AFGHAN PEACE TALKS: Negotiating with the Taliban

By

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Abstract

The conflict scenario of Afghanistan is a decades long history with inputs of civil war and the Taliban. The ongoing divergence between the Afghan government and the Taliban leadership has immensely affected the preservation of peace and security in the country. Afghanistan, with the support of the international community predominantly the U.S.A-ISAF and NATO forces, who entered the country in 2001 through Operation Enduring Freedom, has achieved more or less developments in the sphere of security. Although these forces combatted against the Taliban leadership for almost 13 years their military strategies failed to defeat the Taliban. Thus the Afghan government started to grant more prominence to alternative approaches of settling down the conflict and that mainly through the methods of negotiations. Though the Afghan government established many commissions to initiate talks with the Taliban, they were always ineffective. This research paper suggests that the structural, strategic and behavioral approaches of negotiation theory were the dominant factors for stalled negotiations among warring parties.
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INTRODUCTION

Conflicts are unfortunate and sometimes inevitable; nevertheless throughout time various conflict settlement techniques emerged. In the 21\textsuperscript{st} century one can witness that the nature of conflicts changed from being dominantly inter-state wars into more internal, ethnic, civil and social wars. The study of conflict as a field subject emerged in the 1950s and 1960s. A period when the Cold War was at its peak and conflicts among states reached beyond continents. As a result scholars referred to the study of conflict in different context. Groups and institutions emerged to study international, internal and social conflicts and approaches alternating from mediation, negotiation and experimental games.\textsuperscript{1} However conflict resolution was not always capable of addressing all kinds of nexuses. Some saw the cause of this related to the structural changes in the world economy, population growth, migration and rapid social change. If a state was absent of the institutions of addressing conflicts and deep-rooted traditions of governance, conflict resolution tended to become difficult to peacefully settle.\textsuperscript{2} Yet is important to distinguish between conflict resolution and conflict settlement. Conflict resolution applies to deeply rooted conflicts and to non-negotiable issues and essential resources. These types of conflicts cannot be resolved merely by satisfying the interests of parties rather it tends to identify the casual factors and sources of the conflict, which can be rooted in the institutional structure of the society.\textsuperscript{3} Conflict settlement is related to negotiation and mediation among protagonists to achieve a mutually acceptable agreement.\textsuperscript{4} They are important in terms of revealing the interests of parties, which can make reconciliation easier.

\begin{itemize}
  \item \textsuperscript{1} Oliver Ramsbotham et al., \textit{Contemporary Conflict Resolution}, (Cambridge: Polity Press, 2011), 3-4
  \item \textsuperscript{2} Ibid., 7
  \item \textsuperscript{4} Ibid., 14
\end{itemize}
Zartman claims that not all internal conflicts have been successfully negotiated. Given the protracted nature of conflicts, which means that internal conflicts are durable and may continue for decades without achieving reconciliation or victory of one side. Others believe that parties to a negotiation cannot dispose reliable guarantees on the terms of settlement because opportunities for exploitation deviate parties to tolerate terms. This research paper will focus on negotiations in the context of Afghan-Taliban peace talks based on the approaches of negotiation theory. An insight into Afghan peace talks reveals that negotiations with Taliban evolved during the early stages of US invasion in 2001, which gained momentum with the establishment of the National Independent Peace and Reconciliation Commission (Programme Tahkim Sulh) that addressed unresolved inter-group armed conflicts, national issues and the inhibition of the recurrence of the devastative civil war. Afghanistan’s determinacy to pursue peace talks was evidently as a result of the realization that military operations were not enough to bring about the country’s peaceful conflict settlement which has neither led to the downfall of the Taliban nor has it waned the group’s impetus to fight. The first attempts of negotiations in 2001 were merely a request to the Taliban leadership to join the newly established and democratic government. The subject on peace talks and attempts to negotiate with insurgents has received tremendous importance after the announcement of withdrawal of foreign troops. With the withdrawal of the foreign military assistance Afghanistan has reached a military stalemate. Even though peace talks have been conducted in the past for various

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5 Ibid., 20 (Licklider)
reasons it has led to failure. The main aim of this research paper is to identify why Afghan peace talks with the Taliban did not reach a negotiated agreement? The research will analyze the peace talks process through the lens of the approaches of negotiation theory, the strategic, structural, processual, behavioral and integrative approaches (explained in the theoretical framework). This will allow us to understand both the approach of government to insurgents and to examine its applicability in the context of negotiation theory. Furthermore, this research assumes the obstacle to a negotiated settlement on account of spoiling behaviors, which can be either internal or external. Newman and Richmond define spoiling behavior as actions of actors who dispute peaceful settlement through violence in quest of their own reasons and intentions. Spoilers can be parties who enter a peace process but subsequently retract, impede or loom to distract the peace process. They may employ this negotiation process as a measure of acquiring time, legitimacy, recognition, and substantial advantages. Spoilers are also composed of those actors that are geographically peripheral to the conflict but back internal spoilers and spoiling tactics that can be other ethnic or national diaspora groups, political partners, states, particularly those who see their profits in the continuation of the conflict.\textsuperscript{10} The attempt here is to label Pakistan as the long-dated spoiler of peaceful settlement of the conflict.

This research will be based on qualitative research methods involving secondary sources particularly content analysis of media reports, articles, websites, official records and discussion with Afghan stakeholders conducted by third parties. It will include descriptive material from academic articles. It will be based on case and historical analysis methods.

