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De: Secretaría General del Consejo

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A: Delegaciones

N.º doc. prec.: 12912/17

Asunto: Afganistán

- Conclusiones del Consejo (16 de octubre de 2017)

Adjunto se remite, a la atención de las delegaciones, las Conclusiones del Consejo sobre Afganistán, adoptadas por el Consejo en su sesión n.º 3566, celebrada el 16 de octubre de 2017.

Conclusiones del Consejo sobre Afganistán

1. El Consejo acoge favorablemente la Comunicación conjunta de la alta representante y la Comisión al Parlamento Europeo y al Consejo sobre Elementos de una estrategia de la UE para Afganistán¹. La Comunicación conjunta marca el camino para una estrategia coherente, ambiciosa y con visión de futuro para la presencia de la UE en Afganistán y la cooperación con este país a fin de vencer los grandes desafíos existentes. De conformidad con la Estrategia Global sobre Política Exterior y de Seguridad de la Unión Europea y su enfoque integrado de los conflictos y las crisis, la estrategia confirma una vez más el compromiso duradero de la UE y sus Estados miembros de promover la paz, la estabilidad y la prosperidad en Afganistán y apoyar su desarrollo sostenible.
2. La Comunicación conjunta se centra en cuatro ámbitos prioritarios esenciales para lograr avances en Afganistán: a) promover la paz, la estabilidad y la seguridad regional; b) fortalecer la democracia, el Estado de Derecho y los derechos humanos, y promover la buena gobernanza y la emancipación de la mujer; c) apoyar el desarrollo económico y humano; d) hacer frente a los retos que plantea la migración. La UE apoya estos objetivos y reconoce que los intereses de seguridad de los Estados miembros de la UE exigen una presencia importante en Afganistán, de conformidad con las Conclusiones del Consejo de 18 de julio de 2016. La UE perseguirá esos objetivos en estrecha colaboración con los actores internacionales pertinentes.

¹ JOINT(2017) 31 final de 24 de julio de 2017

- A) Promover la paz, la estabilidad y la seguridad regional
3. La UE aboga por que se trabaje coordinadamente para apoyar un proceso integrador de paz y reconciliación dirigido y protagonizado por Afganistán, única senda viable hacia una solución duradera del conflicto. La UE reitera que este proceso debe desembocar en la renuncia a la violencia y la ruptura de todos los vínculos con el terrorismo internacional, así como el respeto de la Constitución afgana, incluidas sus disposiciones en materia de derechos humanos, en particular los derechos de mujeres y niños. La UE acoge favorablemente las iniciativas afganas en favor de la paz, como el Proceso de Kabul para la Cooperación en materia de Paz y Seguridad. La UE se movilizará activamente para apoyar iniciativas internacionales que contribuyan a la paz, la seguridad y la estabilidad en Afganistán, basándose en su firme compromiso con la paz y el desarrollo desde 2002. El nombramiento de un nuevo Enviado Especial de la UE en Afganistán garantiza la participación permanente de la UE en los procesos regionales e internacionales encaminados a alcanzar la paz en Afganistán.
4. La UE subraya que la seguridad y el desarrollo sostenible son desafíos interrelacionados en un proceso de construcción del Estado que debe sustentarse en un auténtico apoyo político por parte de la región. Un Afganistán seguro, estable y próspero es fundamental para la paz y la estabilidad de la región en su totalidad. La UE insta a todos los actores regionales a que cooperen de forma constructiva a fin de promover un verdadero proceso de negociación orientado a los resultados, sin condiciones previas, dirigido a alcanzar un acuerdo duradero entre las partes en conflicto. Dicho acuerdo pondrá las bases para la paz, la seguridad y la prosperidad en Afganistán y la región en su conjunto.

