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## Afghan-Pak Joint Peace Jirga

Possibilities and Improbabilities

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# THE AFGHAN-PAK JOINT PEACE JIRGA

## POSSIBILITIES AND IMPROBABILITIES

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### **An Overview**

In a significant move towards the beginning of a peace process between the Islamic Republic of Afghanistan and the Islamic Republic of Pakistan, leaders of the two countries met in Kabul, Afghanistan, from 9-12 August 2007, to discuss the declining security climate in both states. The resulting joint peace jirga, reflects the desire on both sides to build a holistic and transparent approach to political dialogue and cooperation.

The Afghan-Pak Peace Jirga is based on the tribal code of Pashtunwali, which is not only a legal system of settling disputes, but also a code of behavior and form of government, autonomous of the state. Recognizing its potential in combating the Taliban insurgency and fighting global terrorism, US President George W. Bush expressed his support to President Hamid Karzai and President Pervez Musharraf in a meeting held in Washington in October 2006. The peace talks brought to the table 700 “members of the parliaments, political parties, religious scholars, tribal elders, provincial councils, civil society, and the business community”<sup>1</sup> from both nations. The Jirga Declaration juxtaposes the patronage and determination of both countries as the foundation for “sustainable peace in the region.”<sup>2</sup>

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<sup>1</sup> “Text of Pak-Afghan Peace Jirga Declaration,” *Daily Times*, 13 August 2007, [http://www.dailytimes.com.pk/default.asp?page=2007%5C08%5C13%5Cstory\\_13-8-2007\\_pg7\\_48](http://www.dailytimes.com.pk/default.asp?page=2007%5C08%5C13%5Cstory_13-8-2007_pg7_48)

<sup>2</sup> Ibid.

The four-day peace talks, the result of an initiative by President Hamid Karzai and his Pakistani counterpart, Pervez Musharraf on 27 September, 2006, primarily focused on threats posed by Taliban, terrorism, and the narcotics trade in the region.

The recommendations drawn up by the delegates at the conclusion of the talks are to be followed through during the second round of peace talks expected to be held in Pakistan after the January 2008 elections.

The recommendations included among others, making counter-terrorism initiatives a critical priority of the national policies and security strategies of both countries; selecting a smaller jirga comprising 25 members from each country; and ensuring that the process of dialogue and reconciliation with opposition forces would continue unhindered. In addition it was agreed that the two countries would adhere to the principle of “mutual respect, non-interference, and peaceful coexistence” in their relations with each other. The recommendations also highlighted the facilitating correlation between narcotics and terrorism, and the jirga members mutually agreed that the cultivation, processing, and trafficking of poppies in addition to other illegal substances must be denounced.

Lastly, it was agreed that both President Karzai and President Musharraf, in collaboration with the international community, must devise economic and

social sector infrastructural projects in areas that are dependent on poppy cultivation and trafficking.

### **Pakistan's Interests in the Peace Talks**

On the concluding day of the jirga, President Musharraf addressed the delegates stating that “peace and unity, trust and cooperation” were the only viable options for both countries, if they were to succeed in tackling cross-border terrorism. President Musharraf, who in the past has firmly held that the Taliban is a creation of the Pashtuns, acknowledged that the Taliban did receive protection and resources from its supporters in Pakistan. He proclaimed that the resurgence of the Taliban was wreaking havoc in Afghanistan, by obstructing reconstruction and humanitarian efforts.

Despite denouncements by Pakistani officials of Musharraf's affirmation of clandestine Pakistani support to militant groups in Afghanistan, the entire episode finally put to rest enduring accusations in this regard by the Afghans. While it is difficult to elucidate Pervez Musharraf's perception of and hopes from the jirga, his support for the peace process can be seen as a desperate attempt on his part to deal with the evolving security crisis in his country, as well as address the concerns of Pakistan's chief ally -- the United States. Balancing on a tightrope, Musharraf seems eager to please Washington, while retaining the support of Pakistani radicals, in the fight against the Taliban and al Qaeda. His contradictory stance on fighting extremism in Pakistan however, leads one to question his interest in the peace jirga.

