2017.
[67] "After two years and a few months", said Atta, "we separated [Abdullah] from the decision-making within the party. We categorically told him that he cannot cope with … what the nation wants". The CEO, he said, "did not have the ability to perform his duties …. It is better to separate our political ways now". "Noor apologises for supporting Abdullah's presidential bid", TOLOnews, 13 March 2017. Crisis Group interviews, pro-Abdullah Jamiat officials, informed journalists, Kabul, December 2016.

It should be possible to overcome tensions from their divergent power-sharing interpretations, a by-product of the vaguely worded agreement, by more consultation on appointments, priorities and programs. The president and CEO must also ensure that their appointees, including in the security apparatus, refrain from the partisanship that has undermined governance and security.

Some of Ghani's aides favour not only consolidating power in the president's office, but also doing away with the CEO position on the grounds that it prevents timely, effective decisions.[68] Such radical restructuring would likely unravel the political order at a time when there is no consensus on future governing structures.

The NUG's credibility and political stability more generally also depend on making preparations now for credible parliamentary and district council elections. The government should prioritise reform of the electoral system and related institutions to ensure that poll outcomes are accepted by all stakeholders, forestalling the fierce disputes that followed earlier elections.

The international community should give the NUG the fiscal and military resources it needs to provide both services and security. At the same time, influential actors, particularly the U.S., Russia and China, should resist the temptation to dictate an externally-driven political or security agenda that, lacking domestic ownership, could further destabilise the state. While the international community should press Pakistan to end sanctuaries and support to the insurgents, Kabul should have the lead on agendas and processes with regards to negotiations with the Taliban and should also be closely consulted on the use of force against the insurgents. Moreover, any future political framework for post-NUG governance should emerge out of inclusive consultations among Afghan stakeholders, instead of an internationally-devised backroom deal.

[68] Crisis Group interviews, Ghani advisers, Kabul, November 2016.

VI. Conclusion

In 2014, an externally-devised power-sharing arrangement might have been the only option available after a bitterly contested election threatened to plunge the country into turmoil. But two and a half years later, widening internal disagreements and mistrust, exacerbated by resistance to reform from entrenched patronage networks, are undermining unity government ability to govern effectively. Political partisanship has penetrated the state machinery, including security sector institutions, hampering efforts to deliver governance and tackle insurgency.

Strained relations between Ghani and Abdullah, largely resulting from a vaguely worded power-sharing deal, have been exacerbated by perceived efforts to sideline the latter. Moreover, their propensity to favour ethnic constituents is contributing to growing fragmentation within both the government apparatus and the multi-ethnic, multi-regional polity.

If the NUG is to survive and the country stabilise, the president and CEO must urgently resolve their differences, prioritising public over personal interest. Only if they work together can their government begin to address in earnest the many challenges – including economic decline, a rising humanitarian crisis and a growing insurgency – that confront the country.

Kabul/Brussels, 10 April 2017

Appendix A: Map of Afghanistan

Appendix B: Glossary

ACJC – Anti-Corruption Justice Center, a specialised court to combat serious corruption cases.

AISA – Afghanistan Investment Support Agency.

ALP – Afghanistan Local Police, operating outside the formal policing structure.

ANA – Afghan National Army.

ANDSF – Afghan National Defence and Security Forces, refers to all security forces including ANA, ANP, ALP and the Afghanistan Border Police.

ANP – Afghan National Police.

ANPDF – Afghanistan National Peace and Development Framework, presented in October 2016 at the Brussels conference, setting out strategic policy priority programs until 2021.

AOP – Administrative Office of the President.

APSC – Afghanistan Protection and Stability Council, an opposition group, formed in early 2016, chaired by former mujahidin leader Abdul R Rasul Sayyaf.

CCAP – Citizen Charter Afghanistan Project, a follow up to the National Solidarity Program, launched on 25 September 2016 to improve delivery of core infra-structure and social services.

CEO – Chief Executive Officer, a position created by presidential decree for Abdullah Abdullah following the NUG agreement.

HOOAC – High Office of Oversight and Anti-Corruption.

IARCC – Independent Administrative Reforms and Civil Service Commission.

IEC – Independent Election Commission.

IECC – Independent Election Complaint Commission.

IS-K – Islamic State-Khorasan, an affiliate of the Islamic State in Iraq and Syria (ISIS) in South Asia.

Jamiat-i Islami – Afghanistan's most powerful party, set up in 1972 and composed predominantly of Tajiks, with a strong presence in northern and western Afghanistan.

Jumbish-i-Milli Islami – A predominantly ethnic Uzbek party led by First Vice President General Abdul Rashid Dostum.

Jonbish-i-Roshanayi – Enlightenment Movement, ethnic Hazara movement formed May 2016 in response to rerouting of the TUTAP power transmission line from Hazara-majority Bamiyan province to the Salang pass.

Loya Jirga – Grand Assembly, convened at times of national crisis or to settle important national issues.

NNFA – New National Front of Afghanistan, an opposition grouping, formed on 14 January 2016, led by President Hamid Karzai's former finance minister, Anwar ul-Haq Ahadi.

NPA – National Procurement Authority, formed in 2014 to centralise Afghanistan's procurement system to control corruption.

NSC – National Security Council, responsible for coordinating policy on security issues.

NUG – National Unity Government, a U.S.-brokered power-sharing arrangement between the two contenders in the 2014 presidential election, Ashraf Ghani and Abdullah Abdullah.

