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# SPECIAL REPORT

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## ABOUT THE REPORT

The analysis and conclusions drawn in this report are based on the author's wide range of discussions with ordinary Afghans (men and women), senior government officials, and members of the international community working in or on Afghanistan. Over the course of years, the author has traveled to many places inside Afghanistan and participated in numerous meetings and conferences centered on peace, stability, and reconstruction.

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*Mohammad Masoom Stanekzai*

## Thwarting Afghanistan's Insurgency

### A Pragmatic Approach toward Peace and Reconciliation

#### Summary

- Afghanistan is at a crucial stage of transition. The Taliban, with sanctuaries and a support base in the tribal areas, has grown stronger, relying on a wide network of foreign fighters and Pakistani extremists who operate freely across the Afghan-Pakistani border.
- Present trends raise serious doubts about whether military solutions alone can defeat the insurgency and stem the expansion of terrorism. In short, reconciliation must also be a key element of comprehensive stabilization in Afghanistan.
- A multitude of factors suggest that the time is ripe for a reconciliatory process.
- The Taliban and the Hekmatyar Group will be key challenges to any reconciliation process as long as they enjoy sanctuaries and support outside of Afghanistan.
- An examination of past attempts at reconciliation with the Taliban reveals that the process has lacked consistency. The Afghan government and its international partners have offered conflicting messages, and there has been no consensual policy framework through which to pursue reconciliation in a cohesive manner.
- The goal of reconciliation in Afghanistan must be to achieve peace and long-term stability under the Afghan Constitution with full respect for the rule of law, social justice, and human rights. To successfully meet this goal, Afghanistan's reconciliation program must be carefully targeted and guided by a clear set of principles.
- A comprehensive and coordinated political reconciliation process must be started. At the same time, significant progress must be made on the security front and on the international (regional) front. Without security and stability or cooperation from Afghanistan's neighbors, reconciliation will not occur.

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SEPTEMBER 2008

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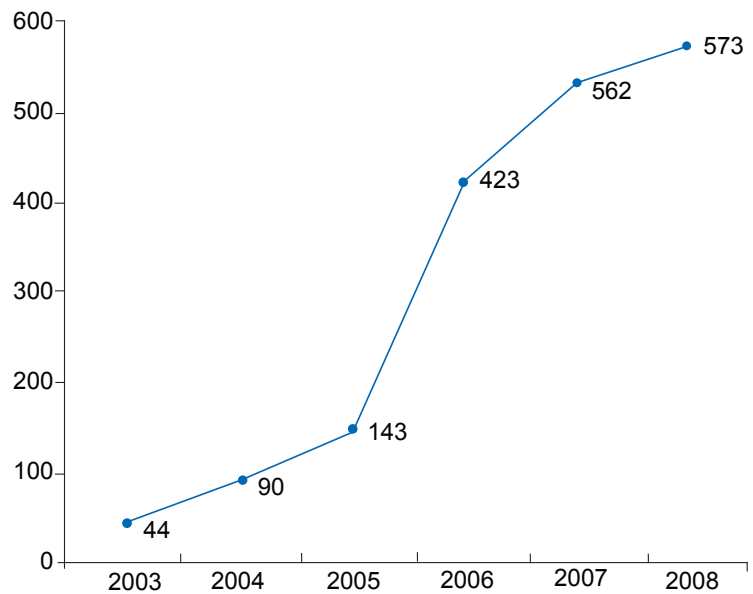
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Figure 1. Average number of violent incidents per month, 2003–2008

### Average incidents per month



Sources: Afghanistan's Ministries of Defense and Interior, the National Directorate of Security, and the UN Department of Safety and Security

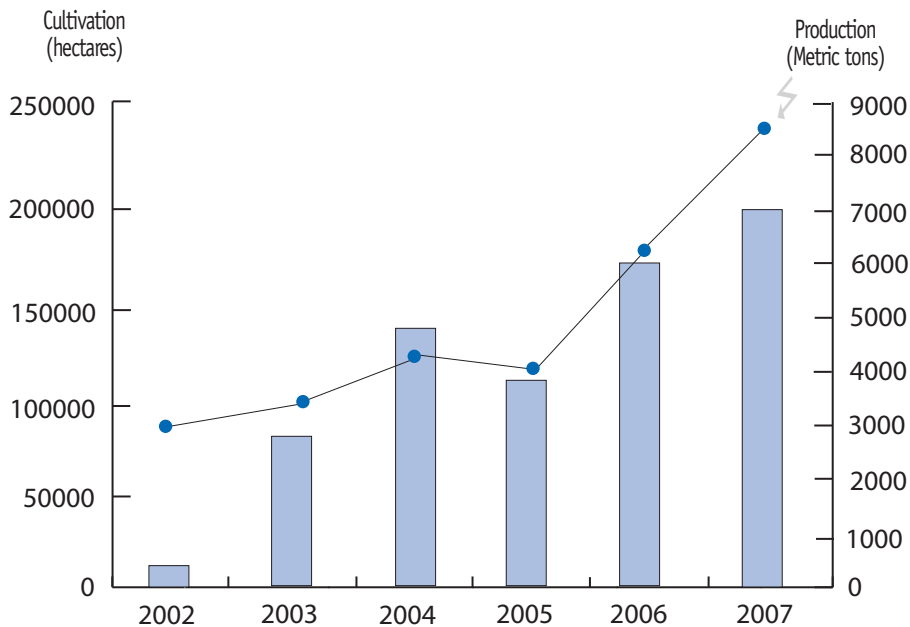
## Introduction

Afghanistan is at a crucial stage of transition. The Taliban, with sanctuaries and a support base in Pakistan's Federally Administered Tribal Areas (FATA), has grown stronger, relying on a wide network of foreign fighters and Pakistani extremists who operate freely across the Afghan-Pakistani border. As a result, violence in Afghanistan has been escalating for the past two years. More than 14,500 people, including hundreds of foreign troops, have been killed there since the Taliban began its comeback in 2006. Recent statistics suggest that the situation is only getting worse. June 2008 represented the deadliest month for foreign troops in Afghanistan since the 2001 fall of the Taliban and the second month in which casualties exceeded those in Iraq.

