



Select Committee on International Relations and Defence

Corrected oral evidence: The UK and Afghanistan

Friday 18 September 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. 1

Virtual Proceeding

Questions 1 - 8

Witnesses

I: Kate Clark, Co-Director, Afghanistan Analysts Network; Shaharзад Akbar, Chairperson, Afghanistan Independent Human Rights Commission; Hameed Hakimi, Research Associate, Chatham House.

USE OF THE TRANSCRIPT

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

Examination of witnesses

Kate Clark, Shaharзад Akbar and Hameed Hakimi.

Q1 The Chair: Good morning and welcome to the meeting of the International Relations and Defence Committee in the House of Lords. This is our first public evidence-taking session of our inquiry, 'The UK and Afghanistan'.

I welcome our witnesses, who are contributing to the inquiry: Kate Clark, Co-Director, Afghanistan Analysts Network; Shaharзад Akbar, Chairperson, Afghanistan Independent Human Rights Commission; and Hameed Hakimi, Research Associate at Chatham House. You are all most welcome.

May I please remind Members and witnesses alike that this session is broadcast, it has a transcript, and it is on the record? I remind members of the Committee to declare, as always, any interests that might be relevant when they ask questions.

May I explain to our witnesses that, as usual, I will begin with the first question—it is always a general one—before turning to colleagues to ask more detailed questions?

Usually, I will invite the three experts on our panel to answer the questions in the order in which I have just introduced them, but there will be the odd occasion when I might invite one of them to go out of turn.

Question 3 is due to be asked by Baroness Helic. If she has not managed to arrive, I will ask it in her place. That will be directed first to Shaharзад Akbar for an answer. When we get to question 5, from Baroness Smith, again I will go first to Shaharзад Akbar. When we get to Baroness Blackstone's question 8 at the very end, I will explain that the three different subjects will be aimed at individuals: on human rights, to Shaharзад Akbar; on political and diplomatic matters, to Kate Clark; and on security matters, to Hameed Hakimi.

With that explanation, I will go into my first very general question to all three of our experts. What are the major challenges facing Afghanistan today?

Kate Clark: The major issue is the war, which is 40 years old. It started with a communist coup and a Soviet invasion and has carried on in various guises ever since.

Currently, there are three players: the Taliban, the Afghan government, and the various international forces, only one of which—the US—is currently fighting. Actually, it has not been doing much fighting since the 29 February agreement.

The two main powers in Afghanistan—the Taliban and the Kabul side—do not recognise each other's legitimacy. The Kabul side is very dependent on foreign aid and support. The Afghan government get 75% of its revenues from outside. The Taliban also fights with foreign support, largely from Pakistan, where it enjoys safe haven.

This war is now pretty well killing only Afghans. It is Afghans killing Afghans, but with foreign support. Unfortunately, even if that support goes, there is no sense that the war will stop.

War and peace are definitely the biggest challenges facing Afghanistan, in addition to an economy that is very much supported by foreign money—particularly the spending by foreign armies, but also aid. Without that, the current state would not survive.

Shaharзад Akbar: I am very honoured to be speaking to all of you. As Kate Clark mentioned, conflict is the major issue facing Afghanistan right now—the biggest challenge—and the ongoing peace process. The outcome, if the talks fail, would mean continued violence and even intensified violence. That is the biggest issue facing Afghans right now.

Additionally, corruption remains a huge challenge. It is one of the main contributors to conflict and questions the state's legitimacy and increases the distance between the state and the public. A culture of impunity is also a major issue. These are interrelated, and of course a culture of impunity, which has implications for access to justice, also fuels the conflict, at least at the local level.

Hameed Hakimi: I agree with both points raised. For me, the socio-economic challenges facing Afghans will unfortunately be with us for a long time. Looking at that, the notion of multidimensional poverty is very important to underline.

In 2019, Afghanistan launched its first multidimensional poverty report, which is an index. It said that approximately 52% of the country's population—if we take the estimates of the World Bank, for example, that is 37 million to 38 million people—is multidimensionally poor.

That means that in Afghanistan are affected by multiple and intersecting deprivations in health, education, living standards, employment and security. Crucially, out of the 19 million or so Afghans, 58% were children under the age of 18, and 83% of this population lives in rural areas.

To take this forward, even if tomorrow we were hypothetically somehow to get to some kind of a peace process or agreement with the Taliban, we would be left with the mammoth task of lifting people out of poverty. If it is not dealt with, it will give birth to loads of other issues, including security and concerns for international and regional security.

For me, in addition to the conflict and the issues that Shaharзад raised, I think the socioeconomic challenges facing Afghans have to be highlighted.

The Chair: Thank you, all three of you, for setting the scene for us. I now go to go to my colleagues for the detailed questions.

Q2 **Lord Purvis of Tweed:** Good morning, everybody. Given that this question relates to peacebuilding, I declare that I chair the UK board of Common Ground, an international peacebuilding charity.

