

Select Committee on International Relations and Defence

Corrected oral evidence: The UK and Afghanistan

Wednesday 7 October 2020

10 am

Watch the meeting

Members present: Baroness Anelay of St Johns (The Chair); Lord Alton of Liverpool; Baroness Blackstone; Baroness Fall; Lord Grocott; Lord Hannay of Chiswick; Baroness Helic; Lord Mendelsohn; Lord Purvis of Tweed; Baroness Rawlings; Lord Reid of Cardowan; Baroness Smith of Newnham.

Evidence Session No. 7

Virtual Proceeding

Questions 55 - 63

Witnesses

I: Dr Antonio De Lauri, Research Professor, Chr Michelsen Institute, Bergen; Erica Gaston, Non-Resident Fellow, Global Public Policy Institute, Berlin.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Dr Antonio De Lauri and Erica Gaston.

Q55 The Chair: Good morning. I welcome to this meeting of the International Relations and Defence Select Committee Erica Gaston, Resident Fellow, Global Public Policy Institute, Berlin, and Dr Antonio De Lauri, Research Professor, Chr Michelsen Institute, Bergen. Thank you both very much indeed for joining us today to share your expertise as we take public evidence in our inquiry on the UK and Afghanistan.

At this stage I have to remind Members and witnesses that the session is on the record, and it is being broadcast and transcribed. I also remind our Members to declare any interests they may have when they ask a question. If any time remains at the end of the formal list of questions, as ever I will turn to my colleagues and invite them to ask supplementaries at that stage. I will begin, as usual, by asking a very general question to set the scene and will then turn to my colleagues for more detailed questions.

Could you please set out the principal non-state actors in Afghanistan and their level of influence on the day-to-day functioning of the country itself?

Erica Gaston: Thank you very much for this opportunity to contribute to this very important discussion. To give a brief overview, there are a range of different non-state actors and some variance in whether you can categorise them as non-state or state actors. On the anti-government side, of course, you have the Taliban, and the Haqqani network, which is sometimes considered a subgroup of the Taliban but has its own substantial autonomy. In addition there is the Islamic State in Khorasan, which is the local affiliate or branch of the Islamic State, or ISIS, that we have come to know as more prominent in the Middle East. I will not focus in great detail on those actors, although I can go into greater depth, but I understand that the next session will discuss all those actors at greater length.

On the slightly more pro-government side, among the non-state actors or quasi-state actors is the recently reconciled Hezb-e-Islami group under Gulbuddin Hekmatyar. It would have been categorised as an insurgent force but then it signed a peace deal in 2016, so now technically it has revoked ties with the Taliban or with other insurgent groups and is on the government side.

There is a range of other actors with varying relationships to the state on the pro-government side. A persistent challenge in Afghanistan since 2001 is the coterie of warlords and strongmen, militias and other forces that are still a legacy of the different conflicts from the 1980s and the 1990s. In 2001, as you know, a great share of those were all brought into the Afghan government, but even though they were now state actors, many of them retained some of the same command networks and militia structures in the security forces.

Most of those who you would describe as warlords right now are technically Afghan state officials. Nonetheless, they maintain significant power and influence in their personal capacity and pursue personal interests by maintaining forces both within the state—within the Afghan security forces—and outside it. A lot of people would look at different parts of the Afghan security forces and say that you can still identify particular militia or commander networks in them.

Setting aside that larger point for a minute, there is another group that is a sort of halfway house. There has always been the challenge of all these different militias and non-state actors holding territory or significant force outside the state, and at different points since 2001 there have been initiatives to try to attach them to the state but to have them in public-private partnerships, as quasi-state or local defence initiatives or other ways to keep them a little outside the state. They are not fully inside the security forces, but they are not fully militias.

In the last few years there have been three major categories of these. One was the Afghan Local Police, which was created out of a US special forces initiative in 2009 and were disbanded in September, a month ago. They had been running for 10 years. And what happens to those forces—whether they go back to being militias or are integrated into the state—is an ongoing issue.

Secondly, since 2018, a new local defence force called the ANATF¹ has been attached to the Afghan army and it has amassed about 20,000 soldiers now.

Thirdly, there is an even more loosely tethered group of forces with no clear legal basis—they may be militias or non-state actors or forces—called the uprising forces or the *patsunians*. They are attached to the intelligence services, the NDS,² but they are local forces operating in particular areas. They may or may not have a legal basis; it has never been made clear.

Still on the pro-government side, there are forces that are even more loosely tethered. They do not have an official programme name or quasi-state designation, but they are definitely operating alongside Afghan or international forces. Some of them are called campaign forces by local Afghans, and they tend to be a category of auxiliary forces or militias that are working alongside predominantly US military and intelligence officers.