Complicating matters, the insurgency is not a pure, genuine national insurgency that is simply fighting against occupying forces or the government, and the Taliban is not the only source of violence and unrest. Other groups, including Hizb-i Islami, armed criminals, and drug networks linked closely with illegal armed groups, as well as corrupt elements inside and outside the government, contribute to the country's security concerns. Additionally, a record increase in opium production provides up to 40 percent of the Taliban's total financial support and contributes dramatically to corruption. If the current levels of violence and poppy production are not contained, both the government and international security forces will lose further support among the people, providing more space for the insurgents and terrorist groups to operate (see figures 1 and 2).

To date, the Afghanistan government and the international community have typically responded to the violence by being reactive rather than proactive, as evidenced by the gradual increase of the International Security Assistance Force (ISAF) in Afghanistan in response to rising security threats and a general lack of contingency planning. Although military and peacekeeping operations are absolutely vital for creating a secure environment conducive to state building and reconstruction, present trends raise serious doubts about whether military solutions alone will be able to defeat the insurgency and stem the expansion of terrorism. In short, reconciliation must also be a key element of stabilization operations in Afghanistan.

**Figure 2. Opium poppy cultivation and production levels, 2002–2007**



Sources: UN Office of Drugs and Crime and Afghanistan’s Ministry of Counter Narcotics

Although the danger that Afghanistan could once again become a failed state is real, the chance to stabilize Afghanistan is not lost: broad support is emerging for an effective national reconciliation and negotiation program that will end the bloodshed. But what might such a program look like, and how might it succeed when past attempts have failed? This report represents an attempt to answer these important questions and to provide an approach for encouraging reconciliation among Afghans in the name of stabilization and peace. It begins by arguing that an opportunity exists for reconciliation and then explores the various challenges to reconciliation, including Afghanistan’s unique sources of conflict and wide spectrum of insurgent, terrorist, and criminal groups. Next, it briefly examines the government’s past attempts at reconciliation with the Taliban and then offers a pragmatic framework for overcoming the country’s various sources of conflict and promoting reconciliation among the conflict’s key actors. The report concludes with a series of recommendations for the Afghan government and its international partners acting in support of the country’s peace and reconciliation.

***Although the danger that Afghanistan could once again become a failed state is real, the chance to stabilize Afghanistan is not lost.***

## **An Opportunity for Reconciliation**

Although Afghanistan’s insurgents have proved adept at exploiting local fissures, creating horror, and attacking high-value targets, Afghanistan has witnessed positive progress on numerous fronts since 2002. At present, multiple factors suggest that the time is ripe for a reconciliatory process to begin (see table 1).

First, Afghans are tired of long years of conflict and the majority are willing to support a peace process, but they are uncertain and afraid due to past experience. If reassured and mobilized, they will stand firmly and support the current democratic process as they did when the Taliban was first ousted. Indeed, Afghans prefer the current democratic process over Taliban rule, but they are frustrated by the government’s corruption and incompetence in delivering basic services, especially security, jobs, and justice.

Second, the Taliban is not enjoying the same level of support that it enjoyed when it first emerged as a political and military power. This is partly because of the Taliban’s

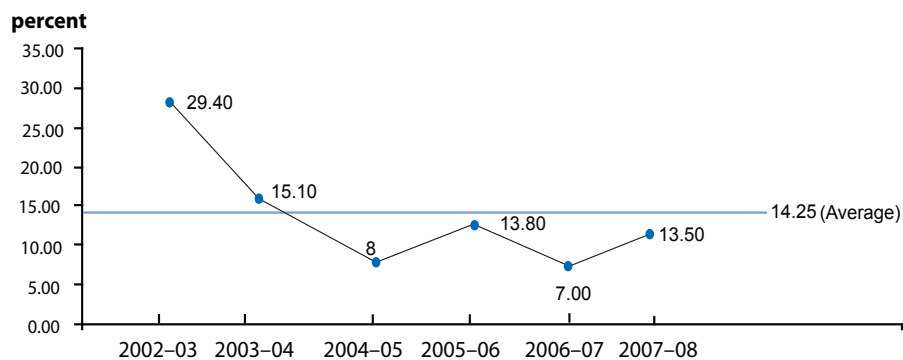
**Table 1. Progress achieved in Afghanistan (2002–2008)**

S/No	Description	2002	2008	Notes
1	Afghan National Army	1700 (estimate)	70,000	Field strength of 50,000
2	Afghan National Police	50,000 (estimate)	79,910	In 2002, none were properly trained, equipped, or paid. At present, 20,000 are properly trained and paid, and are better equipped but still lagging behind the army
3	Afghan Military Forces	100,000	Decommissioned	64,000 ex-combatants reintegrated
4	International Security Forces and Provincial Reconstruction Teams	1 PRT 4,900 ISAF troops	52,700 ISAF troops 26 PRTs	Deployment has been expanded to all regions with 26 PRTs now covering all 34 provinces
5	Illegal Armed Groups	1,800 groups (estimate)	342 groups disbanded	64,000 weapons and 27,000 tons of ammunition have been collected.
6	Access to Health Care	9%	85%	Percentage of the population covered by basic services
7	Education	3.7 million children enrolled	5.7 million enrolled	In 2005 there were almost 11.8 million children under the age of 15
8	Rural Development	0	32,000	Number of villages that have benefited from development projects
9	Infrastructure development	Mostly destroyed	13,150 km	Combined length of roads that have been rehabilitated, improved, or built
10	Natural Resources Management	13% and 8%	23% and 12%	Percentage of population with access to safe drinking water and adequate sanitation facilities, respectively. Three million citizens have benefited from rural water and sanitation projects. Sanitation facilities in urban areas are provided by connections to public sewers or by household systems. In rural areas, pit privies, pour-flush latrines, septic tanks, and communal toilets are considered adequate.
11	Economy and Trade		70%	Percentage increase in income per capita
12	Media and Telecom	5%	75%	Percentage of the population that has access to communication

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**Figure 3. Annual economic growth rate, 2002–2008 (in percentages)**



Sources: Afghanistan’s Ministry of Finance, Afghanistan National Development Strategy, and World Bank.

increasing indifference to civilian casualties and partly because Afghans are once again getting frustrated with its free-market approach to war in which it enlists criminals to conduct operations in its name.