Literature Review

This literature review will give us an insight into Afghan negotiations and articulate some underlying factors behind failures as well as successes. As such, Greenwood and Sheikh suggest that an absence of clear strategy and transparency in approaching negotiations has led to the failure of peace talks.\textsuperscript{11} Furthermore, as a secondary cause they introduce the problem of division inside the Taliban leadership, that one fragment is willing to negotiate and the other one not. Whereas Waldman offers that existence of potential spoilers and political divisions or factional struggles in Afghanistan play a huge role in weakening the process of negotiations.\textsuperscript{12} Marsden proposes that apparently Afghanistan is an ethnically diverse country and thus it requires the inclusion of tribal leaders and ethnic elements into the negotiation process.\textsuperscript{13} Additionally, he adds that the Afghan population’s support to the Taliban is acting as a hindrance. It is being implied that a segment of Afghan population is supporting the Taliban either out of duress or government dissatisfactions. Moreover literature suggests that the agenda and process of negotiations mostly rely upon the structure of power sharing, the role of sharia law in the government and amendments to the constitution. As well as including the presence of regional players, tribal leaders, and Pakistan, who plays a very influential role.\textsuperscript{14} Moreover, it has been indicated that Pakistan should not be involved in the Afghan-Taliban negotiations but rather carry out talks with the Taliban separately or in parallel. As well as neutral

\textsuperscript{11} Mona K. Sheikh and Maja T. J. Greenwood, “Taliban talks: Past present and prospects for the US, Afghanistan and Pakistan,” (DIIS Reports, Danish Institute for International Studies, 2013), 7

\textsuperscript{12} Matt Waldman, "TOUGH TALKING: THE CASE FOR NEGOTIATIONS WITH THE TALIBAN,” (The RUSI Journal 155, 2010), 64

\textsuperscript{13} Marsden, Peter. "Whither the Taliban?,” (Asian Affairs 39, 2008), 369

\textsuperscript{14} James Shinn and James Dobbins, “Afghan Peace Talks: A Primer,” (Rand Corporation, 2011), 74
mediators during the negotiation process were important in terms of confidence building measures among warring parties. The third party mediators had to be mutually trusted. Certainly there were so far no favorable conditions for negotiations. The U.S. presence in Afghanistan has acted as a barrier particularly for the Taliban leadership, who favor negotiations unless U.S. forces withdraw from Afghanistan. Moreover Clark and Paul by examining key insurgent cases that have been settled through negotiations introduced a master narrative composed of several steps for the situation in Afghanistan. Specifying that Afghanistan has reached a military stalemate, an important process toward peaceful conflict settlement in historical cases. Accordingly, accepting that the Taliban cannot be ignored and accepting them as legitimate is crucial. The literature also reveals that negotiating with the Taliban is idealistic and threatening. Majidyar claims the Taliban negotiations are full of deception. They have utilized negotiations as an instrument to gain political and military advantages rather than prefer settlement. He further suggests that the Afghan government and the U.S.A should acquire practical measures to maintain peace and security post 2014. Accordingly, Clark and Paul state that until the Taliban formally enters into serious talks, the Afghan government must continue to fight and talk, hence stimulate military actions and defeat potential spoilers while directing its determination to negotiate. This has been so far absent within the Afghan negotiations. According to the authors, the approach of the government to assimilate fighters back to their villages has been seen as a push for official intermediate agreements that can establish goodwill and the credibility of both sides. However to create official intermediate agreements may take few years. Thus determination and

commitment is a crucial element when it comes to negotiations but failed to be part of the process.

**Theoretical and Conceptual Framework**

Negotiation theory has been applied as the theoretical framework of the research. Druckman describes the main schools of thought in negotiation theory as corresponding to four approaches to negotiation: negotiation as puzzle solving, negotiation as organizational management, negotiations as a bargaining game, and negotiation as diplomatic politics. However usually in practice most negotiators use a combination of approaches and use from all kind of schools of thoughts during a negotiation.\(^\text{16}\) William Zartman, a theorist and researcher on negotiations, offers five different approaches of negotiation theory. Accordingly, these are the *strategic*, the *structural*, the *processual*, the *behavioral* and the *integrative* approaches.\(^\text{17}\) Strategic approaches to negotiations rely on mathematics, rational choice theory and decision theory and use from inputs of economics and conflict analysis. The stress in strategic models is on the function of ends in defining results.\(^\text{18}\) Thus negotiators are guided by their rational calculation of which choice or option will maximize their gains. Whereas in the structural approach negotiated outcomes depend on the structural features such the number of parties involved in the process, whether these parties are composed of monolithic groups or several, as well as relative power of parties to the conflict. Thus the main theory derived in structural approach is that power is the main determining factor in negotiations. Yet, availability of alternatives and tactics are also

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\(^\text{16}\) Tanya Alfredson, and Azeta Cungu, *Negotiation Theory and Practice A Review of the Literature* (EASYPol, 2008),


\(^\text{18}\) Ibid.
included within the structural features. Moreover the processual approach, perceives negotiations as a course in which parties respond to each other’s concession comportment.\textsuperscript{19} Thus parties use concessions to portray their own intentions and to urge movement in the opposition’s position. However it is said that the processual approach might be risky in terms of losing opportunities to find mutually beneficial outcomes. Most of the Taliban concession aimed at urging the foreign forces leave Afghanistan and as a result causing massive civilian casualties whether the government makes concessions is not significant in the case of Afghanistan because it does not influence the motivational reason behind insurgent activities. The Taliban are not merely satisfied with power sharing and demand more that the Afghan government can in no ways grant these demands that range from the regime to the freedoms of women and restrictions on human rights. Moreover, Stedman claims that power sharing is impractical if one groups desires to have all the power. Or one party does not desire to share power with the other because it accepts it as being corrupt and inept. Furthermore, the behavioral approach accentuates the role of negotiators’ personae or individual traits that compose the process and the result of negotiated settlements.\textsuperscript{20} Here, personality types are presented in the form of dichotomies such as ‘hard liners’ and ‘soft liners’, though the hard liner negotiators are more likely to gain what they desire but would not end up to conclude an agreement. This approach relies on human tendencies, skills, emotions, trust and attitudes not like the game theory (used in the strategic approach) that simulates negotiators as uniformly rational, featureless and payoff maximizing entities.\textsuperscript{21} Finally the integrative approach portrays negotiations as dealings with win-win prospective. Where a zero-sum outlook