Finally, there is a new emerging force, known as the 01 or 02 forces, that also acts like auxiliary forces to intelligence, both Afghan and CIA. It is very opaque. That name comes from the regions in which they operate. The Afghan security system is divided and numbered by regions. 01 is Kabul, 02 is the east, and then it goes clockwise from there. These forces are militias that operate and engage in heavily kinetic areas in those regions, but their legal authority is very shadowy and unclear.

¹ The Afghan National Army Territorial Force

² National Directorate of Security

There is another set that may or may not be those numbered forces; they may just be local militias. They are very predominant in the south-east and they are known as the Khost Protection Force. They have been standing for years. They overlap in some respects with the ALP, but they are also frequently reported as being their own thing and as militias operating separately.

Then there is a new group called the *Shaheen* force.

That is, in descending order, the range of actors from most state-like forces to non-state, but it is worth noting that these groups usually work together and there is more of a network with co-operative ties running along this spectrum from state to non-state actors.

Dr Antonio De Lauri: Thank you for the invitation. I will not repeat some of the things that Erica just said. According to recent figures, around 56% of Afghanistan's districts are in government hands at the moment, while the Taliban rules some 14%. About 30% is therefore contested. Of course, these are very volatile figures, and other sources suggest slightly different divisions. In any case, these numbers give a rough idea of the distribution of political power in the country. Warlords, militias and regional strongmen, and to some extent the terrorist networks exercise a strong influence in several areas. In some cases they de facto substitute the state in some of its key functions.

One aspect that I believe is worth making clear from the beginning is that the geography of power in Afghanistan is characterised by the interconnection of different forms of state and non-state power. There is in several cases a strong link between the warlord system and the state apparatus, for example, or between the provincial governors, local and armed groups, and so on.

The strong influence of non-state actors in Afghanistan is of course not new. In fact, it has been a constant element, we could argue, in the ongoing process of state building. In a broader sense, the non-state actors include armed groups, but also local *jirgas* or *shuras* that have very important roles in issues such as dispute resolution or management of resources. It also includes humanitarian actors, which since 2001 have heavily influenced key sectors of society, for example the justice sector, in the framework of the so-called reconstruction of Afghanistan.

As I mentioned, when we think about the geography of power in Afghanistan, we do not have to imagine a rigid separation between the central government or central power on one side and warlords and militia leaders on the other. Although, for instance, the Bonn Agreement had the declared ambition to set out a new configuration of power, warlords and other leaders were able to be included from the beginning, and the reality has since been very much that of multiple levels of connections between state and non-state actors. A few years after the Bonn Agreement, for example, four out of 27 Ministers were warlords or militia leaders and at least three were closely linked to the warlord system. In the provinces the situation was very similar.

There have been some changes over the years, but there are still different elements of continuity between the government or the parliament and warlords and commanders. To give one example, Dostum, who was described as a prominent warlord for decades, served as Afghanistan's vice-president from 2014 to 2020 and was actually awarded the title of Marshal – only awarded twice before in Afghanistan's history – by President Ghani.

As we approach a possible new scenario in Afghanistan, there are different interests at stake for warlords and militias, including maintaining control over their areas of influence, preventing punishment for the crimes committed and securing the influx of national and international resources.

The Chair: Thank you very much indeed for giving us a very clear description of the complexity of the situation. Of course, the information you have given us is not readily available in the media in the UK. There is very little attention to Afghanistan and the proceedings there, so thank you for setting us on such a clear path for our inquiry.

Just to reassure you, because there are two witnesses I will try to do to reverse the order in which you address the answers to us, so next time, Dr De Lauri, I will go to you first.

Q56 Lord Hannay of Chiswick: Thank you for that introduction. Before you answer the question I am about to pose, could you give us some idea of the ethnic links of these various groups, if there are clear ethnic links? That would help us all to understand this a bit better.

The addition question is: what are the major sources of power and influence for these non-state actors, which you have described as militias, warlords et cetera? What role do they play, for example, in the drug trade and in the illicit economy? Perhaps you could also say whether there is a clear distinction between most of the non-state actors on the one hand and the Taliban on the other.

Dr Antonio De Lauri: A very quick note on the ethnic issue. The ethnic element is used constantly as an element of divisions and a reason for conflict. I tend to disagree when I hear analysts talking about ethnic conflict between groups, because the situation is more complex, but the ethnic component is still used in exacerbating divisions; I just mentioned Dostum, who could be considered an example, but there are others.

When it comes to the sources of power, I would like to make three points. First, you mentioned the illicit economy. Afghanistan has been repeatedly described as a narco-state. The extent of the drug economy in Afghanistan is huge. In 2007-08, there was a peak that produced the saturation of the global drug market, and again there were new records in 2017-18.

