

Young Leaders' Forum (YLF)

Report From:

**Conference on Youth and the
Constitution**

**18-20 November 2003
Ballroom of Hotel Intercontinental
Kabul, Afghanistan**

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GOAL

OBJECTIVES

CONFERENCE IDEA

The idea of the conference was basically conceived from two issues a) abundance in the number of applicants for the Young Leaders Forum and b) Issuance of the draft of the constitution by the Constitutional Commission of Afghanistan. FES had difficulty screening more than 150 applicants for YLF¹. Therefore, it was decided to bring all the applicants in one forum which would give FES a chance to identify the brighter ones who would qualify for the next round². As an initial decision, the number of applicants who would go beyond first round, will be between 30 and 60.

CONFERENCE PREPARATIONS

After the First Afghan Youth Civil Society of Conference in October 2002, this was the biggest youth forum in a more than year's time. Therefore, FES needed mobilization of resources – especially human resources – to successfully accomplish the project. In this effort, FES followed the same pattern used for the First Afghan Youth Civil Society Conference.

First of all, an organizing committee was formed. The committee was comprised of nine Afghans. The criteria for the organizing committee were:

1. Afghan youths between the ages of 14 and 28.
2. Experience and knowledge of meetings – big meetings in particular.
3. Good knowledge of Pashto, Dari and English languages.

Preference was given to those who:

- Had some sort of involvement in the First Afghan Youth Civil Society Conference – especially in organizing it.
- Have good reputation in Afghan youths circles.
- Specialize in the areas of facilitation, reporting
- Are currently youth activists

¹ Young Leaders Forum is a worldwide initiative of FES. FES has just started YLF Afghanistan. There will be 12 young Afghans between the ages of 14 and 28 selected by for YLF Afghanistan. These youths will be put on a comprehensive set of exercising enabling them to be future leaders for their country.

² Most probably, a series of interviews or tests both oral and written.

The scope of work of the committee was:

1. SoW

The final nine names for the committee were:

1. Akram Khapolwak
2. Haseeb Hamayun
3. Hossai Wardak
4. Wagma Momand
5. Mustafa Aria
6. Sajia Behgam
7. Malaiz Daud
8. Waheed Omar
9. Laila Popal

The members of the committee were all meeting the requirements (Annex 1, detailed information about OC members).

The organizing committee was given a free hand in all aspects of the conference management. One person out of them was elected as the chairperson of the organizing committee and the chairperson appointed a secretary whose responsibility was to record the meetings (Annex 2, Minutes of the Meetings). The OC was convened for their first meeting on ?? and they had ?? meetings before the conference started.

Some of the preliminary work had already been done by FES before the organizing committee was formed. Once the organizing committee was in place, they brainstormed on the activities needed to be performed and came up with an action plan (Annex 3, Action Plan). The action plan was of a great support to everyone in the OC – the chairperson in particular. Besides, the draft of the programme prepared by FES was discussed and was approved with little amendments.

One of the focused activities of the OC before the conference was to send invitations to all participants and guests. Members of the OC took personal interest in delivering the invitations to the guests. However, there was already a logistics team formed.

The Teams

Logistics

In order to carry out operational tasks before, in and after the conference, a logistics team was formed. The team was comprised of 7 people. Most of the logistics team members were familiar involved in the First Afghan Youth Civil Society Conference. Moreover, there couple of logistics team member who were already working in logistics in reputed NGOs. A finance specialist was also put on the logistics team to do the finances in a standard manner (Annex 4, Copy of Final Financial Report). For the follow

up of the operational activities, a focal point person from the OC was assigned to the logistics team.

Facilitation

Facilitation team was formed out of the young Afghans who had proven skills in the field. The team was comprised of 7 people. Besides, there was one person assigned from the OC as focal point person to the team. To bring about synergy in the team and consistency in work, a training on the basics of the facilitation was conducted by an experienced member of the team one day prior to conference (Annex 5, Training Format + Material).

Rapporteurs

To record the meeting and all pre-meeting and post-meeting activities, a four-member reporting team was constituted. The team was led by an experienced, young journalist who had served as lecturer in faculty of Journalism of Kabul University. There were two more seasoned journalists on the team. Only one person on the team was not a professional rapporteur and it was a good learning opportunity for her. The team also helped in processing the data in computer.

