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Wilton Park



Report

## Shaping the conditions for a political settlement in Afghanistan

Tuesday 8 – Thursday 10 January 2019 | WP1596

Held in Istanbul

In association with:



REPUBLIC OF TURKEY  
MINISTRY OF FOREIGN AFFAIRS



## Report

# Shaping the conditions for a political settlement in Afghanistan

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### Executive summary

There is a profound appreciation of the new opportunities for a settlement of the Afghan conflict. As the United States and the Taliban engage in direct talks, the dynamics of peace and war in Afghanistan are changing. Amidst the optimism, there is also an expression of concern – even by the actors strongly in favour of US withdrawal – that the time scheme will be overly compressed. These concerns, at least in part, reflect a sense that time is needed to develop strategic plans, institutional capacity and mechanisms for international support. With the opportunity window that has now been opened, the challenge is – for the Government of Afghanistan, the Taliban, and international stakeholders alike – to mobilise all existing resources in support of devising a strategy for a comprehensive intra-Afghan peace process.

- **Issues and agenda:** There is insufficient clarity on the ultimate political objectives of the main parties, the Taliban in particular. Accordingly, there is a need to set in motion processes to define those objectives, recognising that positions need to be sufficiently broad to allow parties to find solutions, but also assuming further stakeholder consultations in the course of the negotiation process. Limiting the set of issues on the agenda for talks enhances the chance of success.
- **Inclusive process:** In Afghanistan, there are deep differences about political direction both within and between the respective parties. Reflecting experience from other peace processes, the need for broadly inclusive mechanisms – prior to, during, and in the aftermath – of a negotiation process is critical to foster support and legitimacy of a peace settlement. Women's participation will increase the likelihood of success.
- **Focused negotiations and multiple channels:** Effective negotiations are contingent on party delegations with a clear mandate and a strong commitment. Simultaneously, alternative channels, such as a Track II channel that is closely coordinated with the official track, will be useful both for preparatory talks on difficult issues and for resolving deadlocks as they appear in the process.

- **The international domain:** Afghanistan's neighbours are deeply invested in its political future and ensuring their concerted support for the country's stability is essential. Likewise, it is urgent to develop a solid framework, acceptable to all Afghan parties, for long-term support from states outside the neighbourhood.
- **Distancing the peace table from the battlefield:** It is more common than not that peace processes start while parties are still fighting. In Afghanistan, a mutually agreed ceasefire would greatly improve the climate for talks, yet it is not clear that this is possible from the outset. Should a ceasefire prove unachievable, parties may still agree to a major reduction in violence. If fighting continues, the parties should do their utmost to limit the impact on the talks of violence on the battlefield.
- **Intra-Afghan peace talks:** A possible US-Taliban settlement opens up a window of opportunity which can only be exploited if there is a credible intra-Afghan process in place. While setting in motion such a process is urgent, it is equally important to acknowledge that working out a sound, legitimate and sustainable Afghan peace settlement will require time and patience.

The Wilton Park conference in Istanbul was warmly embraced by participants, who recognised the need for more focused discussions – both on substance and design – of an Afghan peace process. The opportunity to discuss with fellow Afghans holding a variety of views, informed by interventions by external experts on lessons from other peace processes, and away from the heated climate of Kabul politics, was equally welcome. The open and direct nature of the discussions reflect the deep changes in Afghan society over the past 17 years and signify a deep commitment to the process that lies ahead. A follow-up, if possible including representatives of all sides, would be strongly embraced.

## Introduction

In a context where the Afghan political scene is fundamentally redefined, Wilton Park invited Afghans from government, parliament, the military and civil society, along with representatives of some of Afghanistan's key international partners as well as international experts on peace processes, to a two-day conference in Istanbul. The ultimate purpose of the conference was to develop ideas for a strategic political engagement in Afghanistan, drawing on experiences from negotiation processes in civil wars elsewhere.