Of course, like other markets, the drug economy is also subjected to fluctuations; there was the poppy crop disease, for example, some years ago. The policies implemented by the international community and the

Afghan government, however, do not seem to have produced substantial effects in fighting the production of opium. In fact, in 2018 opium production was more than double than in 2001, so Afghanistan is still the world's leading producer of illicit opiates and supplies more than 80% of the global illicit opium production.

The control of this market is very fragmented and certainly involves the Taliban and some warlords. According to some US figures, opium trafficking is estimated to make up 65% of the Taliban's income. Some say less, others more, but it is probably in that range. One of the hubs of opium production is the Helmand province. The drug economy is a crucial element affecting the dynamics of power in Afghanistan. Smuggling of illegal goods is another source of income and power for some regional strongmen. It is also a source of income that at the same time compromises taxation and thus the solidity of the state.

When we talk about sources of power, the second element to mention is military capacity. Weapons and the capacity to play a key role in the market of violence, from different forms of violent intimidation to targeted killings, are another element that provide armed groups and militias with ongoing power over the control of some areas or specific interests. Indeed, it is one that complicates the possibility of a transition towards a different political organisation.

The third element that to me is particularly important, although it is not as quantifiable as other sources of power and income may be, is legitimacy. The legitimacy of some warlords and commanders provided by a certain degree of popular support is an element to consider. This is probably one of the elements that has played a role in conditioning some of the Government's decisions. The issue of legitimacy is clearly nourished by the overall impunity that warlords and militias have benefited from so far. Indeed, civil society claims that warlords and militia leaders should be made accountable for the crimes committed and their violations of human rights, have gone largely unheard. Therefore, the nexus of legitimacy and impunity is a key aspect to consider, in my opinion.

Erica Gaston: On the top-line question, the major source of power and influence for warlords or militia commanders or networks is having some access to state title and resources. Being able to support your men in salaries and positions and having a high position in the state is the No.1 source of jobs for fighters, but it also allows you to control the posts that physically allow you to control territory or smuggling networks. It is not only a way in which you can put your men on salary but a way to have access to contracts and have a share in key resource issues: who gets to own land; who gets mining rights; who gets trade revenues, licit and illicit.

It also allows powerbrokers to protect the parts of their network by preventing any inquiry or any disciplinary action if there is misconduct or abuses, or to prevent a crackdown on smuggling or illicit opium. This is why you have this very porous link between a non-state actor and a

warlord and the state, because the No.1 goal for warlords or militia networks is to get their forces into the state.

That said, although capture and access to the state is very important, because the Afghan state does not control a significant degree of the territory outside Kabul— and I do not just mean the part that the Taliban is contesting or owning. I mean who is *de facto* holding authority, which goes to some of what Dr Antonio was saying about legitimacy... Because the Afghan state does not control a lot of the territory in the periphery or in provinces outside of Kabul, it is also very important to have your own men who can actually enforce that. That again could be through controlling forces in the state or it could be through other militias. Control of territory is what allows them—warlords or powerbrokers—to dominate or enforce land deals and construction contracts and to accrue transport contracts, mining and other resources, opium production and so on.

To control territory you need men and forces, which again can come either from the state forces that are in your area under your control or from non-state forces. The former, the state forces, are more sustainable because they pay for themselves, but it is useful to have both in order to have autonomy.

Regarding the ethnicity of these different groups, I agree with the previous statements in that you can sometimes overstate the ethnicity. At a national level, if you look at all the groups that I listed, it would be hard to say that one is purely one ethnic group or not, although there are particular factions that are aligned with ethnic groups that have certainly had more dominance over an institution. The more Tajik-dominated Jamiat network, for example, has since 2001 had stronger influence across the Ministry of Interior and across the Afghan police. Although that has somewhat diminished, particularly given the reforms in the last few years, they are still disproportionately dominant to their portion of the population, so you can still see those trends.

You see a stronger ethnic allegiance at a provincial level. You might have Afghan Local Police who are mobilised in a particular area, or uprising groups or *patsunian* groups that are mobilised from one part of a community in a mixed province or district and are vying against the Taliban or possibly against other nominally pro-government forces that are of another ethnicity. So ethnicity does come into local disputes and factions between these different forces.

Sometimes that is not based on an ethnicity, it is based on politics or local disputes. The uprising forces, or the *patsunians*, that I described got their start years ago in 2011 in Ghazni province, in the Andar district. That is where they were mobilised. It was all Pashtun, but it had a number of splinters that were mostly on political issues and past conflict disputes within that. It is not even that they were substantially from different tribes. When the NDS went in and was trying to counter the Taliban in Andar, it mobilised a particular subgroup within the Pashtun community. It was almost like an inter-district political dispute that got magnified by outside resources. So, yes, sometimes there can be ethnic

valences to these local disputes, but it would be a mistake to assume that everything going on is purely a question of ethnicity.