5. La UE está decidida a trabajar con Afganistán para combatir el terrorismo, la financiación del terrorismo y las amenazas terroristas en todas sus formas, y a intensificar el diálogo y la cooperación para prevenir y combatir la violencia extremista, la radicalización y el reclutamiento y afrontar sus causas profundas. La UE espera que los actores regionales contribuyan a crear un entorno propicio para la paz y la reconciliación, en particular velando por que sus territorios no sean utilizados como refugios para la preparación de actividades terroristas.
 6. La UE acoge con satisfacción el plan de reformas sectoriales de cuatro años del Gobierno afgano y elogia los esfuerzos realizados en apoyo de unas fuerzas de defensa y seguridad nacionales afganas suficientes y cada vez más sostenibles que Afganistán y los países contribuyentes de la Misión Apoyo Decidido aprobaron en la Cumbre de la OTAN celebrada en Varsovia en julio de 2016.
 7. La UE recuerda la importancia que reviste una policía civil más eficaz, ágil y transparente. Esto exigirá reformas institucionales y una mejora de las capacidades institucionales. Se tendrá en cuenta la experiencia adquirida con la misión EUPOL finalizada en 2016.
- B) Fortalecer la democracia, el Estado de Derecho y los derechos humanos, y promover la buena gobernanza y la emancipación de la mujer
8. La UE mantiene su compromiso de apoyar la aplicación del programa de reformas acordado en Afganistán. La UE destaca que, con este fin, es preciso que la parte afgana realice esfuerzos adicionales y avances tangibles, en particular en los ámbitos de la democracia, el Estado de Derecho, los derechos humanos y la emancipación de la mujer, así como en lo que respecta a las medidas contra la corrupción y la lucha contra la producción y el tráfico de drogas.

9. La nueva estrategia de la UE tiene en cuenta los marcos internacionales establecidos y, en particular, los planes de reformas presentados en la Conferencia de Bruselas sobre Afganistán el 5 de octubre de 2016. Entre ellos figuran el Marco Nacional para la Paz y el Desarrollo de Afganistán y los programas nacionales de prioridades, así como el marco renovado y actualizado de rendición mutua de cuentas a través de la autonomía, que contiene compromisos de resultados concretos específicos relativos a las mujeres, la lucha contra la corrupción, la gobernanza, el Estado de Derecho y los derechos humanos, la reducción de la pobreza y la sostenibilidad presupuestaria y la gestión de las finanzas públicas. La UE se congratula de los progresos realizados en relación con el Marco Nacional para la Paz y el Desarrollo de Afganistán, el marco de rendición mutua de cuentas a través de la autonomía y los programas nacionales de prioridades. Además, la efectiva puesta en práctica del Plan de Acción Nacional sobre las Mujeres, la Paz y la Seguridad en Afganistán es de capital importancia. La UE insiste en la importancia de recibir información periódica sobre los avances de estos marcos y programas y estará muy pendiente de su evolución.
10. La celebración de elecciones parlamentarias y municipales está prevista para el 7 de julio de 2018. Después se celebrarán elecciones presidenciales en 2019. La UE insta a la Comisión Electoral Independiente, al Gobierno, a los actores políticos y a la sociedad civil a que sigan cooperando estrechamente en favor de un proceso electoral integrador, transparente y fidedigno. La UE reitera su voluntad de apoyar la labor del Gobierno a este respecto.

C) Apoyar el desarrollo económico y humano

11. El desarrollo económico y humano representa una importante contribución a la autonomía de Afganistán, al reducir la dependencia respecto de la ayuda exterior y ofrecer perspectivas económicas a la población, en particular a los jóvenes. Reforzar el sector privado es clave para el desarrollo de la economía, incluido el sector agrario. Afganistán tiene también potencial para desarrollar industrias extractivas, que crearían puestos de trabajo y generarían mayores ingresos para el Estado.

12. Debe fomentarse el refuerzo de la cooperación económica y comercial a escala tanto regional como internacional para estimular la economía afgana y promover la estabilidad. Por consiguiente, son esenciales iniciativas que mejoren la conectividad regional y permitan una intensificación del comercio en la región promoviendo corredores de tránsito, transporte y energía, en particular en los marcos de la Conferencia de Cooperación Económica Regional sobre Afganistán, el Proceso «Corazón de Asia-Estambul» y la Asociación del Asia Meridional para la Cooperación Regional.
13. El Consejo expresa su inquietud por el constante deterioro de la situación humanitaria. El Consejo observa el alto número de víctimas civiles y condena todos los ataques dirigidos a civiles o infraestructuras civiles, que deben ser protegidos. El Consejo recuerda la responsabilidad de todas las partes de proteger a los civiles de conformidad con las obligaciones derivadas del Derecho humanitario internacional y la legislación internacional de derechos humanos.