Given all the complexities you have just outlined, and the difficulties and the scale of those difficulties, if there is to be peace, what might you consider to be the key components of making that peace durable and constant? How can we avoid what may already have happened but may well develop further with the state capture of certain institutions? How can we address the point that Ms Akbar mentioned about corruption and impunity from the rule of law?

Given the fact that it is unlikely that the external powers, which Kate Clark referred to, will stop having a desire to have an influence within Afghanistan, how will any peace accord or accommodation resist that continuing external presence?

This is such a very large question. I know that you cannot answer it very fully in the time that we have, but perhaps you will give the core components of a durable peace agreement.

Kate Clark: I am answering this very much in the context of the current peace process, which was driven, I would say, by the desire of the US to leave Afghanistan. It made significant concessions in reaching an agreement with the Taliban that was signed at the end of February. It agreed to exclude the Kabul government and other opposition figures. The US made significant concessions: a partial withdrawal of troops immediately and unconditionally, and the final withdrawal next May. That is conditional, but on very vague terms for the Taliban, which is not to allow Afghan soil to be used for attacks on America and its allies. That is it.

One of the things to bear in mind is that, if we do not have any sort of agreement for a ceasefire or something a bit more durable by May, the Taliban may well be very fed up if the American troops are still there. It thinks they will be going. It considers this agreement a victory.

On the Kabul side, the government did not want this. They want the status quo, but the status quo is 20 years old now and is not changing. The government system is stuck. It is not very democratic. Very few people came out to vote in the last elections, even in places where the Taliban was not trying to kill voters.

It is a very stuck system, with members of the elite not changing in the last 20 years. You may get a few sons and daughters coming in, but nothing else. There is no genuine opposition, because everyone can get into a future government or not. The politicians do not represent the public. They have financial autonomy because of all the unearned income coming into Afghanistan, both spending by the armies and foreign aid. Spending by the armies is the major thing.

There is the financial autonomy of the elite, there is not much representation, there is no real political domestic opposition, and there is an insurgency. As I said, the Kabul Government have been very happy to delay trying to get into talks with the Taliban. It is now happening. There are some interesting things going on just by having people talking to each other.

At the moment, I am not very optimistic that anything durable will come from the talks. We will come back to this later, but I think there are issues about the honest intentions of the Taliban at this point.

Shaharзад Akbar: One of the key components for peace to become durable or for talks to succeed is responsible engagement by the international community. As Kate has already explained, with the US declaring timelines for withdrawal, that puts a lot of extra pressure on the talks. It also makes them less likely to succeed.

Additionally, the regional dimension is very important. A lot of discussions about the Afghan peace process make it seem like it is about the Afghan government and the Taliban. The fact is that if the regional dimension—the role of Pakistan and the regional players and their incentives, their support for the process and the outcome of the process—is not addressed, it is very unlikely to deliver a durable peace. We may have an agreement between the Taliban and the Afghan Government, but for that agreement to be translated into a durable peace we need the regional players to be on board.

It is also about how the peace talks—the process itself—move forward. If either of the sides is made to give too many concessions, they will have difficulty in convincing their constituencies to agree with those concessions. To that extent, it does seem like the Taliban, as Kate said, is in this mood. It thinks that it is the victor, that it has convinced the US and there is no need for it to invest a lot in convincing the Afghan Government, and that even a military victory might be likely for them. I think we will come back to that later. If that is the thinking on its (Taliban) side, it is very difficult to have the process deliver something durable or even become serious and genuine.

Hameed Hakimi: I largely agree with the points raised, but I also feel that as we go into these conversations and talks with the Taliban we might as well figure out a few of the fissures, fractures and fragmentations that for many years we have heard conflicting views about, whether or not they exist within the Taliban. Could some of those be utilised to figure out what needs to be done in an agreement?

Right now, the narrative is not helpful. The Taliban has really captured on this. I have been following its communication with local audiences—with the national constituencies, wherever they are. I am still confused who its constituency is in Afghanistan. It constantly puts this narrative out that it controls 70% of the country. That is largely our problem in the West because we analyse the conflict in very simplistic labelling terms without explaining that there is a nuance between population centres. Afghanistan's geography is very ragged, with the terrain and everything else. The Taliban is very comfortable around Doha. It constantly refers to 70% control of the country, which is factually incorrect.

Having said that, it is also true that the Afghan government are incredibly weak. They have wasted at least four to five years since 2014, even if we are generous to them. They have wasted a lot of time with their constant

internal arguments: who sits in which office, whose bodyguard gets an armoured vehicle and whose does not. These are absolutely ridiculous things.

If we focus too much on the problem, we might forget that this is a historic moment in contemporary relative terms. The fact that we now have the Afghan government and the Taliban sitting in the same room and talking, with the Taliban trying to be civil, looking from a distance, is an achievement.

It is premature at this point to say what could work and what could not work. I believe that a bare minimum is leverage by the internationals. As Kate's very helpful recent analysis has pointed out, in Afghanistan any state emerging would need foreign support. It cannot sustain itself. The Taliban knows that. The Afghan government know that very well. That opens up the space for leverage by the internationals, whoever they may be. Maybe we are including the United Kingdom as well. Are we going to shy away from using that leverage? Are we going to use it behind the door in ways that are not really helpful?