Third, Afghan national institutions, especially the Afghan National Army (ANA), are gaining in strength and slowly becoming trusted. If further strengthened, the army has the potential to gradually replace ISAF. Such a strategy will put an end to widespread speculation about a long-term Western occupation that insurgents presently use to advantage in their propaganda.

Fourth, for more than six years Afghanistan’s average annual economic growth rate has been above the ten-year annual target of nine percent recommended in the report *Securing Afghanistan’s Future*, which was presented at the 2004 Berlin Conference on Afghanistan (see figure 3). This is welcome news given that more than 60 percent of the Afghan population is below twenty years old, comprising a generation that lost virtually all opportunity for education and risks suffering from massive unemployment.

Fifth, growing regional fears about the threat posed by extremist militants means it may now be possible to develop a region-wide consensus for dealing with the threat: China is worried about the Uighurs; Uzbekistan about the Islamic Movement of Uzbekistan (headed by Namangani); Russia about Chechen rebel groups (all linked with al Qaeda); Iran about the Taliban and al Qaeda; and Pakistan about the expansion of criminality and insecurity and the further loss of control over its border areas.

Sixth, although members of Pakistan’s Directorate for Inter-Services Intelligence (ISI) and military continue to support the Taliban and al Qaeda, Pakistan’s recent election represented a vote of no confidence in extremist groups. Indeed, if Pakistan does not help stabilize Afghanistan by taming groups in FATA, a collection of seven agencies and six “frontier districts” that share 250 miles of mountainous border with Afghanistan, it may ultimately face the same situation that Afghanistan suffers from today. Both Afghanistan and Pakistan are increasingly burdened with security challenges that divert significant resources and energy from much-needed services and economic development initiatives.

Seventh, it was recently announced that United Front opposition leader and former Afghan president Burhanuddin Rabani was in contact with the Taliban and wanted to negotiate with it. In the past, United Front leaders were equivocally against any negotiation with insurgents. This announcement demonstrates a growing consensus among Afghans to reach out to groups that engage in political violence against the state.

Eighth, the NATO Summit in Bucharest in April 2008 and the Paris donor conference in June 2008 highlighted the strong commitment of the international community to peace and stability in Afghanistan, sending positive signals and boosting confidence and morale inside Afghanistan.

*The various sources of conflict and the multitude of insurgent and terrorist groups within Afghanistan will present formidable challenges to any reconciliation process.*

## Challenges to Reconciliation

Despite the favorable developments that may make the present an opportune moment for reconciliation, the various sources of conflict and the multitude of insurgent and terrorist groups within Afghanistan will present formidable challenges to any reconciliation process.

### *Principal Sources of Conflict*

Conflict in Afghanistan springs from several sources and can be classified into two broad categories, the first of which can be broken down along real-world geographical lines—regional, national, and local—and the second along the more abstract lines of religion, ethnicity, and family.

**Regional Sources of Conflict.** Afghanistan is at the center of numerous regional disputes, including its territorial dispute with Pakistan over the Durand Line, Pakistan and India's territorial dispute over Kashmir, and potential future water-related disputes with neighboring countries. In this complex regional environment, many of Afghanistan's neighbors are trying to increase their influence in Afghanistan to promote their own security and economic interests. In the process, they have abused Afghanistan's ethnic and religious diversity by supporting one group over another for their own ends. Pakistan, for example, has used and continues to use the Taliban and the militias in FATA as a strategic asset to secure its strategic interests in Afghanistan, to help it reestablish its position as the key regional player, and to receive more aid from the United States. Similarly, Iran has supported Shia groups in Afghanistan to further its influence there.

**National Sources of Conflict.** Throughout Afghanistan's modern history, the conflict between modernizers—principally urban, educated elites—and conservatives—principally rural, illiterate villagers led by ulema and tribal leaders—has continually led to revolts against the state. In 1929, King Ammanullah was overthrown after embarking on a rapid modernization program based on the Turkish model. In 1979, the modernizing reforms of Communists provoked widespread revolt, ultimately leading to the overthrow of the central authority and collapse of the Communist regime in 1992. And now, today, the fundamentalist Taliban, with support from al Qaeda, is revolting against the current moderate democratic process and attempts at modernization and development.

Over the past three decades, separate power bases have emerged in Afghanistan in the form of political-military parties and networks of commanders and their followers. Fed by the illicit economy and supported by foreign powers, these parties and networks have access to vast human support and financial resources, much of which is generated by drug trafficking, illegal taxation, and customs fees, and are thus able to maintain power outside the state.

**Local Sources of Conflict.** Many local disputes in Afghanistan are related to conflicts over land and access to water. Such disputes are mainly between displaced persons who returned from refugee camps to their places of origin and those who either stayed in the area or returned at any earlier period. In some cases, local commanders have claimed the lands of those who were displaced; in other cases, local commanders belonging to one majority ethnic group have forced villagers belonging to a minority group to flee only to redistribute the abandoned land to the remaining population. Such cases have mainly been registered in the northern provinces of Takhar, Mazar, and Fariba. Land has also been acquired unjustly or sold illegally through the use of fake documents or the abuse of government positions.

The destruction of water distribution systems has also led to violent conflict, as have disputes over the ownership and use of public property, such as forests and pasturages, especially between nomads (Kochies) and other tribes (mainly the Hazara residents of the central highlands). In each of the past two years, for example, fighting erupted during the seasonal movement of Kochies and their herds toward the central highlands. Fighting was over land ownership and grazing rights. Several people were injured, while others were

*Many local disputes in Afghanistan are related to conflicts over land and access to water.*

killed. Additionally, homes were burned, and herds were taken by force. Spoilers on both sides, principally Kochie and Hazara political leaders, have exaggerated the dispute.

**Religion-Based Sources of Conflict.** Islam is the predominant religion in Afghanistan and is mixed with Afghan culture, making it difficult for the majority of illiterate people to make distinctions between certain aspects of Islam and their own indigenous traditions. Although moderate Islam, in particular, has deep roots in Afghan society and is the most important part of belief in the day-to-day life of Afghans, Afghans can be deeply angered by incidents that are perceived as contradictory to their Islamic belief. An overwhelming majority of Afghans reject the radical version of Islam practiced by the Taliban not only because it has caused social strife but also because it contradicts their principle understanding of Islam.