D) Hacer frente a los retos que plantea la migración

14. La UE subraya la importancia de profundizar en el diálogo y la cooperación existentes en materia de migración, en particular los retornos y la readmisión y la lucha contra el tráfico ilícito de migrantes y la trata de seres humanos. La UE acoge favorablemente la ejecución en curso de la Acción conjunta para el futuro entre Afganistán y la UE sobre cuestiones relativas a la migración y los acuerdos bilaterales con los Estados miembros en materia de migración, y destaca la importancia de mantener e intensificar estas iniciativas para su aplicación efectiva, de acuerdo con el Derecho de la Unión y, especialmente, con los derechos fundamentales y los principios generales del Derecho internacional. La UE seguirá esforzándose por hacer frente a las causas profundas de la migración y apoyar los esfuerzos del Gobierno afgano para garantizar, en el contexto de la dimensión regional, unos retornos seguros, ordenados y dignos y la reintegración sostenible de los ciudadanos afganos retornados en el país.

15. La UE subraya la gran importancia que concede al papel de las organizaciones nacionales e internacionales de la sociedad civil y a las ONG. Para que dichas organizaciones puedan cumplir su fundamental cometido de sensibilización y promoción de los derechos fundamentales, tienen que desarrollar su actividad sin impedimentos con arreglo a los derechos fundamentales de la libertad de expresión y el derecho de reunión.
 16. La UE acoge con satisfacción la ratificación por Afganistán del Acuerdo de cooperación sobre asociación y desarrollo y aguarda con interés su rápida aplicación provisional, de modo que el primer diálogo en el marco de dicho acuerdo pueda celebrarse a principios de 2018.
 17. El Consejo recuerda sus Conclusiones de 12 de mayo de 2016, que confirman el valor de la programación conjunta para que la UE y los Estados miembros concierten mejor sus actuaciones y puedan profundizar en el análisis estratégico, la coordinación y la ejecución conjunta.
 18. El Consejo respalda el tercer y último informe de aplicación de la Estrategia de la Unión Europea en Afganistán: 2014-2016 (véase anexo).
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ANEXO 2

Third review of the EU Strategy for Afghanistan 2014-2016

May 2017

Introduction

Since the last review of the EU Strategy for Afghanistan in June 2016, the EU and its Member States have continued to coordinate their activities closely, thus ensuring their presence and active involvement in all areas related to achieving the Strategy's objectives.

Over the course of this reporting period of January-December 2016, joint EU and Member State activities, in pursuit of common strategic objectives have in large parts centred on the preparations of the October 2016 Brussels Conference on Afghanistan (BCA) and its follow up. The joint strategic objective on migration has seen increased EU and Member State coordination and cooperation.

During the June 2016 review of the strategy, it was proposed that the strategy should be updated, in light of the outcome of the BCA, building on the mutual commitments agreed at Brussels and on a finalized Afghan National Peace and Development Framework (ANPDF), as well as future priorities for reform. An updated EU Strategy for Afghanistan, currently under development, will cover the period from 2017 onwards.

The pursuit of European strategic objectives was strengthened by the successful outcome of the BCA, where Afghanistan's international partners renewed their financial commitments to the tune of US \$15.2 billion in support of Afghanistan's ongoing state-building efforts through 2020 as well as by the successful July 2016 NATO Summit in Warsaw, where Afghanistan secured continued international support for the security sector and the Afghan National Defence and Security Forces (ANDSF).

These contributions will allow for an additional four years of sustained support to stabilize Afghanistan and move the country closer to peace. Such support is paramount to prevent a reversal of the achievements to date, considering a deteriorating security situation, political uncertainties over government unity and electoral reforms; economic difficulties coupled with population growth and unprecedented numbers of conflict-induced internally displaced persons (IDPs) and regional returns from Pakistan and Iran. These factors have affected Afghanistan's progress towards peace and development, increasing the country's fragility.

Context

Two years into the Transformation Decade (2015-24), Afghanistan's National Unity Government (NUG) has demonstrated perseverance despite significant security, economic and political challenges. State fragility has continued to be exacerbated by corruption, weak rule of law, illicit economic activities, and ongoing armed conflict. Implementing the government's reform agenda has progressed slowly, and delays in key appointments have damaged government legitimacy.

