

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Afghanistan
Region	Europe and Eurasia
Agreement name	Berlin Declaration (Berlin Conference)
Date	1 Apr 2004
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Interstate/intrastate conflict(s) (Afghan Wars (1979 -))
Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Afghanistan: 2000s Post-intervention process

Parties Document not signed, but background documents and reporting note participants as:
Hamid Karzai - President, Afghanistan
Abd Allah Abd Allah - Foreign Minister, Afghanistan
Khurshid Mahmud Kasuri - Foreign Minister, Pakistan
Li Zhaoxing - Foreign Minister, China
Colin Powell - Secretary of State, United States
Alexander Downer - Foreign Minister, Australia
Jack Straw - Foreign Minister, United Kingdom
Brian Cowen - Minister of Foreign Affairs, Ireland
Hwang Doo-Yun - South Korea
Sergey Lavrov - Minister of Foreign Affairs, Russian Federation
Sadako Ogata - Japan
Jaap de Hoop Scheffer - NATO Secretary General
Jean Arnault - United Nations envoy to Afghanistan

As well as representatives from the following countries:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Canada, Iceland, Norway, Kyrgyzstan, Tajikistan, Uzbekistan

and others, with a total of 65 signatory countries and organisations

Third parties -

Description This agreement outlines the conclusions and commitments made by attendees of the 2004 Berlin Conference on Afghanistan. It builds on previous commitments made in the 2001 Bonn Agreement, and extends to new issues including the deployment of international forces in Afghanistan, and adds new financial commitments from donors.

Agreement document

[AF_040401_Berlin Declaration.pdf](#)  | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Rhetorical
Page 1, Untitled Preamble
...
Welcoming the contributions and pledges towards Afghanistan's reconstruction and reform programs made by countries at the Tokyo Conference of January 2002, that have helped avert a humanitarian crisis and resettle more than three million refugees and internally displaced people so far, and laid the foundation for economic development and growth in the future

Social class No specific mention.

Gender

Women, girls and gender	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>Noting with satisfaction the substantial progress achieved under the Bonn Agreement of December 2001 in fostering peace, stability, national unity, democratization, and economic development in Afghanistan, culminating in the adoption of a new Afghan Constitution in January 2004, which lays the groundwork for an elected Government and Parliament, and an independent Judiciary, which guarantees the constitutional rights of all its citizens – men and women – and adheres to the principle of human rights and the establishment of a self-sustaining, market-orientated economy.</p> <p>Page 3, 10</p> <p>That all efforts to build a new Afghanistan shall also reflect the aspirations of the Civil Society that is taking root in the country and promote the participation of women according to their rights under the Constitution</p>
Men and boys	<p>Gender→Men and boys→Gender neutral wording</p> <p>Page 1, Untitled Preamble</p> <p>...</p> <p>Noting with satisfaction the substantial progress achieved under the Bonn Agreement of December 2001 in fostering peace, stability, national unity, democratization, and economic development in Afghanistan, culminating in the adoption of a new Afghan Constitution in January 2004, which lays the groundwork for an elected Government and Parliament, and an independent Judiciary, which guarantees the constitutional rights of all its citizens – men and women – and adheres to the principle of human rights and the establishment of a self-sustaining, market-orientated economy.</p>
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) Governance→Political institutions (new or reformed)→General references
Page 1, Untitled Preamble
...
Welcoming the achievements in the state and institution building process, in particular the peaceful holding of two Loya Jirgas which elected a President and adopted a Constitution, the progress in creating and strengthening the national security institutions, the adoption of key legislation, the re-establishment of a Central Bank and the successful launch of a new currency, the adoption of a National Development Framework and a National Budget, as well as the establishment of Commissions on Human Rights, Elections, Judiciary and Civil Service Reform

Page 2, Untitled Preamble
...
Determined to complete the Bonn Process by creating the conditions under which the people of Afghanistan can freely determine their own political future by establishing a fully representative government through free and fair elections in a secure and peaceful environment

