

# Loya Jirga

August 13, 2020

The Loya Jirga of Afghanistan has approved the release of 400 Taliban prisoners in a major breakthrough that will **pave the way for intra-Afghan talks**. A resolution with 25 articles was issued in which the members of the Loya Jirga or grand assembly urged the international community to cease direct and indirect intervention in Afghanistan's affairs and to cease their support for terrorist groups.

## Loya Jirga

**The Loya Jirga, or the assembly of tribal elders, is Afghanistan's most powerful institution.** The Loya Jirga also called for an immediate start to negotiations with the Taliban, which was removed from power by the US in 2001. The assembly of elders also urged all warring sides to announce a ceasefire to facilitate political talks.

The Loya Jirga is **held on extraordinary occasions and has a purely consultative function. It, however, carries huge significance in Afghan politics and society, and many consider it to be superior to even the Afghan parliament or the presidency.** The grand assembly traditionally involves ethnic Pashtun tribal elders – Afghanistan's largest ethnic group – but over the years, other ethnic groups have been allowed to take part to give them fair representation in decision-making.

Rooted in the tribal customs of the country, the **Loya Jirga became a distinct political institution with the rise of the Durrani Empire in the 18th century. Since 2004, the current Afghan Constitution recognizes it as "the highest manifestation of the will of the people of Afghanistan."** The Loya Jirga is an extrapolation at the national level of traditional village jirgas convened to resolve local disputes. The institution of the Loya Jirga gained centrality in the

early 20th century. After winning sovereignty from the British in 1919, Afghanistan's reformist King Amanullah drafted Afghanistan's first constitution. Titled The Fundamental Principles of the Afghan Government, **the supreme law was adopted by two Loya Jirgas in 1922 and 1923.**

In June 2002, seven months after the Taliban were ousted by US and international coalition forces, Hamid Karzai, who had already been appointed interim leader in a UN-led conference in Bonn, was sworn in as president for the first time at a Loya Jirga, which also approved his cabinet members. In January 2004, Afghanistan's opposing factions agreed on a constitution at a Loya Jirga. In November 2013, the assembly of tribal elders voted in favor of a crucial security deal with the US – the Bilateral Security Agreement. The Loya Jirga called on then president Hamid Karzai to sign the deal immediately, against his wishes. **In April, last year, the assembly of tribal elders advised President Ghani to endorse negotiations between the US and the Taliban.**