The Government and political elites have continued to manage their political differences, frequent tensions notwithstanding. At the end of 2016, the government also advanced electoral reform by adopting a new Election Law and appointing new members in the Electoral Management Bodies.

Afghanistan's overall security situation has deteriorated. While the ANDSF have proven their resilience during what was long foreseen as a difficult transition, 2016 has turned out to be a difficult fighting season. The Taliban have established a presence in many rural areas and continue to challenge a range of district centres and some Provincial capitals. As a result, up to a third of the territory and 25% of the population remain cut off from government services. Similarly, the ISIL (Daesh)/Khorasan is a growing concern as they have managed to plot and carry horrific and unprecedented attacks in Kabul and other provinces in North and East of Afghanistan.

The humanitarian situation has deteriorated as a result of intensified conflict: in 2016, 600,000 people were displaced, bringing the overall number of internally displaced persons (IDPs) to 1.5 million. UNAMA's 2016 Annual Report on the protection of civilians in armed conflict, has documented the highest number of casualties since 2009, with 11,418 civilian casualties. This represents a 3 percent increase, compared to 2015.

The Afghan government's efforts concerning peace and reconciliation have seen mixed results. The Quadrilateral Coordination Group (QCG) came to a standstill in mid-2016 and there has been no sustained, formal negotiation process with the Taliban. Progress was made, on the other hand, in negotiations between the government and Hizb-i-Islami Gulbuddin (HIG). The implementation of the peace agreement signed in October 2016 is progressing, with the hope of the agreement to serve as a blueprint for future agreements with the Taliban.

An increase in revenue collection in line with IMF targets counts as a positive development, although economic growth is projected at 1.8% in 2017 (WB estimates), a steep decline from an average rate of 9.4% in 2003-12. Unemployment remains at 34.3% (ALCS 2016-2017). As a result of economic and political uncertainties, the optimism felt by the Afghan public has declined significantly: in 2016, only 29.3% of Afghans said the country is moving into the right direction – the lowest level recorded since 2004.²

These developments have had an effect on migration: in 2016, Afghans remained the second-largest group of migrants to the EU. While Afghan nationals no longer arrive in Europe at the same rates as they did in 2015, the return of over 1 million Afghan refugees from Pakistan and Iran over the course of 2016 has severely stretched government capacities and represents a serious challenge. This challenge is expected to be exacerbated in 2017, as projections indicate that similar numbers can be expected. A coordinated answer is needed.

² Asia Foundation (2016), "A Survey of the Afghan People: Afghanistan in 2016".

Objectives

(a) Promoting peace, security and regional stability

Objective: Promoting peace, security and regional stability, by advocating for an inclusive peace process; mitigating threats from drugs, trafficking and organised crime; tackling illegal migration; and supporting the development of a professional and accountable civilian police service

While no formal peace process is underway with the Taliban, some peace-focused initiatives have taken place. A formal agreement with HIG was signed in October 2016 and its implementation is underway. Going forward, there is a need to encourage the government to remain focused on peace despite what stands to be a tough 2017 fighting season. The High Peace Council, with President Ghani's significant input, is currently formulating a new and more cohesive peace strategy, which counts as a positive sign.

Poppy cultivation and trade, as part of the broader illicit economy, continued to negatively impact state-building efforts. The potential production of opium has increased significantly by 43% from 3,300 tons in 2015 to 4,800 in 2016.

Migration remains a significant issue with sizeable Afghan refugee populations from Pakistan and Iran returning to Afghanistan. Migrants asserting to be Afghan nationals remained the second largest group of arrivals to Europe in 2016, although their number reduced compared to 2015.³

Assistance to civilian policing remains a need, particularly in light of the present focus on counter-insurgency on the part of the Afghan National Police (ANP). Challenges are present in the areas of development of leadership, training and education at all levels, as well as fostering greater accountability, in particular through anti-corruption measures.

³ 267,485 illegal entries in 2015, number reduced to around 50,000 in 2016.

The EU and Member States have continued **to support an inclusive Afghan-led and Afghan-owned peace and reconciliation process leading to a political settlement in which all parties eschew violence, disavow any link with terrorism, and respect human rights – in particular women’s human rights.** The EU and Member States continued to support a peace process and to encourage adequate and active female participation in all its aspects. Specifically, the EU and Member States have advocated the inclusion of a female negotiator in any future Afghanistan-Taliban talks, and have engaged in training activities for negotiators, peace-builders and female police.

