

An Insider's View: **Lessons from the Afghan Peace Process, 2001-2021**

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FOREWORD

Contemporary peacemaking has increased in complexity, with multidimensional aspects and the constantly changing dynamics at the local, national, regional and geopolitical level all having a direct impact on conflict trajectories.

To this end, the Folke Bernadotte Academy (FBA) established a Peace Process Fellowship programme to harvest lessons learnt from practitioners that have been directly involved in contemporary peace negotiations, mediation or implementation efforts globally. This was with the view to enhance the knowledge and practical craftsmanship of peacemaking, so as to adjust and adapt to dealing with the new challenges of contemporary armed conflicts.

The first FBA Fellowships have focused on debriefing the perspective of “conflict parties” themselves rather than the “third-party” mediator or facilitator, whose views have been frequently captured. The aim has been to understand how parties themselves viewed the peace process and events as they unfolded: What was going through their minds at the time? What calculations did they make? What constraints were upon them? How did the lives of a nation weigh upon them? What was foremost in guiding their decision making? The insights gained could help us strengthen local and national ownership of the peacemaking effort, a mantra that is often repeated but not always applied.

The author of this publication, Baryalai Helali, who was the Chief of Staff for the Afghan Negotiation Team, was the first such Fellow at FBA between 2022 and 2023.¹ As part of his Fellowship, Helali produced this publication as an independent expert, reflecting his own experiences and views and not those of FBA.

This insider’s view gives a fascinating account of the Afghan peace process by taking the reader into the backrooms and corridors of power in Kabul, before guiding the reader through the negotiating theatre in Doha. Along the way, it uncovers some of the challenges and dynamics at play during the negotiations with the Taliban. It highlights some of the challenges Afghanistan faced due to the shifting geopolitical calculations of global superpowers and the interests of countries in the region, while lamenting the bad choices made throughout the process by the Afghan government. Helali shares the deeply felt grief of the Afghan citizens at the loss of their Republic and the democratic values and ethos it was in the formative stages of establishing – albeit in a hybrid form, with elements of a “shadow state” present. Using the lens of an insider, Helali provides a front row seat to the events as they unfolded.

The peacemaking field continues to strive to become more professional and is constantly trying to improve its practice through adopting lessons learnt in order not to repeat the mistakes of the past. In that regard,

1 Please see Baryalai Helali’s Biography in Annex 1 below.

this publication provides a timely and important additional dimension to understanding contemporary peacemaking from the perspective of a “conflict party”. Together with other debriefings of third-party actors such as mediators, facilitators and observers, this publication contributes to forming a more complete view of contemporary peacemaking and helps further develop and improve our ability to support peace efforts.

This short publication – rich as it may be – is surely only a prelude to a more detailed postmortem of the Afghan experience of 2001 to 2021, that global peace support actors must undertake.



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INTRODUCTION

The case of Afghanistan – with all its complexity – is key to understanding the challenges in modern day peacemaking.

Afghanistan had been at war for more than two decades by 2001 when the Taliban rule fell, and the Islamic Republic of Afghanistan was established. Most Afghans believed that this was the end of conflict and the time for reconciliation. Instead, what followed was another two decades of war, while the country was simultaneously starting to build a democratic state, a modern economy and hope for a peaceful and prosperous future.

On August 15, 2021, the Taliban entered Kabul, overthrowing the Islamic Republic of Afghanistan, effectively ending the Intra-Afghan Negotiations (IAN) and the national progress of the previous twenty years. While the IAN were riddled with challenges, important lessons can be drawn from the negotiation process, that could inform the continued efforts for a fairer and more peaceful Afghanistan, as well as other challenging contexts.

Two-and-a-half-years after the fall of Kabul, I, Baryalai Helali², the former Chief of Staff for the Government of the Islamic Republic of Afghanistan's (GoIRA) Negotiation Team's Directorate, offer my reflections on the peace process to give an Insider's View of the Intra-Afghan Negotiations. The focus is on the government negotiating team's challenges within these negotiations and how they viewed the events

unfolding before them, and clarifying how and why they reacted in the ways they did.

It is important to note that the reflections in this document are the reflections of one single individual who was inside the room when it all happened. This document does not claim nor attempt to reflect the various perspectives of all those who participated in the process. Those who participated in the process, including my colleagues, are bound to have other perspectives on what actually happened – and they may certainly even have conflicting perspectives. My reflections in this document, do not dispute their perspectives.³

The document is structured into five sections, starting with a short introduction and background to the IAN. This is then followed by sections on the preparation for negotiations in Doha, Qatar and then the negotiations as they unfolded. The document concludes with a section on lessons identified from the IAN.

² See Annex 1 for Baryalai Helali's Biography.

³ This document and its contents do not present or reflect the policies or positions of FBA. These are the views of the author – an independent consultant – as he gives his first-hand account of the peace process in Afghanistan.

BACKGROUND

After the United States of America (US) Operation “Enduring Freedom” overthrew the Taliban in November 2001, it was assumed that the gathering of prominent Afghan leaders representing four competing factions under the auspices of the United Nations (UN) and the US, at the start of December 2001, in Bonn, Germany, would bring an end to the conflict. The Bonn Agreement provided for the peaceful transfer of power to an interim administration established for six months, headed by Hamid Karzai, and paved the way for the establishment of a Transitional Administration; the drafting of a new Constitution (after holding a Loya Jirga, the traditional Afghan instrument to legitimize actions); and the holding of free and fair elections – that saw Hamid Karzai become the first democratically elected President of the Islamic Republic of Afghanistan, in 2004.

THE TALIBAN INSURGENCY AND RECONCILIATION EFFORTS

Both Afghans and the international community, believed that the Bonn Agreement would allow for the establishment of a sustainable peace in Afghanistan. However, the Taliban had other ideas and instead launched a new insurgency phase as early as 2002. There was a significant increase in the number of casualties inflicted by the Taliban movement after 2006, and by 2008, at least 3102 civilians were killed in the armed conflict and suicide bombings. It became imperative for the Government of the Islamic Republic of Afghanistan (GoIRA) to address the insurgency and review its counter-insurgency policy. President Karzai, who was re-elected for a second term in 2009, believed that peace could not be brought about through war. He thus made national reconciliation a top priority.

Addressing Taliban Grievances

President Karzai initiated the “Tahkim-e Solh,” or “Strengthening Peace,” reconciliation program to encourage Taliban foot soldiers and midlevel leaders to take part in reconciliation and reintegration. This process required them to renounce violence and acknowledge Afghanistan’s Constitution. In September 2010, President Karzai established the High Peace Council (HPC) to address the grievances of the Taliban and offer them opportunities to reconcile.

The Afghan government’s strategy encompassed three pillars:

1. Strengthening of security and civilian institutions of government, by the GoIRA taking more responsibility for security, and thereby creating space to promote peace;
2. Creating political and psychological conditions for lasting peace; and
3. Strengthening national, regional, and international support and consensus for peace and stability.

The HPC’s head, Burhanuddin Rabbani, was assassinated in September 2011, by a suicide bomber posing as a Taliban envoy carrying a peace message for him. This incident dealt a serious blow to the attempts at reconciliation.

In 2009, under President Obama, the US altered their policies towards Afghanistan and Pakistan and defined their “overarching goal” as to disrupt, dismantle, and defeat al-Qaeda in Afghanistan and Pakistan and prevent its capacity to threaten the US and its allies in the future. To this end, the US pursued a military strategy to break the Taliban’s momentum



RNT Chief negotiator Mahammad Stanikzai, HNRC Chair Dr. Abdullah and members of the RNT, in Doha, Qatar

by increasing the number of US troops under the International Security Assistance Force (ISAF)⁴. This led to increased troops and strikes which pushed the Taliban back, but also created tensions between President Karzai and the US over the number of civilian casualties as a result of these strikes.

However, as promised by the US President Obama as he articulated his strategy in 2009, the US began withdrawing troops in mid-2011, and as a result, its bargaining chip for a negotiated settlement with the Taliban gradually began to dwindle. With the withdrawal plan in mind, the US significantly felt the urgency to find a solution to the protracted war. The US decided to change strategy and appointed Ambassador Richard Holbrooke in January 2009 to pursue a negotiation process as part of the US strategy.