Promoting moderate Islam in Afghanistan will have a significant positive impact on the peacebuilding process and help unify and heal the country. The rule of the mullahs (traditional clergy) is dominant, particularly in the rural areas of Afghanistan. Their network is loose but pervasive throughout the country, and their decisions, in many cases, determine people's decisions and actions. Reaching out to them and using their potential for peacebuilding will be an important step that can help offset the extremists' appropriation of mosques in their propaganda campaign against the government.

**Ethnic Sources of Conflict.** Although Afghanistan is not ethnically homogenous and its national culture is not uniform, there is a strong collective sense of identity within the country. Most ordinary Afghans broadly believe that they will be prosperous only if they are united and live in peace with one another under a lawful and just system where they equally benefit from services. As Louis Dupree wrote in his book *Afghanistan*, "In Afghanistan, only distinctive tribal and ethnic clothing, language, religion and other cultural impediments make the difference. But like the United States, and for a much longer period, Afghanistan had been a cultural, as well as physical, melting-pot . . . the influences of many empires rose, fell and blended."<sup>1</sup>

The ethnic divisions within Afghanistan were deepened during the initial years of resistance against the Soviet invasion, when leaders organized jihadi parties and militia groups around networks of close friends and relatives, creating new ethnocentric power structures. As a result, militia groups on all sides were dominated by geographical location and tribal and ethnic affiliations. When these groups were threatened by a common foreign enemy, they joined together, but when the time came to share power, they fought one another with all the means at their disposal and played the "ethnic card" to mobilize support and retain power and access to resources.

The individualistic approach of these groups created an environment in which each group put its own interests over national interests. During the civil war in Kabul, for example, these groups banned the movement of ordinary Afghans and contact between Afghans belonging to different ethnic groups. They also tortured members of other groups to create hate and dependency and to force people to follow them out of fear. None of the ordinary Afghans interviewed by me during the past ten years approved of what their respective leaders and commanders had done in the name of ethnicity. Hence, Afghans did not necessarily follow the leaders and militia commanders because of their inherent ethnic interests or loyalties; rather, they were forced to because of fear and a need to protect themselves and their families.

**Familial Sources of Conflict.** Family disputes and feuds are an additional cause of conflict in Afghanistan and mostly involve issues of marriage and shared property. In some cases, ISAF has been intentionally misled by locally hired individuals in the middle of a personal or familial dispute. For example, such individuals have been known to falsely accuse their rivals of having links with al Qaeda, knowing that their homes will be searched or that they will be arrested. Such circumstances in which innocent parties are treated unjustly or unfairly have the unintended effect of damaging the image of the international forces and government in the eyes of Afghans and creating further space for the insurgents.

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### ***Insurgent, Terrorist, and Criminal Groups***

Although the nature and composition of the country's insurgent and terrorist groups change frequently and require continued assessment, the following groups are the ones that will likely present a key challenge in any reconciliation process.

**The Afghan Taliban.** The Afghan Taliban is currently led by two main *shuras* (councils): the Quetta Shura and the Peshawar Shura. The Quetta Shura, also known as the Leadership Council, is headed by Mullah Omar and dominated by those from Kandahar, Uruzgan, and Helmand. Most council members come from the old leadership of the Taliban. The Peshawar Shura, which is headquartered in Pakistan's North-West Frontier Province (NWFP), is composed of smaller tribes but lacks a leader with Mullah Omar's overall authority and legitimacy. There are additional differences between the Quetta Shura and the Peshawar Shura with regard to status and resources.

As a whole, the Taliban operates in small groups—from three to thirty individuals, most of whom are between the ages of seventeen and twenty-six (except for the commanders and secret operatives). Although these groups are composed of core madrassa-trained Taliban and local recruits, they also include mercenaries—criminals hired for special tasks. Each group also generally has foreign fighters and advisers, many of whom are in command positions. Support for these groups comes from the drug mafia, which not only provides financial resources but also information, linkages, and help in penetrating high-value-target areas that are under effective government control.

Of the numerous Taliban groups, one of the strongest and most active is led by Jalaludin Haqani, a member of the Taliban's Leadership Council and an experienced Afghan rebel commander from the Zadran district in southeast Afghanistan. Once trusted by the CIA, Haqani was the first Afghan leader to sponsor Arab fighters during the last years of the anti-Soviet war, establishing very close relations with wealthy Arab sheikhs and Pakistan's ISI.<sup>2</sup> Assisted by his son Sarajudin, he is once again proving himself to be a capable organizer, operating as a middleman between al Qaeda and the ISI from his base in Waziristan. Sarajudin has recently called for a change in the Quetta Shura leadership, arguing that a lack of leadership has led to the killings of some of the Taliban's most senior commanders.

**The Hekmatyar Group (Hizb-i Islami).** Based mostly in the Dir District of Pakistan's Bajaur Agency along the Afghanistan border (near Kunar and Nuristan), Hizb-i Islami is led by Gulbuddin Hekmatyar, a controversial figure who lost much of the credibility among Afghans that he had gained during the initial years of the anti-Soviet war. This was largely due to his continued rocket attacks on Kabul after the fall of the Communist regime in 1992, causing serious damage to ordinary Afghans and the new mujahidin government. As a result, his group has not been able to mobilize new recruits and instead relies on a network of former commanders and followers (some of whom maintain close links with their old ISI friends). Many members have already left him, with some joining the government in senior positions. Although they have broken off from the group and separated themselves from its current policy of fighting coalition forces, they represent potentially important points of contact between the government and Hekmatyar. Indeed, there is a growing possibility that Hekmatyar's group could, at some point, join a reconciliation process at the leadership level, although such a scenario would be very complicated because of Hekmatyar's past actions and because Hekmatyar and his group are on the UN Security Council's terrorist designation list.

**Contractors and Criminals.** Large networks of illegal armed groups involved with poppy production and drug trafficking exist in Afghanistan. Many young unemployed Afghans, particularly some of those who were forcibly returned from Iran, have joined their ranks as criminals and addicts. This represents another major threat to security and the rule of law and only serves to strengthen the insurgency.