While **enhancing political and economic cooperation between Afghanistan and its neighbours and supporting mutually reinforcing cooperation initiatives with neighbouring countries and international organisations,** the EU and Member States continued to support initiatives and processes such as the Heart of Asia – Istanbul process and its confidence building measures, as well as trade related technical assistance. In recognition of the importance of regional solutions to peace, the EU and Member States also supported regional peace initiatives, through diplomatic outreach and engagement, recognizing that any initiative should be driven by Afghanistan and include the EU.

In 2016, the EU and Member States continued their high level policy dialogue and technical support towards **strengthening Afghan and regional efforts to fight organised crime and reduce drug production, trafficking and demand.** The EU and Member States aimed to address counter-narcotics and the illicit economy through a comprehensive approach focusing support to capacity building and regional and international cooperation for law enforcement and the judiciary, on legal matters; border management and trade facilitation; prevention and treatment of drug dependence amongst vulnerable groups and research and analysis on illicit drug consumption's trends; and alternative livelihoods, aimed at reducing the dependency of subsistence farmers on narcotic crops. Through the UNODC Regional Program on Afghanistan and Neighbouring Countries, the EU supported counter-narcotics initiatives partnership and trust building between the countries in the region.

In the field of migration, **the EU and the Afghan government agreed in October 2016 on the “Joint Way Forward (JWF) on migration issues”**, which represents a **comprehensive cooperation framework** going beyond return and readmission and addressing several issue of joint concern and interest such as the fight against smuggling of migrants and trafficking in human beings, medium to long term reintegration of returnees and awareness raising. Several Member States simultaneously also negotiated and concluded bilateral Memoranda of Understanding (MoUs), to deepen the cooperation on migration and facilitate returns. The first meeting of the Joint Working Group on the implementation of the Joint Way Forward was held in November 2016. In the last quarter of 2016, the EU also decided to finance a programme in support of the host communities across Afghanistan, for a total of Euro 79 million.

At the regional level, the EU supported the “Solution Strategy on Afghan Refugees” for the reintegration of Afghan refugees based on principles of voluntary repatriation and sustainability. Actions are benefiting a significant number of the total Afghan refugees in Iran and Pakistan and around 200,000 Internally Displaced Persons (IDPs) in Afghanistan. The EU financially supports the provision of public services in health, education, legal protection and legal assistance, sanitation and hygiene as well as livelihood opportunities. The EU has increased its efforts toward reaching a sustainable solution for the Afghan refugees in the region, through several dialogues with relevant partners and also through supporting sustainable reintegration of returnees.

The EU (including its police mission EUPOL) and certain Member States bilaterally continued to provide strategic advice to the Ministry of Interior (MoI) leadership, in pursuit of the development of a professional and accountable civilian police force. With the end of the EUPOL mission on 31 December 2016, EU support for MoI reform and the professionalization of the Afghan police service will continue through a new EU Police Assistance Team as well as nd political engagement.

The EU and Member States continued engagement in strengthening Afghan-led efforts to increase the quality and sustainability of civilian policing, as an integral part of the wider rule of law reform efforts. The EU, EUPOL and Member States continued political and technical dialogues with the aim of developing the Afghan National Police (ANP) gradually into a professional civilian police service. The EU and Member States also engaged with the government to improve Afghan leadership and strengthen ownership in the MoI's anti-corruption and fiscal sustainability reforms.

Coordination between the EU and Member States, government and other donors was done through the Oversight and Coordination Body (OCB) as well as the International Police Coordination Board (IPCB), while technical aspects have been regularly addressed in the increasingly efficient MoI Support Team (MST). The EU and Member States supported the restructuring of the UNDP-administered Law and Order Trust Fund (LOTFA) to provide more focused and programmatic support for MoI reform, police professionalization and civilianisation as well as increasing oversight over the payroll management.

EUPOL and LOTFA, supported by the EU and Member States, developed and assisted the implementation of the MoI Female Police Strategy and supported Police Women' Councils to increase coverage and gender mainstreaming throughout the system. Moreover, in August 2016 EUPOL organised a joint two-day conference with the MoI on the future of civilian policing in Afghanistan focused on leadership and equality in the ANP.