At this precise moment, the only thing that could make something work would be some meaningful sustained international engagement that then holds the party on the other side to account, whether that is the Taliban 2.0 or the Afghan government mixed with the Taliban—whatever set-up emerges. We can use our leverage to hold them to account. We will be paying from the West. Unfortunately, that will be the reality.

The Chair: I now turn to Baroness Helic. As I explained at the beginning of my introduction, I will invite Shaharзад Akbar to go first on this occasion.

Q3 Baroness Helic: Good morning, everyone. There are a lot of missing elements in the current peace talks, but I believe there is one missing element that is the bedrock of stability, security and long-term peace in Afghanistan: the participation of women. To what extent do you think that the fears that women's rights will be sacrificed at the peace talks are justified?

Shaharзад Akbar: The fears and concerns about women's rights in the peace process are very legitimate, and the action of the Taliban when it comes to women is well known. Recently, it has been trying to be very ambiguous when it speaks about women's rights and not to give a lot of very specific answers. It usually gives a very generic response about women's rights within an Islamic framework.

We remember the period of the Taliban in Afghanistan and the range of limitations imposed on women, from their right to education, their mobility rights, public participation and work. All those rights were taken away from women.

There are many forms of inhumane punishment—we would call them torture—of women for "moral" crimes or violations. It could be as simple

as a woman showing a little bit more of her leg when she is out on the street or not being fully covered in a burka. She would get flogged.

There is a lot of concern and fear. Right now, from the way things look, women's participation in the process is not satisfactory—also on the Afghan government's side. In the Republic's negotiating team, we have only three women on the ground from a 21-member team. In the reconciliation council that has been set up, there are only eight women among a body of over 40. Similarly, in the Ministry of Peace, there is one female deputy. In the formal structures, this is insufficient. I think we should all continue to advocate—certainly, we in the commission do—the greater participation of women on the Republic side in the peace process to ensure that women's voices are heard.

Beyond participation in the negotiating team and the formal structures, both parties in the peace process and around the negotiating table should be persuaded to agree to open the negotiating table to important discussions. Women's rights and victims' rights are two of the important and contentious issues on which the deliberations of only two negotiating teams are insufficient. When it comes to discussions on women's rights, the negotiating table should ask for the voice of experts and activists from outside to inform the deliberations. Of course, agreements will be reached by the two negotiating teams.

We have to advocate continuously opening the negotiating table to voices from the outside to reflect the diversity of Afghanistan and the social and cultural change in Afghanistan, particularly in women's rights, as this is an issue that will have long-term implications for peace, security and prosperity. It is needed for the long-term prosperity of the country.

If we end up with a government who not only decide to segregate girls' and boys' schools but have segregated curriculums for girls and boys, and limitations and ceilings for the professions that women can be part of, banning women from being in the military and judiciary, Afghanistan will fall behind in its path to development and self-reliance for many, many decades, I am afraid. This is a very relevant issue and there needs to be continued advocacy of it.

Kate Clark: There are big differences between how the Taliban rules and how the current Afghan Government rule. For all the problems on the Afghan Government side, there is a measure of free speech and free association. The state does not clamp down on women's rights or minority rights. When you look at the Taliban areas, you will see very few girls going to school beyond primary age. We did some research last year and we found one district where the elders had managed to keep their secondary schools open for girls when the Taliban took over.

There is very little free speech. It is an authoritarian movement that does not brook protest. These are really key differences, not just for Afghan women but for Afghan society in general. So far, the Taliban has not recognised how far, particularly in urban areas, Afghanistan has changed

since 2001. People are used to these freedoms. Kabul has about 7 million people; it was less than 1 million under the Taliban.

It will be much more difficult for the Taliban to impose the restrictions that it imposed before. This is partly because many of the changes are internal changes to do with aspirations and expectations. You cannot get rid of that with top-down rules from a Government unless it is preceded by extreme violence. When the Taliban took over in the mid-90s, Afghan civilians were coming out of extreme violence and civil war. Kabul had lost tens of thousands of people in rocketing by the various parties that came to power in 2001. People were very tired and society was devastated.

Hopefully, that will not happen again. If it does, I feel that the Taliban will have difficulty trying to impose its rules and its idea of what a good society is on many Afghans. The way the Taliban rules is that it seems quite reasonable for some parts of rural Afghanistan—the places where it comes from and where it seems reasonable. But even in those areas we have seen changes in the last 20 years. Boys' education is now seen as quite a normal thing and is expected by parents. Primary education for girls is expected by many people. Things have changed even in the areas under Taliban control since 2001.

I agree that the danger is there. This is a really big risk, but I also think that there is a measure of strength within Afghan society again that will mean that it will be much more difficult for the Taliban to impose these restrictions from the top again.

Hameed Hakimi: I risk being a man talking about women's issues, so I apologise in advance. I will reflect generally about the work that we have done at Chatham House and in my own academic endeavours.