\textsuperscript{19} Ibid., 11
\textsuperscript{20} Ibid., 14
\textsuperscript{21} Ibid.
perceives the objective of negotiations as an exertion to assert one’s share over a fixed amount of pie, the integrative theory tries to expand the pie, to increase the share between negotiating parties.\textsuperscript{22} This approach is based on the use of objective criteria, where exchange of information and promoting mutual gains are central features. Chances are higher for successful outcomes if parties share information openly. Moreover, generating options, uncovering interests and searching for commonalities are important in this approach.\textsuperscript{23} Negotiations primarily based on win-win solutions are said to be successful in the long-term in contrast to zero-sum outcomes. Understanding and planning the negotiation process is much more important than starting off the talks. It is crucial to identify who will be the negotiator(s), how the problems will be discussed and in what order. Similarly outcomes also depend on how the elements of negotiations such as commitment, legitimacy, communication, people, interests, and relationships are treated. Therefore, the research is designed to base the Afghan negotiations in the context of these approaches; the structural, behavioral and strategic. Processual and Integrative approaches are not being applied because processual approaches are not considerable in the Afghan case and also not recommended because government concession increase the intensity of terrorist violence. It is the moderate factions that accept concession and does not influence the overall extremist one. Even if they accept concession they cannot fully trust the government’s commitment to withhold their concessions.\textsuperscript{24} Where the integrative approach will not be applied since it is dominantly used as an illustration for

\begin{footnotesize}
\begin{enumerate}
\item Ibid., 15
\item Ibid.
\item Ethan Bueno de Mesquita, “Conciliation, Counterterrorism, and Patterns of Terrorist Violence,” \textit{International Organization} 15 (2005), 145-146
\end{enumerate}
\end{footnotesize}
concluding effective negotiations. Hence the first chapter will refer to the past negotiation experiences and in between switch to the post-2001 period.
CHAPTER 1: Afghan Peace Talks and Negotiations

A preview of the conflicts in Afghanistan indicates that the encounters with the Taliban leadership are only a diminutive part of the larger conflict history of Afghanistan.\footnote{Ibid., 4} Looking at the past experience of Afghanistan’s negotiation records one may recall of the Soviet Union, which endeavored to negotiate its way out of Afghanistan through a course of talks with U.S.A., Pakistan and the Mujahedeen.\footnote{John Bew et al., "Talking to the Taliban Hope over History?,” (London: International Centre for the Study of Radicalisation, King’s College London 66, 2013), 6} In 1979 in support of the People’s Democratic Party of Afghanistan (PDPA), the Soviet Union sent troops into the country to suppress the insurgency and stabilize the PDPA.\footnote{"Negotiating Reconciliation in Afghanistan,” Public International law & Policy Group, December 2011, 2-3} The Soviets denied any external interference and set it as a prerequisite to reduce their troops from Afghanistan. However, the support of foreign countries such as the United States, Pakistan and Saudi Arabia for the rebellion groups deteriorated the situation in the country. Evidencing external spoilers existed as well during that time. As a result military method of combatting the conflict was selected in lieu of other alternatives.\footnote{Ibid., 12} Yet military means by itself was not enough to pacify the insurgent groups.\footnote{Ibid, 15} Therefore, an appeal to disentangle itself from the conflict in Afghanistan was a dominant factor for their negotiations\footnote{Under the international agreement of the 1988 Geneva Accords, the Soviet Union withdrew their presence from Afghanistan. Three bilateral agreements were signed between Afghanistan and Pakistan with the intention to settle the war in Afghanistan. Moreover, the Soviet Union and the United States signed the Declaration on International Guarantors.} rather than any difference in the setup of the insurgency. Therefore, the Soviet Union was pursuing a dual approach to negotiations. One approach was negotiation through the United Nations, U.S.A. and Pakistan to attain a string of interlinking agreements that would block
foreign support for the Mujahedeen and enable a stable regime after departure. Here it is important to understand that these states were supporting different insurgents. The other approach was called the national reconciliation that incorporated significant political reforms in Afghanistan in order to rebuild the Afghan state and urge the moderates and mujahedeen leaders to a non-violent political process.\textsuperscript{31}

It is crucial to understand that the Mujahedeen were composed of different factions, prominently the Haqqani Tribal Network, Hizb-e Islami Gulbuddin and the Northern Alliance as well as tribal factions. These groups clashed against the Soviet Union invasion and competed for power after their withdrawal. As indicated, the structural approach to negotiation theory observes the negotiated outcome as the product of structural features or characteristics that explain particular negotiations. These features combine the number of parties and issues included in the negotiation process and the composition of parties whether they are composed of monolithic or single groups and their relative power to the conflict. As such the structure of the rebel groups in Afghanistan was non-monolithic, though not only the rebel groups, looking through a wider lens several other external actors were also involved. Although the United Nations brought the concerned parties to the negotiating table mainly Pakistan and Afghanistan, some factors led to the failure of talks, which were due to the divergences between both countries, President Babrak Karmal’s intimidation to hold peace talks, the United States and Pakistan’s consistent support for the mujahedeen and insurgency, and finally a lack of interest shown by external actors.\textsuperscript{32} One of the theories of structural approach concentrates on the function of power in defining negotiation; power is in terms of strength and resource

\textsuperscript{31} Ibid., 363 (9-10 (Bew))
\textsuperscript{32} Ibid., 14
As such, endeavors of the Soviets to compromise with the mujahedeen to accept the government and in order to assure intact extract from Afghanistan was unaccomplished as the mujahedeen already acquired control of the country and thus their status granted them choices and less tension. Inter alia, separate mujahedeen groups were also in rivalry and an agreement with one group did not insure security from the other. Amongst that, Pakistan maintained their backing for insurgent groups to trail their interests even though given their compulsions under the Geneva Accords. Hence the aims of the rebel groups was contrasting that of the government and since the Mujahedeen acquired relative power to the conflict it became much more difficult to settle.