(b) Reinforcing Democracy

Objective: Reinforcing democracy: functioning democracy needs to be embedded through democratic oversight at national, provincial and district levels, inclusive and transparent elections, and capacity-building in key institutions of governance;

Stalled electoral reform progressed with the adoption of the new Election Law on 1 September 2016 and the appointments of the new commissioners in Independent Elections Commission (IEC) and Electoral Complaints Commission (ECC) on 23 November 2016. The Government is expected to hold delayed parliamentary and district elections at the earliest possible date. Meanwhile, the implementation of meaningful electoral reforms still faces many challenges, including weak electoral administration that does not enjoy the confidence of the Afghan electorate; interference of the government in technical electoral issues; unresolved corruption cases; security; and budget. The upcoming parliamentary and presidential elections, which should be free, fair, transparent and credible, are seen crucial to the consolidation of an Afghan democracy.

Political momentum on sub-national governance has decreased over the past year. The President has requested a further review of the country's sub-national governance policy in order to broaden its spectrum beyond administrative to thematic issues, including mining. However, the activities of the Independent Directorate on Local Governance (IDLG) continue to be hampered by lack of leadership owing to vacancies at the very top level. Inter-ministerial coordination in sub-national governance remained an unaddressed challenge throughout the period and continues to require further strengthening.

The Afghan government has stepped up anti-corruption measures and commitments. The refreshed Self-Reliance through Mutual Accountability Framework (SMAF) presented at the BCA in 2016 updated the deliverables for the drafting of anti-corruption plans of the five key revenue-generating ministries, by requiring these ministries to report publicly on implementation progress of their anti-corruption plans in 2017. The SMAF also called for the drafting and endorsement of an anti-corruption strategy for the whole government in the first half of 2017.

The EU and Member States continued to support the electoral reform process based on the broadest possible political consensus among Afghan stakeholders. The EU and Member States actively participated in the discussions with the Government, emphasising a realistic electoral timeline for the upcoming elections; strong leadership, impartiality and independence of the Electoral Management Bodies and the need to resolve financial and administrative fraud. Pending clarity on the electoral timeline for the upcoming elections, **the EU has supported politically the UNDP Project Implementation Plan (PIP)** providing a minimum technical advisory assistance to electoral reform and management bodies. **Given that the legitimacy of the electoral process will ultimately rest both on an actual and perceived integrity of the elections,** the EU advocated for the inclusion of an Electoral Integrity Assessment under the PIP, and started negotiating the project to strengthen electoral integrity and justice in Afghanistan, both to be implemented by the International Foundation for Electoral Systems (IFES).

Within the Afghan Parliament's present constitutional and legal mandate, **the EU continued to provide support to the two Houses of the National Assembly and their respective secretariats, with a view to improving legitimacy, transparency and more inclusive governance at all levels as well as strengthening oversight and accountability mechanisms.** This support was provided within the framework of the “Institutional and Capacity Support to the Parliament of Afghanistan”, with expected completion in December 2017.

Building the capacity of Sub-National Governance in Afghanistan continued to be a key priority for EU and Member States in 2016. **Focusing on reducing corruption and increasing accountability in order to improve service delivery and budget administration,** the EU and Member States continued to engage actively in the policy dialogue with the central and sub-national government on reform efforts and contributed to strengthen Provincial Governor Offices' and Provincial Councils' capacities on revenue generation at municipal level.

In addition, the EU and Member States assisted municipalities to undertake strategic urban planning and promote local economic development, stimulate investment and expand inclusive service delivery.

Capacity-building of key institutions also extended to anti-corruption initiatives with the EU and its Member States actively supported government efforts in this regard. On 8 May 2016, the EU organised its third Anti-Corruption campaign and conference, which focused on prevention and the role of investigative journalism in disclosing cases of corruption. Together with the UK, the EU continues to host regular ambassadorial events to reach agreement on key messaging and alignment of action among the international community. The EU also attends the High Council of Rule of Law and Anti-Corruption, chaired by the President and has contributed guidance to the legislative reforms against corruption.

