

Briefing

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This brief is based on a review of the available information on peace negotiations with the Taliban since 2010. This review will appear as the introduction to a research paper as part of the NAP 1325 Monitor project, funded by the Swedish International Development Cooperation Agency (Sida), to conduct monitoring and in-depth research on the implementation of Afghanistan's NAP 1325. The research report will be available at the end of April 2019 through APPRO's website at: www.appro.org.af

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Short History of Peace Negotiations with Taliban

Since 2010, the Government of Afghanistan has made several unsuccessful attempts to make peace with the Taliban to end the conflict. Until very recently, these initiatives were unheeded by the Taliban who have consistently refused talks with the Afghan government and have instead insisted on having direct peace talks with the United States as the occupying force in the country.

Ex-president Hamid Karzai offered the Taliban a peace deal to be negotiated through a Grand Peace Jirga in 2010, followed by a Loya Jirga in 2011. The offer included a reintegration plan which promised an honorable place for the Taliban in society on the condition that the Taliban renounced violence and their ties with al-Qaeda. A reconciliation plan was also offered to ensure amnesty and political recognition for the Taliban leadership and assistance in removing their leaders' names from the terrorists' blacklist.[1] President Karzai's offer of peace was rejected by the Taliban. Subsequently the Taliban assassinated Burhan Uddin Rabbani, the head of the High Peace Council a few weeks before the Loya Jirga in 2011.

Peace negotiations between the Afghan government under President Karzai and the Taliban were conducted mainly through the intermediaries of both parties outside the country. Despite some progress, the Karzai government's peace building efforts failed

due to a lack of cohesive strategy, poor coordination between the Afghan government and international actors, and the absence of transparency in the process. [2]

Attaining peace has been a priority of the National Unity Government (NUG) since its formation in 2014. President Ghani approached the regional countries, particularly Pakistan, to help Afghanistan in its efforts toward peace. He also made efforts to convince the international community that a peace process led and administered by Afghans could be successful. The Kabul process aiming to build a regional and international consensus on an "Afghan led, Afghan owned" peace process was launched in June 2017. During the first Kabul Conference, President Ghani outlined his efforts to convince Pakistan to cooperate with his government in bringing the Taliban to the negotiating table, and stated that Pakistan had rejected to cooperate and that it was unclear what Pakistan wanted from Afghanistan.[3]

The second round of the Kabul Peace Process was organized on 28 February 2018. In this round, President Ashraf Ghani offered the Taliban peace talks without preconditions. The proposal included amnesty for Taliban fighters, recognition of the Taliban as a political party, amendment of the Constitution, and lifting sanctions on

[1] Kaura, V. (2018). "Understanding the complexities of the Afghan peace process". Observer Research Foundation, available from: https://www.orfonline.org/wp-content/uploads/2018/04/ORF_Occasional_Paper_151_Afghanistan.pdf

[2] Ibid.

[3] Center for Strategic & Regional Studies. (2018, February 17). The upcoming meeting of the Kabul Process and the fate of the peace talks. Retrieved March 2, 2019, from CSRS: <http://csrskabul.com/en/blog/the-upcoming-meeting-of-the-kabul-process-and-the-fate-of-the-peace-talks/>

Taliban leaders.[4] The Taliban, however, did not accept this offer, stating that they would start their spring offensive a month later in April.

In the meantime, on March 26, 2018, a sit-in for peace was initiated by a group of citizens in Lashkargah, Helmand province, in response to a suicide attack on a crowd leaving a wrestling event at the stadium two days prior, killing and injuring tens of civilians. The start of the peace march from Helmand to Kabul and the three-day ceasefire in June 2018 are seen by many as strong indications of openness on both sides of the conflict to a dialogue on peace.