AFGHAN-LED AND AFGHAN-OWNED PROCESS

President Karzai was eager to find a way to hold peace talks between the GoIRA and the Taliban and decided to find an “address” for the Taliban, who were elusive in Pakistan. The US was also pressuring President Karzai to allow the Taliban to open an Office in a regional country in order to allow the US to start talks with them. After a consultative Loya Jirga, in a press statement, President Karzai’s government agreed to the office for the Taliban in Qatar:

“Afghanistan agrees to talks between the United States and the Taliban, which will lead to the establishment of an office for the Taliban in Qatar, to save Afghanistan from war, conspiracy and killing [of] our innocent people, and to achieve peace.”⁵

The US government had expected the talks to gradually involve the Afghan government. However, the Taliban preferred speaking directly and only to the US, as they considered the Afghan government a “puppet” of the US.

As President Ghani was sworn into Office in 2014, his highest priority was peace. At the same time, the NATO combat mission in the framework of ISAF ended in 2014, and a new Resolute Support (RS) mission began in 2015. The new mission focused on training, advising, and assisting the Afghan National Defense and Security Forces (ANDSF).

In 2015, President Ghani had a four-track plan to achieve peace with the Taliban and Pakistan:

1. Build a national consensus for peace led by the HPC;
2. Improve Afghanistan’s relationship with Pakistan through confidence building measures;
3. Develop an international consensus for peace; and
4. Negotiate a power-sharing agreement with the Taliban followed by successful reintegration of former fighters.

4 The International Security Assistance Force (ISAF) was a multinational military mission in Afghanistan from 2001 to 2014. It was established by United Nations Security Council Resolution 1386 pursuant to the Bonn Agreement, which outlined the establishment of a permanent Afghan government following the US invasion in October 2001. ISAF’s primary goal was to train the Afghan National Security Forces (ANSF) and assist Afghanistan in rebuilding key government institutions; it gradually took part in the broader war in Afghanistan against the Taliban insurgency.

5 Office, President’s Press. “Government of Islamic Republic of Afghanistan.” Kabul: Press Office, 12 January 2012. Dari.

President Ghani wanted to normalize relations with Pakistan. He went to Pakistan to meet Prime Minister Nawaz Sharif early in his tenure, to encourage him to help revive peace talks with the Taliban that had stalled for almost a year. President Ghani, by visiting Pakistan, took a risky decision given the historical mistrust of Afghans toward Pakistan. However, he was convinced that he needed to make peace with Pakistan first and then with the Taliban. He said:

“The factory of interference must be closed in Afghanistan. In establishing peace, at first we want peace with Pakistan; peace with the Taliban comes next.”⁶

Nonetheless, Pakistan’s support for the Taliban insurgency in Afghanistan remained firm, and it helped spread violence slowly across the country, undermining the Afghan government and foreign partners’ ability to provide security. With time, President Ghani, like Karzai before him, became disappointed over Pakistan’s policy towards Afghanistan.

Former President Hamid Karzai had blamed Pakistan for its support of the Taliban insurgency in Afghanistan. He had emphasised to the international forces several times that the war in Afghanistan should not be fought in Afghan villages and homes, but instead, where the sanctuaries are – meaning Pakistan.

In early May 2015, the Taliban political office in Doha issued a statement which did not directly mention negotiations. However, it did seem to convey the message that the Taliban were ready for talks with the US.

Several attempts to bring peace to Afghanistan were initiated including the Heart of Asia Conference; the Quadrilateral Approach (QCG), made up of Afghanistan, Pakistan, US, China; and others. The HPC was reorganised to prepare for potential talks with the Taliban.

Signing a Peace Deal with Hezb-e-Islami

Peace talks between the HPC and the Hezb-e-Islami party (another insurgent party led by veteran Hekmatyar, but not connected to the Taliban), started in February 2016 and led to the signing of a peace

agreement in September. The Afghan government agreed to reform the electoral body, grant Hezb-e-Islami judicial immunity and request the UN Security Council to lift sanctions on Hezb-e-Islami leaders and members. This was an attempt to show the Taliban that they could have a stake in the political process if an agreement was reached through negotiations and thereby delegitimise their justification for continued war. The GoIRA considered this agreement a success and a step towards peace with the Taliban.

New Policy Towards Peace in Afghanistan

As Donald Trump became the US President in 2017, he called the US’ longest running war in Afghanistan “a war without victory”, and said the new policy was a path towards victory, not a policy for nation building.

Shortly after President Trump’s statement President Ghani announced his new policy towards peace with the Taliban. He would consider the Taliban a political party, not terrorists or insurgents funded by outsiders and his peace plan included a ceasefire; prisoner release; new elections; and a constitutional review. However, the Taliban rejected President Ghani’s reconciliation plan and prioritised talks with the US over the Afghan government.

In late January 2019, the US and the Taliban agreed on a framework for peace that was supposed to pave the way for the IAN and withdrawal of international troops from Afghanistan. This framework was never formally shared with the GoIRA and so the GoIRA remained uncertain about its content.

The Doha Agreement - Bringing Peace to Afghanistan

On February 29, 2020 the US signed the “Agreement for Bringing Peace to Afghanistan” with the Taliban. The agreement had four interconnected parts. The first two were guarantees and enforcement mechanisms to prevent the use of Afghan soil against the US and their allies, and guarantees, of foreign forces’ withdrawal timeline from Afghanistan. The second two parts specified the Taliban’s commitment to having a permanent and comprehensive ceasefire on the negotiation’s agenda of the Intra-Afghan Negotiations.

⁶ Faramarz, Samim. “Ghani Says ‘Peace with Pakistan Before Taliban,’” TOLONews, last modified July 11, 2017, accessed November 11, 2023, <https://tolonews.com/afghanistan/ghani-says-%E2%80%98peace-pakistan-taliban%E2%80%9999>.



RNT Chief Negotiator Mohammad Stanikzai receiving UN Special Representative of the Secretary General, Deborah Lyons.

The agreement undermined the legitimacy and sovereignty of the GoIRA. It elevated the Taliban from an insurgency to even possibly, a government in exile. In the second part of the agreement, the language used, such as issuing visas, passports, or permits by the Taliban, indirectly recognised the Taliban as a government with authority or a parallel government in exile. This significantly strengthened the Taliban's position.

The US agreed to release 5000 Taliban prisoners held by the Afghan government – without having consulted or agreed on this with the Afghan government. In most peace talks, the exchange of prisoners is done gradually as a confidence building measure and not all at once as the first thing. Nonetheless, the Afghan government was compelled to release the prisoners under strong US pressure. With the release of the prisoners, the Afghan government lost its leverage and credibility as a party and independent government, negotiating peace with the Taliban. The prisoners' release became one of the most time-consuming and difficult issues to resolve and delayed the start of the IAN in Doha.

The US agreed with the Taliban on the “formation of the new post-settlement Afghan Islamic government” before informing the Afghan government. This helped lead to the disintegration of an already fragile GoIRA and made the Taliban the center of any future political settlement. In return, the only thing that the Taliban

agreed to, was to not allow Afghan soil to be used to attack the US and her allies.

On the day that the Doha agreement was signed the GoIRA issued a Joint Declaration signed with the US Defense Secretary in Kabul, in which they noted the US-Taliban agreement was an important step toward ending the war. The joint declaration had four parts:

1. Guarantees to prevent the use of Afghan soil by any international terrorist groups or individuals against the security of the US and its allies;
2. A timeline for the withdrawal of all US troops;
3. A political settlement resulting from IAN, and
4. A permanent and comprehensive ceasefire.

With this declaration, the GoIRA had limited itself to the agenda and its four headings before even speaking to the Taliban. Further, the political agreement was sequenced before a “permanent and comprehensive ceasefire”, making it hard for the Republic Negotiation Team (RNT) to convince the Taliban or its US partners for a ceasefire before a political settlement could be reached. The UN Security Council's resolution to endorse the Joint Declaration and the Doha agreement reflected the same. Thus, the process was from the beginning, neither Afghan led nor Afghan owned.