Again, on the illicit resources and the connections with the Taliban, these different pro-government warlords, factions and militias are pretty distinct from the Taliban. At a local level, they do fight. That is not to say that there are not particular groups or leaders that flip back and forth, but they are certainly distinguishable. I have worked in other comparative countries and you get to see more of a continuum or more of a partnership.

That said, you certainly get tacit co-operation on things like the illicit economy, or even at a very local level tacit co-operation on governance or dispute resolution. When the Islamic State in Khorasan came to prominence in Nangarhar and in other parts of eastern Afghanistan, there was a sort of de facto working partnership between Afghan security forces and the Taliban, both of which wanted to expunge the threat from ISK. So sometimes you get that tacit co-operation, but there is still a distinction between them even at a local level.

Lastly, the points on the illicit economy were well covered by my colleague here, but I would add a few facts about the scale of it. The illicit economy can stretch to any amount of smuggling or goods. Opium is the biggest and most well documented, but it spans a huge range of activities. Just to put some facts and figures in your mind, my colleague said that 2017 was a high year for opium production. In that year, the estimated gross output of illicit opium was estimated at between US\$4.1 billion and US\$6.6 billion. That is tantamount to 6% to 11% of the country's GDP. It was far greater than the value of licit exports of goods and services in 2017. That is just one year and to give you a sense of the scope.

Most of the poppy cultivation is happening in areas outside government control in insurgent and anti-government areas, so most of the profits for that are accruing to the Taliban or other insurgent forces, but certainly a lot of these other pro-government militias and warlords have a stake in that trade and benefit to some degree.

Q57 Baroness Blackstone: Can you tell us what the role of other countries is in supporting these non-state actors? Do other countries actively support these groups, and, if so, can you say a bit about how they do that?

Erica Gaston: In relation to the different pro-government forces, no doubt they depend for these illicit and smuggling networks on co-operation with others on the other side of the border that they are trading with, be they licit or illicit, state or non-state actors. Certainly, there are ties. I would not put it past regional neighbours to provide gifts of friendship to powerful Afghan warlords who are dominant in regions on their border. However, this is not a case where they are primarily backed or acting as proxies to foreign actors. That certainly is something you worry about in other contexts and that is not predominantly what is driving the political economy of these actors.

With the anti-government forces, certainly the Taliban gets substantial support from Pakistan—I am sure my colleagues in the next session will get into this further—but a lot of it is also coming from its own local sources; it is coming from protection rackets, from the opium trade, from the capture of local governance resources. It is important to keep in mind there is some foreign support, but there is a lot more that is driving this that is interior to the political economy in Afghanistan.

A last point on foreign support that is important in this discussion of the UK and its role in Afghanistan (but also other NATO partners and the US)...Some of the groups that I have discussed earlier, the quasi-state forces or the local defence forces, arose and were supported primarily by international forces initially.³ The ALP came out of a US Special Forces initiative, but the first country that recommended that NATO should support community defence initiatives and work with tribes and militias was the UK. In 2008, Gordon Brown came out prominently and said this is what UK forces would do in Helmand and that this should be a national strategy. We can get into more of a discussion of some of the impacts. There have been some positive and negative effects of this local-force mobilisation, but it is important to flag the very prominent role of the UK, at least initially, in saying, "We have to work with actors that are outside the state and de facto in control of communities".

Dr Antonio De Lauri: Maybe I can add an example of the form of support that is not necessarily straightforward and may sometimes even contradict the position of the country more generally in Afghanistan. The example is the CIA-supported militias, which represent a particularly troublesome version of the regionally based militias in Afghanistan that have developed over the years around the local strongmen with external support.

The present units of the CIA-supported militias originated in 2001 when the US military forces and the CIA organised Afghan militias to fight Islamist militants. As of today, it is not at all clear what the future of these militias will be in light of the peace talks. If simply cut loose by the CIA, for instance, they may be reborn as a private army or as security guards in the service of powerful individuals or they may even operate autonomously to prey on civilians and commercial sources.

Over the years the militias have reportedly committed serious human rights abuses, including numerous extrajudicial killings of civilians. CIA sponsorship has ensured somehow that their operations are clouded in secrecy. In fact, there is virtually no public oversight of their activities or accountability for human rights violations.

This so-called CIA army has two types of components. One is a set of older units whose relations with the CIA go back to the offensive

³ International forces, and particularly US forces, played a much broader role in mobilizing different militia or quasi-state forces, from the intelligence community-backed 'campaign forces' and the 01 and 02 forces, to the many different local defense initiatives, from a series of pilot projects in 2009, to the ALP to the more recent ANA-TF.

operations carried out during and immediately after 2001. They work closely with the agency. The most well-known and powerful of these is the already mentioned Khost Protection Force. As the United Nations has emphasised, the Khost Protection Force is an illegal group in the sense that its existence has no basis in Afghan law and no formal place in the state security apparatus or even its budget.