Elections	<p>Page 1, Untitled Preamble</p> <p>We, the participants in the 2004 Berlin Conference on Afghanistan, Committed to the vision of a secure, stable, free, prosperous and democratic Afghanistan as laid out in the Afghan Constitution and as reaffirmed in the speech of President Hamid Karzai held at this Conference, in particular welcoming the announcement to hold direct presidential and parliamentary elections in September 2004.</p> <p>Page 3, 2</p> <p>Welcome the commitment by NATO to expand ISAF's mission by establishing five additional Provincial Reconstruction Teams by summer 2004 and further PRTs thereafter, as well as the readiness of ISAF and OEF to assist in securing the conduct of elections</p>
Electoral commission	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>Welcoming the achievements in the state and institution building process, in particular...establishment of Commissions on...elections</p>
Political parties reform	<p>No specific mention.</p>
Civil society	<p>Page 3, 10</p> <p>That all efforts to build a new Afghanistan shall also reflect the aspirations of the Civil Society that is taking root in the country and promote the participation of women according to their rights under the Constitution</p>
Traditional/ religious leaders	<p>No specific mention.</p>
Public administration	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>Welcoming the achievements in the state and institution building process, in particular...establishment of Commissions on...Civil Service Reform</p>
Constitution	<p>Governance→Constitution→Constitution affirmation/renewal</p> <p>Page 1, Untitled Preamble</p> <p>...</p> <p>Welcoming the achievements in the state and institution building process, in particular the peaceful holding of two Loya Jirgas which elected a President and adopted a Constitution</p>

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>Noting with satisfaction the substantial progress achieved under the Bonn Agreement of December 2001 in fostering peace, stability, national unity, democratization, and economic development in Afghanistan, culminating in the adoption of a new Afghan Constitution in January 2004, which lays the groundwork for an elected Government and Parliament, and an independent Judiciary, which guarantees the constitutional rights of all its citizens – men and women – and adheres to the principle of human rights and the establishment of a self-sustaining, market-orientated economy.</p> <p>Page 2, 4</p> <p>Agree that further efforts will be necessary for the full establishment of the rule of law and a functioning judicial system as enshrined in the Constitution</p>
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship Rights related issues→Citizenship→Citizens, specific rights
Page 1, Untitled Preamble
...
Noting with satisfaction the substantial progress achieved under the Bonn Agreement of December 2001 in fostering peace, stability, national unity, democratization, and economic development in Afghanistan, culminating in the adoption of a new Afghan Constitution in January 2004, which lays the groundwork for an elected Government and Parliament, and an independent Judiciary, which guarantees the constitutional rights of all its citizens – men and women – and adheres to the principle of human rights and the establishment of a self-sustaining, market-orientated economy.

Democracy Page 1, Untitled Preamble
We, the participants in the 2004 Berlin Conference on Afghanistan, Committed to the vision of a secure, stable, free, prosperous and democratic Afghanistan as laid out in the Afghan Constitution...

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI	Rights institutions→NHRI→Mentions of NHRI Page 1, Untitled Preamble ... Welcoming the achievements in the state and institution building process, in particular...the establishment of Commissions on Human Rights
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	Page 1, Untitled Preamble ... Welcoming the achievements in the state and institution building process, in particular...establishment of Commissions on...Judiciary Page 2, 4 Agree that further efforts will be necessary for the full establishment of the rule of law and a functioning judicial system as enshrined in the Constitution
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 1, Untitled Preamble</p> <p>...</p> <p>Welcoming the contributions and pledges towards Afghanistan's reconstruction and reform programs made by countries at the Tokyo Conference of January 2002, that have helped avert a humanitarian crisis and resettle more than three million refugees and internally displaced people so far, and laid the foundation for economic development and growth in the future</p> <p>...</p> <p>Determined to continue, in the spirit of the Bonn Agreement, as a common endeavor of the Afghan people and the international community, the tasks of rebuilding and reforming the political, social and economic structures of Afghanistan, with the aim of creating lasting peace, stability and economic development, and with a view to offering all Afghans in an equitable manner tangible prospects for a brighter future</p>
National economic plan	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>Welcoming the achievements in the state and institution building process, in particular...the adoption of a National Development Framework and a National Budget</p>
Natural resources	<p>No specific mention.</p>