### A turning point for Afghanistan?

1. The recent initiation of direct talks between representatives of the US and the Taliban, and President Trump's signalling an intent to withdraw militarily, has placed a negotiated settlement on top of the agenda.
2. President Ghani set the stage for talks when he, at the conclusion of the second meeting of the Kabul Process for Peace and Security Cooperation on 28 February 2018, laid out a comprehensive proposal for peace talks between his National Unity Government (NUG) and the Taliban. The Taliban never responded formally, but both they and the government declared a ceasefire for the Eid-ul Fitr holidays in June,

lasting three days, but not extended because of Taliban reservations. Multiple initiatives have failed to produce a NUG-Taliban peace process, with the Taliban insisting on talking directly to the US. Now that the US has effectively met this demand and discussed key issues such as a timetable for a US military pull-out, the ground is about to be prepared for NUG-Taliban talks.

3. More than 17 years after the US-led intervention, and 4 years after the drawdown and restructuring of the international military effort, current developments are likely to redefine the Afghan conflict and hopefully lead to the negotiation table replacing the battlefield as the main arena for managing differences. This prospect in turn resonates with broader geopolitical trends, both at a global and at a regional level. The global changes are reflected in the deepening involvement of both China and Russia in pursuit of peaceful solutions to the Afghan conflict. Amongst Afghanistan's neighbours, there is increasing multilateral cooperation and stronger interest in exploiting the potential of interconnectedness, but also – in the Middle East in particular - mounting turmoil and uncertainty. Even more importantly, Afghan society itself has undergone a major transformation, through access to education, political participation, new media and international exposure.
4. Rather remarkably, the US policy shift, which should satisfy a long-term wish of most actors in the neighbourhood (as well as the Taliban), has been met with almost unanimous concern that the transition set in motion is poorly planned and therefore risky. Even the Taliban reportedly do not want to see a precipitous US military withdrawal that could profoundly destabilise the country. While a reversal of recent policy shifts is neither possible nor desirable, it does call for careful strategic planning in taking the peace process forward.

### **Shaping the Afghan peace agenda**

5. So far, Afghan peace initiatives have been talks about talks, and much focus has been on the issues – such as delisting, prisoner exchange, ceasefires – that can be useful for building mutual confidence between the parties, or – as with establishing an office or registering as a political party – that can build the infrastructure for political engagement. These do not necessarily have much to do with the issues that ought to figure centrally in genuine peace negotiations, and there is still limited clarity on what the core substantial issues in the negotiations would be, particularly so on the Taliban side.
6. A particular concern remains that the Taliban's priorities are either of a tactical nature, as is the case with the ones discussed just above, or are couched in such generic language that it offers little guidance on what the actual issues would be. It seems likely that the military focus of the Taliban has come at the cost of working out a political programme that would guide it in peace negotiations. This is exacerbated by the lack of trust between the parties, as seen, for example, in the Taliban's insistence on a clearly sequenced structure of talks where progress is dependent on the implementation of previously agreed steps.
7. Experience from elsewhere may have important implications for an Afghan peace process. In the Colombian peace negotiations, concluded in late 2016 after some six years (including two years of secret talks), negotiators were insistent that the agenda should contain a limited set of core issues, reducing complexity and ensuring decisions reached were in the form of clear goals and responsibilities. The agreed upon core issues were rural development, political participation, illicit crops, rights of victims, conflict termination and agreement implementation.
8. A related lesson is that parties may come to the table with predefined positions, but without having fully explored what their basic priorities are, with the risk of both misrepresenting their ultimate objectives and of acting less flexibly than they otherwise could. An essential element in any peace process is for parties to build clarity on their fundamental priorities, and to build an understanding of the priorities of other parties.

Two widely used negotiation preparation techniques to help do this are considering one's 'best alternative to a negotiated agreement' (BATNA) and defining a 'zone of possible agreement' (ZOPA). BATNA lays out a course of action for a group to pursue if it cannot achieve a negotiated agreement and helps build awareness of where compromise is desirable. ZOPA defines the space within which an agreement should be possible. In all of this, external facilitation may be helpful.

9. In the Afghan case, the 2004 constitution will serve as the main frame of reference for the government, while the Taliban has criticised it as 'un-Islamic' and called for its replacement. Yet, consultations with various representatives and members of the Taliban indicate that their objections have more to do with the fact that the constitution was adopted under what they perceive as foreign occupation than they have to do with its actual contents. Opening up for revision parts of the constitution may be a necessary element in a peace process, but the focus should be selective and the purpose should be to conduct an inclusive adaptation process rather than to create a new set of principles for the Afghan state.