One of the key nuances with the women's issue in Afghanistan that we have witnessed is that, as the war and political economy around the conflict has emerged, it has created an elitism around men in society. Arguably, you could say that it has created an elite circle of women, perhaps to a lesser extent but definitely to an extent, who have access to language, to foreign trips, to European countries, and to the West in particular. That gives them a platform that enables them to be the *de facto* representatives of Afghan women, broadly speaking.

I have been in meetings—they were under Chatham House rules, so I am not going to say where or when—where the Taliban has raised this issue. Women's representatives have been singled out as being pro-Western values, pro this and pro that, to create a kind of sympathy pot where they can get more people on their side in discussions and meetings to say that such-and-such women do not necessarily represent all Afghan women.

While all the issues raised are quite valid, it is also important to have a critical lens on the phenomenon of the divide between urban and rural Afghanistan. There is a divide between both men and women of Kabul

and outside Kabul. I know that Shaharзад's organisation, for example, works across the country—that is totally not part of my intended analysis—but it is certainly a view that needs to be considered.

How can we make women's issues more representative? How can we, for example, represent the women from Sheberghan in Badakhshan and women from Mohmand Agency, Mohmandara and Nangarhar in the east? How could we represent all of them and their issues with women in Kabul, who will all lose out? If we have a Taliban 2.0, I totally agree that they will lose out. How can we safeguard them? Is it numerical representation, so you get some visibility around the table? What about the substantives? What interests are at play there on the part of women representatives as well as men representatives?

A little bit of nuance would be very useful to dig deeper into the issues that both Kate and Shaharзад raise, which I totally agree with.

Q4 Lord Reid of Cardowan: I thank our witnesses for a very informative start to the challenge that we face in looking to the future of Afghanistan.

I have two questions about the talks and the potential outcome, the first of which, I realise, is highly speculative.

In so far as it is possible for any of us to see into the strategic objectives of the Taliban, what are its motivations in the peace talks? Most disputes and wars of this nature come to the beginning of the end by a mutual recognition on both sides that violence can no longer achieve their objectives. Is the Taliban committed, in so far as we can judge, to reaching a long-term agreement, or is its aim more tactical to secure the release of its prisoners and the withdrawal of US troops?

The second question concerns the outcome. In the unfortunate event of the peace talks failing, and given the promised drawdown of international troops, what is your estimate of the capability of the Afghan armed forces and police to maintain internal security and stability on their own?

Kate Clark: There is a very legitimate concern, and one that many Afghans share, about the actual intentions of the Taliban. Quite a few of us talk to the Taliban. We monitor what it says and we look at how the leadership is dealing with fighters on the ground.

I am very sceptical about its intentions. I think that plan B is a negotiated end to the war and a political settlement. I would say that plan A is military takeover. Whether that is realistic is another issue, but clearly it sees the agreement with the Americans as a victory. It has been great for the Taliban in legitimising it and giving it an international stage.

The other thing I am concerned about is that there are different currents of thought within the Taliban. Not everyone is a warmonger or believes that a military victory is either possible or advisable. One of the problems with the way the US has dealt with the Taliban leadership is that they are largely men from Kandahar, so it is not nationally representative or even representative of the movement. It is largely men who live in Pakistan—

again, not representative of the Taliban on the ground. It has empowered those people.

There are figures within the Taliban who would like a negotiated settlement. They would like peace talks, particularly at the local level. It is not everywhere. You get bad commanders who are authoritarian and nasty. You get others who have relations with local people.

One of the problems of this way of dealing with the movement is that it empowers the wrong people within the movement. I am interested to hear what my colleagues think, but I sense that they are interested in getting their main enemy off the battlefield and getting their prisoners out. Prisoners are really important for the Taliban, as they are for many insurgent movements. It believes that it can defeat the Kabul government, particularly if the Americans are not there. I think it would be another round of civil war. I think it is the wrong way to go, but that is where it is.

Shaharзад Akbar: For the majority of Afghans, negotiations are the most reasonable way forward. I agree with Kate that there is a lot of scepticism about the Taliban's intentions. We do not see enough evidence to clarify whether the Taliban will genuinely try to negotiate, or will try for long, before considering a military engagement.

As Kate mentioned, it does seem that the Taliban—the commanders and leaders—believes that a military takeover is possible and feasible, especially with the US withdrawal. If that is the case, why not?

There are elements within it that would also find any form of negotiation or concessions required in a negotiated settlement very hard to bear. It has mobilised young Afghans to fight against the state and international presence for many years, with the narrative that the state is completely un-Islamic and that everything it represents is against Islam and the beliefs of the Afghan people.

It is already massively challenging for it to implement the agreement with the US by not attacking the Americans. Having a negotiated agreement with the Afghan government in which it makes concessions about the structure of the state against what it has told its followers it will accomplish will be very difficult for it to communicate and to bring everyone on board with. There is also anxiety about the peace process costing it some of its commanders to other groups who are fighting against the state in Afghanistan.