(c) Encouraging economic and human development

Objective: Encouraging economic and human development including creating a transparent economic framework to encourage investment, raise revenue, allocate finances, strengthen resilience and improve access to health and education, including for the most vulnerable segments of the population;

In 2016, economic growth picked up at 1.6 percent after a significant downturn at 1.3 percent and 0.8 percent respectively in 2014 and 2015.⁴ With the pace of economic growth lagging population growth by 3 percent, poverty and unemployment has been on the increase⁵.

New company registrations in 2016 (a proxy indicator for new investments and business confidence) pointed towards limited new investments and weak economic activity, with the reduction occurring across all sectors. Business confidence remained critical, with potential new investments not at the same levels in 2016 as recorded three years prior. This suggests that potential investors were delaying their investment decisions as a result of the overall political uncertainty and market conditions.

⁴ World Bank, Afghanistan Development Update, October 2016 [update]

⁵ Latest Afghanistan Living Conditions Survey of 2013/14.

*Afghanistan's accession to the World Trade Organization in July 2016 - and the opening of the Chahbahar port in Iran as an alternative trade route - were important developments in 2016. The Government announced reforms including the promotion of **regional integration** and an enabling partnership for **private sector development**.*

Despite important reforms undertaken in 2016, such as approval of an open access policy in the telecommunication sector and the establishment of a one-stop shop for business licensing, regulatory challenges to doing business in Afghanistan and corruption in business service delivery continued to hinder economic development and deter foreign investment. Improving the investment climate, putting in place enabling business environment policies and pursuing the implementation of WTO obligations will promote diversification and integration of Afghan businesses in regional networks.

A number of newly introduced measures, in line with recommendations from the IMF Staff Monitored Programme (SMP 2015) and the successor Extended Credit Facility (2016-2019) , resulted in a 18% year-on-year increase of domestic revenues in 2016. Notwithstanding, sustainable growth will require further private sector engagement and strengthening of the revenue base.

The **State Building Contract for Afghanistan (2016-2018; EUR 200 million)** signed at the BCA, represents a new strategic platform for the EU and Member States to follow-up, engage and influence the Government's reform agenda. The EU and Member States engaged in regular political and technical policy dialogue on medium and long-term fiscal sustainability, aiming at **stronger financial self-sustainability of the Afghan state through increased revenue generation**, particularly with the aim of reducing the 2017 budget's 61% reliance upon international grants and loans.

The EU and Member States contributed to the Public Financial Management Roadmap (PFMR II) and the resulting Five-Year Fiscal Performance Improvement Plan (FPIP) covering the period 2016-2020 and were closely involved in policy and technical dialogue with the Ministry of Finance and other involved parties. Implementation of the FPIP began in January 2016, and support by the EU and Member States through the Afghanistan Reconstruction Trust Fund is set to progress a number of objectives, including improvement in the execution rate of the development part of the budget.

The EU-funded Trade Assistance project (2016-2019) further assisted the Government of Afghanistan in improving the conditions for the use of trade as a lever for enhanced regional cooperation, economic and human development and poverty reduction, aiming at strengthening human and institutional capacity on trade policy and strategy formulation and implementation with active engagement of the private sector.

The EU and Member States support **human development, including for the most vulnerable segments of the population, by continuously advocating with the government for improvements on service delivery** and through support for agriculture and rural development, water and energy supply, health, education, governance and rule of law. The EU and Member States' investments in education have contributed to higher literacy rates for women. Still, a considerable gap persists between boys' and girls' school enrolment and quality of education remains of concern. Despite enormous security and political challenges, the EU and Member States' support to service delivery contributed to sustaining past gains, such as a significant decline in maternal and child mortality.

The EU and Member States support the Citizen Charter – one of five National Priority Programmes and a key BCA deliverable – which was launched in September 2016 with the objective of improving the delivery of core infrastructure and social services to all communities in Afghanistan. An estimated 40,000 rural communities and all urban communities are expected to receive this support, over the next ten years, through Community Development Councils (CDCs).

EU interventions on **improving the rural economy, to generate jobs and reduce dependence on the poppy** focused on consistent support to community infrastructure development, animal health, access to good quality varieties of seeds/plants, water management and food security. The bulk of the EU and Member State contributions in agriculture have focused on making the rural economy more resilient and on fostering on an environment conducive for farmers to invest in agriculture.