Technology

There was one person on the OC who had immense experience in computer graphics and digital presentations. FES provided a beamer and sufficient number of computers for the conference organizers. The OC was able to:

- Make a beautiful background for the conference which was giving the message of Hope and Optimism considering the release of the constitution as a huge step towards restoring peace and order in the country. The background was made out of pictures of young Afghans from different walks of life (Annex 6, Conference Plenary Background).
- Make all presentations in powerpoint. Although the technical team had very little time to put the conference recommendations on a powerpoint presentation, they could manage making an impressive presentation for the messages (Annex 7, Copies of Presentations).

THE CONFERENCE (Annex 8, Conference Programme)

The conference was planned for 18 November 2003 to continue for two three days to 20 November 2003.

Day 1 (18 November 2003)

The meeting started at 2:20 PM – by twenty minutes delay. There two young presenters for the conference. They specialized in the field. One of the two was the announcer in the First Afghan Youth Civil Society Conference. After welcome and opening notes by the presenters, the meeting was formally inaugurated after some verses of the Holy Quran were recited.

Afterwards, His Excellency Ashraf Ghani Ahmadzai, Minister of Finance of Transitional Islamic State of Afghanistan read out the message of His Excellency Hamid Karzai, the President of the Transitional Islamic State of Afghanistan. The message said, “I am please that some Afghan youths are going to discuss the newly released constitution of Afghanistan. Your interest in the constitution makes one optimistic for future since you are the future and your interest in constitution makes one realize you are interested in future. I urge you to read the constitution thoroughly and take part in all aspects of the life of your country. Finally, I thank and appreciate FES’s initiative to have made it possible for Afghan youths to discuss the constitution”.

His Excellency Ashraf Ghani Ahmadzai was also asked to express his own views. He said, “you are the generation of Hope for Afghanistan. Our time has come to an end. Therefore, we should either go away or sit quietly in a corner. You, youths, have the opportunity to decide about your country. We are a transitional generation. Whereas, you are the generation of future and Hope. You live without prejudice and in social justice because without national unity we will get to nowhere. Don’t lose the current opportunity and put the foundation of accountability and transparency in Afghanistan. Presidency or any other senior position is not for being powerful but to serve this country – if we are not serving, take us out. Your vote creates the government. There is a bilateral social and political contract. The government is not above the nation. The government is in the service of the nations. Be careful, the next generation is affected by our decisions. Therefore, we have to make logical and good decisions. At last, I would like to thank FES for putting this gathering together”.

Next, Dr.Almut Karimi, FES Afghanistan Representative talked about FES mandate worldwide with a specific focus on FES Afghanistan activities. She said, “we help in giving political awareness, provision scholarships for young Afghans and cooperation for international consensus. There are three things that value to us the most – peace, democracy and Social Justice”. She added she was please that FES Office opened in Kabul after the Bonn Accords. She insisted that the international community stay in Afghanistan for five more years after all provisions of the Bonn Agreements are met to enable this country to exercise real social justice and democracy.

The speeches continued and now it was Dr.Farooq Wardak, Director of the Secretariat of the Constitutional Commission who spoke. He talked about the sacrifices Afghans endured to restore peace in their country and keep their independence in tact. He also appreciated the work of the organizers and FES for making such a conference. Dr.Wardak said, “I see the signs of national unity in the faces of you, the youths, which makes me very happy. Before going on to the constitution-making process and talking about the draft constitution, I request you to keep continue your efforts in supporting the peace process and don’t let this golden opportunity go by. We have designed the constitution-making process in a way to make it as participative as possible to have a

draft constitution reflecting people's views. We benefited from four resources in drafting the draft constitution: a) the constitutions of other countries which are almost similar to Afghanistan, b) previous constitutions of Afghanistan, c) views of scholars and d) views of our people. I conclude by saying that the main goal for youths should be a persistent peace and good future”.

Jean Arnault, the Deputy to the Special Representative of Secretary General of the United Nations to Afghanistan was supposed to attend the opening day of the conference but due to some problem, he had to fly to Kandahar. Instead, Kaun Kakar, Head of the Constitutional Commission Support Unit in UNAMA represented UNAMA. He said, “Afghan youths have had several set backs in the past. It is a pleasure to see Afghan youths have the chance to take part in such political processes. As per the draft constitution, you can be a parliamentarian if you are just twenty five. Read the draft of the constitution with a lot of attention”.

Kaun Kakar's speech was followed by a speech by Shukria Barekzai, a member of the Constitutional Commission of Afghanistan. She said she witnessed a very positive environment and that she waited for the recommendations of the youths. She added, “I guess you generally agree with the draft of the constitution”.