That said, there are also Taliban fighters at the local level who are sick and tired of the bloodshed. They are sick and tired of the war. It has impacted on many families and communities across Afghanistan. At the soldier and fighter level on the Taliban side, there is also a desire for ending the war, especially because they see that their leaders are outside the country engaging internationally while they continue to get killed and give sacrifices in the war every day. The Taliban—

The Chair: I am not sure if it is only me, but Shaharзад's video and sound has paused. I will go now to Hameed and ask him to answer. We can always come back to Shaharзад later when we have been able to re-establish the link.

Hameed, may I go to you on the same question?

Hameed Hakimi: We need to look at very recent history post-President Trump's oath-taking in the White House. In 2017, the United States government announced the South Asia policy. I remember being in Kabul shortly after. The Afghan government officials I used to meet were quite jubilant. They thought that the US would somehow crack down on Pakistan and that that would result in the Taliban stopping fighting and that it would come to the table. There is a lot of that kind of calculation, which now seems miscalculation at the time.

There is a view that even the Taliban was incredibly surprised by the generosity of the offer by the United States government, particularly by the overtures of Ambassador Khalilzad, who apparently has been tasked to bring the troops home and help the President of the United States to get re-elected. That is all perhaps related.

I think it has come a bit too fast for the Taliban. It is also apparent in the way that it tries to be more friendly with the media. I watched, for example, its spokesperson's interview with TOLONews the other day. It was quite an interesting spectacle. The spokesperson was constantly freezing on what kind of an Islamic system it wanted. "What does Islam say about women?" He would constantly refer to authorities higher than him who know the religion better.

Unfortunately, I think this is all a bit too rushed, but we are where we are. There is also the view that we need to appreciate that the Taliban, whether you call it a terrorist organisation or not, is an insurgency. When you bring an insurgency into a government and try to make it part of a structure that is supposedly delivering services to people, is responsible and accountable to populations and cannot go around on motorbikes terrorising villages and things like that, you will be faced with a different challenge. You will see the real capacity of the Taliban. It is one thing to be an insurgent group and wanting to take over. It is another thing entirely, as we know every day when we are in Afghanistan as outsiders, with the challenges of capacity which the Afghan government face 20 years or so down the line.

The Taliban has had its own generational shift, as the rest of Afghanistan has. There is definitely a need to be careful about making estimations of a takeover. Unfortunately, it would be more of a civil war than a takeover, in my view. A takeover would be difficult because, do not forget, the anti-Taliban side is also armed to the teeth. We know that. With all this money and all the militias, there is a war economy that has thrived in Afghanistan for the last two decades.

Yes, there is a risk. It would absolutely love to take over the government, but does it think it can take over? I think there is a tacit understanding among the Taliban that it cannot. Will the narrative be one of, "Oh, we want to do some kind of a deal and we are coming together", or will it be a victorious narrative of winning the jihad against the United States government? I think it will be the latter, but I believe that at this precise point it would be a little premature to expect that anybody would have good will with each other in the intra-Afghan talks.

You have people in the intra-Afghan talks from the Afghan government side—from Kabul—whose family members were killed less than a month ago by Taliban attacks. That is allegedly what they claim. They are sitting with individuals who are representatives of that movement, so emotions are high. The distrust is really high. Ultimately, the Taliban would like to have a big share of the pie, which is shrinking in Afghanistan. I think the takeover would be an overestimation of the Taliban capacity.

The Chair: Thank you. In the interests of time I will move on to the next question, which is from Baroness Smith. As I mentioned earlier, I will go first to Shaharзад Akbar for her to respond.

Q5 Baroness Smith of Newnham: Good morning and thank you all for your fascinating statements so far.

I do not quite have a declaration of interest, but I should probably just put it on the record that I am an academic in the POLIS department at Cambridge. It is a cognate department to Hameed Hakimi's, but I do not think it is a serious declaration of interest.

The real question is about human rights. All the speakers so far have talked about human rights in one way or another. The question I have written on paper is: what do you identify as the biggest human rights challenge today, and how do we keep the changes that have been made since the Taliban fell?

There is a wider question. If there is some arrangement and we find that the Taliban is ever more present, what challenges will be brought about and are there ways of dealing with them?

Shaharзад Akbar: Regarding the human rights situation in Afghanistan, let me start with where we have had some progress. We have had progress in the past 19 or 20 years in our legal framework, which is much improved when it comes to issues such as anti-torture, women's rights, freedom of expression and protection of freedom of expression for journalists. We have a more evolved legal framework.

It has not been easy. It does seem that putting things on paper should be much easier. I admit that it is much easier than implementation, but all these laws and legal frameworks have taken a lot of discussion and conversation within Afghans. There is a difference of thought and opinion on the extent to which our legal framework should be informed by our international commitments or international law, and the extent to which they should be informed by Sharia and by Islam.