(d) Fostering the rule of law and human rights

Objective: Fostering the rule of law and respect for human rights by advocating respect for human rights (including in particular the full implementation of statutory protections for the rights of women and girls), supporting greater equality before the law of all citizens and assisting with the development of a comprehensive framework to strengthen and reform the justice sector.

In 2016, the human rights situation - in particular for women and children - left room for improvement. Cases of inhumane punishment had been recorded and there were reports of torture being carried out in detention facilities and by prominent government officials. The lack of prosecution of such human rights violations reflects a culture of impunity. War crimes committed during the last decades have not been investigated. The government continued to implement the death penalty. Six prisoners were executed in response to a large Taliban attack in Kabul on 19 April 2016. Freedom of expression and a diverse media landscape in Afghanistan both counted as positives, especially when compared to other countries in the region. Nevertheless, 2016 was the bloodiest year ever for the media in Afghanistan, with 13 journalists killed, the highest figure ever.

The government has been committed to advancing human rights especially for women and children. The Elimination of Violence Against Women (EVAW) law remained in force. However, there were serious concerns about its implementation, with mixed results reported across the country. A Law prohibiting the recruitment of children to the ANDSF had been passed and a draft Child Act was drafted. The Government began implementing the National Action Plan (NAP) on Women, Peace and Security (UNSCR 1325). However, its implementation was weak and lacks financial resources.

The Government approved a Justice Sector Reform Plan at the end of 2016. Public distrust in the statutory legal system remains prevalent. The formal justice system is not accessible countrywide, and many Afghans continue to rely on informal justice mechanisms.

The EU and Member States closely coordinated efforts and continued to **advocate advancing human rights, in particular for women and children, as well as women's empowerment**. These efforts included addressing cases of major human rights violations, notably as regards civilian casualties; the death penalty; women's rights and children's rights; advocacy and public statements and demarches. Of particular note were joint efforts towards the implementation of the EVAW Law and the NAP 1325.

Human Rights were addressed at the October 2016 BCA; a side event on gender took place in the margins of the BCA ("*Empowered Women, prosperous Afghanistan*") which allowed for an inclusive discussion on where Afghanistan stood on protecting human rights, especially for women and ensuring gender equality, and the way ahead.

The second EU-Afghanistan local Human Rights Dialogue took place on 1 June 2016 with a follow-up meeting on 30 November 2016. The EU continued to follow up with the government on the implementation of the NAP 1325, including the need to implement the plan fully. The Local Human Rights Dialogue also included topics such as the signature and ratification of the Optional Protocol to the Convention Against Torture (OPCAT) and the issuance of internal instructions to all security authorities for the implementation of the Memorandum of Understanding (MoU) between the Afghanistan Independent Human Rights Commission (AIHRC) and the Ministry of Defence, the Ministry of Interior and the National Directorate of Security on the Ombudsman Section in the AIHRC.

The EU and Member States have continued to **advocate for an end to the culture of impunity for serious war crimes and human rights violations and abuses**. The EU and Member States raised the issue of transitional justice and the International Criminal Court (ICC) with the Afghan government and have encouraged the government to cooperate with and extend an official invitation to the ICC. The EU and Member States also held meetings with the Transitional Justice Coordination Group and continue to follow-up on specific human rights cases with the Afghan government, centrally and in the provinces. The EU and Member States advocated that the reservations to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment should be removed.

The EU and Member States continued to liaise with government counterparts to create an environment conducive to progress and reforms, as well as engaging with other donors to streamline these efforts and donor support. The EU and Member States continued to support Afghanistan in its **maintenance of the right to freedom of assembly and strengthen the right to freedom of expression, including by supporting journalists and human rights defenders**.

The EU and Member States cooperated closely with civil society and the media as well as the Afghanistan Journalist Safety Committee and regularly met with journalists and human rights defenders on security and related matters. **The EU and Member States produced an EU+ Local Strategy for Human Rights Defenders in Afghanistan, which outlined envisioned protective actions including political dialogue, awareness raising, trial monitoring, as well as internal and external relocation of those at risk**. The EU and Member States cooperated closely with Human Rights Defenders and established a mechanism to ensure swift cooperation and burden sharing for the protection of Human Rights Defenders as well as an Afghan-led Human Rights Defenders Committee.