A second type of unit is the formally designated special forces of the Afghan intelligence agency, the National Directorate of Security—the NDS. These special forces exist in a kind of regulative twilight zone. They have received funding from the CIA and have a close working relationship with CIA operatives, and according to most reports they are trained and paid directly by the CIA. As a result, information about the size, operations and command structure is not publicly disclosed. According to the UN Assistance Mission in Afghanistan, these forces operate outside the regular NDS chain of command, resulting in a lack of clear oversight and accountability.

In general the CIA-supported militias are well paid and well trained. Despite numerous reports that the CIA-sponsored militias have committed serious human rights abuses and possible war crimes, very few cases have been investigated and even fewer prosecuted.

Q58 Lord Reid of Cardowan: Thank you to our witnesses, particularly for their very comprehensive and detailed summary of the various non-state actors in Afghanistan.

I am interested in whether these non-state actors in Afghanistan itself have links to other transnational groups such as international terrorist networks. If that is the case, which ones are the most significant, and what does this co-operation with other transnational groups look like? What form does it take?

Dr Antonio De Lauri: This is a difficult question, because most of the information here is difficult to collect. The extent and size of terrorist networks operating in Afghanistan are subject to ongoing debates. While, as you know, the US promised in the agreement reached in February to withdraw their troops, the Taliban committed not to allow al-Qaeda or any other extremist group to operate in the areas it controlled. If, where and when this may be the case is difficult to say. Then there are, of course, the areas not controlled by the Taliban.

The armed groups and networks operating in Afghanistan with strong transnational ties include al-Qaeda, the Haqqani network, Daesh and Lashkar-e-Taiba, among others. Again, these operate in different forms via different operational routes.

Erica Gaston: In relation to transnational ties, the group that most people would be concerned about in the current security situation is the Islamic State in Khorasan, which rose and became a more prominent force in the east in 2015. At its peak it had captured some eight to 10

different districts in Nangarhar province, one of the major eastern provinces, which is quite significant.

There had been a concerted effort to push the ISK back, in an interesting way bringing together many of the different non-state actors from both sides of the aisle, so this may be an interesting illustration of foreign support and the different ties between different actors. The ISK was viewed as a serious threat by the Afghan government, not only because of its ties to Daesh, both financial and inspirational, but its carrying out of IS attacks in another major area of US concern. The US was very much seized with the threat, and the Afghan government was very much seized with it—as was the Taliban, because the ISK was seriously eroding its control of a number of districts and territory and messing up a lot of its transit lines.

Interestingly, so were a lot of the very local criminal smugglers and illicit networks that are very prominent in Nangarhar, because ISK was disrupting their ability to traffic goods. You had this interesting, strange-bedfellows mix of all these different actors—state to non-state, pro-government to anti-insurgent—in varying degrees of tacit or overt co-operation working against ISK. This is where you had one of the major pushes of mobilising local forces into quasi-state groups, called the uprising forces or *patsunians*. A lot of those were a mix of local tribal leaders and criminal traffickers.

You had the Taliban, which was not obviously openly co-ordinating with international forces of the Afghan government but there was a sort of tacit co-operation going on where as long as the Taliban was fighting only ISK, Afghan forces were not going to attack them. So you had them fighting on that side and then you had a major push of regular Afghan forces and US special forces going in there, and the units that we have just discussed—the CIA militia units, the 02 units, going in and aggressively pushing.

That is a bit of a divergence from the question, but it is an interesting example of how some of these groups might flip together or flip against threats that they perceive, including international terrorist threats.

Q59 Baroness Fall: What challenges does the ongoing influence and power of warlords and militias, which you have set out for us so well already this morning, pose to the legitimacy and effectiveness of the Afghan national forces? Do you see that changing with an increased American withdrawal?

Erica Gaston: The persistence of warlord and militia power has been a long-standing problem for the development of the Afghan national security forces in a couple of ways. One, which we have already alluded to, is the persistent problem of militia and factional control and penetration of the security forces. There have been a number of efforts to try to regularise that and break some of these patronage ties and to demobilise some of the manifestations of non-state armed groups that were on the inside, but it was never entirely successful. You can still

identify parts of the ANSF by its allegiance with different powerbrokers or with factional networks. Antonio Giustozzi had a great quote in a report he wrote a few years ago when he said that the 'uniformed police were still more like a fragmented coterie of militias than a police or civilian police force.' I think that still stands.

That is a problem in a number of ways. Positions are still accorded on the basis of political allegiance and connections, so they are not being accorded according to capacity. There is a bit of the weakest link happening across some portion of the ANSF.