THE INTRA-AFGHAN NEGOTIATIONS

PREPARING FOR NEGOTIATIONS

On March 29, 2020, after prolonged deliberations and consultations with all factions and influential sections of Afghan society, President Ghani appointed a 21-member negotiation team: The Republic Negotiation Team (RNT). The RNT was tasked with representing the GoIRA in the peace negotiations with the Taliban. The RNT was led by a Chief Negotiator, Mohammad Masoom Stanekzai. The team consisted of 21 members (17 men and 4 women).

The team of 21 members was made up of individuals from different ethnic groups, including Pashtuns, Tajiks, Hazaras, and Uzbeks. Among them, eight individuals (consisting of five Pashtuns, one Hazara, one Uzbek, and one Tajik) were introduced by President Ghani and his vice presidents. Dr. Abdullah Abdullah, who served as the Chairman of the High Council for National Reconciliation (HCNR), and his political allies such as Marshal Abdul Rashid Dostum and Mohammad Mohaqiq, had an equal number of representatives on the team as President Ghani. Out of the eight individuals introduced by Dr. Abdullah, there were four Hazaras, two Tajiks, one Pashtun, and one Uzbek. The Jamiat Islamic Party had two representatives, one Tajik and one Pashtun. The former President Hamid Karzai had one Tajik representative, while Hezb-e-Islami led by Gulbudin Hekmatyar had a Tajik representative - who never showed up. Lastly, the Islamic Front political party had a Pashtun representative with Arab origins. A

Secretariat led by a Chief of Staff, with 20 technical staff was appointed to support the RNT.

The RNT had two specific objectives:

1. Agree to a ceasefire and the reintegration of the Taliban, as was done with Hezb-e-Islami; and
2. Preserve the GoIRA's core values of a democratic state and prevent a Taliban takeover and re-establishment of an Emirate.

Two documents guided the work of the RNT: a bylaw or the internal rules and procedures, and a joint directive. The bylaw set the internal organisational structure of the RNT with four committees: (1) negotiation preparations; (2) media and public communications; (3) women and vulnerable groups; and (4) legal. The bylaw also appointed the head of the media and public communications as the committee spokesperson. The bylaw stressed that all members were obliged to maintain the confidentiality of the talks unless an agreement had been reached otherwise. In addition, members were prohibited from sharing meeting reports without the Media Committee's approval, unless a decision was made to make them public. The technical support team was responsible for keeping all documents secret.

The RNT members had different political and social backgrounds, representing a mixture of religious, political and social characters who, in-turn, were representing various entities such as political parties,

religious communities, civil society, and others. Almost half of them did not have any experience in peace negotiations and they lacked an understanding of the Taliban's power-politics. They believed they would defeat the Taliban by deluding them, with convincing arguments at the table.

Most RNT members were willing to work as one team to defend joint positions that may differ from their own politically oriented views. Nonetheless, despite this commitment and the internal rules and procedures, certain team members leaked sensitive information to media and their circles. Furthermore, some RNT members felt that the female members were responsible for women's rights issues and therefore the male members would not raise women's issues in the negotiations. Some male members were not even willing to be members of a committee defending women and vulnerable groups' rights. There was also a lack of trust between the various groups with questions of who they were individually reporting to, which led to a lack of internal cohesion.

The overlapping roles and responsibilities between the Chief Negotiator and the State Minister for Peace led to a discrepancy over the reporting channels. It was not entirely clear if the RNT was reporting to President Ghani or Dr. Abdullah - who had recently been confirmed as chairman of the of the HCNR. Whose orders were they to obey? This was reflective of the fractious political situation in the country that continued from the election fall out between President Ghani and Dr. Abdullah.

President Ghani and Dr. Abdullah Abdullah issued a joint directive in mid-June 2020. The directive tied the RNT to the peace policies of the GoIRA and stressed that no member of the RNT could take a position on behalf of a specific person or group. It authorized the team to prioritise agenda points. The joint directive also provided the RNT with an 18-Point Guidance on negotiation strategy and tactics.⁷

The RNT had sought early negotiations with the Taliban bearing in mind the imminent US withdrawal. However, the IAN did not begin on March 10 as planned, as the delays in releasing the Taliban prisoners had

stalled the process. In order to release all the 5,000 Taliban prisoners including 400 notorious individuals, President Ghani called a Loya Jirga and the delegates agreed to the release of the prisoners on the following conditions:

- ▶ With the release of the prisoners, direct negotiations must begin immediately and without any excuses;
- ▶ An immediate and lasting ceasefire should be enforced and the international community, especially the US, should fulfill its commitments to Afghans for peace;
- ▶ The achievements of the past the 20 years should be preserved during the talks; and
- ▶ The principles of democracy and republicanism and the fundamental rights of the citizens enshrined in the second chapter of the constitution should be preserved.

Curiously enough, the Loya Jirga produced the exact results that the GoIRA had been looking for.

INCLUSION OF CIVIL SOCIETY

To include Civil Society in the IAN, the RNT had to provide a policy framework for civil society engagement in the peace talks. The RNT needed a mechanism to involve civil society at the national and sub-national levels as important stakeholders in IAN before, during, and after the talks.

The RNT understood that civil society could play an important role in: 1) reaching out and engaging Afghans across Afghanistan before the peace talks and conveying their concerns before and during the talks; 2) raising the Afghans' voices during the talks by ensuring Afghans' concerns were conveyed to the negotiating table and that they were understood by the two negotiating parties; and 3) consolidating peace after reaching a peace agreement in Doha.

In preparation for the peace process, large numbers of Afghan civil society organisations constantly lobbied various parts of the government to be involved in the negotiations as they felt left out and frustrated by the rapidly changing military and political environment. They were concerned about the ongoing or future role of civil society, especially in light of the evolving

7 See Annex 2 for the full 18 Point Guidance.



RNT led by President Ghani's Peace Envoy, Salam Rahimi in discussion with senior European Union officials in Doha, Qatar.

dynamics of the peace talks between the US and the Taliban. The lobbying was uncoordinated and the RNT felt it was impossible to manage the wide variety of different organisations, and at the same time focus on the negotiations. However, as preparations were ongoing, the RNT was approached by some key civil society organisations that had already come together in a consortium to create the Afghanistan Mechanism for Inclusive Peace (AMIP). An independent, impartial, technical, inclusive peace-support mechanism that represented a large number of civil society actors from across Afghanistan.

Afghanistan Mechanism for Inclusive Peace (AMIP)

It was the understanding of the RNT that AMIP had cooperation agreements with all major civil society umbrella organisations as well as Diaspora Groups and organisations in refugee camps in the region. AMIP did not represent everyone in civil society, but as an inclusive transfer mechanism, it was open to (and collected), input and participation from every willing civil society actor and sector across Afghanistan including women, youth, tribal and religious leaders, the business sector and others. AMIP always strongly pointed out that it needed to keep its neutral stance and continue to offer constructive criticism while also giving concrete assistance to the peace talks. The RNT signed an agreement with AMIP to act as the impartial

Transfer Mechanism for the negotiations and AMIP had an understanding with the Taliban Political Commission (TPC) to do the same.

AMIP helped the RNT reach out to people on the ground in Afghanistan, including civil society, traditional leaders, local communities, religious leaders and even Taliban sympathisers in the districts and provincial capitals (not only Kabul), to learn their grievances and how their concerns and voices could be raised at the negotiating table. AMIP helped organize a few significant consultation events with the broad Afghan population before the formal negotiation started and facilitated several interactions between civil society and the RNT during the talks in Doha. AMIP brought a small civil society delegation to Doha and met with both parties and agreed to return with a larger and more representative group. AMIP consistently worked to make a link between the negotiations and the Afghan people and the RNT found them to be organised, structured, systematic, and conflict-sensitive.

Ulema Involvement Initiative

The religious community in Afghanistan is one of the oldest and most prominent voices among civil society across the country. By taking part in conflict resolution or by guiding the parties involved in the negotiations, religious leaders or the Ulema had the

potential to make significant contributions to enhance the progress of the peace talks.