There is discussion, even in the text of the constitution, about our international commitments to human rights as well as commitments to Islam, and to every single piece of legislation, from our penal code to the elimination of violence against women law, anti-torture codes and the child protection Act. Each of them generates huge discourse within Afghan society—among religious scholars, academics, legal practitioners and activists. The laws that have been made are the product of compromises of this discourse and differences of opinion. In their adherence to human rights principles, they are much better than the legal framework that we had before, especially when it comes to the penal code and the torture law, and even the elimination of violence against women.

There is now a whole belt of democratic force around Afghanistan. There are organisations that work for human rights in different parts of the country. There is greater recognition of human rights and of human rights principles. Initially, it was a lot about women's rights, but there is now greater recognition of human rights as a whole: the rights of children; the rights of people with disability; the rights of detainees and prisoners. Organisations work on these issues in a more focused and specialised manner.

Challenges remain. There is a whole set of challenges to human rights in Afghanistan. The first real challenge, as I mentioned initially, is the culture of impunity. Many people are violating the human rights of Afghans, including people in the government, the local militia and of course the Taliban. There are a whole range of people who are involved in violations. The violations of women's rights are even broader, but we do not have a response to these violations.

Prevention is very weak, and unfortunately the response is often weak or missing. There is a strong culture of impunity. Access to justice is very complicated. For many people, when you speak about human rights, it is an idea more than a reality in many parts of Afghanistan. That is something that we struggle with every day. It is something that we try to tackle daily.

In every conflict, more and more people are made vulnerable. We have the internally displaced, for instance, who face limitations in their right to access to education or employment. Unfortunately, we have people with disability caused by the conflict, and they face a whole range of specific human rights issues and obstacles to accessing their rights. We have children who lose one or both parents. The conflict is also one of the key reasons impeding access to human rights.

In terms of the Taliban and its views on human rights, we hear a lot about women's rights but there is a range of human rights issues which it has a very different interpretation and understanding of. How the peace process will deal with freedom of expression, for instance, is one of the key areas of concern for many. Another is the extent to which the Taliban open to our current understanding of the rights of minorities.

Discrimination is unfortunately very persistent in Afghanistan. However, our legal framework has evolved a lot and has tried to reduce or eliminate discrimination based on identity. However, we know that the Taliban's views on this issue are very different from the current legal framework.

Similarly, when it comes to the anti-torture legal framework, for instance, and the kinds of punishments in the penal code, that is one of the key pieces of legislation which the Taliban will have a lot of comments about that will contradict the human rights principles that we believe in currently.

The Chair: Thank you. You have given us a great deal of ground and information. In the interests of time, I hope our other two witnesses will excuse us but I will move to the next question, which will be put by Lord Hannay.

Q6 Lord Hannay of Chiswick: The question I would like to put is rather switching away. It is to ask your assessment—all three of you—of the agreement between President Ashraf Ghani and Abdullah Abdullah. How stable are the Government? To what extent are they capable of responding and resolving differences and tensions that may very likely arise, for example, over the conduct and the course of the Doha negotiations?

To what extent do the two protagonists—Ghani and Abdullah—reflect ethnic differences in Afghanistan, or is that a matter more of the past? Should we be looking at changes to the Afghan constitution to produce better results than we are getting at the moment?

Kate Clark: That is a big question. The Dr Abdullah and Ashraf Ghani relationship is horrible. It is the same between their teams. This is ongoing and dates from 2014 and the last disputed election. There is lots of squabbling, lots of arguments about who gets which appointments. It took months to get the cabinet organised. Even now in Doha there are disputes about who gets to do what, because there are supporters of both President Ghani and Dr Abdullah in the team. In no way is there a united front in the face of the Taliban or, indeed, in the face of the prospect of US troop withdrawal.

On the danger that international aid could leave Afghanistan, it has just felt like business as usual. There are the usual arguments among the elite about who can get appointments, ministries and governorships. It is very disappointing. I could talk more generally about the political and economic system that was set up in 2001, where briefly you have so much international money coming in that the people in charge have financial autonomy from the people. If you do not have taxation, you are unlikely to get representation in government. This is a huge problem in Afghanistan.

Most of the people who were catapulted to power in 2001 by the Americans getting rid of the Taliban were military men, many of whom had fought each other in the past. Some civilians have been added to

them, but the people in charge are still largely the commanders, civilian officials of factions, and warlords who got into power in 2001. They are there because of the international money. Afghan people do not really have much agency because of that financial autonomy.

You see it right at the top. They do not have to be bothered about what the people think. They are bothered about who gets what slice of the pie. It is a much deeper and more systemic problem than just two men who cannot get on. Unfortunately, the medicine of pulling the aid would also mean that the Government did not survive, so it is really tricky.

The Chair: Hameed Hakimi, because I had to miss you out on the last question, I will hand over to you next and then Shahar Zad.

Hameed Hakimi: I totally agree about the mess that these two gentlemen are in, which began with the agreement of the national unity government in 2014 brokered by Secretary Kerry. But I also believe that some things have changed. While I totally agree about the obsession with dividing the pie and all that, I think that the Abdullah Abdullah camp has weakened compared to 2014.