In 1999, in his first national speech, Musharraf had vowed to eradicate Islamic extremism and sectarianism from Pakistan. Yet, a close look at his nine-

year reign reveals that he has been continuously inconsistent in his approach to religious extremism, evidenced by his decision to side with pro-Taliban groups in Waziristan in 2006, and also the killing of scores of militants in an assault by Pakistani forces on Lal Masjid in 2007. Many argue that the talibanization of Pakistan, and an increasing American pressure to crackdown on militant activity in the tribal areas, are reasons that might prevent Pakistan from following through with the declaration of the peace-jirga.

If Pakistan does not begin to cooperate in the war against terror however, it may lead to a unilateral decision by the US to send its troops into Pakistan. America has cautioned Pakistan of the threat of widespread militancy as well as the talibanization of its border-belt. Rising domestic opposition to Musharraf's friendly relations with the US is starting to weigh heavily on the state administration. The threat posed by religious extremists through protracted conflicts involving suicide bombings and kidnappings, seem to have sucked Pakistan into a bottomless pit. The danger of talibanization of Pakistan has the US re-examining its relations with Pakistan.

Once viewed as a close ally in the war against terror, Pakistan is now perceived as a “source of Islamic extremism,”<sup>3</sup> explains John McConnell, US Director of National Intelligence. Many scholars deem Pakistan's Inter-Intelligence Service aka ISI (run by serving military personnel) as the architect of the militancy and religious extremism that Pakistan presently finds itself grappling

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<sup>3</sup> Robert Hathaway, “The Devil's Brew in Pakistan,” *World Policy Journal*, Spring 2007, vol. 24, no., p.89.

with. In the light of this supposition, any serious move by President Musharraf targeting Islamic extremism would translate into a civil war because the country would inescapably be at war with itself. The logical question to ask then, is whether Pakistan's changing stance on fighting extremism is a reflection of its incapacity or simply a lack of will? Ground realities in Pakistan suggest that President Musharraf is essentially, for lack of a better phrase, faced with a double-edged sword. Musharraf's support for the peace jirga could inadvertently place him in a tight spot, subjecting him to greater scrutiny by both homegrown religious networks and the international community.

### **US Interests in the Peace Talks**

The United States and other NATO members seem to be getting impatient with Pakistan's reluctance to tighten its control over militant activity across its tribal border belt, recognized by the international community as one of the most dangerous "gray zones" in the world today. The hundreds of madrassas in the NWFP, it is believed, provide breeding ground for the Taliban and serve as a refuge for Osama bin Laden and his forces. US-Pak relations started becoming tremulous in 2006 when Pakistan virtually surrendered South Waziristan to the Taliban and al Qaeda in an agreement known as the Waziristan Accord. Initially supported by the US, the accord was later considered a huge mistake, as there was an unprecedented rise in insurgency-related violence in Afghanistan. After the signing of the accord, Taliban and al Qaeda forces began consolidating in more areas in Waziristan under its authority. The situation was further aggravated by the release of 2,500 foreign fighters by Musharraf who were linked to Taliban and al Qaeda networks. Upon their release they reorganized themselves in

al Qaeda training camps in Waziristan and moved into Afghanistan. Arguably, the Waziristan Accord has facilitated the movement of Islamic fighters into Afghanistan, thereby weakening the state's security and reconstruction efforts.

Pakistan's failure to curb the mushrooming of terrorist cells in the NWFP continues to destabilize Afghanistan and obstruct NATO's military gains in Taliban strongholds in provinces such as Farah, Helmand, and Kandahar. Despite admitting that the Taliban "are crossing from the Pakistan side and causing bomb blasts in Afghanistan"<sup>4</sup>, President Musharraf continues to argue that yielding authority to the tribal leaders under the Waziristan Accord was the best solution to the problem. Since Waziristan has been recognized internationally as a base for al Qaeda operatives, lending authority to tribal leaders clearly meant ceding power to extremist cells. This became strikingly evident as numerous anti-Taliban clerics and tribal leaders were beheaded and government officials kidnapped and murdered by extremist fighters after the cessation of authority under the accord.