These factional groups still exist in the post-2011 era. Encompassing connection with main commanders within each sub-network. Again composed of the Quetta Shura Taliban, Haqqani Tribal Network and Hizb-e Islami Gulbuddin, all sharing certain features such as opposition to the presence of foreign military forces, rejection of the governance structures, disposition to involve in armed conflict and an appeal to strict Islamic system. Additionally, these groups enjoy local trust and legitimacy. A ‘terrorist syndicate’ was a term used by Robert Gates as an aim to link the Taliban leadership operating with Lashkar-e-Taiba extremist. He stated that: “It's dangerous to single out any one of these groups and say, 'If we can beat that group, that will solve the problem,' because they are in effect a syndicate of terrorist operators intended to destabilize this entire region”. Thus this syndicate involves

33 Ibid., 9
34 Ibid., 10
35 Ibid., 5 (PILPG)
several actors or players such as the Taliban, Hezb-e Islami Gulbuddin, Haqqani Tribal Network, Al Qaeda and Lashakar-e Taiba.

These groups are supported and based in western Pakistan. Receiving financial and technical resources from various mechanisms. It is absent of being a singular entity but is split into various faction thus making negotiations even more complicated. In 1989, Saadia Touval stated that the larger the number of parties the more difficult it will be to address the problem and achieve an agreeable solution. The conflicting positions, interests, and relationships would be more complex.³⁷

Usually the moderate ones a ready to participate in peace talks yet the hardliners not. All factions incorporated in this syndicate have different intentions and aims.³⁸ If to focus only on the structure of the Taliban leadership, it was recognized by the coalition as being composed of Tier I and Tier II Taliban. The Tier I Taliban


³⁸ Sean M. Maloney, ”Can we negotiate with the Taliban?,” (2010), 404-5
was driven by ideology and fanaticism whereas the Tier II was driven by money and local grievances.

As seen on the image, the command structure of the Taliban is internally apportioned. The Quetta Shura is the highest body of the Taliban leadership that acts as the leadership council. Thus in order to rupture these two groups the coalition initiated jobs and aid projects which indeed achieved some extent of accomplishment but only in regions under the influence of the government. Moreover, in any case of counter-insurgency campaign the group would acquire support and assistance from this terrorist syndicate. Furthermore, the renunciation of violence of one faction does not
necessarily mean that the others would also correspond. As a result this complexity of the insurgency negotiations became much more complicated and conclusively a reason why the Afghan government alongside with the coalition was not competent to establish an effective peace process.

Even during the Soviet invasion factional groups such as Hizb-e Islami Gulbuddin, the second largest insurgent group, and Haqqani Tribal Network were competing for power and apparently consumed divergent interests. However during the Karzai regime one can witness the Hizb-e Islami Gulbuddin’s functioning role within the Afghan parliament and likewise Haqqani’s approaches to the Karzai regime on peace talks. This lets Haqqani to become a potential spoiler of the peace process however this action will be inhibited by the Taliban if it joins the peace process and unless Pakistan becomes a facilitator. It is assumed that that the Haqqani network has revealed its subordination with the Taliban and Pakistan’s security formation. In 2012, Gulbuddin Hekmatyar suspended peace talks with the Afghan government as a result of the US-Afghan Strategic Partnership Plan (SPA). In an interview he indicated that signing the agreement had discouraged his party’s endeavors to accomplish peace and as well as damaged the national sovereignty of Afghanistan.

Furthermore, it has been indicated that negotiations should not give preference to the Taliban because it can trigger criticism from the Northern Alliance and other

39 Ibid, 406
factions. But the Afghan government due to its military commitments was not apparently conscious with regards to these issues and thus trailed a market-bazaar approach to negotiations. Bargains are blue-penciled with up and comers, notwithstanding their political significance or competence to clout results. Besides, Ashraf Ghani in his inaugural address asked the government opponents particularly Hekmatyar’s Islamic Party and the Taliban to enter into political talks. This could be due suspicions of future clashes among factions. Since during the Soviet period, as the deadline for withdrawal of the troops reached in 1988 the mujahedeen leaders were in divergence. Burhanuddin Rabbani, leader of the Peshawar based seven-party alliance, established the interim government to function after the withdrawal of Soviet forces. However, Karim Khalil, leader of Iran-based eight-party alliance, refused it for not being all-inclusive and misrepresenting the whole of Afghan nation.

**Box.1 Example of conflict in Chad**

The Conflict between the Bantus and Muslims in central Africa was coordinated by French colonization however was not able to control it until 1965 (in Chad), five years after independence, when the southern commissioners superseded the French in the north. The northern rebels prearranged into factions of the National Liberations Front of Chad and deposed the government in 1978 however later they were fighting each other. After each two years factional leaders expelled his forerunner and expelled a market-bazaar approach to negotiations. Bargains are blue-penciled with up and comers, notwithstanding their political significance or competence to clout results. Besides, Ashraf Ghani in his inaugural address asked the government opponents particularly Hekmatyar’s Islamic Party and the Taliban to enter into political talks. This could be due suspicions of future clashes among factions. Since during the Soviet period, as the deadline for withdrawal of the troops reached in 1988 the mujahedeen leaders were in divergence. Burhanuddin Rabbani, leader of the Peshawar based seven-party alliance, established the interim government to function after the withdrawal of Soviet forces. However, Karim Khalil, leader of Iran-based eight-party alliance, refused it for not being all-inclusive and misrepresenting the whole of Afghan nation.

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43 Ibid.

44 Ibid. (Smith)

45 Ibid., 61
encountered insurgençe, despite negotiations and mediations were constantly conducted.46

Thus, in late 1980s and early 1990s, Najibullah announced the policy of national reconciliation to establish an inclusive government incorporating all parties and factions involved in the conflict. He travelled to Europe claiming that Afghanistan could enter into a civil war among Mujahedeen groups. Nevertheless, the Mujahedeen ignored his propositions and perceived him as being the puppet of the Soviets.47 Although the Soviets had encouraged Najibullah to establish negotiations with Islamic parties operating in and outside Afghanistan, there were three difficulties to the negotiated settlement option. Firstly the opposition was driven as a result of poor social conditions in the country, secondly the Afghan government did not back the Soviet strategy of national reconciliation domestically, and the third reason was the incapacity of the Afghan National Army (ANA) in confronting the rebel groups.48 This revealed the declining power of the government in controlling the conflict.