That is for various reasons. First, it came in 2014 on the back of the Jamiat-e Islami party, which is arguably the only post-2001 political party that stayed as a party. Now it has fragmented, so there are a lot of fissures between Abdullah and his former comrades in the party.

Secondly, in 2014 when he came into the agreement he was told—Abdullah himself told us this particular point—that there would be a de facto prime ministerial position for him, where he would be able to chair the Council of Ministers and effectively have the cabinet under his authority. That did not happen.

Internationally, through a domestic agenda against each other, President Ghani was able to sideline Abdullah to a large extent. We saw that, for example, in the Geneva conference in 2018, which I attended. The agenda, the conversations and pretty much the imagination around the agenda was driven by Ghani and his team.

President Ghani has also been able to use to his advantage the point about mobilising young people. That is why he has brought a number of younger individuals into the government. That has created its own challenges, because some of these are individuals from diasporic backgrounds, so now you have this culture clash inside Kabul between people who predominantly do not like Ashraf Ghani's style of government calling these individuals the Tommies. These are the Afghans with foreign passports working in high-level positions in the Afghan government or as advisers.

Some things have changed. I think President Ghani has been able to bring in a lot of centralisation and sideline Abdullah to a large extent compared to 2014. The international pressure is not there to push Ashraf Ghani to abide by the agreement, because that was signed in the

presence of the Obama Administration officials. That is not there any more. It is a new reality. Unfortunately, it is an ongoing issue.

To a large extent, I think the wider view, outside these two camps, is that if you have an agreement with the Taliban, the current arrangement between Abdullah and Ghani is largely temporary anyway, because arguably that has to be rearranged if you have the Taliban coming into the equation.

Lastly, that is also the point that some take as a reason why Abdullah and Ghani could want to be with each other, because if they were not with each other they would be pretty much obsolete in the case of a Taliban return to any kind of an arrangement. Those are my larger points on that question.

The Chair: Thank you very much. Shaharзад, would you like to add to that description by our two previous witnesses?

Shaharзад Akbar: As both my colleagues explained, it is a very unfortunate situation. It is very disappointing. We do tend to think a lot about the two individuals. Every time there has been an issue there has been an effort to bring the individuals together, but if there is time and space to talk about the political structure, that is a discussion that needs to be had, because the set-up is the root cause of some of these sorts of disagreements and power struggles, as well as the fact that we never understood enough domestically or thought enough about an election dispute mechanism. We always outsourced the resolution to outsiders. These two issues are more systemic issues that we have to resolve.

The Chair: Thank you very much indeed. Everyone will have noticed the time. I am very grateful to our next witness, Deborah Lyons, the Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan, for saying that she is prepared to start a little late. Clearly, we still have to finish her session on time because of her diary commitments.

I will call the next two questions. I know my colleagues will help me by being as succinct as possible when we reach our next witness session.

Q7 **Lord Grocott:** I can be very brief. I thank all our witnesses. Many of you have touched on or even answered my question, which is about the significance of foreign aid and financial support through military and other means to the Afghan budget. I think Kate Clark said right at the beginning that without aid the state would not survive. Is there anything that any of you would wish to elaborate on?

Kate Clark: I have talked quite a lot about this and, given the time, I will keep it brief.

Foreign money is of fundamental importance to the continuation of the Afghan state. One issue going forward is what powers such as Britain do about that.

I have one quick comment about some of the discussions that have been taking place, particularly on the US side. It is looking for a peace plan and quick-impact peace projects to convince the Afghan people that peace is a good thing. These have been horrible sources of corruption in the past and they do not really work. It is key for a power like Britain to keep the basics going to provide some certainty, and, particularly on key issues like education and health, to keep things going.

We have had the merger of the Foreign Office and DfID, and I would say: "Keep poor people in mind". Trying to use aid for political and military purposes in Afghanistan for the last 20 years has been disastrous, and I can provide the Committee with sources on that if you are interested.

The Chair: Yes, we would be grateful if you supplied information for distribution to colleagues.

Shaharзад Akbar: I absolutely agree with Kate in everything she has said. I just want to emphasise the continuation of services and ensuring service delivery, because that is essential. We should not punish the people of Afghanistan for the mistakes of the elite or for the corruption in which everyone has been involved. To some extent, the international community is also responsible for that.

The second point I would make is to keep investing in institutions, and not individuals. The war on terror mentality meant that some of our partners invested in individuals as key allies in the war on terror and gave them unaccounted power. There was no accountability for corruption, or even for human rights violations. If that continues to happen, of course the result will be no better than what we have now.

Hameed Hakimi: I totally agree with both points. Post 2020, if aid collapses, there is the potential for the emergence of a set-up that looks like a government but that is entirely dependent on the illicit economy. For example, at the moment the Taliban, by UN Security Council estimates, is making between hundreds of millions of dollars to \$1.5 billion a year through illicit means—mining, taxation, extortion and various other things.

