NO PEACE WITHOUT JUSTICE
866 UN Plaza #408; New York NY 10017; Tel. +1 212 9802558 Fax +1 212 9801072
Via di Torre Argentina 76; I-00186 Roma; Tel. +39 06 68803613 Fax +39 06 68803609
Rue du Pepin 54; B-1000 Bruxelles; Tel. +32 (0)2 5483910 Fax +32 (0)2 5118100

MISSION REPORT

NPWJ Conflict Mapping Mission to Kabul
23-29 January 2009

The AIHRC Conflict Mapping Program aims to reconstruct the chain of events during the conflicts in Afghanistan from 1978 to 2001 through gathering information in the field and analysing the decision-making processes to ascertain the role of those who bear the greatest responsibility for the conduct of armed forces and groups in conflict, and in particular for policies of systematic and massive violations of the laws of war. In reconstructing the story of what happened, the program is designed to establish an historical record of human rights abuses and humanitarian law violations through its final report, which can also both help inform any future accountability processes for Afghanistan and should feed directly into the identification of persons who should be barred from public office by putting on record who is responsible for which crimes.

From 23 to 29 January 2009, in response to a request from the Afghan Independent Human Rights Commission (AIHRC), NPWJ conducted a mission to Kabul, with the following objectives: (1) undertake training for the AIHRC Conflict Mapping staff on specific areas, namely the use of maps in analysing information and the process of factual analysis more generally; and (2) evaluate the work to date, with a view to identifying the challenges and the next steps towards finalising and publishing the report.

Background

In 2005, NPWJ was mandated by the AIHRC to provide technical assistance on their program to document human rights violations and violations of the laws of war, which gathers and analyses information related to the conflicts in Afghanistan from 1978 to 2001, with a view to identifying those who bear the greatest responsibility for violations of the laws of war committed during that time. As part of that mandate, in December 2005, NPWJ conducted an initial training workshop in Kabul for the staff of the AIHRC working on this issue on how to collect and organise information required to do conflict mapping and, to a more limited extent, how to analyse that information. Following that training, the AIHRC Conflict Mapping Program was launched on International Human Rights Day (10 December) in 2005. The AIHRC has held two internal evaluations of the conflict mapping work and NPWJ has, at their request, held a follow-up training with AIHRC staff in July 2007, during which NPWJ also undertook an external evaluation of the work to date, making specific suggestions and recommendations and assisting the AIHRC in refining its plans for the remainder of the Conflict Mapping Program.

Since 2005, through staff trained by NPWJ in conflict mapping, the AIHRC has collected statements from more than 6,000 people in over 200 (out of 390) districts across Afghanistan. Information has been gathered from victims, witnesses and key “insider” informants concerning violations, chains of command of the different fighting factions and troop movements. The information gathered is stored on a secure database, which is designed to facilitate the analysis work of putting together the larger picture of events
and identifying those responsible for violations. The AIHRC has also conducted extensive outreach regarding its conflict mapping work and transitional justice more generally, holding (among other things) consultations with community elders, victim’s groups, provincial council representatives, civil society organisations and women’s groups.

**Conflict Mapping Training Workshop, 24-28 January 2009**

The Conflict Mapping Training Workshop, held for 5 days from 25 to 28 January 2009 with 20 participants, focused on two specific areas identified by the AIHRC as those areas in which specific assistance was required, namely the use of maps and the process of factual analysis. The workshop was conducted in a highly participatory manner, with the staff of the AIHRC taking the lead on the identification of areas in which further guidance and/or solutions were required. Initially, it had been foreseen that equal time would be devoted to the use of maps and to factual analysis as a whole (see attached program); it was also foreseen that the program would be conducted in a more “leisurely” manner than previous workshops, with time scheduled for half-days to facilitate the process of absorption of information.

Based on feedback from the participants, it was decided to extend the focus of the workshop on the use of maps (which in any case is a key tool for the factual analysis) and to extend the workshop for five complete days rather than the three and a half complete days that had originally been foreseen. This enabled the completion of a full and in-depth course on the use of maps, including theoretical discussions, demonstrations and several practical exercises completed by the AIHRC staff on incidents taking place in their own geographic areas of responsibility. During the process, staff were able to develop a common methodology for the use of maps; identify common symbols to indicate events (including troop movements and violations), which will be essential when the provincial-level analyses are brought together to do a nation-wide analysis; and have immediate assistance and solutions for problems encountered during their use of the maps.

The sessions on factual analysis were also very beneficial, as they enabled AIHRC staff to conceptualise how the use of maps fit into the overall factual analysis; identify common standards for the identification of what happened where events were unclear; develop a methodology for the identification of gaps in information, including steps to be taken to fill those gaps; and plan their work over the next few months.

At the conclusion of the workshop, NPWJ solicited participant feedback through the use of evaluation forms. Every participant completed a form and they are currently being translated by the AIHRC for NPWJ’s use in conducting our own in-depth evaluation of the workshop and in planning future activities with the AIHRC and others. NPWJ also provided certificates to be distributed.

**Next steps**

At the conclusion of the workshop, NPWJ met with the AIHRC on the next steps for their Conflict Mapping Program, at which a number of options were canvassed for how the final report might look and the uses to which it could be put. Based on those discussions, and the subsequent announcement that the elections are now scheduled for 20 August 2009, the AIHRC has decided that there will be two main avenues in which the Conflict Mapping Program will now proceed, one focused on completion of the
work and publication of the final report and the other focused on garnering support for
the work, particularly international support.