### **Ensuring an inclusive peace settlement**

10. The legitimacy and long-term resilience of a peace treaty are reflections of the inclusivity of the process that brought it about.
11. Many peace deals have fallen apart because only the key representatives of the parties engaged in fighting were privy to the talks. Inclusiveness is necessary for a number of reasons. It broadens the scope to incorporate the views and interests of groups other than those carrying out organised violence. It gives the parties an opportunity to clarify their positions and perhaps also modify them in response to reactions from various parts of the citizenry. Ultimately, when negotiating positions are formulated so that they clearly represent important popular concerns it directly plays into the negotiation dynamic and increases the likelihood that an agreed outcome can be implemented.

#### **Good reasons for including women:**

- Women constitute half of society;
- Women's rights are a key political contention;
- Female representatives and/or negotiators bring different skills, insights and experiences; and
- It is a clear pattern that peace negotiations with comprehensive female participation are both more successful and more robust.

12. Fostering inclusivity in the course of a negotiation process by engaging various segments of society is challenging. Inevitably, inviting broad consultations implies that there will be differences of opinion between and within different groups, which from a negotiator's perspective may seem to weaken one's position. Also, there will be particular sequences or elements within a peace process where the negotiating parties will depend on confidentiality. It is consequently vital to design a process carefully and to be able to flexibly adapt, in order to ensure solid anchoring with various stakeholders, at multiple levels of society, and at the right time in the process.
13. Ideally, consultations with various parts of society should take place well ahead of the onset of talks. Such consultations require time, and their virtual absence – or an established structure through which they can be organised if and when intra-Afghan talks get underway – is a worry in the Afghan case. The responsibility here lies not only with the government, but also with the Taliban as the main adversary. Ensuring mechanisms for broad participation should be a priority once the parties sit down to work out a framework for talks, building it firmly into the design while acknowledging the need for flexibility as talks develop. Again, external support and facilitation may be



useful, calling upon the parties to examine who could play such a role, and in what format.

## **Modes of engagement**

14. While the official political representation of the Taliban is of critical importance to progress, it is useful to cultivate multiple platforms of interaction that may precede or work in parallel with unfolding peace talks.
15. The establishment of a political office for the Taliban has greatly facilitated its contact with and exposure to a variety of actors. Security guarantees for those representing the Taliban in talks are necessary. In Colombia, the parties agreed to try to shield the dynamics of the talks from domestic pressures as well as from developments on the battlefield by holding them abroad in Havana, Cuba rather than in country.
16. Regardless of whether talks are hosted domestically or abroad, the question of a political office in-country will emerge. The government will be concerned both about the legitimacy such a decision bestows upon the Taliban and about yielding at the outset a concession that has been one of the central demands (even if merely process-related). The gains though are not negligible and include a firming up of the Taliban's commitment to a political process and its sustained exposure to wide segments of Afghan society.

### **Victims in the Colombian peace process:**

- Delegations of victims were invited to the negotiation table in Havana (total of five delegations of twelve members each);
- Delegations presented proposals on truth and justice, reparations, reconciliation and guarantees of non-repetition;
- Public ceremonies were organised where representatives of the FARC apologized to victims;
- Victim representatives became important advocates for the process and the agreement;
- Victims' rights were written into the peace agreement; and
- The participation of victims was a unique element in the Colombian peace process.

17. Similar concerns relate to the existence of multiple channels between parts of the Taliban and parts of the government. While these concerns are understandable, multiple tracks will be needed. In other peace processes the existence of functioning back-channels have proven instrumental when the negotiation process has stalled. Sustained parallel engagement in the form of a running Track II process has also proven useful in other contexts, such as in the peace negotiations in Tajikistan in the 1990s, where there was firm synchronisation between the two tracks in order to ensure that discussion in the unofficial track fed directly into the official one.
18. In the Afghan context, the idea of a commission consisting of individuals who have particular moral stature and have close relations either to the government or the Taliban, but do not hold any official position, is regularly circulated. Such a commission, for example, was instrumental in negotiating the 1993 Jalalabad Treaty. The commission idea has been introduced in different contexts and for different purposes, including as a precursor to an official peace process, as a parallel to it, or even as the main process (with respected individuals taking part in a personal capacity in a commission authorised by the parties). The commission idea is essentially a Track II mechanism and may be a good starting point for formalising exactly that, but only as part of a comprehensive design taking into account its interaction with Track I and with

other consultative mechanisms.