It is also a problem of command and control. In many cases, security officials answer in the first place to their informal patrons rather than to their official superiors, or certainly not necessarily acting in the interests of the Afghan state. It is also a problem because, whenever there is a political fight between these competing factions—as there was during the national unity government and as there certainly would be after a peace deal with the Taliban and a prospect of Taliban integration—security force coherence and capacity takes a hit. It makes things like SSR⁴ incredibly difficult, because it becomes a question of horse-trading between factions rather than what is best for the force. Overall, that hampers the capacity and the coherence of the ANSF.

There is also the issue of legitimacy, which my colleague already spoke a little bit about. The reality that the ANSF were captured by this patronage system was not lost on the Afghan people. They knew very well that a large portion of the police or the security forces that were assigned to defend them were more interested in carrying out the interests of powerbrokers in Kabul or of their local warlord than protecting them.

This has been a persistent issue with the overall legitimacy and perception of the Afghan National Security Forces, and it is one of the factors, along with corruption or predatory behaviour, that is frequently cited in explaining why the Taliban was able to have such a resurgence. Those are all factors of the Afghan National Security Forces.

This is not to say that there have not been some gains with developing professionalised cadres of forces. Certainly some of the forces that may have had the most concentrated attention, resources and mentorship, such as the Afghan special forces, look a lot more like a professionalised competent force. Maybe the concern with increased US withdrawal—to get to the second point of your question—would be whether you are able to preserve those gains with the more professionalised competent parts of the forces in addition to the ways in which they enhance technical capacity, such as continuing to help to build the Afghan forces' precision in airstrikes or other things that are very important for both security and protection goals. The concern about a drawdown in that mentorship and support is that the force as a whole shifts more towards the factional or patronage-based instincts that are already there.

⁴⁴ Security sector reform

Dr Antonio De Lauri: The issue of legitimacy is always a difficult one. To understand it we have to look at what happens on the ground. In the aftermath of 2001, different ISAF⁵ and Operation Enduring Freedom contributing countries have undertaken responsibility in military training, the creation of the Afghan National Army, operational planning and so on.

At the same time, however, the military presence of foreign troops and their operations have represented a concern, in terms of legitimacy, for many political as well as civil society groups in the country. In a place like Afghanistan where the architecture of political violence and armed groups is quite complex, control over the territory is disputed among a plurality of actors.

The point is who in specific areas can be seen by the local population as a security provider. The situation is volatile, and different armed groups and militias have a lot of room for manoeuvre in this contest. As long as Afghanistan continues to be dependent on support by foreign countries in strategic sectors, the situation will continue to be volatile. We already mentioned, for example, that the funding for the Afghan Local Police ended on 30 September. The ALP has its origin in an international counter-insurgency programme that sought to raise village-level defence forces from within communities that would help to fight the Taliban. The plan now is for one-third of the ALP to be disarmed and retired, one-third to be transferred to the Afghan National Police, and one-third to the Afghan National Army Territorial Force.

However, uncertainty about this process dominates. According to analysts, some ALP units have been effective in fighting the Taliban, while at the same time we know of several cases of units abusing power and committing crimes. What is sure is that dissolving the ALP will again change the infrastructure of security and territory control in many of the more than 150 districts where ALP units are present.

The Chair: Thank you very much indeed. We are certainly trying to assimilate the depth of your answers. It has been tremendous. Time is always our enemy in these cases, so I ask my next two colleagues, Baroness Rawlings and Lord Grocott, to be twins on this. Baroness Rawlings will ask her question and Lord Grocott will ask his immediately afterwards. I will then turn to Dr De Lauri to begin the answers to those two questions jointly.

Q60 Baroness Rawlings: Thank you both very much for fascinating answers so far, which leads me on to the next question.

I know the security is the basis for the stability in any country. What are the interests of those non-state actors, armed or not, private financial institutions or charitable organisations, which support the Afghan government in the ongoing peace talks, and what would be more beneficial for them: the success or failure of the talks? We hear so often about failures, but there are many successes, such as economic and

⁵ NATO's International Security Assistance Force

social, which you have just mentioned, as well as civil society and cultural influences like the AKDN, which has given over \$1 billion in assistance very successfully in Afghanistan.

Q61 Lord Grocott: My question is about the influence and importance of religious leaders in all this, maybe in their relationship with some of the non-state actors that we have heard about. How significant are they in what I am slightly reluctant to call it the peace process but what seems to be described these days as the peace process? Are religious leaders involved in this any direct or indirect way? Are they a help or a hindrance?

Dr Antonio De Lauri: I will try to be brief in my answer. As the negotiations continue, there are different issues and interests at stake for some militia leaders, warlords or strongmen. For some leaders, the main priority at this point may simply be to maintain the status quo, and of course avoiding any process for making their past actions accountable. In that sense, whether the success or failure of the talks is more beneficial for some actors very much depends on the details and the implications of a possible agreement.