In June 2018, President Ghani announced a one-week unilateral ceasefire against the Taliban during Eid-ul Fitr. According to the ceasefire, the Afghan National Security and Defense Forces would stop all offensive operations against the Taliban around the country. The Taliban responded with an offering of a three-day ceasefire during Eid days, June 16-18, declaring that after the three-day ceasefire, they would resume their armed insurgency.[5]

Despite this declaration, President Ghani announced a further unilateral ceasefire ahead of Eid-ul Adha in August 2018. This time the Taliban rejected the offer and attacked the Presidential Palace with rocket propelled grenades and launched a military offensive on Ghazni city which took the lives of hundreds of civilian and national security personnel.[6]

During the June 16-18 ceasefire, large numbers of Taliban fighters entered major cities of Afghanistan, to be greeted by civilians, some politicians, and the police and army personnel. The ceasefire, and the low-key but significant public response to the multi-sited peace movement that began in late March 2018, have provided new hope for peace and opportunities for multi-stakeholder dialogue on what a negotiated peace with the Taliban should entail.

At the Geneva Ministerial Conference on Afghanistan in November 2018, President Ghani presented his roadmap for reaching peace with the Taliban. He introduced a 12-member negotiating team, consisting of men and women, led by Abdul Salam Rahimi, his Chief of Staff. The President added that his government had the potential and capacity to pursue peace negotiations and that Afghanistan had entered a new chapter in the peace process. The President offered an unconditional peace negotiation, but he drew redlines for a peace settlement. Respecting the Afghan Constitution and women's rights as well as preventing interference of foreign terrorist and criminal groups in internal affairs of the country were specified as the redlines for the Government of Afghanistan in the proposed negotiations.[7]

Also in November 2018, Russia hosted an unprecedented peace talk between a Taliban delegation and the member of the High Peace Council, a non-government body responsible for overseeing peace efforts in Afghanistan. The Government of Afghanistan did not have an official delegation at this event but delegates of more than 10 countries including China, Pakistan, India, Iran, and Central Asian states were present.[8]

The Afghan delegation reiterated the offer of peace talks without pre-condition while the Taliban reaffirmed that they would only talk about peace with the United States. The Taliban also reiterated their position regarding the full withdrawal of foreign troops from Afghanistan and the reform of the Afghan Constitution based on Islamic Sharia Law.[9]

The second round of talks in Moscow between Afghan political figures and the Taliban delegation took place in February 2019. The outcome of this two-day event was the agreement for a roadmap for ending the conflict. The first step in this roadmap consists of a full withdrawal of foreign troops and the Taliban's commitment to respect

[4] Calamur, K. (2018, March 28). "Is Peace on the Horizon for Afghanistan?" Retrieved March 2, 2019, from The Atlantic: <https://www.theatlantic.com/international/archive/2018/03/afghanistan-taliban-tashkent-conference/556508/>

[5] Qazi, S. (2018, June 18). "Afghanistan: Taliban resume fighting as Eid ceasefire ends." Retrieved March 2, 2019, from ALJAZEERA: <https://www.aljazeera.com/news/2018/06/afghanistan-taliban-resume-fighting-eid-ceasefire-ends-180618044536196.html>

[6] Constable, P. (2018, August 14). "Taliban Assault on Ghazni Flouts Afghan and U.S. Hopes for Truce, Peace Talks." Retrieved March 2, 2019, from The Washington Post: https://www.washingtonpost.com/world/taliban-assault-on-ghazni-flouts-afghan-and-us-hopes-for-truce-peace-talks/2018/08/14/f0725c72-9f21-11e8-a3dd-2a1991f075d5_story.html?noredirect=on&utm_term=.ab6d8b4d3f80

[7] Radio Free Europe Radio Liberty. (2018, November 28). "Afghanistan's Ghani Presents 'Road Map' For Peace Talks At UN Conference." Retrieved March 2, 2019, from <https://www.rferl.org/a/afghanistan-ghani-roadmap-peace-talks-un-conference-/29626218.html>

[8] BBC. (2018, November 9). "Afghanistan war: Taliban attend landmark peace talks in Russia." Retrieved March 2, 2019, from BBC NEWS: <https://www.bbc.com/news/world-asia-46155189>

[9] Kiselyova, M. (2018, November 9). "Taliban attends peace talks in Moscow for first time, no progress reported." Retrieved March 3, 2019, from REUTERS: <https://www.reuters.com/article/us-russia-afghanistan-taliban/taliban-attends-peace-talks-in-moscow-for-first-time-no-progress-reported-idUSKCN1NE159>

the fundamental rights of Afghans. Both sides described the talks as “very satisfactory” and “very successful”. [10]