With Musharraf's indecisiveness to target extremism in Pakistan and Karzai's reliance on the US and NATO to fight the Taliban, the US fears its interests in the region might be severely hit, a fear expressed succinctly in a report by Alan Kronstradt of the US Congressional Research Service, entitled "Pakistan and Terrorism." In the report Kronstradt notes that Pakistan's unwillingness to demolish domestic extremism raises uncertainty about Pakistan as a strategic ally of the

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<sup>4</sup> Bill Roggio & Daveed Gartenstein-Ross, "Pakistan Surrenders: The Taliban control the border with Afghanistan," *The Weekly Standard*, 2 October 2006, p. 12.

US. Tired of fighting an insurgency in Afghanistan and extremism in Pakistan, the US sees the peace jirga as a vital step towards consolidating efforts to rid the region of religious zealots. Many believe that American pressure coerced Pakistan to participate in the Afghan-Pak Joint Peace Jirga. The conclusion seems reasonable, especially in view of President Bush's assertion that he would send US forces into Pakistan to find Osama bin Laden and other senior militants if he had reliable intelligence.<sup>5</sup> After having invested billions of dollars in military and reconstruction efforts, Bush has intensified his pressure on Pakistan to take more responsibility in rooting out extremism from its territory. The warnings notwithstanding, it's clear that unaided the US cannot accomplish this task. On its part the US is coercing Pakistan to engage in dialogue, presumably to prove that it is an indispensable ally in the war on terror.

### **Afghanistan's Interests in the Peace Talks**

Afghanistan is witnessing a precarious resurgence of the Taliban, a booming drug economy, and corruption at all levels of the government. These events combined, are threatening to negate the progress made in Afghanistan over the past five years due to the collaborative efforts of President Karzai and the US. Mounting insecurity, a spurt in poppy cultivation and expanding narcotics trade are destabilizing Afghanistan. In 2004, two years after the overthrow of the Taliban regime, Afghanistan was faced with an increase in narcotics trade constituting almost half of its domestic economy. Subsequently, in 2005, at the

same time as the Taliban resurgence gained momentum, narcotics trade doubled. Furthermore, in 2006, at the height of the Taliban insurgency narcotics trade increased by 49 per cent amounting to an annual 5,700 metric ton.

The phenomenal profit from drug trafficking has allowed the Taliban to remobilize and reorganize their operations. The narcotics economy consequently, has undermined government efforts of reconstruction and its anti-corruption initiatives. An obvious question is why after eradicating poppy growth in 2000, calling it un-Islamic, the Taliban is now using the same to sustain its insurgency? Barnett Rubin and Humayun Hamidzada provide a plausible answer in their article "From Bonn to London: Governance Challenges and the Future of State building in Afghanistan." They articulate that the Taliban have adopted an "ends-justify-the-means" policy on drugs, under which they seek to legitimize their insurgency as an anti-government movement that seeks support from poppy farmers in return for their protection from the corrupt "puppet" regime of the Karzai government and his infidel supporters. The Taliban's alliance with drug traffickers in opium centers in southern Afghanistan has become a key source of domestic support for its insurgency.

Rubin and Hamidzada explain that Afghanistan's security and stability are dependent on its capacity to integrate politically and economically with the region. Both scholars acknowledge the Afghan and US sentiment to cooperate with Pakistan. However, they caution, such cooperation will "require sustained efforts to de-escalate and eventually resolve the country's long-standing conflict with Pakistan over relations with

<sup>5</sup> Missy Ryan, "Musharraf rejects U.S. action on militants," *Reuters*, 9 December 2007. <http://www.reuters.com/article/topNews/idUSN0936931020071209?feedType=RSS&feedName=topNews>

India, ethnic issues, and transit trade.”<sup>6</sup> The revival of the Taliban insurgency in the last two years has been contingent on a host of factors both within and outside Afghanistan. The lack of development in areas outside Kabul coupled with poor government performance, lawlessness, an expanding drug economy sustained by warlords, and the constant threat of instability, are causing a decline in popular support for the government. President Karzai is losing support, particularly amongst his own pashtun tribes in southern Afghanistan, who feel alienated from the state. Feelings of neglect and under-representation have contributed significantly to protracting the Taliban insurgency.