TUTAP – Turkmenistan-Uzbekistan-Tajikistan-Afghanistan-Pakistan electricity transmission line, which, however, no longer includes Pakistan.

SERC – Special Election Reform Commission, set up in June 2015 to propose electoral reform before the parliamentary elections.

SIGAR – Special Inspector General for Afghanistan Reconstruction, the U.S. government's oversight authority on Afghanistan reconstruction.

Shora-ye-Aali Ahzab Jihadi wa Melli – High Council of Jihadi and National Parties, an opposition group, formed on 26 August 2015 and led by former President Sebqatullah Mujaddadi.

Wolesi Jirga – Lower house of parliament.

Appendix C: About the International Crisis Group

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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown. Its Vice Chair is Ayo Obe, a Legal Practitioner, Columnist and TV Presenter in Nigeria.

Crisis Group's President & CEO, Jean-Marie Guéhenno, served as the UN Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013. Crisis Group's international headquarters is in Brussels, and the organisation has offices in nine other locations: Bishkek, Bogota, Dakar, Islamabad, Istanbul, Nairobi, London, New York, and Washington DC. It also has staff representation in the following locations: Bangkok, Beijing, Beirut, Caracas, Delhi, Dubai, Gaza City, Guatemala City, Jerusalem, Johannesburg, Kabul, Kiev, Mexico City, Rabat, Sydney, Tunis, and Yangon.

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April 2017

Appendix D: Reports and Briefings on Asia since 2014

Special Reports

Exploiting Disorder: al-Qaeda and the Islamic State, Special Report N°1, 14 March 2016 (also available in Arabic).

Seizing the Moment: From Early Warning to Early Action, Special Report N°2, 22 June 2016.

Counter-terrorism Pitfalls: What the U.S. Fight against ISIS and al-Qaeda Should Avoid, Special Report N°3, 22 March 2017.

North East Asia

Old Scores and New Grudges: Evolving Sino-Japanese Tensions, Asia Report N°258, 24 July 2014 (also available in Chinese).

Risks of Intelligence Pathologies in South Korea, Asia Report N°259, 5 August 2014.

Stirring up the South China Sea (III): A Fleeting Opportunity for Calm, Asia Report N°267, 7 May 2015 (also available in Chinese).

North Korea: Beyond the Six-Party Talks, Asia Report N°269, 16 June 2015.

Stirring up the South China Sea (IV): Oil in Troubled Waters, Asia Report N°275, 26 January 2016 (also available in Chinese).

East China Sea: Preventing Clashes from Becoming Crises, Asia Report N°280, 30 June 2016.

South Asia

Policing Urban Violence in Pakistan, Asia Report N°255, 23 January 2014.

Afghanistan's Insurgency after the Transition, Asia Report N°256, 12 May 2014.

Education Reform in Pakistan, Asia Report N°257, 23 June 2014.

Afghanistan's Political Transition, Asia Report N°260, 16 October 2014.

Resetting Pakistan's Relations with Afghanistan, Asia Report N°262, 28 October 2014.

Sri Lanka's Presidential Election: Risks and Opportunities, Asia Briefing N°145, 9 December 2014.

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Women, Violence and Conflict in Pakistan, Asia Report, N°265, 8 April 2015.

The Future of the Afghan Local Police, Asia Report N°268, 4 June 2015.

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Winning the War on Polio in Pakistan, Asia Report N°273, 23 October 2015.

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Sri Lanka: Jumpstarting the Reform Process, Asia Report N°278, 18 May 2016.

Pakistan's Jihadist Heartland: Southern Punjab, Asia Report N°279, 30 May 2016.

Pakistan: Stoking the Fire in Karachi, Asia Report N°284, 15 February 2017.

South East Asia

Myanmar's Military: Back to the Barracks?, Asia Briefing N°143, 22 April 2014 (also available in Burmese).

Counting the Costs: Myanmar's Problematic Census, Asia Briefing N°144, 15 May 2014 (also available in Burmese).

Myanmar: The Politics of Rakhine State, Asia Report N°261, 22 October 2014 (also available in Burmese).

A Coup Ordained? Thailand's Prospects for Stability, Asia Report N°263, 3 December 2014.

Myanmar's Electoral Landscape, Asia Report N°266, 28 April 2015 (also available in Burmese).

Southern Thailand: Dialogue in Doubt, Asia Report N°270, 8 July 2015.

Myanmar's Peace Process: A Nationwide Ceasefire Remains Elusive, Asia Briefing N°146, 16 September 2015 (also available in Burmese).

The Myanmar Elections: Results and Implications, Asia Briefing N°147, 9 December 2015 (also available in Burmese).

Thailand's Lengthening Roadmap to Elections, Asia Report N°274, 10 December 2015.

The Philippines: Renewing Prospects for Peace in Mindanao, Asia Report N°281, 6 July 2016.

Myanmar's New Government: Finding Its Feet?, Asia Report N°282, 29 July 2016 (also available in Burmese).

Southern Thailand's Peace Dialogue: No Traction, Asia Briefing N°148, 21 September 2016.

Myanmar's Peace Process: Getting to a Political Dialogue, Asia Briefing N°149, 19 October 2016 (also available in Burmese).

Myanmar: A New Muslim Insurgency in Rakhine State, Asia Report N°283, 15 December 2016 (also available in Burmese).

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