47 Ibid., 7 (Hussain)
48 Ibid., 15
Shifting to post-Soviet negotiations, particularly during the first year of the Afghan campaign in 2001-02, the notion of negotiations with the Taliban was a politically indefensible and unjustified impression because of the connections between the Al Qaeda and Taliban leaderships.\(^49\) This connection resulted in the exclusion of the Taliban from the Bonn Conference and Agreement of 2001 that created the Afghan Interim Authority. However the Taliban with its flexibility in insurrection has transmuted the framework and criterion of the dispute from 2006 onwards.\(^50\) As the efficacy of the mutiny accelerated so did the arguments for negotiating with those insurgents as the only way of reinstating peace amplify. Thus the course of peace talks and negotiations with the Taliban leadership was not one defined strategically or of deliberate choice but was merely established by osmosis as the settlement of the conflict by military means scaled down the chances, consequently, peace talks have never been assessed in a systematic manner or enforced coherently.\(^51\) The concept of negotiating with the Taliban evolved through a series of phases; firstly, it was an incomprehensible idea, secondly, it became politically acknowledged, and finally it converted into a legitimate issue for the government as a result of foreign military affluences in contrast to a clear strategy.\(^52\) According to the strategic approach, strategy is defined as a method, plan and sequence of maneuvers in achieving specific goals.\(^53\) The role of ends determines the negotiation outcome and actors select potential movements in order to reach preferred results.\(^54\) In the case of Afghanistan, many have seen the failure of negotiations on account of a lacking strategy in negotiations. The lack of a strategic motive and approach to negotiations has been

\(^49\) Ibid., 6 (Bew)
\(^50\) Ibid., 1
\(^51\) Ibid.
\(^52\) Ibid., 6-7
\(^53\) Ibid., 10 (Alfredson)
\(^54\) Ibid.
devoted to the vague and obscure opinion of adherents uncertain of the reasons of advocating talks with the Taliban at different periods. Adherents of peace talks with the Taliban were divided into two, one side desiring to deplume the Taliban and the other to grant them a short hand capacity position within the Afghan government. There were objectives to parcel out or split the faction and as well as to promote the domination of the moderate Taliban over the radical ones.\textsuperscript{55}

**Box.2**

The Soviet talks scenario is reminiscent of the Karzai regime and its experience with negotiations. Like President Babrak Karmal, Karzai was uninterested in reaching a deal with the insurgency despite his pro-peace talks. As such, Karzai implemented a policy of individual reintegration targeted at the moderate segments of the insurgency as a realization that a collective peace deal would reduce his power.\textsuperscript{56}

Accordingly, he has made intermittent approaches to prominent Taliban members to participate in reconciliation with the government. However these appeals to the Taliban leadership have been generally emblematic. The reliability of Karzai’s statements and appeals has been dwindled by the disagreements in both Karzai’s particular engagements and those of the coalition forces. Particularly in December 2001, he openly confirmed reprieve for the Taliban and called for reconciliation. However, he was forced to rescind this proclamation due to the antithetical activities from coalition forces.\textsuperscript{57} This fact revealed that the Karzai regime and the coalition forces were not consistently in line of each other’s movements.

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\textsuperscript{55} Ibid., 1
\textsuperscript{57} Ibid., 7 (PILPG)
The Taliban leadership’s impulsion for transient talks with the Afghan government, in 2012, were established as the consequence of the withdrawal of the ISAF forces from Afghanistan started, yet this was also a condition of the Taliban to enter negotiations. However over the past few years, talks with the Taliban gained more stature on the agenda even though not clarified in practice. Since the ISAF forces were leaving the country by 2014 none of the talks were successful in settling down the conflict. As Bew (et. al) indicates that the whole initiative of conducting peace talks with the Taliban have been impeded by airy hopes, misapplication of past historical experiences, provisional policymaking, and absence of proficiency and projection.

The adherents of peace talks stressed upon promoting progress in unstiffening the Taliban goals and endorsing inclination to cooperate, however some believed that the idea that a segment of moderate Taliban existed was an overstated and abstract fact. The approach towards talking to the Taliban was not a promising success. Important to note is the fact that the Taliban also maintains some sort of impetus to prevent an outright disruption of order posterior the scale-down of the ISAF forces, which could facilitate an impending civil war as other existing groups in Afghanistan, who are reportedly arming themselves, plan for it. Besides, from 2006 to 2009 insurgency significantly increased by 48.52 percent and by 2010 the Taliban had control almost over half of the country. As for 2015, they are still in control of the southern provinces, which arises a question of whether they will commit to

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58 Ibid.
59 Ibid., 5
60 Ibid., 7 (Bew)
61 Ibid., 61
negotiations with the Afghan government when they are able to gradually expand their control.

Box 3 Strategic errors:

- Many believed that offering amnesty in exchange of renouncing violence was not operative because it targeted only low-level members and did not address the main problem.
- The strategy to reintegrate individual members of the Taliban leadership was defective in following the increasing activities of the insurgents.
- The main aim in following this strategy was to weaken the insurgency by subtracting its members.

Box 4. Main mechanism established to initiate talks

2002: National Security Council – involved in separate diplomacy with insurgents
2005: The National Independent Peace and Reconciliation Commission
2010: The Afghan High Peace Council and the Afghan Peace and Reintegration Program and the High Peace Council were also convened to initiate dialogues with the Taliban.

Box 5. Glance at Peace Talks and Negotiations

December 2001: Bonn Agreement – the Taliban were excluded
July 2002: Attempted assassination of Karzai in Kandahar – signs that the Taliban might be regrouping in the south. (The Guardian)


Spring 2003: Situation deteriorated in Afghanistan – constrained ISAF forces and U.S.

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62 Ibid.
preoccupied in Iraq.

(Consequently idea of reaching out to former senior member of the Taliban was first reconsidered – in the hope that they could be designated to back the Karzai regime).