Regarding the religious dimension, the appointment of Abdul Hakim Ishaqzai as the Taliban's chief negotiator indicates that the voice of religious leaders is important in this phase of the negotiation. During a talk in Doha yesterday, President Ghani proudly argued that the constitution of Afghanistan is the most Islamic in the world, referring especially to the first three articles of the constitution. But the key question here is what Islam we are talking about. Abdul Hakim is a hard-line cleric who until recently ran an Islamic madras in Pakistan from where he led the Taliban's judiciary and headed a council of Taliban clerics that issued religious edicts to legitimise the group's actions and violence in Afghanistan.

The Taliban's position in the negotiations is that the establishment of an Islamic system of governance should be the focal point of discussions, but the risk of having Islam as the battleground for the negotiations is that it can ignite excessive instrumentalisation. On one side, the Taliban describe the existing Afghan ruling system as illegal and a product of foreign powers. On the other side, the Afghan government defends the current system as fully Islamic. While searching for a compromise, it is very important to keep up attention on issues such as the protection of fundamental civil and political rights and on the possible amendment of the constitution, which seems to be happening.

The role of Abdul Hakim as a negotiator, someone who in fact does not have much experience as a political negotiator, also aims at somehow symbolically reassuring Taliban fighters that, whatever the agreement, Taliban leaders will prioritise Islamic values, or rather their idea of Islamic values. One option that was mentioned by the Taliban is the possible creation of a religious authority at the apex of a future Afghan government, something like a body with the power to oversee the executive.

Erica Gaston: I thank Baroness Rawlings for broadening the question not only to what non-state actors have to benefit from the success or failure of the talks but to what all the other non-state actors, organisations and civil society, who are also important here, have to benefit from them. Whether you are talking about businesses or the economic community in Afghanistan, about groups like the AKDN or other human rights NGOs, or about broader civil society operating at a community level, they have everything to gain from peace but possibly everything to lose from the way in which peace is devolved.

Obviously, there is a huge longing for a degree of stability, and that is true whether you are someone trying to operate a business or whether you are a civilian in one of the contested areas. I recently relooked at the UNAMA statistics on civilian casualties. For the last eight years running, there have been more than 10,000 civilian casualties per year, which is very high. As a whole everyone wants that to stop. However, as my colleague just said, there is a strong concern about what opening up the constitution will mean in a lot of the day to day functioning: how development is exercised, how education is exercised. I am sure this will be a larger point of discussion in the next session on the Taliban, but unfortunately it will not just be about whether the talks succeed or fail—I think there is a general consensus about wanting them to succeed—but about what the negotiations at the end of it mean for basic rights and safeguards.

That is not to say that the non-state actors, some of the warlords, the politicians or the powerbrokers we have been talking about are not dedicated to peace. Lots of those leaders have lost family members and on a personal level would like to see the end of conflict, but they also have a lot to lose in terms of their political and economic interests if the Taliban comes into government. This is definitely something to be on the lookout for in the success or failure of the talks.

Let us take the issue of what happens with their fighters, which again might be in the form of militias, local defence forces or parts of the Afghan security forces. The majority of their men are embedded in different ways in the Afghan state salary-paying institutions. If there is a peace deal, some form of Taliban reintegration of fighters would be expected, and Taliban fighters taking on government berths.

In an ideal world, if you are trying to get through a difficult negotiation you might take the analogy of trying to expand the pie. You do not make it a zero-sum game but you make sure that everybody has something to win. Unfortunately, in the current situation in Afghanistan, that is not likely to be an option. With the expected withdrawal of international forces and some degree of drawdown in international funds, we are at a moment when we will not be expanding the Afghan government and security forces but trying to economise them. That means that Taliban fighters coming into government will displace those who are currently there, more so than simply expanding the pie and letting everybody have a piece of it.

That will be a major loss for a lot of the key powerbrokers that currently depend on those positions and it will mean that any processes such as DDR⁶ or SSR will be crucial not just to the success of the bargain being struck but to it being implemented, and they will be incredibly fraught.

On the point about religious actors, I will let my colleague's statements stand, because I think he covered them excellently.

The Chair: Thank you for dealing those two questions together. I can now move on to Lord Alton for his question.

Q62 **Lord Alton of Liverpool:** I, too, thank the witnesses for the rich detail they have painted on to the canvas. Certainly for those of us like me on a sharp learning curve it has been helpful to hear some of that detail.

Could I invite them now to dive a bit deeper into the detail about the non-state actors who are potential spoilers should a peace agreement eventually be reached? How might they be brought into the settlement? Dr De Lauri talked about the geography of power. Have we learned anything from other situations about where spoilers and splinter groups have been successfully brought in, and can that be applied in any way in Afghanistan?