Both parties agreed on a nine-point statement which emphasizes the need to reach a peace deal, continued for “intra-Afghan” dialogue – despite the fact that the Government of Afghanistan was not included in these talks, direct talks between the United States and the Taliban, systematic reform in national institutions, inclusion of regional countries in the process, complete withdrawal of foreign forces, assurance that Afghanistan’s territory will not be used against any other country, protection of women’s rights as per Islamic provisions, protection of freedom of speech as per Islamic provision, attracting development aid for Afghanistan’s reconstruction, removal of Taliban leaders from the United Nations’ blacklist, opening a Taliban office in Qatar, and holding the next intra-Afghan talks in Doha, Qatar.[11]

There are concerns about the latest rounds of peace negotiations, including the fact that the group meeting with the Taliban is comprised mainly of former Mujahideen, dissidents opposing the Government of Afghanistan, and a group of Moscow-based Afghans – none of whom has expressed any desire to include the Government of Afghanistan in the negotiation process.

Not having a mandate from the Government of Afghanistan, which is elected and charged with the responsibility for the Constitution, the group holding peace talks with the Taliban is viewed with suspicion and as lacking legitimacy. There are also worries that the group is unaccountable for the compromises it is likely to make with the Taliban. For many observers, compromises with the Taliban on the rights of women, youth, and minorities are likely to counter constitutional rights and provisions.

A recurrent demand of civil society has been the “meaningful participation” of women in peace negotiations.[12] In April 2019, the inclusion of government representatives in the peace talk in Doha, albeit in their private capacities, has been perceived as a small but positive step toward more guarantees to upholding rights the Government of Afghanistan has committed to uphold. This was accompanied with the inclusion of civil society representatives and women in discussions. However, the women remain excluded from the high level peace negotiations, raising concern about the extent to which their inclusion will translate into concrete achievements to protect rights of women and minorities.[13]

Thus far, the Taliban representatives have stated that in a post peace government that includes the Taliban, they would ensure women's access to basic rights in accordance with Islamic provisions.[14] At the same time, a spokesman of the Taliban has stated that “under the name of women rights, there has been work for immorality, indecency, and circulation of non-Islamic culture”.[15]

The gains in fundamental rights and liberties of the past 17 years have been barely mentioned by the non-Taliban participants in the peace talks while most have agreed to adherence to (unspecified) Islamic values.

Only two women participated in the Moscow talks while there is no representation of women in the subsequent Qatar talks. The discontent about the exclusion of women and failure to address their rights during the peace talks is not limited to Kabul or major cities. For example, a number of women from the rural province of Ghor have also expressed worries that their freedom might be compromised in these talks.[16]

[10] Higgins, A., & Mashal, M. (2019, February 6). “Taliban Peace Talks in Moscow End With Hope the U.S. Exits, if Not Too Quickly.” Retrieved March 3, 2019, from The New York Times: <https://www.nytimes.com/2019/02/06/world/asia/taliban-afghanistan-peace-talks-moscow.html>

[11] ISW NEWS. (2019, February 9). “Joint Statement by Afghan Political Leaders and Taliban Representatives at the Moscow Summit.” Retrieved March 4, 2019, from <http://www.english.iswnews.com/4786/joint-statement-by-afghan-political-leaders-and-taliban-representatives-at-the-moscow-summit/>

[12] Ruttig T. (2019). “Women and Afghan Peace Talks: “ Peace Consensus” Leaving Left Afghan Women Without Reassurance.” Afghanistan Analysts Network, Kabul. Available at: <https://www.afghanistan-analysts.org/women-and-afghan-peace-talks-peace-consensus-gathering-left-afghan-women-unassured/>

[13] Sediqi A. (2019, April 15) “Taliban Team at Afghan Pace talks in Qatar to Include Women: Spokesman.” Reuters. Retrieved April 16 from: <https://www.reuters.com/article/us-afghanistan-taliban/taliban-team-at-afghan-peace-talks-in-qatar-to-include-women-spokesman-idUSKCN1RR1LT?il=0>