**October 2003:** Talks had been held with moderates from the former Taliban leadership.

**2004:** Taliban insurgency increased – Zalmay Khalilzad, US Ambassador to Afghanistan, stressed that ‘non-criminal’ elements of the Taliban would not be detained if they abandoned violence. (Financial Times) [http://www.ft.com/cms/s/0/d4ad2372-4fd1-11d9-86b3-00000e2511c8.html#axzz3YQubwd7E](http://www.ft.com/cms/s/0/d4ad2372-4fd1-11d9-86b3-00000e2511c8.html#axzz3YQubwd7E)

**2005:** German officials meet with the Taliban representatives in Zurich to end insurgency and break ties with Al Qaeda and in return grant political recognition, which the Taliban side demanded. (UPI) [http://www.upi.com/Top_News/Special/2007/08/20/Analysis-Meeting-the-Taliban/83451187645715/](http://www.upi.com/Top_News/Special/2007/08/20/Analysis-Meeting-the-Taliban/83451187645715/)

**2006:** Taliban control increased in Helmand, Kandahar, Zabul and Uruzgan provinces. British sign the Musa Qala Accord with the Taliban, both to withdraw forces from the Musa Qala district and to transfer security of the district to local elders. Less than a year the Taliban dissolved the accord.


**October 2008:** Karzai seeks help from Saudi royal family to bring the Taliban to peace negotiations. Mullah Omar did not approach the government and accused the Afghan security forces of being thieves and criminals. (New York Times)
November 2008: Karzai claimed to grant the security of the Taliban chief Mohammad Omar if he consents to enter into talks. (The Washington Post)
http://www.washingtonpost.com/wp-dyn/content/article/2008/11/16/AR2008111600899.html

2009: Obama sent 17,000 additional troops to wane the Taliban and force the group to accept a peaceful settlement. Clinton supports talks with the moderate Taliban. (CNN)

October 2010: Secret high-level talks over a negotiated settlement of war begun according to Washington Post. “They are very, very serious about finding a way out,” one source familiar to the talks said of the Taliban. (The Washington Post)
http://www.washingtonpost.com/wp-dyn/content/article/2010/10/05/AR2010100506636.html

May 2011: Germany mediates talks between the United States, the State Department representatives, CIA, with the Taliban negotiators. Despite their statement not to negotiate with the West. (Der Spiegel) http://www.spiegel.de/international/world/talking-to-the-enemy-how-german-diplomats-opened-channel-to-taliban-a-808068.html


2013: Meeting in Paris between representatives of the Taliban, High Peace Council,
Hezb-e Islami, parliament members, civil society and political groups. Taliban rejected the Afghan constitution and the 2014 elections. (AL Jazeera)
http://studies.aljazeera.net/en/reports/2013/01/2013124111354190395.htm


April, 2015: Abdullah: “The Afghan government will start peace talks with the Taliban in the near future” (PROQUEST)

There are evidently internal negotiations ongoing between the Afghan government and the Taliban. These so to say secret negotiations have to some extent agitated the Afghan people of a political settlement without their say or will. People desire assurance that any negotiation will not exclude their opinions and interests. Obviously the interests of the Taliban are not ones that most of Afghans would appeal to. As under the United Nations resolution of 20 November 1980 a negotiated political settlement to the conflict in Afghanistan was authorized. A solution whose basis was mainly the preservation of the territorial integrity and sovereignty of Afghanistan and the right of the Afghan people to choose their form of government, political and social system without intervention. However people were never part of negotiations.  

Moreover, since Afghanistan is an ethnically diverse country, tribal and village

63 Ibid., 62
leaders are concerned over being excluded from talks and not able to protect their interests.

It is assumed that Afghanistan was in a strategically beneficial position in early 2000s because it was a time when the Taliban regime collapsed and a time when they desired to join the government. In June 2010, the United State Institute of Peace launched a book named “Reconciliation in Afghanistan”, during a discussion of this book regarding the insurgent groups in Afghanistan, the diverse interest of negotiating parties and the failures of past negotiations, Ali Jalali, the Former Interior Minister of Afghanistan, explained his examination of failed negotiations. He stated that during the past seven years the main reason for the failed efforts of negotiations were as a result of missed opportunities and the failure to incorporate negotiation in the framework of a comprehensive counter-insurgency strategy. 64 Indicating that Afghanistan missed two opportunities for a grand deal, one at the Bonn conference, in 2001, despite the fact that 85% of the Taliban were set to join the political process, abandon violence and including the leadership, but the international community and the Northern allies were not willing to compromise because at that time the Taliban were considered terrorists and linked to Al Qaeda or as he says that was a perception. The second missed opportunity was in 2002-3, a time when the Taliban leadership finally said that they were not ready to conduct a conflict and that there were so many problems in Afghanistan to negotiate with the government. As he further elaborates, the Taliban were divided into two teams, one looking after the possibility of fighting and the other to talk to the government. Thus this was a period when the Taliban were

approaching the Afghan government and contacting the Interior Minister and other
government authorities with a demand to merely guarantee them protection. However
the varying authorities in Afghanistan such as the Ministry of Defense, the Chief
Intelligence, ISAF, U.S.A, and the Intelligence of other countries had their own
agendas. The Taliban sought assurance that if the government would be able to find
an apparatus, that can guarantee the protection with all these actors involved, then
they would be confident. Nevertheless, the Afghan government was inept to establish
this apparatus. Finally, he concluded his words by saying that:

“In any negotiation unless you create the
strategic context of it, it will be fragmented and
ineffective, therefore there is no plan, unless you have
a major plan and integrate it into the overall counter-
insurgency strategy it is not going to work because all
rebellions in Afghanistan had one common strategy.
The time for a grand deal is gone, it is very difficult
because there is no one group, there is no possibility
unless Afghanistan, Pakistan all can work together.”

The reason behind the Taliban approaching the government in 2001 could be devoted
to their status, they were in a state of vanished power and defeated stand. Herewith,
the Afghan government was solid along with robust support. Although today the
Taliban leadership has established itself over the years in a position that the Afghan
government accepts them as a legitimate negotiating partner.

