

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	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. Page 3, 10 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
Men and boys	Gender→Men and boys→Gender neutral wording 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.
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)	<p>Governance→Political institutions (new or reformed)→General references</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, 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</p> <p>Page 2, Untitled Preamble</p> <p>...</p> <p>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</p>
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	Page 3, 10 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
Traditional/ religious leaders	No specific mention.
Public administration	Page 1, Untitled Preamble ... Welcoming the achievements in the state and institution building process, in particular...establishment of Commissions on...Civil Service Reform
Constitution	Governance→Constitution→Constitution affirmation/renewal 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

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
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Regional or international human rights institutions

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 Page 2, 2
funds 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 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.

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

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)

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

Business No specific mention.

Taxation No specific mention.

Banks 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.

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	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>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</p> <p>Page 2, 2</p> <p>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 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>
Ceasefire	<p>No specific mention.</p>
Police	<p>Page 2, 3</p> <p>Agree that it is necessary to...continue the formation of the Afghan National Army and the National Police</p>
Armed forces	<p>Page 2, 3</p> <p>Agree that it is necessary to...continue the formation of the Afghan National Army and the National Police</p>
DDR	<p>Security sector→DDR→DDR programmes</p> <p>Page 2, 3</p> <p>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</p>
Intelligence services	<p>No specific mention.</p>

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>