Dr Antonio De Lauri: I again mention the role of militias. Any peace agreement would be effective only by grounding it into the different realities of the Afghan territory. Militias have the power to completely destabilise governments and to reproduce spirals of violence. Again we need to consider the nature of the different actors involved. The US-Taliban agreement, for example, covered the withdrawal of foreign private security forces but, unsurprisingly, said nothing about the CIA's role. The agreement stipulated that intra-Afghan negotiations would follow to discuss a ceasefire and the future political road map of Afghanistan. A comprehensive peace agreement negotiated by the Afghan parties is therefore expected to include the legal framework for the structure of the post-war armed forces, including the CIA-sponsored militias.

While the case for disbanding the militias is very strong, it is not easily realised, unfortunately. After the Taliban-US agreement was signed in February, analysts in Washington suggested that the Taliban would make it a priority to take over the NDS and end its relationship with the CIA. This could mean several things. It could mean that the militias could be taken over by the Taliban, for example, to fight rival militant factions, or the CIA-sponsored militias might break away to find new sponsors or even operate autonomously. If violence continues in the future, militias will be very much in demand in the political marketplace. Again, ending impunity and addressing the accountability of militias should be the starting point of any talks, but it is very unlikely that this will happen.

Erica Gaston: There are two ways you might think about conceptualising all these different actors as spoilers. First is all the leading politicians and

⁶ Disarmament, Demobilization and Reintegration.

powerbrokers, and anyone who is sitting at the table in Doha could be a spoiler if they do not like the way the negotiations play out. This could take us back to some of the political economy of force, divisions and spoils over the Afghan state and things like that.

Picking up on the point about militias, the second way you could get spoilers would be at a very local level. So far in the US-Taliban negotiations, one of the ways in which they have been trying to keep them fluid is to have a series of ceasefires. That is the way you signal that someone is still in the talks and participating in good faith. It only takes local fighters who are not happy because their particular ALP force or *patsunian* force has been disbanded to rupture those ceasefires. That is one way they could be a spoiler.

Lastly on the issue of these militias and how they would take part in a peace deal, a major point of concern is that so far, to the extent they have been discussions with all these non-state armed groups, the focus is on the reintegration of Taliban fighters. That is a serious issue and definitely needs to be put on the plate. However, we also still have all the other pro-government militias and forces, some of them quasi-state forces, some of them squarely not ... to the tune of some 60,000 forces in Afghanistan that hold these berths right now.

The ALP was demobilised or defunded only in September. But we knew that this was coming for a year and a half before, and only in this past week did the Afghan government announce this plan of dividing the berths between the ANP and the ANATF, and some demobilised. It is not clear that that plan is actually functional and effective.

One larger concern is that in all the focus right now on the Taliban reintegration and what you do with all those fighters and spoilers, there has been a bit of a distraction from what you do with the possibly equal number of pro-government militias and forces who could equally be perpetuating violence, rupturing ceasefires, derailing the talks, and will have even more incentive to do so if their positions are the ones that are traded off for Taliban reintegration posts.

Q63 The Chair: Thank you. In your reflections there about the peace process itself, the talks that are going on, what might happen after that, we have not asked you at this stage what you think the UK should be doing; our report is obviously about the UK and Afghanistan.

Could you give us some rapid reflections on what the UK can do to support the peace and stability in Afghanistan, in particular in the context of the role played by the US, the UK and allies in the supporting the local armed groups—something that Erica Gaston referred to?

Erica Gaston: First and foremost, one thing that could be happening right now is dealing with some of those pro-government militia issues. Because there has been such predominant international focus on the talks right now, there is not attention right now to the fact that 20,000 forces were laid off with no clear plan or reintegration possibility for them. At the same time, the Afghan government is actively building up

the uprising of *patrunian* forces, so it is creating more pro-government forces right now.

One thing that international actors could do right now is to focus on what they can already control, which are the forces that are attached to the state, and look at whether they are creating more conflict triggers right now. Obviously there needs to be support for the international peace process, but for the moment it looks more like waiting and seeing how that emerges and continuing to support talks.

Dr Antonio De Lauri: I agree with what was just said. I have two bullet points: first, including a comprehensive DDR⁷ programme as a priority for the peace negotiations and, secondly, increasing the political pressure on the Afghan government to investigate and hold the militias and the paramilitaries accountable under the relevant bodies of law.

The Chair: Thank you very much indeed. I know my colleagues will feel as I do that we have had a very rich tapestry of information. One of my colleagues said that it is a steep learning curve for us and one that we are very much enjoying and indebted to you for your contributions.

In thanking you both, Dr Antonio De Lauri and Erica Gaston, for your assistance today, I also hereby close this public session. We will resume very shortly for our second evidence session today. Erica Gaston and Dr Antonio De Lauri, thank you very much indeed.

⁷ Disarmament, Demobilization and Reintegration.