Afghan criminal groups engage in a range of money-generating activities, whether its robbing and killing traders, or kidnapping children and foreign aid workers for ransom. They are also often contracted by the Taliban to carry out specific acts in return for pay-

***There is a growing possibility that Hekmatyar's group could, at some point, join a reconciliation process at the leadership level.***



ment or to provide protection during smuggling or kidnapping operations. Corruption in the police force has only added to the problem, further contributing to the country's instability and hurting the government's image.

**Tehrik-I-Taliban Pakistan.** Following the launch of Operation Enduring Freedom in 2001, the Taliban and al Qaeda fled to Pakistan. They found sanctuary in FATA, a region ruled by old tribal customs that has been the site of major guerrilla and terrorist training camps since the Soviet invasion of Afghanistan in the 1980s (many of which were established with U.S. and Saudi money under the direct supervision of the ISI). Far from Islamabad's reach, FATA currently serves as a launching pad for terrorist and cross-border attacks on Afghan and international security forces.

Established as an umbrella organization by a shura of forty senior Taliban leaders, the Tehrik-I-Taliban Pakistan (PTT) quickly and effectively established itself in FATA, killing more than 300 tribal elders. Militia leader Baitullah Mehsud, who once operated under Sarajiden Haqani, was appointed as the group's *amir* (leader) in 2007, while Mulana Hafiz Gul Bahaddur of North Waziristan and Mulana Faqir Muhammad of Bajaur Agency were appointed as the second and third in command.

As a syndicate, the PTT is composed not only of Taliban but also of groups such as Lashkar-e-Taiba (LET), Tehreek-Maram-Shariya Mohammadiyah (TNSM), the Harkatul Mujahideen al-Aalmi (HMAA), the Harkatul Ansaar (HA), the Harkat-i-Jehad-i-Islami(HJI), the Ansaru Sunnah (AS), and the Ansarul Muslimoon (AM). These groups have concentrated their human and material resources in Waziristan in preparation for renewed attacks on international and Afghan security forces. Most of these groups were formed in the late 1990s by the ISI as a proxy force of jihadists to fight the Indian government in Kashmir. Each of these organizations has independent weapons stockpiles, millions of dollars in funds, and hundreds of fighters.

**Foreign Fighters and al Qaeda.** With its ability to mobilize foreign fighters and its access to financial resources, al Qaeda represents one of the most sophisticated networks of terrorists capable of attacking targets on a global level. It has played a central role in spreading militancy in the region, providing the insurgency with strategic communication and planning, financing, and networking opportunities. In addition, it brings recruits to Afghanistan not only from Arab countries but also from Chechnya, Uzbekistan, and China's Xinjiang province.

Relations among al Qaeda, the Taliban, and other extremist groups are very complicated. They can be direct or indirect and are characterized by a combination of hostility and friendship. They need one another for survival, but sometimes they have conflicts of interests. What is clear is that the Taliban and extremist groups need al Qaeda's money, brains, and experienced fighters, while al Qaeda needs safe havens from which it can operate worldwide.

With multiple sources of conflict and numerous destabilizing forces in Afghanistan, it is clear that developing a successful reconciliation program and building durable peace will not be an easy task. But before a framework to address the problem can be designed, past and present attempts at reconciliation must be examined and their shortcomings understood.

## Past Attempts at Reconciliation

Following the Taliban's removal from power by the United States, the Bonn Agreement provided an opportunity to not only recreate the State of Afghanistan but also to end conflict there by developing a road map for peace. It recognized the need to ensure broad representation in the interim arrangement and to include those groups that have not been adequately represented at the UN-sponsored talks on Afghanistan. Although the Taliban had been defeated, was seeking amnesty and personal safety, and had no significant political ambitions, the political environment at the time made it difficult to accommodate them, leaving an opportune moment for reconciliation to be lost. As

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Lakhdar Brahimi, the United Nations special representative of the secretary-general, publicly stated, “The Bonn talks were dominated by one group and at that time nobody was ready to consider the partly defeated side of the conflict; therefore, the Taliban were left by themselves, which gave an opportunity to spoilers to regroup.”

President Hamid Karzai first announced plans for a reconciliation policy in a speech before a gathering of ulema in Kabul in April 2003. He stated that “a clear line has to be drawn between the ordinary Taliban who are real and honest sons of this country, and those who still use the Taliban cover to disturb peace and security in the country. No one has the right to harass/persecute any one under the name of Taliban.” He added that all those who were active within the ranks of the Taliban—and who were not among those known to have committed crimes against the Afghan people—could begin living as normal citizens of Afghanistan by denouncing violence.

In early 2005, the government established the Independent Peace and Reconciliation Commission (PTS) to facilitate the reconciliation process. Shortly thereafter, commission chairman Hazrat Sebghatullah Mojaddedi announced that the amnesty offer from Karzai was being extended to all Taliban leaders, including the regime’s former head Mullah Omar. Although the U.S. military supported the Afghan government’s general reconciliation policy and the commission, it stated unequivocally that those guilty of terrorism or other serious crimes would not be allowed to join the amnesty. Resistance to such an idea came not just from the United States: Mojaddedi’s announcement was in direct contradiction of two UN Security Council Resolutions (UNSCR 1267 [1999] and 1735 [2006]) that sanctioned those very leaders.

On December 12, 2005, the Afghan Cabinet formally adopted the Action Plan on Peace, Justice, and Reconciliation in Afghanistan. The action plan focused mostly on the past and not on how to end the current violence. Then, on January 31, 2007, the lower house of the Afghanistan National Assembly approved a controversial draft amnesty bill that would provide amnesty to war criminals of the past three decades (from 1979 to 2001). An amended version, which was approved in March 2008, notes specifically that “the law does not include those who are wanted for internal and external charges against the security of the country.” It further adds that “[the bill] will not cover those who do not accept the constitution of Afghanistan and the present government.” Although the bill also recognizes the right of direct victims to appeal for justice, it states that in the interest of “stability and peace,” those who fought against one another for the independence of Afghanistan would be granted amnesty.

Aside from these broad national initiatives at reconciliation with the Taliban, attempts at outreach and reconciliation on a more local level have been initiated with modest success by a number of actors—namely, the Afghan government, nongovernmental organizations, and the international community.