In addition the vicious cycle of insecurity and impoverishment has thwarted the development process in southern Afghanistan. Thus, residents of Kandahar and Helmand see themselves as being left in despair, uncertain of receiving the same development aid and services that Northern provinces are receiving. The Taliban have reinforced these feelings of abandonment and disappointment by preventing aid and development projects in these areas. With no government structure, tax-collection system or courts in place, these residents are subjected to constant fear of corrupt local officials and NATO air bombings. Consequently, as support for the government declined in the south, the Taliban moved in to fill this vacuum by recruiting disheartened local men “preying on feelings of political betrayal and Islamic righteousness by casting Karzai as a

puppet of the “infidel invader.”<sup>7</sup> While the recruitment of new members for the insurgency took place in southern Afghanistan, the ideological, monetary, and defense support were provided by Pakistan.

The Waziristan Accord is considered an impudent attack on Afghanistan by its people. Kabul alleged that the accord, in accordance with US thinking, granted Taliban and al Qaeda members unrestricted safe havens where they received training and arms before venturing back into Afghanistan as foot soldiers. Coincidentally, during the year of signing of the accord, Afghanistan faced the worst insurgency-related attacks since 2001.

Afghanistan looks to the US for security, infrastructure, and resources, without which its state-building efforts could weaken significantly. Similarly, America’s national security is dependent on Afghanistan’s future political stability because a failed Afghanistan would pose a direct threat to US strategic and economic interests. Additionally, both Afghanistan and the US view Pakistan as an indispensable strategic partner in fighting the extremists and securing the region.

Without Pakistan’s cooperation Afghanistan’s fight against the Taliban insurgency will become redundant. Pakistan must be pressurized to target terrorist sanctuaries, located chiefly along the tribal border in Balochistan, Waziristan, Federally Administered Tribal Areas (FATA), and the NWFP. As long as extremism breathes on Pakistani soil the insurgency will continue to

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<sup>6</sup> Barnett Rubin & Humayun Hamidzada, “From Bonn to London: Governance Challenges and the Future of State building in Afghanistan,” *International Peacekeeping*, January 2007, vol.14, no. 1, p.10.

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<sup>7</sup> Pamela Constable, “A Wake-Up Call in Afghanistan,” *Journal of Democracy*, April 2007, vol. 18, no. 2, p. 90.

destabilize Afghanistan. For this reason President Karzai views the peace talks with Pakistan as a vital step towards reconciling regional differences which would establish security in Afghanistan and lead to legitimizing Karzai's Government. A secure Afghanistan would permit the government to continue its centralization policies and state-building initiatives. Presently, Karzai's authority largely extends to only within the boundaries of Kabul.

### **Shortcomings in the Afghan-Pak Joint Peace Jirga Declaration**

Afghanistan and Pakistan initiated the joint peace jirga with US support, to curb terrorism and religious extremism in the region. Notwithstanding the existing conflictual relationship between Pakistan and Afghanistan, the jirga anticipates a progression towards regional reconciliation and peace. Opposition from pashtuns in both states and from the international community however, surfaced during the jirga proceedings.

Pashtun opposition groups in Afghanistan, such as Gulbadin Hekmatyar's Hezb-i-Islami Afghanistan (HIA) claimed that they would support the jirga only if foreign troops withdrew and the people of Afghanistan were left alone to select their leadership. HIA also argued that the joint peace jirga did not reflect the practices of a traditional jirga process. Asserting that participants should not have been hand-picked by governments and that the main parties in the conflict such as the Taliban should have been represented in the jirga, HIA concluded that the possibility of effective solutions emerging from this jirga was slim as it had not taken into account ground realities, which would eventually cause the jirga process as a whole to falter.