## **Securing neighbourly buy-in and international support**

19. Situated in a conflictual neighbourhood, an Afghan peace settlement can neither be negotiated nor sustained in the absence of concerted neighbourly backing, in tandem with mechanisms for long-term international support.
20. The Afghan conflict has domestic roots, yet its intensity and direction can only be understood in light of the roles played by the country's neighbours as well as more distant states. Afghanistan's recent history, in large part, emerges from its place between distinct regions with a security dynamic of their own, where each neighbouring state has engaged on the Afghan scene for reasons that may have more to do with the primary security concerns within their own region than with their bilateral relationship to Afghanistan. Yet, the dynamic in the neighbourhood is changing, and the potential for cultivating a new interconnectedness is increasingly understood, and manifested in the formation of new, as well as the expansion of old, regional bodies for cooperation.
21. Yet, the current urgency, particularly on the part of the US as the major provider of military and other forms of support to the Government of Afghanistan from 2001 onwards, raises serious concerns. One concern, expressed by many Afghans, is that the US will subcontract the role of security guarantor to the region. Hypothetically, a state could take on this role, but given the tensions within the larger neighbourhood it is virtually inconceivable that such a role would gain the necessary legitimacy. More relevant is the question of whether there is a larger regional body that has the necessary legitimacy, authority and means to both foster and maintain the necessary regional concert. An Afghan peace process faces the dual challenge of ensuring that concerns and tensions within Afghanistan's neighbourhood don't take the form of fundamental threats to it in the short-term, while simultaneously stimulating the longer-term process towards interconnectedness.
22. A related question is whether there is a need for support mechanisms that bring in actors from outside the neighbourhood, and if so, what the interface should be between various institutional platforms. In the Afghan case, there are particular security concerns, related to transnational militancy and terrorism, inevitably seen as a serious threat both by Afghan authorities and by countries far afield. Whether – or in what form – international security support should continue, will figure centrally in the peace process. The contrast to the early years after 2001 is striking, in that international actors are increasingly insistent that Afghanistan moves towards self-sufficiency, enabling them to reduce their support. This implies that the shape of external support during and after peace negotiations must be carefully calibrated to underpin the process.
23. In a number of other peace processes there have been various constellations where a limited number of distant actors have teamed up – 'Group of Friends' or 'Contact Group' are terms that have been used – to offer support. One interesting variety is 'hybrid groups', such as in the Mindanao peace process in the Philippines, where a body consisting of states as well as non-governmental organisations was established. In the Afghan case, the different actors have widely divergent opinions on who would be acceptable, and who would not, and agreement will not come easily. Various hybrid compositions are conceivable, perhaps even including one or several multilateral agencies and with the membership of different groups sequenced so that entities with a clear security mandate are only brought on board upon the acceptance of the parties.

## **Preventing the battlefield from overwhelming the negotiation table**

24. Bringing about a major reduction in the level of violence would greatly help a peace process, preferably through early mutual commitment to a ceasefire. In the possible absence of a ceasefire, given the complexity of the Afghan conflict, all parties must do their utmost to ensure that the process is shielded from the direct logic of the

battlefield by sustaining it even if significant levels of violence continue.