### ***The Afghan Government***

Although the Afghan government’s primary focus has been on reaching out to individual members of the insurgency and to midlevel leaders, the Independent Department of Local Governance (IDLG) recently began to reach out to community leaders, commanders, and mullahs. It is trying to engage and encourage them to actively improve security in their districts. These initiatives are not well coordinated, however, and there is a gap between strategic focus and tactical approaches. Further, local insurgent leaders occasionally engage with the government to gain its trust and receive compensation only to continue with their illicit and antigovernment activities. Making such attempts at reconciliation more difficult still is the sheer number of Afghan governmental departments either directly or indirectly involved in outreach and reconciliation initiatives:

- the Office of National Security Adviser to the President
- the National Department of Security

***Local insurgent leaders occasionally engage with the government to gain its trust and receive compensation only to continue with their illicit and antigovernment activities.***

- the Independent Peace and Reconciliation Commission (PTS), which has nine offices in the most violent provinces of the south, southeast, and west of the country
- the Independent Commission of Human Rights
- the Ministry of Interior Departments of Intelligence
- the Ministry of Defense Department of Intelligence
- the newly established Independent Department of Local Governance
- individual members of parliament, provincial councils, and provincial governors

### ***Nongovernmental Organizations***

Recently initiated by the IDLG and the Ministry of Rural Rehabilitation and Development (MRRD), the Community Based Development Councils are created through the National Solidarity Program and tasked with directly supervising and managing the implementation of rural development projects together with the district councils. Their mission is to mobilize communities for active participation in local security and stabilization and in the disbandment and demobilization of illegal armed groups.

The Afghan Civil Society Forum and a number of national and international nongovernmental organizations, such as Oxfam, the Tribal Liaison Office, and the Cooperation for Peace and Unity in Afghanistan, are also engaged in peacebuilding and conflict resolution training and initiatives at community levels. The Afghan National Solidarity Plan (NSP), created in 2003 to develop the ability of Afghan communities to identify, plan, manage, and monitor their own development projects, provides a unique opportunity for reconciliation at the community level through its wide network of more than 21,000 village development councils. However, this capacity is not yet fully utilized at the local level.

Supported by the Ministry of Religious Affairs, the Ulema Shura (Council of Islamic Scholars) meets on a bimonthly basis with the president to exchange views and advise the government on religious matters, but unfortunately the insurgents' outreach to the mullahs is currently more robust than that of the government.

### ***The International Community***

The United Nations Assistance Mission Afghanistan (UNAMA) is engaged in political outreach and supports the reconciliation efforts of the PTS and the Afghanistan Independent Human Rights Commission (AIHRC). Its mandate is to "provide good offices to support, if requested by the Afghan Government, the implementation of Afghan-led reconciliation programs, within the framework of the Afghan Constitution and with full respect of the implementation of measures introduced by the Security Council in its resolution 1267 (1999), and other relevant resolutions of the SC." With eight regional offices and ten provincial offices, UNAMA has significant capacity at the field level, but this capacity needs to be more effectively and strategically utilized in support of government-led initiatives.

Diplomatic missions, mostly through the development agencies of major donor and troop-contributing countries, generally focus on areas where troops are deployed and on supporting PTS, civil society organizations, and AIHRC through financial and technical assistance at the local level. Some missions even have their preferred local tribal and warlord contacts and use their network to reach out to local members of the insurgency to negotiate deals or at least reduce pressures on their military outposts. All forty-seven troop-contributing countries have their own small cells of outreach and intelligence.

Provincial Reconstruction Teams (PRT), set up by the U.S. military and NATO coalition forces, reach out to Afghans through the provision of development projects. In cases where they work closely with provincial governors, they make better contributions and help in improving the reach of local governors.

Through the combined efforts of the government and its partners, especially the PTS, some progress has been made to date, but the results have been modest. Due to organizational weakness and the general political climate, the process has never been able to get

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sufficient political or financial support, nor has it been able to make any headway toward breaking the insurgency and generating momentum for sustained peace and stability.

A full review of past efforts at reconciliation with the Taliban reveals that the process has lacked consistency. The government and its international partners offer conflicting messages, and no agreed-upon policy framework exists to pursue reconciliation in a cohesive manner. Additionally, an incomplete understanding of the Taliban and other groups engaged in violence further contributes to a lack of serious progress. Nevertheless, although attempts at talks have not been successful, experience shows that the Taliban can be engaged and, in fact, are willing to engage in negotiations. Experience also shows that when the government negotiates from a position of strength and has something to offer (e.g., security and economic development), negotiations are more likely to lead to a successful outcome. Based on this knowledge and the preceding analyses, one can begin to construct a pragmatic framework for peace and reconciliation in Afghanistan.

## **A Framework for Reconciliation**

The goal of reconciliation in Afghanistan must be to achieve peace and long-term stability under the Afghan Constitution with full respect for the rule of law, social justice, and human rights. To successfully meet this goal, Afghanistan's reconciliation program needs to be carefully targeted and guided by a clear set of principles.

### ***The Targets of Reconciliation***

To be all inclusive and comprehensive, reconciliation in Afghanistan must take place on the national, community, and individual levels.

**The National Level.** Reconciliation efforts on the national level should focus on building trust with neighboring countries through active diplomacy and on ending sanctuaries and support to the insurgency leadership. They should also focus on providing senior-level rebel commanders with an alternative way out of the violence by offering them opportunities to participate in the political system and by guaranteeing them and their families safety from harassment by the Taliban and coalition forces and safety from national and international prosecution. These efforts will require clarity and dedicated government leadership and must be attempted from a position of strength to make them credible. They will also require the support of the international community and an active role from the United States (under the lead of the Afghan government) and the United Nations in fostering regional cooperation, implementing Security Council resolutions, and helping end the Taliban sanctuaries in Pakistan.

**The Community Level.** Promoting community-based peacebuilding initiatives and tapping their full potential will be key components of encouraging reconciliation from the ground up. Organized communities have a demonstrated ability to pressure insurgents into joining a peace process and have already proven to be instrumental in weapons collection at the district level and in providing security during elections. For example, district councils successfully helped pressure commanders of illegal armed groups to cooperate in the disarmament process. This generated positive momentum in more than seventy-one districts and resulted in the collection of thousands of weapons and tons of ammunition.