Day's programme continued with two speeches from two youths. Later, Hossai Wardak explained the objectives and expected outcomes (Annex 9, Conference Objectives) of the conference. And Waheed Omar, Young Leaders' Forum Coordinator, talked about the methodology (Annex 10, Conference Methodology) of the conference.

At 4:00 PM, the same day, the participants split up into five groups each discussing different chapters of the draft constitution. The groups were as follows:

Group 1

Topic: ??
Facilitator/s: Sadia Fatimi
No. of Participants: ??

Group 2

Topic: ??
Facilitator/s: Tahmina Mehergan
No. of Participants: ??

Group 3

Topic: ??
Facilitator/s: Fatima Moqadas Atalwala and Dr.Akram Khapolwak
No. of Participants: ??

Group 4

Topic: ??
Facilitator/s: Zia Aria and Sajia Behgam
No. of Participants: ??

Group 1

Topic: ??
Facilitator/s: Syed Ihsanullah Deliri

No. of Participants: ??

The groups had an Iftari³ break at 5:00 PM which lasted for one hour as planned. The groups convened at 6:00 PM and worked for two hours. The meeting was formally dismissed at 8:00 PM.

Day 2 (19 November 2003)

Group works continued throughout the day two. The groups discussed their related chapters in the first session of the day. In the second session of the day, the groups analysed, prepared and voted for the messages. The third session of the day was exchange programme in which two groups got together and discussed the outcomes of their work.

The day was wrapped up as planned at 8:00 PM.

Day 3 (20 November 2003)

On the third day of the conference, the groups read out their recommendations in the plenary. The recommendations of the groups were as below:

Group 1:

Representatives of the group: Shahnaz and Farhad Aria

Article 1. Afghanistan is a Republic, independent, unitary and indivisible state.

Article 2. The official religion of Afghanistan is the sacred religion of Islam.

Article 3. This article is contradictory to the Article 7 of this constitution because there is contradiction between the values of Islam and the Universal declaration of human rights.

Article 4. The word Afghanistani applies to every citizen of Afghanistan.

Article 9. Mines and natural resources are public property.

Article 11. Affairs related to the domestic and external trade shall be regulated by law in accordance with the national economy and public interests.

Article 12. Da Afghanistan Bank is the central and independent bank of the state and shall be liable to the parliament in all matters.

Article 20. The national anthem of Afghanistan shall not be in any language. It shall be a musical composition only.

³ The conference schedule collided with the Holy Month of Ramadhan. Therefore, the conference would commence at 2:00 PM everyday and conclude at 8:00 PM with a break for food from 5:00 PM to 6:00 PM.

Group 2:

Representatives of the group: Fatima and Rahim Wardak

Article 22. Any kind of discrimination and privilege between the citizens (men and women) of Afghanistan is prohibited.

Article 34. Freedom of expression is the right of every Afghanistan citizen and is inviolable.

Article 41.

Article 43. "Up to secondary level" should not be mentioned, and it should be free of charges till end of higher education.

Article 44. The education should be provided for every citizen of Afghanistan in every part of Afghanistan (Privileges must not be given to anyone).

Article 46. Private higher education institutions should be controlled by an independent board under the authorities of Ministry of Higher Education in order to keep the balance between these institutions benefits and those of the government. They fees of such institutions should be set at in line with Afghanistan citizens income.

Article 47. The state should provide the situation for scientific researches in all areas.

Article 48. Choice of occupation and craft is free within the limits of law but it should not affect others right.

Article 49. There be should be to educate them and they should be supported financially.

Article 52. There should be an independent organization for sports people.

Group 3:

Representatives of the group: Khalid Khesraw and Safiullah Samim

Article 60. The president is the head of the state of the Islamic Republic of Afghanistan and conducts his authorities in executive, legislative and judiciary branches in accordance with the provisions of this constitution.

The President is responsible and liable to the nation.

Article 62.

1. should be highly educated
2. well-reputed
3. well-experienced
4. On the day of becoming a candidate, his age shall not be more than 70 years.

Article 64.

1. The President shall not supervise the implementation of the constitution, instead the High Council of the Constitution shall be formed and shall be responsible for supervising the implementation of the constitution.
2. The fundamental policies of the state shall be determined after the consent of Wolosy Jirga.

Article 72.