After several impasses in the second round, the International Norms Project (INP, a research project by the London School of Economics, Uppsala University and FBA researching the commonalities between International Norms and Islamic Jurisprudence), suggested that the Republic and Taliban Negotiating Teams be engaged by the International Union of Muslim Scholars (IUMS) in Doha.

They suggested that a series of symposiums with the IUMS and transitional leaders from other Muslim countries that had gone through similar transitions, may allow the parties to look at ways to reconcile the current Afghan constitution - which was positive to international norms based on Human Rights - with Islamic jurisprudence which they found to have many common aspects. Given Afghanistan's rapidly changing military and political environment in 2021, it was not possible to explore this further.

THE NEGOTIATIONS IN DOHA

On September 11, 2020, the RNT left Kabul for Doha to start talks with the Taliban. On September 12, the official opening ceremony of the long-awaited Intra-Afghan Negotiations was held. While addressing the IAN inauguration, HCNR chairman Dr. Abdullah, said going back to the past was not an option:

“The Constitution of the Islamic Republic of Afghanistan, democracy, elections, freedom of speech, women's rights, minorities' rights, rule of law, civil rights and human rights are the biggest achievements of Afghans. Preserving and improving these achievements will help us build a government that is based on the Afghan people's free will.”⁸

Mullah Baradar, the Head of Taliban political office in Qatar said that the Taliban had adhered to and acted on the Doha agreement with the US. He stated clearly that the negotiation process may have problems, but their desire was that the process must proceed with patience.

First Round of Negotiations - Impasse Over the Rules and Principles

After the opening ceremony, the two teams met, exchanged greetings and briefly discussed next steps. The RNT emphasised that both sides needed to agree on a set of rules to frame and guide the talks, and handed over a whitepaper proposing seventeen rules.

The Taliban negotiation team immediately agreed with the RNT rule that the IAN did not need to be externally facilitated in order to preserve Afghan ownership of the process. The GoIRA did not want any third-party involvement, in order to try and wrestle back some ownership of the process, that they had up until this point, been excluded from. Some of the RNT's international advisers had also advised the GoIRA that a mediator/facilitator was not necessary, and this strengthened the RNT's resolve around this point. Both parties agreed on this point of having no external facilitator. The Taliban promised to come back with a response on the other proposals.

The two teams met again on September 15 to discuss rules and principles. The discussion shifted focus to questioning the purpose/basis of the negotiations. The Taliban insisted that the talks were based upon the Doha Agreement signed between the Taliban and the US. This was totally unacceptable to the RNT who argued that the negotiations were based on the request and will of the Afghan people for an end to the war articulated in the Loya Jirga; as well as the Joint Declaration (US/NATO and GoIRA, 29 February 2020); and the UN 2513 resolution. For more than two months, and despite interventions by US, Qatar and the Host Country Support Group⁹ officials, the two teams could not agree on two specific issues:

1. The basis for IAN; and
2. Point five on the agenda: If there is a disagreement over the interpretation of Islamic literature, a joint committee of religious scholars from both parties would decide.

It was not until November 17, at an informal dinner between the two parties, that an agreement was reached on what the basis of the IAN would be. This was done by a committee of four (two RNT and two

8 Abdullah, Abdulla. Opening remarks at opening ceremony of Intra-Afghan Negotiations, September 12, 2021.

9 The Host Country Support Group consisted of the following countries: Uzbekistan, Indonesia, Germany and Norway.



HNRC Chair Dr. Abdullah at the negotiations opening ceremony at the Sheraton Hotel, Doha Qatar, 12 September 2021.

Taliban negotiators), who were given delegated authority from the two Chief Negotiators, to negotiate and agree on this basis of the IAN, there and then, in a side room at the dinner. The committee of four left the room and returned 30 minutes later having agreed upon the four points below as the basis for the IAN:

1. The Doha Agreement reached on February 29, 2020;
2. The wish of the Afghan people for sustainable peace;
3. The commitment of both Afghan negotiating teams for sustainable peace; and
4. The repeated request of the United Nations for sustainable peace.

The discussion over the basis for the IAN ended there and led to an agreement on the rules and principles, which was considered a breakthrough. At the Afghanistan Conference held in Geneva on 23-24 November 2020, the international community reaffirmed its long-term commitment to supporting Afghanistan in seizing this historic opportunity on its path to peace, prosperity, and self-reliance.

However, on reflection a few weeks later, the RNT realized that the agreement did not explicitly mention any of the key documents the RNT had been arguing for. Namely, the Loya Jirga; the Joint Declaration (US/NATO and GoIRA, 29 February 2020); or the UN 2513 resolution. The only document that was explicitly referenced was the Doha Agreement between the US

and Taliban. The RNT felt duped and realised they had to be on their guard in further negotiations.

On November 26, the two teams exchanged their IAN agenda points for the second round. The Taliban agenda had 24 points, whereas the RNT agenda had 16. The Taliban agenda was dominated by issues around the establishment of an “Islamic government,” with the ceasefire being the last issue to be negotiated. On the contrary, the RNT prioritized a ceasefire as the first agenda point. Apart from the tension between the two sides on what should be negotiated first, these agenda lists were very long. It would take years to negotiate such long agenda lists, yet time was very limited. The limited negotiations experience in the RNT was showing itself again. Advisers to the RNT, advised them to shorten the list (by clustering some of the points), to make it manageable.

In order to try and break the deadlock on sequencing and at least get the preparatory aspects of the negotiations moving, the RNT wanted at least two parallel committees to discuss the agenda points simultaneously. The Taliban rejected this proposal and insisted on discussing each agenda point one after the other - No parallel negotiations. It was therefore difficult to develop a joint process and schedule for the second round. The Taliban were confident that the Americans would eventually leave Afghanistan and they knew that discussing one item after another would buy them enough time for the complete withdrawal of US and NATO forces.



Three of the four women negotiators in the RNT. Ms. Fatima Gailani, Ms. Sharifa Zurmati and Dr. Surabi discussing inclusion with FBA's Senior Adviser, Eldridge Adolfo, during the negotiations in Doha, Qatar.

The first round ended on December 15, 2020. The Host Country Support Group's role in helping the two teams overcome the impasse had little or no effect. The two teams issued a joint statement announcing the break and set the date for the next round.

Second Round of Negotiations - Towards a Deadlock

The second round of IAN began on January 5, 2021. A few members of the RNT met with the Taliban to discuss the next steps. The Taliban asked not to rush things because their senior negotiator was still outside Qatar and would return soon with good news. During his absence, the RNT concentrated on technical issues such as sequencing and parallel formats to help create a favorable environment for intensive negotiations.

In mid-January the Taliban chief negotiator returned and the RNT eagerly awaited to hear the promised "good news". However, there was no news at all. Instead, in the first meeting of round two, the change of attitude in the Taliban was visible. The RNT understood that the Taliban negotiators had met with commanders and warriors between the two negotiation rounds and were instructed not to negotiate the way they did in the first round that led to an agreement on the Rules and Principles.

Between January and the end of February, the two teams held three formal meetings to try and start the negotiations. The Taliban used delay tactics and often said that they had to check every single minute issue with their headquarters before a decision could be made. They also inserted the prefix of "Islamic" in all discussions but could never fully articulate what they meant by that. This was the same throughout the negotiations, in that they would never clarify what their actual position was on anything. These delaying tactics frustrated the RNT who could not find a way to get the Taliban to engage in constructive negotiations.

The RNT became increasingly anxious about what would happen in light of what they perceived to be a new stalemate given that: 1) the Taliban were clearly stalling; 2) the lack of clarity of the incoming Biden US administration's evaluation of the Doha agreement; and 3) the growing bloodshed in Afghanistan. The majority of RNT members concluded that without a reliable facilitator, IAN would become exceedingly confusing and frustrating.

Lacking a Roadmap for Peace

The RNT knew that the new US administration would receive some pessimistic briefings about the uncontrollable violence in Afghanistan, divisions inside the GoIRA and the slow pace of the peace talks in Doha. The GoIRA was also aware that the new US President, Joe Biden, had long opposed the presence of US troops in Afghanistan, while he was Vice President.