There is great potential for further initiatives on the community level, but it is thus far largely untapped. The NSP of the MRRD, the IDLG, non-governmental organizations, development agencies, members of Afghanistan's parliament, provincial councils, the Ulema Shura, the private sector, women's groups, and other civil society organizations are all involved on the community level but not in a structured and coherent way. They lack effective strategic communications and require a framework of support and interaction. Thus, positive results are not visible at large. Initiatives at the community level will be

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most effective if they are well connected with initiatives on the national and individual level through an effective support and monitoring mechanism.

**The Individual Level.** Reconciliatory efforts in the form of covert negotiations and invitations to join the peace process are currently focused on individual and midlevel commanders, particularly those who do not want to be part of the neo-Taliban movement but who otherwise fear arrest or harassment. Efforts have also been made by U.S. and coalition forces to release certain prisoners so that they can rejoin their families and communities. They are provided with amnesty letters by the chairman of the PTS. In return, community and tribal elders guarantee that these newly released individuals will no longer engage in violence. Included among these released prisoners are some former high-ranking Taliban officials: Mullah Zaief, Mullavai Wakil Ahamad Mutawakel (the foreign minister under the Taliban), the director of Radio Sharia, and Mullah Abdul Salaam (the current governor of Mossa Qala). Although this initiative represents visible cooperation between the PTS and a number of national and international partners, the program requires a full review and redesign and needs to be partnered with broader stabilization initiatives. To make it fully effective, greater focus is needed on the political level to better guide the process.

### ***Principles of Engagement***

Based on the analysis herein and work already being done by members of the Policy Action Group (PAG) in Kabul, a group of senior Afghan government officials and representatives from the international community, the following series of principles should guide Afghanistan's reconciliation program:

#### **Fundamental Principles**

*Afghan ownership.* All reconciliation initiatives must be led by Afghan government mechanisms and institutions.

- The Afghan government may ask the United Nations and other international actors to provide support to Afghan-led reconciliation programs.
- International military forces, including ISAF, should respond expeditiously to any Afghan government request to suspend military action against specific individuals or groups identified as prospective insurgent "reconcilees" for the duration of any future reconciliation talks and against those individuals or groups whom the Afghan government identifies as reconciled.
- The international community should coordinate its efforts and avoid actions that discredit the Afghan government in the eyes of its people and damage the process of reconciliation.
- International military forces, including ISAF, and the Afghan government should notify each other, at the earliest possible opportunity, of talks by their representatives or agents with prospective insurgent "reconcilees" to avoid any damage to reconciliation proceedings and to link the talks with broader initiatives.

*Compliance with national and international law.* Reconciliation efforts will be guided by (and should be in compliance with) the Afghan Constitution, sharia law, and UNSCR 1267 (1999), 1735 (2006), and 1820 (2008). The Afghan government will seek international agreement for measures that may contradict certain resolutions but have significant promise for stabilization and reconciliation.

*Control over territory.* The Afghan state is one and reconciliation initiatives should not allow discussions that call for concessions with regard to control over territory.

*Flexibility.* The reconciliation process should be tailored to allow some level of flexibility to facilitate reconciliation on a case-by-case basis.

*Renunciation of violence.* Reconciliation with individual insurgents or insurgent groups contributes to the goal of long-term stability only if prospective interlocutors comply with constitutional disarmament requirements and renounce violence.

***All reconciliation initiatives must be led by Afghan government mechanisms and institutions.***

***The rights of individuals who suffered as a direct result of atrocities and criminal acts should be recognized.***

*Rights of individuals.* The rights of individuals who suffered as a direct result of atrocities and criminal acts should be recognized. The existing legal framework, including sharia law, provides provisions on the rights of individuals to register criminal cases against those who have committed crimes. Although no one has the right of forgiveness (Haquall Abde) except the victims, all reconciled individuals should enjoy the full rights and protections of citizens of Afghanistan as ensured by law.

**Process-related Principles**

*Confidentiality.* The details of negotiations between the government and insurgents should be accessible only to a limited number of responsible people. There should not be a release of information too early in the process.

*Monitoring and accountability.* A mechanism of individual accountability should be put in place that allows room to maneuver when prompting reconciliation, but not at the cost of the rights of individual victims who may wish to take future legal actions. The reconciliation program and reconciled individuals should be carefully monitored to (1) verify that the behaviour of individuals who are protected by their reconciled status is in line with the Afghan Constitution and the agreed-upon legal framework and (2) ensure that reconciled individuals are not harassed by government or international security forces without a genuine legal reason and are being fully reintegrated.

*Power sharing.* Decisions on power sharing should be made on the basis of the constitution and in accordance with the democratic process.

**Organizational and Institutional Principles**

*Organizational arrangement.* Based on an initial review of the structure of PTS, the following is needed:

- a senior focal point with a small secretariat who presides over a small committee of authorized professionals, including senior representatives of the international community, that helps coordinate the range of actors and activities at the highest levels of the government and international community;
- new PTS members with strong and respected personalities, skills, and talents and credible influence in the local politics of areas under the control of the insurgents;
- reorganized PTS operational, managerial, and financial systems.

*Strategic coordination.* A direct channel of communication should be maintained at all times between those engaged in reconciliation and those providing security services. The government should also coordinate with all organizations authorized to engage prospective reconcilees. The senior focal point should be responsible for the strategic coordination of reconciliation efforts. This individual should report directly to the president. The senior focal point should also be responsible for coordinating between reconciliation processing offices and Afghanistan National Security Forces (ANSF) and international military forces and for ensuring that the Afghan government and international community avoid any contradictory statements that could destroy dialogue or the credibility of the reconciliation process.

The senior focal point should also seek verifiable confirmation that reconciled individuals are contributing to peacebuilding and adhering to the Afghan Constitution. Additionally, this individual should also be notified of all reconciliation efforts, including those by members of parliament, Afghan national security organizations, the PTS, and international partners. This will help avoid confusion and ensure that no individuals or organizations engage in any kind of political negotiation with insurgents on behalf of the government without proper authorization.