[14] Farmer, B. (2019, February 5). “Taliban say women's rights to be protected under Islam, but must not threaten Afghan values.” Retrieved March 3, 2019, from The Telegraph: <https://www.telegraph.co.uk/news/2019/02/05/taliban-say-womens-rights-protected-islam-must-not-threaten/>

[15] Afghanistan Times (2019, February 19). “Women fear ignorance of their roles in peace talks.” Retrieved March 3, 2019, from <http://www.afghanistantimes.af/women-fear-ignorance-of-their-roles-in-peace-talks/> and TOLO news (2019, February 25). “US, Taliban Officials Meet In Qatar; Talks To Begin Tuesday.” Retrieved March 3, 2019, from <https://www.tolonews.com/afghanistan/us-taliban-officials-meet-qatar-talks-begin-tuesday>

[16] Pajhwok. (2019, February 27). “Peace talks: Ghor women fear retreat on their rights.” Retrieved March 3, 2019, from Pajhwok Afghan NEWS: <https://www.pajhwok.com/en/2019/02/27/peace-talks-ghor-women-fear-retreat-their-rights>

Regardless of the concerns about the terms of a negotiated peace with the Taliban in segments of the population, particularly among women, youth, and ethnic and religious minorities and the rumors about a new constitution more in line with sharia as one of the key demands of the Taliban, there remains a charged wave of optimism about peace.

The Taliban have always insisted on direct talks with the United States as an occupying force in Afghanistan.[17] For the United States, a peace deal with the Taliban would be the first step of an exit strategy from their long and costly engagement in Afghanistan.[18] The appointment of Zalmay Khalilzad as U.S. Special Envoy for Afghan Peace and Reconciliation in September 2018 indicates a serious desire by Washington to reach a peace deal through negotiations. To gather regional and international support, Khalilzad started his consultation meetings in Islamabad, Riyadh, and Qatar. He also visited Russia and subsequently met with President Ashraf Ghani, Afghan political figures, and some civil society representatives to hear their opinions, priorities and concerns regarding a peace settlement.[19]

As a goodwill gesture in support of peace efforts in Afghanistan, Pakistan released an influential Taliban leader, Mullah Abdul Ghani Baradar, a co-founder of the movement, so he could take part in peace negotiations with U.S. officials.[20] The release of Mullah Baradar was welcomed by most Afghans, including Ex-president

Hamid Karzai, as a positive step toward peace and reconciliation efforts in the country.[21]

At the fourth round of talks between the United States and the Taliban in Qatar, Khalilzad expressed the urgency to end the tragedy in Afghanistan.[22] According to the framework that has emerged from the peace talks, in the event of a negotiated peace, the Taliban would ensure that Afghanistan would not be used as a safe haven for terrorists or become a base for terrorists to launch attacks against the U.S. or its allies. In return, the United States would fully withdraw all its troops from Afghanistan. The framework is also said to have provisions for “enforcement mechanisms” though no details are available on how these mechanisms will work or who will enforce them.[23] According to Khalilzad, the Taliban will ultimately agree to a ceasefire and direct talks with the Afghan government, a claim that has been denied by the Taliban.[24]

In a bid to include the Taliban in the upcoming Presidential Elections, the idea of pushing back the elections was reportedly brought up by Khalilzad.[25] Later, he stated that holding or postponing the elections was for Afghans to decide.[26] At the time of writing (March 2019), the Independent Electoral Commission maintains that the Presidential Election will be held in July 2019, as planned.

Khalilzad has stated that efforts by the United States

[17] Associated Press. (2018). US envoy on Afghan peace takes mission to Pakistan. Retrieved March 2, 2019, from The Washington Post: https://www.washingtonpost.com/world/asia_pacific/us-envoy-on-afghan-peace-takes-mission-to-pakistan/2018/10/09/a480d2aa-cb7f-11e8-ad0a-0e01efba3cc1_story.html?utm_term=.432b116e24b8

[18] Osman, B. (2018, September 5). “As New U.S. Envoy Appointed, Turbulent Afghanistan’s Hopes of Peace Persist.” Retrieved March 3, 2019, from International Crisis Group: <https://www.crisisgroup.org/asia/south-asia/afghanistan/new-us-envoy-appointed-turbulent-afghanistans-hopes-peace-persist>