The leadership in Kabul lacked a well-defined and articulated roadmap for peace, and how to get everyone behind it. The Afghan government failed to offer the RNT and their international partners a credible vision for ending the war. The US also failed, as a credible partner, to support the development of an Afghan led and owned peace vision. Instead, it dictated the peace terms to the Afghan government.

Effective communication channels between Kabul and the negotiation team during the negotiations was always a challenge. The RNT chief negotiator, Mohammad Masoom Stanekzai, President Ghani's peace envoy, Abdul Salam Rahimi, and the Minister for Peace Affairs were in constant communication with President Ghani and Dr. Abdullah. However, the RNT could rarely get a clear update on the leaderships position or its instructions on specific issues concerning negotiations with the Taliban. It might have been the difficulty of reaching consensus between the various power brokers in Kabul that made things unclear. Thus, the RNT returned to Doha with a peace vision that was as clear as mud.

In December of 2020, US Congress created the Afghanistan Study Group under the legislative authority "Afghanistan Peace Process Study Group" to provide President Biden with policy recommendations for pathways to peace or an alternative course.

It was reported that the Study Group proposed a US military withdrawal from Afghanistan that would protect US interests by building on the IAN. It recommended that the US government make concessions to the Taliban and, most importantly, pressure its Afghan allies in Kabul. The RNT understood that the report presented policy recommendations for peace in Afghanistan and provided the US government with three alternative pathways: 1) A recommittal to the state: preserve, improve and



The Taliban Negotiation Team in the negotiations room at the Sharq hotel, Doha, Qatar.

recommit to the existing constitutional order; 2) a calculated military withdrawal: leave while prioritizing US interests and mitigating risks with nonmilitary means; and 3) a washing of hands: prompt military withdrawal and diplomatic disengagement. The US opted for the “washing of hands” option.

While this was not totally unexpected by the RNT, it still came as a surprise when the announcement was made. The disheartened members of the RNT felt they were being betrayed by their US partners, who had long claimed to be partners for peace in Afghanistan. They were shocked by how a partner could make a sea-change in its partnership, and instead opting to leave altogether. The Republic felt that the US had clouded up the peace process by the announcement. The little hope left for support from the US evaporated. Faced with an extremely short time frame and an aggressive Taliban in the battlefield, the RNT became desperate to quickly find some sort of negotiated resolution, although some began to understand that it was too late now and even suggested walking out of the negotiations.

The US Special Representative to Afghanistan, Zalmay Khalilzad, met with the outraged RNT. He tried to address the team’s concerns by saying he believed that after the withdrawal of international forces, the

Afghan National Army would not disintegrate as it disintegrated after the Soviet troops left Afghanistan. He said that with the withdrawal of the Soviet troops, the aid was cut off, but the American aid would continue with the Afghan National Defense and Security Forces (ANDSF).

The US peace and war policies toward Afghanistan were short lived and more reactive in nature to the deteriorating security situation rather than proactive to prevent negative trends from developing. To overcome the deadlock in the talks, the US Special Representative came up with a proposal - The Istanbul Conference on the Afghan Peace Process.

The Istanbul Conference on the Afghan Peace Process

In early March, the US Secretary of State sent a letter to President Ghani asking him ‘to move matters more fundamentally and quickly’ to achieve a political settlement.¹⁰ He urged President Ghani to ‘develop a constructive position’ on the written proposals that US Representative would share with him encompassing the foundational principles guiding future constitutional arrangements, a roadmap to a new inclusive government, and the terms of a comprehensive ceasefire. To reach a peace agreement, he wrote “we will ask the government of Türkiye to host a senior-level meeting of both sides in the coming

10 Blinken, Antony J. to Ashraf Gani, March 2021. Available at ToLOFnews, accessed November 23, 2023, <https://tolonews.com/pdf/02.pdf>.

weeks”. In the end of his letter, he warns President Ghani of the worst case-scenario if a peace agreement is not achieved.¹¹

On March 18, 2021, representatives of US, Russia, China and Pakistan met in Moscow as part of an “extended Troika” to discuss the peace settlement in Afghanistan. A sense of urgency by Russia and China was evident in the talks. In a joint statement the participants asked for an immediate discussion on fundamental issues to resolve the conflict including the foundation of a peaceful and stable Afghan state, the content of a political roadmap to an inclusive government and modalities of a permanent ceasefire. Nonetheless, the deadlock in the negotiations in Doha continued.

Given the stalemate, the US pushed for the conference in Türkiye where both sides of the IAN could quickly agree on important headings of a peace agreement, and the agreements details could be worked out later in Doha. Türkiye, Qatar, and UN as co-conveners planned to hold the event from April 24 to May 4, 2021. The conference would invite leaders of the GoIRA and the Taliban with the goal of an agreement between the two sides on a framework for a political settlement that would end four decades of war.

Facilitation had been an issue from the very beginning of IAN, and the RNT was convinced that the talks in Türkiye needed strong facilitation. Acknowledging the IAN needed a “credible and neutral mediator,” President Ghani stressed that the IAN in Doha had reached an impasse because they lacked a mediator. The Afghan government saw the Türkiye conference as an opportunity to introduce firm facilitation via the co-conveners.

The conference would focus on 1) establishing a set of shared, founding principles that reflected the two parties’ shared vision for Afghanistan; 2) developing a political roadmap that establishes the elements of a political settlement; and 3) putting an end to violence. The parties were expected to agree on a political roadmap outlining the timeline and modalities by the end of the Istanbul conference. In a meeting, the co-conveners outlined principles, in a concise

form, as founding principles for a shared vision for Afghanistan:

1. Both sides recognising the Afghans’ demand for an end to the war, a political settlement and permanent ceasefire to bring peace to Afghanistan,
2. Agreeing to a shared goal of a united, peaceful, stable, sovereign, independent, Islamic, and representative Afghanistan,
3. Islam is the official religion of Afghanistan, and the peace agreement will be in conformity with Islamic principles,
4. Both sides committed to a participatory, representative, and inclusive government, decided by all Afghans,
5. All future political systems will reflect that diversity by ensuring equal rights for all citizens without discrimination. Women’s rights will be preserved and advanced within Islamic beliefs and Afghanistan’s international duties,
6. Upholding human rights, and acknowledging millions of victims on both sides and their rights,
7. The future government will pursue equitable, socio-economic development,
8. Afghanistan will establish friendly relations with its neighbors with the international community. Afghanistan will never become a threat to other countries,
9. These principles will be translated into transitional arrangements and a final political settlement will be reached in an atmosphere of nonviolence and mutual respect.

Through the tone of the letter from the US Secretary of State, the Afghan government sensed the urgency of the US for a quick fix to their Afghan problem. However, this became even more urgent for the Afghan government after the US decided to unconditionally remove all the troops by 9/11, 2021. The Taliban’s unwillingness to negotiate in good faith had been a major problem and this announcement was as another major setback for the GoIRA. President Ghani was now readier than ever before, to make a compromise. He went so far as to promise that he would not run in an election and would gladly resign as president before the end of his current term, if an elected successor had a mandate for peace.

11 Blinken, Antony J. to Ashraf Gani, March 2021. Available at ToLOFnews, accessed November 23, 2023, <https://tolonews.com/pdf/02.pdf>.



The RNT with high-level representation from Kabul, enter into the final rounds of negotiation at the Sheraton, Doha, Qatar.

By May 1, as the US and NATO began withdrawing their forces, the security situation rapidly deteriorated day by day. Despite the Taliban's promise not to attack district and provincial capitals, they began to overrun districts one by one. By mid-June, the Taliban had already taken control of an additional 50 districts across Afghanistan, and in Doha the impasse continued.

The Taliban understood what the Türkiye Conference, and a roadmap for reaching a political settlement meant. They knew the May deadline was approaching, and that the US led international players wanted to test their will in the Türkiye Conference for a political settlement.

The Taliban chief negotiator along with a few others in his team, left Doha for Pakistan, to consult with the leadership on whether the Taliban should participate in the Türkiye conference or not. In mid-May the Taliban in Doha informed the RNT that they would not participate in the Türkiye conference. The RNT decided to go to Kabul and seek advice on the way forward, given the Taliban response, the US withdrawal and the deteriorating situation on the ground in Afghanistan.