*Strengthen local capacity.* The government should support community-based peacebuilding initiatives and strengthen capacity at the subnational level to promote and support reconciliation at the local level, especially to prevent violent conflict over land and pasturage disputes and to gain commitments for full disarmament.

***A direct channel of communication should be maintained at all times between those engaged in reconciliation and those providing security services.***

## **Outreach-related Principles**

*Generate public support.* A robust public relations campaign should be implemented that works in concert with Afghanistan's civil-society organizations, ulema, tribal leaders, and political groups to establish contacts and mobilize people in support of peace and stability. The role of political parties and non-governmental actors at the community level will be crucial. Community-based organizations, elders, mullahs, the private sector, and women should be effectively utilized and their positive role in promoting reconciliation and strengthening democratic principles should be supported.

*Outreach.* Efforts must be made to communicate with and involve individuals and groups engaged in political violence against the state.

*Support reconciled individuals.* The experience and resources of the Disarmament and Reintegration Commission and Afghanistan's New Beginnings Program are invaluable and should be drawn on in developing reintegration and support networks for reconciled individuals.

*First Steps.* While most key actors in Afghanistan would welcome reconciliation, much skepticism exists. Some critical questions need to be answered and clarified before moving full speed toward reconciliation. Specific questions remain about who should negotiate with whom and under what conditions negotiations should occur. First steps should be geared toward addressing this skepticism and answering these outstanding questions.

To this end, an advisory team composed of experienced, senior-level international and Afghan diplomats and experts should be established with UNAMA support to help the government and the Special Representative of the United Nations Secretary-General develop a precise program document, which would include details on reorganization, outreach, reintegration implementation, monitoring, and management support. Such a team would undoubtedly be invaluable in devising a strategy geared toward building regional consensus, putting an end to the Taliban sanctuaries, promoting reconciliation, and developing trust at the national level. It would require not only the support of the Afghan government and the United Nations but also the full support of NATO, major donor countries, and the United States. The program document itself must outline a clear division of labor among the key parties and be agreed to by the principles in Kabul. The United States Institute of Peace, with its links to Afghanistan and expertise in post-conflict stabilization and peacebuilding, could help in the design, training, and mentorship of such an initiative.

## **Conclusions and Recommendations**

In order to move forward in Afghanistan, a comprehensive and coordinated political reconciliation process must be started. At the same time, significant progress must be made on the security front and on the international (regional) front. Without security, stability, and cooperation from Afghanistan's neighbors, reconciliation will not occur. This report outlined the contours of a reconciliation process, but a number of actions will be critical to creating an environment conducive to reconciliation.

First, ISAF/NATO should temporarily increase the level of troops, which is justifiable since preparation for next year's election should start now. In the absence of such a surge, the cost of security over the long term will be intolerably high. The United States and other NATO member countries should act now.

Second, the Afghan government should accelerate security-sector reform, paying particular attention to the Ministry of Interior and police. It should also increase the ceiling of the ANA up to at least 220,000. This increase should be in the form of reserve or National Guard so that they can replace the international troops after the troop surge is over. As soon as the security threats are reduced to a manageable level, the number can be brought back to the original ceiling to ensure the sustainability of ANA.

***Efforts must be made to communicate with and involve individuals and groups engaged in political violence against the state.***

***Without security, stability, and cooperation from Afghanistan's neighbors, reconciliation will not occur.***

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Third, in order to prevent social unrest, political and military measures need to be complemented with substantive efforts to accelerate reconstruction, generate good governance, and overcome the food crises.

Fourth, the time has come for the United Nations and the international community to enter into serious discussions with Pakistan about cooperative measures to end Taliban sanctuaries and the cross-border insurgency. The UN Security Council should start immediate discussions on improving the implementation of its resolutions and decide on additional measures against those who continue to support the Taliban, harbor its leadership, or provide it with logistical, training, and planning support. The leadership of both Afghanistan and Pakistan should be helped and pressured to put their differences aside and cooperate seriously and sincerely with mutual respect for each other's territorial integrity and sovereignty and to work toward improving security for both countries. This engagement should build upon the concrete steps agreed to in the Peace Jirgah, which was organized jointly by Afghanistan and Pakistan in 2007 to build peace along their common border areas.

Fifth, India, Pakistan, and Afghanistan should engage in a direct dialogue with the United States as mediator in an attempt to end the use of Afghanistan soil as a proxy Indo-Pakistani battleground. Although such a dialogue has never been tried before, building confidence and providing security guarantees would reduce tensions and help stabilize Afghanistan.

Sixth, the Afghan government and the international community must invest in a state that is functional and able to provide basic services so that the Afghans themselves can take charge without relying on others. Investment in education, media, and civil society is the only way to help overcome extremism. Promoting moderate Islam is a key unifying factor. The positive role of Islam in promoting peace and reconciliation must be recognized. Copying models from the outside will not work in Afghanistan. Building functional state institutions and ensuring equal social and economic opportunities as well as justice are fundamental to building national unity. Such an approach will help transform ethnic diversity from threat to asset.

Seventh, the government should intensify its fight against corruption and drug trafficking. Continuation of the status quo will not help rebuild public confidence.

Eighth, the Reconstruction Opportunity Zones initiative of the United States and the decision of the G-8 in Japan to invest in tribal areas on both sides of the Afghan-Pakistani border represent important steps toward stability in the region. Resources must be made available in a timely manner and spent effectively in order to generate results that promote peace. This requires a comprehensive program for investment that should be developed by a joint team of Afghan, Pakistani, and international experts.

Ninth, the current reactive approach toward the stabilization of Afghanistan has not proven productive. Further, hesitation by NATO and other troop-contributing countries to address the needs of international field commanders in Afghanistan and restrictions on troop deployment undermines the struggle against terrorism, prolongs the mission, and ultimately weakens the Afghan government's position in any reconciliation effort. It is very important that ISAF works to lower civilian casualties and avoids any incidents in which religious and traditional Afghan values are demeaned. In addition, the international community must now deliver on the commitments it made at the Bucharest and Paris conferences.



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## Notes

1. Louis Dupree, *Afghanistan*, (Princeton: Princeton University Press, 1980), 55.
2. Steve Coll, *Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001* (Boston: Penguin, 2004), 201.