1. Should be the citizen of Afghanistan and should not hold any other citizenship.
The age limit shall be lifted

Group 4:

Representatives of the group: Hussain Ali and Malali Muska Wardak

Article 81. "The manifestation of the will of the people of Afghanistan" shall be omitted.

Article 84. The President shall not appoint one-third of the members of the Meshrano Jirga. They should be elected.

Article 149. The provisions of adherence to the republican regimes shall be amendable by the Loya Jirga.

Group 5:

Representative of the group: Mohammad Hussain and Nafisa Ainee

Article 117. The head of the supreme court shall be elected by the nine members of the supreme court from among themselves and furthermore acquire the parliament's consent.

It is not practical to have the head of the supreme court of 10 years. The duration of his/her service shall be for 7 years.

Article 118. The head and the members of the supreme court shall not be more than 60 years.

Experience shall be the main criteria for the selection of head and the members of the supreme court.

The fourth clause shall be omitted.

Article 121. The Constitutional High Council shall be formed to function as a mediating body and all related authorities of the supreme court shall be terminated.

Article 124. The word "dismissal" shall be omitted.

Article 128. There shall be a jury to oversee the court trials.

PARTICIPANTS

There around 150 participants in the conference, most of whom were the applicants to the YLF programme. There were also some participants from different youth groups who were interested in discussing the newly published constitution. The participants were diverse gender wise, politically, socially, ethnically.

FES

FES staff were generally supportive. However, there were occasions when FES staff didn't cooperate with the organizers and OC was not able to find the reason behind. There was one assumption that FES staff felt neglected.

Dr.Almut was very supportive, positive and creative. For example, the OC had a tough time making a political decision on the last day of the conference. They consulted her and she, in the light of overall policy of FES, gave them a very good solution. Moreover, she had given the OC a free hand in all aspects of the conference. On one occasion, she was typing some written stuff despite the fact it was the job of rapporteurs. In the press conference, she sat amongst the journalists and let the organizers to speak about the conference to the press. The OC and all others involved have many accounts of such actions by her.

CROSSCUTTING ISSUES

Keeping Conference Order

Since discussing constitution was highly political, there were hot discussions occasionally that could threaten conference order. On one occasion, a participant in group 2 threaten to beat one of his group mates. Fortunately, the OC could keep the order of the conference in a good manner till the end.

Confusion on Participation

The conference's aim from FES's point of view was to identify potential candidates for YLF programme. That's why, the participants of the conference were the applicants to the YLF programme. Some youth groups thought this conference was for all youths and they felt neglected by not being invited. Even, a youth group tried to represent on OC. Whereas, the members of OC were only there because of their individual skills, experiences and abilities. For the first day of the conference, representatives of most youth groups were invited just as guests but later they were found to be enrolling themselves in the groups. The OC explained the problem to them what their role was envisioned by OC.

On the other hand, some of the participants had the chance to attend a conference for the first time in their life. Therefore, they had different fears. For instance, one participant feared to go to the group since she thought she had never read the draft constitution and was not able to answer any questions. To bring her back to the group, the facilitator explained the role of participants and the format of the conference to her and the fact that she is not obliged to answer any questions since it is not an exam.

Manipulation

Members of some youth political groups were applicants to YLF programme. One of the groups had 5 to 10 members in the conference. They split up into the five working groups. They tried to manipulate in their respective groups and they succeeded to some extent. The OC identified the problem and, in order to make it more participative, advised the facilitators to give equal chance to other participants.

At the end of the group works, the recommendations of one working group were totally influenced by this particular group and the recommendations of another group were partially influenced by them. Some of the recommendations were quite controversial and could arise some reactions in the plenary that could lead to a riot. The OC had a difficult time to make a decision in this regard. There were couple of options considered; one of the options was to vote on the working group recommendations in the plenary and the other option was to omit the controversial recommendations altogether. FES was consulted at the end and their point of view was that it was the discussions took place in a totally democratic manner. In that, there should be no omission or modification to to the recommendations of the groups and the voting on the recommendations in the plenary would simply be time-consuming and might further worsen the situation. FES recommendation was that a clarification could be made before the groups had started reading out their recommendations that all recommendations of the groups were only their views and did not necessarily reflect the views of the majority of the participants.

Active Participation

A considerable number of participants had the chance to attend a conference for the first time in their lives. Therefore, they almost had no participation in the conference. The facilitators soon realized the problem and made every possible effort and used all need techniques to encourage them for participation. Not in all cases they succeeded, there was a good ratio of success.