During the four and a half months of talks, there had been no or very little progress. The two teams could

only agree on 'Preventing stoppages and targeting of people on routes they travel', 'Shariah and basic rights of captives and prisoners' and finally, 'prohibiting those punishments that are arbitrary and contrary to the laws at the time of execution'.

Third Round – The Knockout Round

The third round of talks with the Taliban began on June 1, 2021. The RNT felt tense as they saw districts falling into the hands of the Taliban with no progress in the talks. To the RNT, the Taliban military campaign was "to enable them to have the upper hand at the negotiating table," which was a miscalculation of the Taliban's actual goal of taking over the whole country. The RNT was convinced that in this round, they had to discuss (1) the issue of the facilitator; (2) the principles of an inclusive government; and (3) the ceasefire and prisoner exchange.

However, the RNT found resistance on all three fronts. The Taliban were not inclined to have a facilitated end to peace talks. They would only agree to a ceasefire and an inclusive government after the foreign troops' withdrawal was completed. Nevertheless, the RNT was determined to have the UN and Qatari government help facilitate the process, but needed to find a way to get the Taliban to agree to this.

The RNT was informed on June 14 that a high-level government delegation would soon visit Doha in order to try and speed up the process. The UN Secretary General (UNSG) Personal Envoy to Afghanistan and the Region, Jean Arnault, would also come to Doha around the same time to help the peace process and discuss facilitation.

The high-level delegation led by Dr. Abdullah visited Doha, and held rounds of talks with the Taliban on June 17 and 18 with the help of UN, Qatari Special Envoy and the US team in Doha. Dr. Abdullah told Mullah Baradar that the RNT was ready to discuss the political settlement in detail along with the ceasefire. In response, Mullah Baradar emphasised discussing a new constitution.

On June 19, Qatar was proposed as a mediator rather than facilitator, with UN involvement. As the discussion over who should lead the mediation continued, the Taliban were seizing more territories, and the Afghan government security forces' morale was sagging.

Amid the talks, President Ghani and Dr. Abdullah paid a crucial visit to Washington to seek President Biden's assurances for backing the ANDSF, to reverse the Taliban military gains, and accelerate the peace process. President Biden said the US and Afghan partnership was not ending and would be sustained. He noted that, although US troops were leaving Afghanistan, support for Afghanistan would continue in terms of maintaining the Afghan Army as well as economic and political support. However, President Biden said the Afghans needed to decide their fate on their own account.

The Taliban were not responding to the Host-Country Peace Support Group to clarify their peace and war intentions and they rejected the idea of a UN-Qatari facilitation/mediation role. As they saw a military victory on the horizon, they believed the time for 50-50 power-sharing or transitional government was over.

The RNT had long argued that the regional countries needed to be engaged to prevent them from spoiling the Afghan peace negotiations. Nevertheless, the RNT understood that it was too late to do so now, as

it seemed as though the Taliban had reassured these nations that they posed no threat to them.

Communications with the general population was not constantly and effectively done. Not much information about what was going on in the negotiations was shared with the public. Had the public had some information about the way the Taliban had been negotiating, this may have helped put pressure on the international community to get the Taliban to take the negotiations seriously. Discussions with AMIP to bring a group of civil society actors to Doha were underway, but there was a delay in sorting out their visas. It was all too late now.

End of the Talks - The fall of Kabul

On June 30, Afghanistan's foreign minister, sent a letter to his Qatari counterpart, and formally requested his government's support in mediating the peace talks. Again, the Taliban did not accept that Qatar play the role of mediator.

The far too-late UN peace diplomacy started just when, behind schedule, the UNSG Personal Envoy arrived in Doha in late July. As he arrived, he held a meeting with the RNT senior members, where he was told that the Taliban rejected the UN mediation or facilitation role. The UNSG Personal Envoy, a very experienced international mediator, said that the international community's lack of reaction to the developments was a concern.

On August 3, US Secretary of State, Blinken, called President Ghani and emphasised the need to accelerate the peace talks in Doha. Both blamed the Taliban for their offensives and lamented the loss of innocent Afghan civilian lives. The Secretary of State and President Ghani agreed to remain in close contact given the situation in Afghanistan. With the Taliban on the march and approaching the capital cities, the situation on the ground in Afghanistan was looking gloom.

Even though the provinces were falling one after the other to the Taliban, the RNT still hoped that the IAN would result in a political settlement. The Extended Troika in Doha was the last international effort, just days before the fall of Kabul. The UN and Qatar organised the event from August 10-12 and was

attended by Dr. Abdullah Abdullah and his Taliban counterpart Mullah Baradar. The meeting agenda was to reach a political settlement and end the Taliban's ongoing onslaught in Afghanistan. It was reported by an RNT member that while speaking on the occasion, Dr. Abdullah said:

"Taking into account the experience of the Republic negotiating team and my personal experience from the last meeting with the Taliban, we have concluded that the Taliban are using the negotiations to save time and do not want to enter into negotiations on the main issues.... The Taliban's first goal was the withdrawal of international forces...and their second goal was to gain power through military means. The question here is whether you see a change in the will of the Taliban or not. Their words contradict their actions."¹²

The Taliban excused themselves once again, explaining that they needed more time to discuss a political settlement with their leadership. On the last day, the Extended Troika issued a statement pressing both sides to reach "a political and comprehensive ceasefire as quickly as possible". The statement denounced the Taliban attacks on provincial capitals and reaffirmed they would not recognize a government that has come about through the use of force.

IAN officially ended after the Extended Troika failed to make a breakthrough. On August 12, President Ghani called Dr. Abdullah to return to Kabul "now", as the situation was getting out of control. The RNT members and their secretariat staff were utterly broken and confused. They were convinced that they and their family members would face a fate worse than death as the fall of Kabul became imminent.

President Ghani met with former President Karzai, Dr. Abdullah, and Jihadi leaders on August 14. They asked President Ghani to delegate full authority to a high-level delegation to urgently go to Doha and hold talks with the Taliban to prevent further bloodshed and move to a peaceful transition of power. But by then, the Taliban had already reached the doorsteps of Kabul.

On the day of the collapse, Taliban members of the political office tried to speak with the RNT members to assure them of their safety and security if they wanted to return to Afghanistan. The Taliban chief negotiator invited his counterpart from the RNT, to meet him and issue a joint statement that the IAN peacefully and amicably ended, and now everyone would work towards ending hostilities and living in harmony.

The RNT Chief Negotiator went to the Taliban political office the next day but refused to issue such a statement, believing it was inappropriate given the Taliban takeover of Afghanistan by force. After the RNT left the Taliban office, they were contacted again by the Taliban to write something that would indicate the IAN had ended officially and that the two teams would now work for lasting peace and prosperity in Afghanistan, but the RNT refused to do so.

President Biden held a press conference on August 16, arguing that the withdrawal of the forces and the collapse of the state in Afghanistan, was due to a deal he had inherited from the previous administration. He further explained that the Afghan military collapsed and that the political leaders had given up and fled, and as such, the American troops would not fight in a war that the Afghan military forces were not willing to fight themselves.

On August 17, Zabiullah Mujahid, the Taliban spokesperson, held a press conference to address the confusion among the residents of Kabul and internationals on how the Taliban would treat them. He announced that the Taliban had pardoned everyone who had fought against them and that they didn't want to continue any conflict.

On August 18, President Ghani emerged from the United Arab Emirate (UAE), having fled Afghanistan on the afternoon of the 15th. In a video message, he said if he had stayed in Afghanistan, Afghans would have witnessed the President hanged once again, alluding to the execution of former President Najibullah by the Taliban in September 1996. He stressed that the Afghan security forces did not fail him, but rather

12 Abdullah, Abdulla. Remarks at extended troika meeting, August 10, 2021.

“It was the political elite of the government and the international community who failed.”¹³

Millions of Afghans began to panic as they understood that their lives would change dramatically, especially the role and freedom of women in society. Women had become accustomed to engaging in education, work and all activities in socio-economic and political life, which they knew the Taliban would clamp down on. People were also angry with the GoIRA and felt that they were let down by it simply collapsing and its leaders fleeing the country. People felt they were left alone, vulnerable and many had nowhere to turn to.