65 Ibid
Besides the absence of an effective strategy, the Taliban often claimed their refusal to peace talks under the Karzai regime. They have proved this by eliminating members of the negotiating commissions and councils. Burhanuddin Rabbani, former President and Northern alliance member, was appointed as the head of the High Peace Council. Thus the main person dealing with negotiations, though he was not seen a neutral negotiator. This conveys to the behavioral approach, where the outcome of negotiations depend on the negotiator’s personality. Mainly derived from experimental and psychological conducts. It perceives negotiations about the individuals involved. Relying on emotions, skills, trust, attitudes, perception and individual motivation.\textsuperscript{66} This approach is very important in the sense that the personalities of members to a party who conduct negotiations have a significant impact in the process. In the case of Afghanistan, the behavioral approach has been disregarded in most situations. Rabbani was someone fought against the Soviet Union in the 1980s and served as the President of Afghanistan from 1992-1996. When the Taliban regime dissolved he came back and pursued his political career. The Pashtuns were suspicious about whether he could be trusted despite his endeavors to reach the Taliban commanders both in Afghanistan and Pakistan.\textsuperscript{67} Whether it was a rational choice to appoint Rabbani as the head negotitior was ambiguous. He was not a military commander but a theologian specialized in Islamic law. The Taliban assassinated him in 2011. This caused the impression that the Taliban could not be trusted in peace talks. However, the Taliban accepted Rabbani’s appointment as an

\textsuperscript{66} Ibid., 14

insult. They believed that the peace council was mock with no determination to reconciliation. Though he was able to persuade low-level Taliban members renounce violence but his efforts were seen as an attempt to establish new connections in order to strengthen the position of Northern Alliance, Tajiks, for the period after the withdrawal of U.S. forces. Whereas important to note is that the Taliban considers the Tajiks as a threat, they have tried to purge the Northern alliance commanders.

As mentioned above, some believed that the tribal and village leaders had to be included in the negotiation process to protect their interests. But what if these leaders possess incompatible goals and hold animosity to each other – maybe as a consequence of the past events. How can these individuals reach an agreement or negotiate problems? One may refer to mediators but their role in the Soviet negotiations was not either successful. This brings us the issue of whether someone wants to reach an agreement.

**Box.6**

Just after Rabbani’s assassination Karzai gave this statement.

"We have not said we will not talk to them (the Taliban)." "We've said we don't know who to talk to.

"We're not dealing with an identifiable individual as a representative of the Taliban, or a place that we can knock on and say, 'Well, here we are. We want to talk to you.'"

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69 Ibid. (Der Spiegel)
“Until that place emerges -- an address and a representative -- we will not be able to talk to the Taliban because we don't know where to find them.”

Further stating that the key to peace is in the hand of Pakistan.

Chapter 2: Potential Spoilers

Referring to the Soviet negotiations, the People’s Democratic Party of Afghanistan was not perceived as a legitimate regime and secondly, the mujahedeen was already controlling large portions of the country and plus the pending Soviet withdrawal offered almost no encouragement for them to enter negotiation in the interim. One Soviet official stated that:

*The counter-revolution [the insurgency]...continues its course for putting an end to the regime by military means ... is aware of the strategic decision of the Soviet leadership to withdraw the Soviet troops from the DRA ... The counter-revolution will not be satisfied with partial power today, knowing that tomorrow it can have it all.*

Likewise, one can use this statement in the case of the Karzai government and the coalition forces. The Taliban negotiations and peace talks with the Afghan government could be replete with deception as Majidyar claimed, merely using it for gaining military advantages. This carries us again to the complexity of the issue in Afghanistan, since peace talks and negotiation are not a product of two parties but under the influence and support of other internal and external actors. A depiction of this complexity portrays that these parties hold more or less equal amount of power. At one side the Afghan government assisted by the international community, and on the other side the insurgency backed by external actors.

Pakistan has been involved in the conflict in Afghanistan even prior to 2001. Before 2001 she was supporting the Mujahedeen against the then functioning Afghan government and post 2001 it is supporting the Taliban leadership. After U.S. invasion of Afghanistan, Abdul Sattar, former Prime Minister of Pakistan, asserted that the

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71 Ibid., 17
“moderate” Taliban should have a part in the political settlement of Afghanistan. This claim was part of their strategy and enduring ambitions in the region. The segments of the Pakistani military and Inter-Service Intelligence have sought substantial influence and strategic depth in Afghanistan due its continuing divergence with India. Being apprehended by the fact that India will expand her presence in the region and concerned about an Afghan-Indian alliance. These apprehensions are stimulated given the disputed Durand Line and persistent insurgency in the border of Balochistan. The Taliban has been utilized as a tool of strategic influence. This is the motive why Pakistan is a safe haven for insurgents. Consequently this grants Pakistan the position of both spoiler and facilitator in negotiations but the former has been dominant based on past events. Yet, there are also symptoms regarding Pakistan’s support for facilitating negotiations, which arises from a concern over a future association between the Afghan Taliban and Pakistani Taliban.

Nevertheless, Pakistan has supported insurgents earlier with constant sustentation and if she is being included in negotiations, without having obtained sufficient influence she will not back this process, yet excessive influence can also trigger opposition in Afghanistan and as well as neighboring countries. The military establishment of Pakistan might assume that the Taliban is a controllable organization that does not pose any internal threats to their own militants. They may still exclusively observe the activities in Afghanistan from the view of Indian barricade. Yet also pretentious about U.S. aid curtailment if the conflict with the insurgency tails end. However, the country is also indoctrinated that it maintains command over the

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73 Matt Waldman, "TOUGH TALKING: THE CASE FOR NEGOTIATIONS WITH THE TALIBAN," (The RUSI Journal 155, no. 6, 2010), 64
74 Ibid.
75 Ibid., 65
logistics supply lines employed by the Americans to manage the conflict inside Afghanistan and as well its cooperation in opposition to Al Qaeda. As a result Pakistan’s actions and movements have occasionally determined the course of peace talks. Furthermore, the Soviets demonstrated their hope concerning the interests of external actors in the conflict but certainly never enrooted an effective policy to regulate ‘spoilers’ from outside, especially Pakistan. They attempted to dissolve the hindrances to their strategy by focusing on top government individuals rather than on the view of those involved and causes of insurgency.