[19] Constable, P. (2018, October 13). “Taliban says US envoy held talks on possible paths to end Afghan war.” Retrieved March 2, 2019, from CITIZEN: <https://www.princegeorgecitizen.com/washington-post/international/taliban-says-us-envoy-held-talks-on-possible-paths-to-end-afghan-war-1.23462914>

[20] De Luce, D., Yusufzai, M., Kube, C., & Lederman, J. (2018, November 28). « Trump's envoy 'tests all channels' with Afghan Taliban in bid to launch peace talks.” Retrieved March 2, 2019, from NBC NEWS: <https://www.nbcnews.com/news/world/trump-s-envoy-tests-all-channels-afghan-taliban-bid-launch-n940846>

[21] Afghan Voice Agency(AVA). (2018, October 27). “Hamid Karzai welcomes Mullah Beradar’s release.” Retrieved March 2, 2019, from <https://www.avapress.com/en/news/173128/hamid-karzai-welcomes-mullah-beradar-s-release>

[22] TOLO news. (2018, November 29). “We Are In Hurry To End The Afghan Tragedy: Khalilzad.” Retrieved March 3, 2019, from <https://www.tolonews.com/afghanistan/we-are-hurry-end-afghan-tragedy-khalilzad>

[23] Associated Press. (2019, February 8). “Khalilzad says there’s tentative ‘framework,’ but much work still to do.” Retrieved March 3, 2019, from The Columbian: <https://www.columbian.com/news/2019/feb/08/khalilzad-says-theres-tentative-framework-but-much-work-still-to-do/>

[24] Mashal, M. (2019, January 28). “U.S. and Taliban Agree in Principle to Peace Framework, Envoy Says.” Retrieved March 2, 2019, from The New York Times: <https://www.nytimes.com/2019/01/28/world/asia/taliban-peace-deal-afghanistan.html>

[25] De Luce, D., Yusufzai, M., Kube, C., & Lederman, J. (2018, November 28). « Trump's envoy 'tests all channels' with Afghan Taliban in bid to launch peace talks.” Retrieved March 2, 2019, from NBC NEWS: <https://www.nbcnews.com/news/world/trump-s-envoy-tests-all-channels-afghan-taliban-bid-launch-n940846>

[26] TOLO news. (2018, November 29). “We Are In Hurry To End The Afghan Tragedy: Khalilzad.” Retrieved March 3, 2019, from <https://www.tolonews.com/index.php/afghanistan/we-are-hurry-end-afghan-tragedy-khalilzad>

center on securing assurances from the Taliban that Afghanistan will not be used as safe haven for terrorists and that human rights, freedom of the press, and women's rights will be respected and protected under any power sharing agreement between the Taliban and the Afghan government.[27] These efforts have been likened to the Paris peace talks during the Vietnam War which, in retrospect, is seen as a surrender by the U.S. to the armed opposition. Once in power, and regardless of any conditions set by the United States, the Taliban will be unconstrained and would be free to choose any method for governing.[28] In a public appearance, President Ghani warned that a peace deal that excluded the Afghan government would end in disaster and bloodshed.[29]

In major cities across the country, women make up over 30 percent of the students, over 25 percent of parliament seats, and around 20 percent of the workforce. All of these gains for women are provisioned in the Constitution but are tenuous. Revising the Constitution to restrict the presence and mobility of women outside the home can be enforced with brute force and without much resistance, akin to the sudden restrictions imposed on women under Mujahideen's rule. For many women, "the price of peace cannot be limitless." [30]

In February 2019, at the "Grand Conference of Afghan Women's National Consensus on Peace" was organized by women in Kabul where 3,500 women participated from across the country. In his speech to the audience, President Ghani rejected any possibility of women's rights being used as bargaining chips in peace negotiations. The Conference concluded with a declaration calling for an end to the conflict, respecting the Afghan Constitution and acknowledging women's role in the peace process.[31]