(a) Completion of the Conflict Mapping work

There are four main areas that need attention in order to complete the conflict mapping
work: filling in the gaps in the information gathered, including assistance with the
database; further assistance with factual and legal analysis; and compilation, drafting and
editing of the final report.

1. **Filling the gaps:** our discussions with the AIHRC, both during and in the margins
   of the training, suggest that one of the main problems they continue to face is
   linking the crime base information (i.e. the totality of the violations committed
during the period under review) with individuals who may bear the greatest
   responsibility for those crimes. This is a critical area that the AIHRC will need to
   address, particularly given that the decision that their report should name names.
   There is an additional need for a full review of what information is available, in
   order to identify the gaps, including a review of the database and its capacity to
   assist with the analysis stages of the work.

2. **Factual and legal analysis:** many of the challenges that were being faced by the
   staff of the AIHRC in undertaking factual analysis were discussed and resolved
during the workshop itself. However, there were still many questions on the
   process of factual analysis beyond the maps and on the legal analysis of the facts
   uncovered, which generated a lot of interest (possibly due to the form onto
   which information gathered from witnesses is transcribed, which unfortunately
   already attempts to categorise acts according to their legal classifications, which
   we indicated was attempting to be done at too early a stage; this will be changed).

3. **Compilation of final report:** At the stage of full factual analysis and compilation
   of the report, AIHRC envisages a process in which there is a great deal more
   international involvement than there has been to date. The work is currently
   organised geographically into 8 teams. The AIHRC would like to assign each
   team with a foreign expert to assist in the process of analysis. On completion of
   the initial provincial-level analysis, the 8 teams would merge into 4 teams based
   on geographical proximity, then the 4 teams would merge into one big team to
   undertake a nation-wide analysis. It is envisaged that the foreign experts would
   be involved in all stages of this process. At this stage, organisations such as ICTJ,
   Amnesty International and so on would be brought on board. The AIHRC has
   already identified some experts who could be part of this process and are eager to
   have more names. In this respect, it is important to identify the right people for
   the work, one for each province, who have had experience in conflict mapping
   and in conducting a factual analysis and drafting a report based on that analysis.
   All costs of this work would be covered by AIHRC.

(b) International support

Our meetings with AIHRC officials indicated very clearly that there is no support for the
process of “reconciliation” if it means engaging, supporting and promoting alleged war
criminals and those responsible for massive human rights violations. AIHRC is therefore
planning to engage key decision-makers in the international community, particularly in
the United States and in Europe, to promote the conflict mapping work and to raise
concerns with the elections, including drawing attention to how the past can affect the
future, particularly concerning the potential candidature of those responsible for human
rights violations. The AIHRC already has several good contacts in the United States and would like to engage NPWJ’s help in reaching potentially useful allies in Europe.

In addition, for the process of finalising the report itself, AIHRC is putting together two teams of foreigners in addition to the team foreseen to be working in Afghanistan. One team consists of “Advisers”, who would provide oversight and advice on the compilation of the factual and legal analysis, and the other consists of “Eminent Persons”, who could act as a kind of board of trustees to provide buy-in and visibility for the final product. Suggestions for each of these teams would be very welcome.
Saturday, 24 January 2009
Before training: training team discussion:
  - aims of training workshop and methodology
  - current status of conflict mapping program
  - review of conflict mapping materials (maps etc)

Morning session: Overview of training and introduction to Maps
  - Review of workshop aims and participants’ goals and concerns with the program
  - Introductory session on working with maps
    - Benefits and limitations
    - Overview of methodology
    - Practical demonstration

Afternoon session: Maps
  - Practical exercise on working with maps
  - Presentation and Review of exercises

Sunday, 25 January 2009
Morning session: Maps
  - Practical exercise on working with maps
  - Developing a methodology for using the maps

Afternoon session: Maps
  - Practical exercise on working with maps
  - Presentation and Review of exercises
  - Developing a methodology for using the maps

Monday, 26 January 2009
Morning session: Maps
  - Practical exercise on working with maps
  - Developing a methodology for using the maps

Afternoon session: Maps
  - Practical exercise on working with maps
  - Presentation and Review of exercises
  - Developing a methodology for using the maps

Tuesday, 27 January 2009
Morning session: Maps
  - Practical exercise on working with maps
- Presentation and Review of exercises
- Developing a methodology for using the maps

**Afternoon session: Factual analysis**
- Introductory session, focusing on challenges experienced in factual analysis
- Overview of factual analysis, including
  - Linking individual incidents into a coherent and comprehensive conflict map.
  - Identifying the actors with the greatest responsibility.
  - Tracing chains of command from a local/ incident level upwards as well as from a central level downwards.
  - Taking due account of evidence that exists but is currently not available for inclusion into the conflict mapping process (especially mass graves).

**Evening: Informal dinner with AIHRC and members of international community in Kabul**

**Wednesday, 28 January 2009**

**Morning session: Factual analysis**
- Ongoing discussion of factual analysis, challenges and solutions
- Review of methodology

**Afternoon session: Wrap-up**
- Participants’ assessment of workshop and future requirements

Discussion with AIHRC about:
- Review of training workshop
- Future plans and needs of conflict mapping program