25. Death tolls from the Afghan conflict have been consistently increasing from 2001 to the present. One well-established global data-source on conflict fatalities, the Armed Conflict Location & Event Data Project (ACLED), reports a total of 43,574 deaths in 2018, attributing 30% of all conflict fatalities that year to Afghanistan alone, well ahead of the conflicts in Syria (30,638 ) and Yemen (26,623), which are number two and three on the list. <sup>1</sup> Any emergent peace process entails a risk that fighting will intensify as parties seek to strengthen their bargaining position, but the higher the levels of violence the harder it becomes to initiate, sustain and legitimise peace talks.
26. Much attention has been devoted to ceasefires, particularly by the government. The June 2018 Eid-ceasefire was important as it demonstrated a level of good-will on both sides, it indicated to many that future peaceful coexistence is not inconceivable, and it proved that the Taliban had the unity of command necessary to keep its commitments. Yet, a variety of attempts to bring about a prolonged ceasefire have not born fruit. In fact, if anything the intensity of fighting has increased throughout the past year, likely due to the Taliban's desire to strengthen its position if talks are to take place. Such an ability to regulate the intensity of violence goes both ways of course.
27. Ceasefires are a common instrument in peace processes globally. They are used for a variety of purposes, and at different stages in a peace process. In Colombia, for example, ceasefires have been a component in all peace processes from the late 1980s onwards, but have been almost exclusively declared by insurgents unilaterally, with the government, even in the final peace process with the FARC, entering into a ceasefire only when talks were completed. In the Philippines, with its two parallel conflicts (with the Communist Party of the Philippines and in Mindanao), ceasefires have been used extensively, and have generally been associated with an immediate – but not lasting – decline in violence.
28. Afghan peace talks depend on security guarantees for those who take part. Ideally, a significant reduction in fighting should also guide the peace talks, although as the Colombian peace process illustrates the parties can agree to shield the negotiating table from the battlefield. Ceasefires – declared unilaterally or undertaken on a mutual basis – will always be on the menu, but their possible impacts need to be carefully considered. These impacts can include undermining the internal cohesion of actors by threatening fragmentation for example, modifying the relative influence of alternative actors such as by empowering spoilers, and redefining the larger arena of conflict in different ways such as by instituting de facto territorial autonomy. Short of formal ceasefires, finding mechanisms – perhaps not as an integral part of the negotiating process but separate from it – by which to regulate the intensity of violence, is a possibility.

### **Using the momentum but acting strategically**

29. The initiation of talks between the US and the Taliban opens the path to an intra-Afghan political settlement virtually overnight, yet its success hinges on strategic wisdom, political patience and comprehensive involvement.
30. President Ghani and many others have expressed their frustration over the mushrooming of initiatives vis-à-vis the Taliban, from international and Afghan actors alike. This frustration, aimed at poorly coordinated and most often secretive initiatives, is understandable. Assuming the onset of genuine intra-Afghan peace negotiations, it is imperative that the process is well coordinated. It is also important that it is a comprehensive peace process, which is designed to allow consultation with a variety of constituencies at multiple levels of society, addressing all core issues and fostering ownership in the outcome of the process. Ultimately, a comprehensive process, while

<sup>1</sup> [https://www.acleddata.com/wp-content/uploads/2019/01/ACLED-2018-The-Year-in-Review\\_Final\\_Pub-1.pdf](https://www.acleddata.com/wp-content/uploads/2019/01/ACLED-2018-The-Year-in-Review_Final_Pub-1.pdf)



adding complexity, also significantly enhances the chances that a peace treaty can be successfully implemented.

31. While comprehensive involvement is important, it is equally important that the actual peace negotiations have a clear focus and take place between a limited set of people. That presupposes thorough strategic preparation on the part of all parties to the talks, possibly including the building up of competence both on the issues at hand and on how to structure talks, as well as mutual agreement on a framework defining.

## **Conclusion and next steps**

By early 2019, when Wilton Park hosted this conference on shaping the conditions for a political settlement in Afghanistan, talks between the US and the Taliban were underway, and a full-fledged intra-Afghan peace process seems more likely than at any stage in the 17 years that have passed since the 2001 intervention. The Afghan government and other relevant actors have invested considerably in strategic thinking and in establishing some of the institutional infrastructure needed for a negotiating process. Simultaneously, there is a deep sense of foreboding among large parts of Afghan society that a peace process will be insufficiently inclusive, that it may yield agreements on core issues that will be widely seen as unacceptable, and ultimately that a resulting peace treaty cannot be sustainably implemented. There is no time to lose in preparing for what will likely be, and what in order to be successful ought to be, a complicated process that will unfold over the next several years.

The key next step is for both the Afghan government and the Taliban to spell out a vision for a comprehensive peace process and to step up work on how such a process could be designed and mutually agreed. The process needs to include consultations at multiple levels and on all critical issues. At the national level, preparing for a structured Track II mechanism, which can be tightly synchronised with Track I talks once these are underway, seems imminent.

For other forms of consultations, such as this Wilton Park conference, bringing in representatives of the Taliban would add to their value. Simultaneously, at a regional level, it is of critical importance to anchor support for an Afghan peace process in existent institutions, in order to ensure that neighbouring states offer constructive support. In the wider international domain, there is a need to develop mechanisms that will realistically ensure continued support – in the political, security and economic domains – for implementing a peace process....

### **Kristian Berg Harpviken**

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