Thousands of Afghans, including those who either worked for the international forces or served in senior government positions, rushed to Hamid Karzai international airport to be evacuated by the US led coalition forces. People were taking desperate measures to flee Afghanistan, including three young Afghan men who fell from a C-17 US military aircraft as the plane took off. They were hanging onto the airplane’s wheels. The Taliban urged Afghans fleeing Afghanistan to stay and considered the US evacuation of Afghans as contributing to a brain-drain.

In October, the US Special Representative to Afghanistan, Zalmay Khalilzad, announced his resignation. He was accused of agreeing with the

Taliban to withdraw US forces from Afghanistan without setting any conditions for a ceasefire and peace settlement between GoIRA and the Taliban. The US Special Envoy argued that the Doha agreement provided “a road to peace” and a “historic opening for serious negotiations between the GoIRA and the Taliban to end the war.” He said he was “saddened on behalf of the Afghan people” that the Afghans had not taken advantage of the chance to negotiate a peace agreement. He believed that the collapse of the state was regrettable, but it was not the final chapter. Nonetheless, to the RNT and most Afghan politicians and officials, the US Special Representative and his Afghan political manners, resulted in ambiguities amid IAN and disagreement among Afghan politicians.

The Afghans’ sacrifices since the Soviet occupation are the most painful stories of a nation trapped in a cycle of crises, forced from outside and facilitated from within. 9/11 changed the world overnight and allowed Afghanistan to escape the casual nexus of instability. Significant progress had been made in almost every sphere of life in Afghanistan with the help of the international community. However, these gains were fleeting. After 20 years of investment, the Taliban are in power again, and Afghanistan is *again* in deep social, political, and humanitarian crises.

13 Bloomberg, “Afghan President Ghani Says He Abruptly Fled Kabul to Avoid Being Hanged, uploaded August 19, 2021, YouTube video, <https://www.youtube.com/watch?v=UV2j509c0E4>.

LESSONS LEARNED

While the peace process was frustrating and ultimately failed, there are some lessons that can be drawn from the process, and hopefully used to help future peace processes. This document recognises that every case is context specific and does not recommend or suggest that anyone should simply copy and paste these lessons and directly apply them in other cases/contexts. Instead, it is hoped that the general lessons drawn, can help others think through their engagement in peace processes they are involved in.

- ▶ **Seize the Opportunity - Make Peace when in a Position of Strength:** To achieve sustainable peace in a conflict that includes intra-state parties, one will need to eventually reconcile the intra-state parties as they will need to co-exist in the same country going forward. Most Afghan and UN leaders were convinced that the Taliban were ready to reconcile in 2002 and 2003 when they were weak. The UN Special Envoy for Afghanistan, Lakhdar Brahimi, stated that it was a mistake not to offer amnesty to Taliban in those years.

From the fall of the Taliban regime up until 2009, the political climate inside and outside of Afghanistan was such that, in international circles, working with the Taliban for peace in Afghanistan was seen as a crime. This severely restrained the GoIRA (whom were heavily reliant upon the international community), from pursuing peace with the Taliban during this period, despite

respective Afghan presidents wanting to do so. This was a missed opportunity, as the international community started peace talks when they were in a position of weakness due to their urgent desire to leave Afghanistan.

- ▶ **Necessity of Pre-Negotiations:** There were no pre-negotiations between the GoIRA and the Taliban. The process went immediately into direct negotiations on substantive issues without either side being able to get to know each other, test the commitment to a peace process from the other side, or establish reasonable parameters within which to start negotiations. The RNT did not really know their negotiating counterparts as negotiators, and this took time to figure them out, when the time frame for the negotiations was very tight.
- ▶ **Importance of Ownership:** The GoIRA's exclusion from the direct talks between the US and Taliban that resulted in the Doha agreement of February 2020, was one of the fundamental flaws of the peace process. The agreement set the parameters for the IAN, and yet the GoIRA and the Afghan people had no input at all. The agreement disadvantaged the GoIRA in several ways. For instance, in exchange for the withdrawal of international forces from Afghanistan, the agreement did not tie the Taliban to any concrete commitments or conditions and set unrealistic deadlines which were impossible for the GoIRA to meet:

- > The withdrawal timeline did not correspond with the achievement of a political settlement and ceasefire;
- > The withdrawal timeline was precise, which provided the Taliban with leverage; and;
- > Nothing in the agreement was specified as a condition if the Taliban objected to power sharing and a ceasefire.

Thus, the GoIRA had no ownership of the IAN and was instead, forced to negotiate within a framework they did not own nor agree with.

- ▶ **Mediator/Facilitator:** A fundamental mistake was to enter into the IAN without the support of a third-party facilitator/mediator who could structure and guide the IAN. The GoIRA felt aggrieved at the fact that an elected government was excluded from negotiations about the future of the country and people it was elected to represent, and as such, took a firm line on having NO third-party involvement. However, the lack of a mediator/facilitator made the negotiations impossible and by the second round, the RNT started calling for a third-party facilitator/mediator, but failed to convince Kabul in time.
- ▶ **Agenda Sequencing:** With the joint declaration by the GoIRA, the US and NATO; and the Doha Agreement of the 29th February 2020, both sequencing power-sharing/political participation before a “permanent and comprehensive ceasefire” on the agenda, made it impossible for the RNT to convince the Taliban or its US partners to negotiate a ceasefire before a political settlement could be achieved. The Taliban simply refused to change the sequencing which led to an instant deadlock. An important aspect of the RNT’s negotiation strategy, was to sequence the ceasefire first in order to reduce the violent campaign during the negotiations and thereby reduce the Taliban’s leverage. However, the GoIRA had been limited to the sequencing of the agenda points to be negotiated, before they had even spoken to the Taliban.
- ▶ **Include Major Regional Stakeholders:** Some of the major regional countries that influenced the situation on the ground in Afghanistan, were not part of the IAN or other supporting formats such

as the Host Country Support Group in Doha. This was a strategic failure. These regional stakeholders had influence on the Taliban and needed to be brought into the IAN to understand first-hand what was going on and not react negatively to the peace process out of fear that their interests were being compromised.

- ▶ **A Religious Framework – Adapt to the Context:** Religion played a pivotal role for the Taliban and it would have been helpful to view the negotiations through a religious framework. This is an issue that was specific to the Afghan context. Through a religious framework, the international Ulema could have been brought in to convene and discuss some of the outstanding issues, such as women’s rights in Islamic contexts, to help find a way to preserve them in the post Islamic Republic Period. The lack of a religious framework meant that the influence of moderate religious scholars and transitional leaders from the Muslim world, was not applied to the IAN.
- ▶ **Mainstream Women’s Rights:** Women in the negotiation team should not be limited to discussing women’s rights. The RNT had four very capable women negotiators who were comfortable negotiating any subject, as opposed to the Taliban who had not one-woman negotiator. Women’s rights issues need to be mainstreamed throughout the agenda and negotiating team members, and not seen as the sole responsibility of the women negotiators. Part of the mandate to negotiating teams should include the responsibility of all negotiators to mainstream women’s rights issues throughout the negotiations.
- ▶ **Broad Representation in the Negotiations Team:** A big positive was the selection of RNT. The GoIRA realised that it was negotiating internally (needing to keep all political support for the republic together) and externally with Taliban (republic – Taliban), simultaneously. The selection was a well thought out process and had broad representation of the major power bases in Afghanistan. It also considered ethnic representation; political interest; gender representation (albeit limited) and important elements of women’s rights. The

strength in this was that it represented a wide range of Afghan society.

However, the weakness was that the RNT members had different political and social backgrounds; representing a mixture of religious, political and social characters; who in-turn, were representing various types of entities such as political parties, religious communities, civil society, and more. This made the RNT a less cohesive unit. A lesson learnt here is that any negotiation team needs to “team-build” - come together to be unified. One can work to overcome this lack of cohesion through team-building.