A statement by Afghan Women's Network (AWN) on the Doha peace talks calls for ending the war through peaceful means, inclusion of women in peace negotiations, and recognition and respecting the rights of women. The statement also calls for trust building measures by the Taliban, such as reopening girls' schools, stopping attacks on women's NGOs, and protecting doctors, nurses and journalists in the areas controlled by the Taliban.[32]

In response to an op-ed in the New York Times by two Afghan women who objected to statements on women's rights being defined "as an intra-Afghan matter", in a February 2019 article in the National Interest Magazine, Khalilzad's wife, Cheryl Benard, called on Afghan feminists to take charge of their own destiny after almost two decades of support mainly from the United States, arguing:

Now it was natural, when we saw the dismal circumstances under which Afghan women were suffering when first we came to their country after 9/11, to want to help them. And hopefully, our massive and expensive efforts on their behalf will make their task easier. But the direction some of them seem to be taking in the face of our intended drawdown is worrying me. Emancipation and equality aren't the product of pity or guilt, and you aren't owed them by someone else's army or taxpayer dollars. Seventeen years, 2,500 dead Americans and \$126 billion are enough. More is not only unjustified but wouldn't achieve the desired outcome anyway.

The author continues that it is now up to Afghan women to struggle and persevere to win their rights, acknowledging that it could take hundreds of years to attain those rights given the "deep-seated cultural values and traditions." [33] Although these views

[27] Ibid.

[28] For this line of reasoning, see, for example, Crocker, R. (2019, January 29). "I was ambassador to Afghanistan. This deal is a surrender." Retrieved March 3, 2019, from The Washington Post: https://www.washingtonpost.com/opinions/i-was-ambassador-to-afghanistan-this-deal-is-a-surrender/2019/01/29/8700ed68-2409-11e9-ad53-824486280311_story.html?utm_term=.b35a73ec38e4

[29] Constable, P., & DeYoung, K. (2019, January 31). "U.S. Withdrawal from Afghanistan Tied to Afghan Dialogue and a Taliban Cease-fire." Retrieved March 2, 2019, from The Washington Post: https://www.washingtonpost.com/world/national-security/us-withdrawal-from-afghanistan-tied-to-afghan-dialogue-and-a-taliban-cease-fire/2019/01/31/db386178-2327-11e9-90cd-dedb0c92dc17_story.html?utm_term=.84d82936c870

[30] France 24. (2019, February 1). "Afghan Women Fear Cost of Peace Will Be Their Freedom". Retrieved March 6, 2019, from <https://www.france24.com/en/20190201-afghan-women-fear-cost-peace-will-be-freedom>

[31] Office of the President. (2019, February 28). "In A First, A Grand Conference On Peace Of Over 3,500 Afghan Women Organized In Kabul." Retrieved March 3, 2019, from <https://president.gov.af/en/1/2/28/19>

[32] Afghan Women's Network. (2019). "Afghan Women's Public Statement on Doha Peace Talks." Retrieved March 3, 2019, from http://awn-af.net/index.php/cms/press_detail/1506/12

[33] Benard, C. (2019, February 27). "Afghan Women are In Charge of Their Own Fate." Retrieved March 5, 2019, from The National Interest: <https://nationalinterest.org/feature/afghan-women-are-charge-their-own-fate-45777?>

sparked a backlash on Social Media, it seems that Afghans, truly, have no other option but to stand for themselves if a peace deal is negotiated without specific provisions to protect women's rights.

While there is recognition that peace negotiations often require a degree of confidentiality, there is concern that a peace negotiated without a representative inclusion of all stakeholders may not be sustainable in the longer-term. Informed peace making requires understanding and appreciation of what different segments of Afghan society think of a negotiated peace with the Taliban, how they envisage it, and what they are willing to give up to attain it.

Further, in light of Afghanistan's adoption of a National Action Plan for the implementation of the United Nations Security Council Resolution 1325 (UNSCR 1325), driven mostly by international donors and embraced by the National Unity Government, civil society and women's rights organizations, it is crucial to address the degree to which a peace settlement with the Taliban is compatible with the provisions of Afghanistan's NAP 1325. It is equally crucially important that a peace settlement adheres to the provisions in the Constitution, various laws, and the many policies and structures put in place by successive Afghan governments since 2001, albeit mostly under pressure from international donors, to address gender inequality.