International funds	<p>Page 2, 2 Agree that the international community is determined to assist further in the stabilization of the security situation throughout the country, in particular with the deployment of Provincial Reconstruction Teams (PRT), which also contribute to reconstruction and development efforts</p>
	<p>Page 2, 6 Agree that the investment program presented in the report “Securing Afghanistan’s Future” outlines the substantial further assistance required to address Afghanistan’s long term reconstruction needs, and that the implementation of this program depends as much on the continued commitment of donors as on the Afghan Government’s success in achieving the ambitious targets it has set for itself.</p>
	<p>Page 3, 7 Agree that better predictability makes it desirable for the assistance to Afghanistan to be, if possible, in multi-year commitments and, with increasing absorption capacity for a growing share of this assistance to be channeled [sic] through the Afghan budget as direct budget support or as contributions to the Afghanistan Reconstruction Trust Fund (ARTF) and to the Law and Order Trust Fund (LOTFA), and that the Government of Afghanistan will continue to make every effort to enhance domestic revenue mobilization</p>
	<p>Page 3, 1 Welcome the multiyear commitments made at the Conference for the reconstruction and development of Afghanistan totalling US\$ 8.2 bn for the fiscal years 1383 – 1385 (March 2004 – March 2007), which includes a pledge of US\$ 4.4 bn for 1383 (March 2004 – March 2005)</p>
	<p>Page 3, 2 Welcome the commitment by NATO to expand ISAF's mission by establishing five additional Provincial Reconstruction Teams by summer 2004 and further PRTs thereafter, as well as the readiness of ISAF and OEF to assist in securing the conduct of elections</p>
Business	No specific mention.
Taxation	No specific mention.
Banks	<p>Socio-economic reconstruction→Banks→Central bank Page 1, Untitled Preamble ... Welcoming the achievements in the state and institution building process, in particular...the re-establishment of a Central Bank and the successful launch of a new currency.</p>

Land, property and environment

Land reform/
rights No specific mention.

Pastoralist/
nomadism
rights No specific mention.

Cultural
heritage No specific mention.

Environment No specific mention.

Water or
riparian
rights or
access No specific mention.

Security sector

Security Guarantees Page 1, Untitled Preamble
...
Noting with satisfaction the progress made by Afghans and the international community in the fight against remnants of international terrorism, and the common resolve to defeat terrorists who undermine security and reconstruction efforts in Afghanistan

Page 2, 2
Agree that the international community is determined to assist further in the stabilization of the security situation throughout the country, in particular with the deployment of Provincial Reconstruction Teams (PRT), which also contribute to reconstruction and development efforts

Page 3, 2
Welcome the commitment by NATO to expand ISAF's mission by establishing five additional Provincial Reconstruction Teams by summer 2004 and further PRTs thereafter, as well as the readiness of ISAF and OEF to assist in securing the conduct of elections

Ceasefire	No specific mention.
Police	Page 2, 3 Agree that it is necessary to...continue the formation of the Afghan National Army and the National Police
Armed forces	Page 2, 3 Agree that it is necessary to...continue the formation of the Afghan National Army and the National Police
DDR	Security sector→DDR→DDR programmes Page 2, 3 Agree that it is necessary to implement vigorously the first phase of the Disarmament, Demobilization and Reintegration program to be completed by the end of June 2004 as decided by the President of Afghanistan, thereafter to intensify the program ahead of the 2004 elections
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/ organised crime	No specific mention.
Drugs	Page 2, 5 Agree that opium poppy cultivation, drug production and trafficking pose a serious threat to the rule of law and development in Afghanistan as well as to international security, and that therefore Afghanistan and the international community shall do everything - including the development of economic alternatives - to reduce and eventually eliminate this threat

Terrorism Page 1, Untitled Preamble

...

Noting with satisfaction the progress made by Afghans and the international community in the fight against remnants of international terrorism, and the common resolve to defeat terrorists who undermine security and reconstruction efforts in Afghanistan

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 2, 1
Agree that while the responsibility for providing security and enforcing law and order throughout the country resides with the Afghans themselves, the engagement of the International Security Assistance Force (ISAF), mandated by the UN-Security Council and now under the command of NATO, and Operation Enduring Freedom (OEF) - at the request and welcomed by the Afghan Government - will be continued until such time as the new Afghan security and armed forces are sufficiently constituted and operational

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN Peacemaker
<http://peacemaker.un.org/>
<http://peacemaker.un.org/node/1813>