- ▶ **How do you negotiate with fundamentalists?** To the Taliban, the IAN was a zero-sum game that could be negotiated only on the battlefield. Therefore, widespread panic through violence was their strength and they would not compromise their strength by agreeing to a ceasefire. One of the international interlocutors during the negotiations had this advice to the RNT: “The Taliban were raised in war and haven’t lived your life, so they do not understand your position. You can negotiate in two ways: 1. Improve their understanding (impossible task), or 2. simplify your position and expectations (which is more pragmatic)”.
- ▶ **Need for Effective Communication:** Effective communication channels between the Principals (Kabul) and the negotiation team during the negotiations is absolutely crucial. Big decisions about the direction of the country, including compromises on issues such as security, power sharing, the constitution etc, are on the table and an effective communication channel, with clear and understandable messages to help guide the negotiation team is required.

A clear road map or vision for peace also needs to be articulated and communicated to the public at large. Most Afghans had no idea what direction the peace negotiations were taking and this contributed to the collapse of faith in the GoIRA and the armed forces as the Taliban closed in.

- ▶ **Greater Civil Society Inclusion:** The peace process and the RNT in particular, would have benefitted from the inclusion of civil society more aggressively. While AMIP played a constructive role, the RNT was also keeping AMIP away from the table as much as was possible, as they did not want them interfering too much in the process. This structured and organized form of inclusion would have had an impact on pressurizing the Taliban and other international actors as they would have clearly and forcefully, articulated the plight of the ordinary Afghan people. The power brokers in Afghanistan were all included in the RNT and only civil society was missing.

Baryalai Helali Biography



Baryalai Helali is a peace practitioner and public affairs expert with over twenty years of experience in the fields of peacebuilding, conflict resolution, and public policy. He has served in various capacities in Afghanistan and beyond, contributing to initiatives

and policies that promote reconciliation and stability through effective engagement and communication.

In his most recent role, Helali served as the former Chief of Staff for the Government of Islamic Republic of Afghanistan (GoIRA) negotiating team's directorate and its head of the secretariat in Doha. He played an active role in dealing with peace and stability in Afghanistan, participating in all meetings between the parties to the negotiation, coordinating between the GoIRA negotiating team with Civil Society Organizations, and facilitating internal coordination between GoIRA and the Taliban, the international community, and host country for Intra-Afghan Negotiations.

Before his work with the GoIRA negotiating team, Helali worked extensively in peacebuilding and conflict with the High Peace Council, a designated government body to engage in peace talks with the Taliban in 2010. His contributions to the organization included developing and implementing initiatives and policies

aimed at reconciliation, grievance resolution, and public outreach for peacebuilding purposes. He also worked as a trusted advisor to Afghanistan's Defense Minister and a Strategic Communications Lead for three years, where he developed and implemented communication strategies for both domestic and international audiences, thereby contributing to shaping the Afghan narrative.

Helali's work experience also includes serving as Director of the Government Media and Information Center, a hub for information coordination and public communications. He has worked as a journalist for several prestigious media outlets, including the Spanish News Agency (EFE) and Radio Free Europe. Drawing on his comprehensive knowledge of peacebuilding, media and public communications, and public policy, Helali has served as an independent consultant for a network of key leaders. He has written articles and essays on peace and war in Afghanistan and developed policies and strategies for media and public engagement for the government.

Helali's notable work includes sustaining the Afghan National Defense and Security Forces' Morale policy, the High Peace Council's Grievance Resolution and Public Engagement Policy, the Communication Strategy Between Formal and Information Justice Sectors, and the National Youth Development Policy and Strategy. Recently, he conducted a Fellowship at the Folke Bernadotte Academy (FBA), sharing his knowledge and expertise in peacebuilding.

ANNEX 2: 18 POINTS

The joint directive by President Ghani and Dr. Abdullah Abdullah issued in mid-June 2020 provided the Republic Negotiation Team (RNT) with the following 18-Point Guidance on negotiation strategy and tactics.

NEGOTIATIONS: ACTING ON LESSONS LEARNED

We are at a historical moment that peace-making meets the criteria of desirability, feasibility and credibility. Seizing the moment of opportunity to achieve lasting peace can be helped by deliberating on global lessons of peace-making and adapting these lessons to Afghanistan's distinctive context. This note is an invitation for discussion with our international partners to ensure alignment in objectives and methods.

POLITICAL CAPITAL

Political capital is the key asset of leaders embracing peace. Like other forms of capital, it is subject to accumulation, utilization, loss, renewal and destruction. Accumulation and renewal emanate from the credibility of vision, commitment to clear objectives, articulation of a feasible and credible roadmap, and building of sufficient consensus on finding a political solution to end violence. Loss of political capital results from taking risks that increase threats to the political order and security of the citizens, failure to improve governance, delivery of services and livelihood of citizens in general or the needs and aspirations of a key group of stakeholders. Political capital is destroyed when citizens lose trust in the leadership and management capabilities of their elected leaders.

Systematic utilization of political capital to building state institutions - particularly the security sector, ensuring equitable growth, and making the economic, political and social institutions participatory and inclusive results in its accumulations and renewal. Ability to manage crisis and willingness to be accountable to the citizens are the key to building trust with citizens. In democracies, nothing can replace adherence to the constitution and elections as the source of legitimacy. Simply put the utility and limits of political capital for peace-making depend on the ability to end the inherited violence while preserving the values and gains of the political order. Framing peace-making as a process to end violence politically is, therefore the critical task and test of political capital. Drawing on lessons of the past, particularly in the discipline and art of negotiations, and adapting these to one's context can make the difference between success and failure.

THE EIGHTEEN LESSONS:

1. Process matters. First, when a clear structure is not in place, negotiations become bogged down on procedures, losing sight of substance.
2. The difference between chess and negotiation is while chess is governed by clear and agreed rules, negotiations is a game without rules. Either parties to the conflict agree on the rules or rules are imposed by one party, resulting in deadlock and failure.

3. Negotiations is a game of speed and comprehension, giving advantage to a small coherent team over large diverse team.
4. For a government, the hardest negotiation is within its own society and polity, for sufficient consensus is a necessary condition of seeking a political solution.
5. Ceasefires enhance the political capital of leaders in democracies and increase the chances of approval of peace agreements by parliaments and publics.
6. Making progress depends on combining formal and informal process negotiating teams.
7. Ending of violence as the objective of negotiations requires inclusion of issues considered critical to each side.
8. Improvising has serious limits, as the party operating from a plan often wins the negotiation with serious consequences for public approval and implementation.
9. To replace bullets with ballots, agreement on free, fair, and transparent elections have the key feature of most peace agreements. Framing a political agreement with parties that do not believe in elections, therefore, poses a distinctive challenge to democracies.
10. Use of creative mechanisms, such as sunrise and sunset clauses, have proven useful to trust building between parties to the conflict.
11. While an agreed agenda is critical to the process; rigid adherence to sequence can impede progress.
12. The principle that nothing is agreed unless everything is agreed creates the opportunity for balancing the key interests of each party.
13. As words are the currency of negotiations, immense care must be taken to avoid traps resulting from innocuous words.
14. Agreeing to put difficult issues in the freezer for a period to make progress on others and avoiding anger can save negotiations from breakdown.
15. As symbolic issues often prove the most difficult, there is need for careful attention to key symbols and the emotional weight and therefore, political capital, that they present.
16. To avoid reaching agreement at any cost, the state and society need to have a clear sense of the best alternative to negotiations.
17. Careful attention to the possible Zone of Agreement can allow for production and agreement on a single text.
18. Use of a range of techniques allows the negotiators to be hard on the issues while avoiding personal animosity.

The Folke Bernadotte Academy (FBA) is the Swedish government agency for peace, security and development.

FBA supports international peace operations and international development cooperation. The agency conducts training, research and method development in order to strengthen peacebuilding and statebuilding in conflict and post-conflict countries. We also recruit civilian personnel and expertise for peace operations and election observation missions led by the EU, UN and OSCE. The agency is named after Count Folke Bernadotte, the first UN mediator.

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