The HIA spokesman told Pajhwok Afghan News that Hekmatyar had refuted the

credibility of the jirga's decision, and wanted to know "how the mujahideen accept the outcome of a jirga stacked with government touts and elements who always assailed them?"<sup>8</sup> In Pakistan, pashtun tribal clerics in Fata, NWFP, and Balochistan have also either condemned the jirga for excluding the Taliban from the talks, or have expressed minimal expectations of its success. Elders from FATA had announced their boycott of the jirga days before its commencement, on the premise that it excluded opposition forces, thereby rendering the joint jirga meaningless.

On the question of how regional insecurity could be addressed in the absence of the engagement of main interest groups in the dialogue process, Mehmood Khan Achakzai, a Member of the National Assembly for the Puktoonkhawa Milli Awami Party and a respected pashtun Nationalist in Balochistan suggested that the Taliban should be invited to the peace talks. He added that if Pakistan's government could provide representation to Islamist leaders such as Maulana Fazlur Rehman, presently serving as the opposition leader in the National Assembly of Pakistan, then Afghanistan could also grant representation to Islamist groups in its government.

Suspicion and accusations ran high in both Kabul and Islamabad as the peace talks began. During the talks, the issue of Pakistan's adherence to Islamic extremism as a foreign policy tool in Afghanistan came to the fore. This prescription of Pakistani foreign policy

<sup>8</sup> Javed Hamim & Mudassir Ali Shah, "Hekmatyar conditionally backs Regional Peace Jirga," *Pajhwok Afghan News*, 9 August 2007. <http://www.afghanistannewscenter.com/news/2007/august/aug92007.html#3>

has deepened mistrust and suspicion between Afghanistan and Pakistan in the past decades. The jirga however, is not designed to solve historically-seated hostility between the two nations. Instead, Khalid Aziz a member of the delegation told the Daily Times, the greatest achievement of the jirga would be the settlement of controversial issues and an agreement to continue dialogue until a mutually-approved decision could be arrived at.

The least one could expect the jirga to achieve he said, would be the improvement of bilateral relations and security matters. Grievances of the Afghan Ministers about ISI's affairs in Afghanistan also became points of discussion. As Afghani delegate Haji Naeem Kochey illustrated by citing Pakistan's willingness to join Afghanistan in its war against the Taliban, yet simultaneously engage its army and the ISI to espouse the Taliban as their only leverage in Afghanistan.

The Daily Times reported that at the end of the peace talks, delegates from both sides appeared divided over important issues. Some suggest that a lack of international representatives in the jirga raises the question of implementation of decisions taken. There are concerns that since no implementation mechanism has been devised nor is there a provision for an international monitoring group, some of the decisions taken may not be executed. These are concerns that have emanated from parties involved in the jirga and those who have vested interests. Whether or not the concerns listed above become barriers to the mandate of the joint peace jirga remains to be seen.

The intent of this article is not to undermine the palpable need to reconcile the political disparity between both states, but provide an assessment of the main interests involved in the formation of the jirga, in addition to outlining the possible shortcomings of the of the joint peace talks. A traditional tribal committee, rife with mistrust is likely to end up as a futile attempt to achieve regional peace and reconciliation. Afghanistan and Pakistan have the political capacity to establish trust and dialogue, but only when their political variances have been settled.

The development towards regional reconciliation is dependent on the determination of Afghanistan and the international community to address the root causes of Pakistan's motivation in encouraging extremism in Afghanistan. With a hostile social and political environment amidst a state of emergency, Pakistan too has reached its tipping point. The rejection of the idea of a steady rise in fundamentalism in Pakistan by the government is beginning to look hollow as every suicide attack on Pakistani soil serves a cautionary reminder.

Consequentially, this leaves Pakistan with two options - either to mend its relationship with Afghanistan, or face political deterioration and turmoil from within and without. The fate of the Afghan-Pak jirga is yet to be determined, but the outcome is fragmented and holds little, if any, scope for constructive reconciliation. Many have deemed the Afghan-Pak Joint Peace Jirga a positive move that will transpire into realized ambitions; but that remains to be seen as Pakistan prepares to hold the second phase of peace jirga meetings in January 2008.