Stedman articulates that the prevalent risk to peace comes from spoilers, who suppose that peace that transpires out of negotiations threatens their positions, interest and power, as a result of which refer to the utilization of violence to subvert efforts of achieving peace. As such, excluded parties from a peace agreement inquire to adjust or to dismantle it. Hover it has also been indicated that the success and failures of spoilers depend on the lucid and well-organized strategies to protect peace and manage those spoilers especially by international overseers. Their goals determine what kind of spoiler one deals with; some have limited goals while others seek total power. Some spoilers go through a profound calculation of cost and benefits of any decision though others are extremely indifferent to risk and costs of their actions and preserving fixed inclinations. The difference between spoilers and others (terrorists, rebels) in war is that spoilers tend to occur when there is a peace process to emasculate. External spoilers are those who are excluded from peace talks and employ strategies of violence, as Pakistan accomplishes her aims by utilizing the

76 Ibid., 11 (Shinn)
77 Ibid., 10
79 Ibid.
80 Ibid
insurgency. For instance, in 2010 the Inter-Service Intelligence of Pakistan arrested Mullah Baradar, second-ranking Taliban commander, and other 23 members of the Quetta Shura, alleged to have had conducted independent peace talks with the Karzai government. Which evidenced that Pakistan would impede talks if not included. But generally, peace produces spoilers because factions do not necessarily perceive peace as being favorable. Similarly, if all parties to a negotiation come to esteem peace, they often diverge on the terms of an agreeable peace. It is rare to reach a settlement among all warring parties.

**Box.7**

“We picked up Baradar and the others because they were trying to make a deal without us,” said a Pakistani security official. “We protect the Taliban. They are dependent on us. We are not going to allow them to make a deal with Karzai and the Indians.” (The New York Times, 2010)


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82 Ibid, 7-8 (Stedman)
A Negotiated Settlement as the End of War

A negotiated settlement to the war in Afghanistan appears to be a challenging task. One may say that the chances would have been superior despite the conditions declared by the Taliban, to have had enforced negotiations in a more systematic and clear-minded style during the presence of the ISAF forces since it would have enabled the Afghan government to position itself in a much stronger status than that of today. Will the Taliban, understanding the incapacity of the Afghan National Army (ANA) to confront them, still aim at committing to negotiations or will they utilize the process of peace talks and negotiations as merely an instrument of acquiring time, organizing their future plans and gradually expanding their power over the region. Thus it appears that the expediency of negotiations faded with the statement of the extraction of forces. However one may also counter argue that even though the ISAF forces will leave Afghanistan the situation will not deteriorate despite the subsistence of the Afghan open door policy towards the Taliban leadership. Though, if negotiations occur it will be in the interest of the two negotiating parties, however if it does not, then there is also another reality to the weakening nature of the Taliban regime\(^83\) and the persistent support of the international community to inhibit terrorist organization take control of the country. Furthermore, states that see their benefits in Afghanistan will attempt to secure their investments through assisting the country.\(^84\) As for the Afghan National Army (ANA) and Police personnel they are being trained and educated to increase their capacities and skills. It has been argued that a successful settlement to the war in Afghanistan is closely related to Pakistan’s Intelligence ISI as being the greatest supporter of the Taliban.\(^85\) Pakistan considering

\(^{83}\) Ibid., 406 (Maloney)

\(^{84}\) Ibid., 364
that the bilateral agreement between Afghanistan and the United States will endure the latter’s presence in the country will reevaluate its support to the Taliban and thus a possibility evolves that deliberates a shift in Pakistan’s approach to peace talks and a peaceful conflict settlement. Nevertheless, it is notably important that any negotiation that will occur has to ensure the maintenance of the Afghan interest and if it does not then peace negotiations will not succeed. Moreover, Taliban is also converting to a threat to the national security of Pakistan, considering recent bomb attacks to civilian objects. Today, not only states are the main actors of the international arena but international organizations too. The Collective Security Treaty Organization and Shanghai Cooperation Organization have over time transformed themselves into powerful organization. Member countries are collaborating to fight against terrorism and are upright on their agenda to suspend countries’ sanctuary hub to terrorist organization.

**Conclusion**

Military strategy in Afghanistan has not proved completely successful to obliterate the roots of the Taliban. Given this situation the government attempted at peace talks and negotiations. Some of the Soviet experience in the 1980s was germane to consider in this research. In a similar framework has the Soviet Union referred to talks with insurgent groups, after realizing that a military strategy was not a foreseeable solution. Nevertheless, efforts to defeat insurgent groups failed and as a result led to their withdrawal from Afghanistan. There were endeavors ongoing to reach the docile sections of non-communist political and religious leaders but as well as the armed opposition those who were not involved in the conflict.86 Thus emphasis was laid on

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86 Ibid., 15
the policy of reconciliation with rebel groups. However in 1987, the Soviet efforts on
the reconciliation policy was diminishing. Whereas in the post 2001 period, the idea
of negotiating with the Taliban was also a product of the declining success of military
strategy plus as a result of which it has also gained momentum but lacked a clear
counter-insurgency strategy towards negotiations. This research concludes that the
structural approach of negotiations, which explains outcomes of negotiations in forms
of relationship between parties or their aims, was the dominant factor for the failures.
The existence of several internal and external actors possessing diverse interest and
irreconcilable goals created a complex environment for the achievement of a
negotiated agreement. As well as the behavioral approach, emphasizing on
personalities involved in negotiations was very crucial in terms of confidence building
measures and trust but was overlooked in the Afghan case. Thus the non-monolithic
nature of the insurgency in Afghanistan has hindered the achievement of a negotiated
settlement. A terrorist syndicate has acted as a support for the Taliban leadership.
Furthermore, a dominant external spoiler to peace talks, Pakistan has supported
insurgency out of her own national self-interest. Conclusively, these factors stalled the
negotiation process with the Taliban.
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