Unfortunately, some of the protagonists also remember the 1992 to 1996 period in Afghanistan, where it happened to some extent, but at that point, in the early years of that period, they were involved in looting what was left of the state before them. When nothing was left, they fought each other and the Taliban came to power.

Unfortunately, we now have a very different world of licit and illicit connectivities, and the lines can be quite blurry. While we can say yes, the state at its current capacity, whatever we think of that, will not survive, there is potentially a third scenario where the powerful elite come together, because they are also semi-businessmen and in most cases men, who can keep things running at a minimum on some kind of illicit economy.

Q8 Baroness Blackstone: Good morning to you all. I want to turn to the UK's engagement with Afghanistan and ask each of you in turn to give an assessment and to focus on the areas where you have particular expertise. May I start with human rights and ask Shaharзад Akbar what she thinks the UK should be doing in this area, and to give an assessment of what it is doing at present?

The Chair: Can we go to Shaharзад to respond on human rights, and, as I mentioned earlier, Kate Clark on what we should be doing on political and diplomatic issues, and Hameed Hakimi on security?

Shaharзад Akbar: The UK has been one of the advocates of the human rights agenda in Afghanistan, and it has engaged with Afghan civil society and human rights institutions on specific advocacy issues, the broader promotion of human rights and protection of human rights by the Afghan government and other stakeholders.

There has been a decrease in UK funding to human rights in Afghanistan, even in the past 10 years, so there is less and less focus on human rights. There has been some funding of women's rights and preventing sexual violence and sexual abuse, and a lot of support to electoral systems, but recently there has been a considerable reduction in direct support to human rights institutions, and to the human rights agenda as a whole.

Moving forward, as regards the UK's role, as well as that of other international partners on human rights, it is a critical moment for human rights in Afghanistan with the peace process. It is very important for both parties to see both rhetoric and action from our international colleagues on human rights.

I also want to bring up the issue of the UK's investigation of its own soldiers causing civilian casualties in Afghanistan, for instance, as one of the key issues. That will demonstrate to the Afghan public the UK's commitment to the human rights of all Afghans. Similarly, for instance, the commission advocated in the peace process for the rights of victims in the prisoner exchange process, and at every other step of the way we will continue to advocate human rights issues. We understand that sometimes decisions made by the international community on these issues are political, but considering the sensitivity of the issue and the importance of human rights for the future stability of Afghanistan, we expect our international partners to be strong advocates for human rights values.

Kate Clark: I often wish that countries like Britain could have had a much stronger role. In general, we have very much followed the US lead on Afghan policy, as everyone else has done—with some great mistakes, therefore, and opportunities lost. There was the inability—they were sometimes blocked by Washington—to take an independent line, which would have been really useful.

In January/February 2002, Britain was in charge of ISAF,¹ which was then the foreign stabilisation force in Kabul. Under the Bonn accord, Kabul should have been demilitarised. The fighters who came into Kabul on the back of the Taliban leaving should have been cleared out. The British head of ISAF wanted to do that, but he was blocked by Donald Rumsfeld, who wanted to keep supporting his allies. Right from the beginning, there were moments when Britain could have, or perhaps should have, taken an independent line, and did not.

Britain was absolutely at the forefront of moves to try to talk to the Taliban much earlier, in the early 2000s. Again, it was blocked by Washington, which believed at that point the Taliban was an implacable enemy and should not be dealt with. If we had managed to push that through at that time, Afghanistan would be a different place now; the Taliban would certainly be a different organisation and we probably would not have had this war.

At many points like this, Britain had the right ideas but could not push them through in the face of US antagonism or US policy. We are now supporting the peace talks, but what else should we be supporting? Particularly as someone who is very sceptical about where they will lead, what should we be doing that will contribute to a peaceful Afghanistan, which is currently the world's most violent conflict? What should we be doing on the ground as regards peacebuilding and other issues that maybe the US is choosing not to follow at the moment?

Hameed Hakimi: I will be very brief. I cannot add much to what Kate and Shaharзад have said.

On security specifically, we have a very minimal portfolio of support now post the Helmand deployment of our troops. Going forward, the view that I always sense within the Afghan security structures, from the meetings that I hold with Afghan officials, is that one of the key things that Britain can do is to help Afghanistan and Pakistan smooth their relationships. There is a perception, perhaps not entirely inaccurate, that we enjoy good relations with Pakistan. There is obviously a historic connection between Britain and Pakistan, and we give aid to Pakistan. It would have a significantly positive impact on security in Afghanistan if this relationship between Afghanistan and Pakistan, specifically on people-to-people relations and on reducing the trade deficit with Pakistan, could somehow be brought into the focus of British policy in Afghanistan.

I think our embassy in Kabul has tried to do that. I have seen cross-fertilisation between embassy staff in Islamabad and Kabul, trying to understand the two contexts better.

However, we should be doing something a little more aspirational and perhaps not follow the shadows of American policy in Afghanistan to the teeth, and perhaps have an independent identity of our own policy in the

¹ The International Security Assistance Force, a NATO-led military mission in Afghanistan.

region that can make a difference. Among the Afghan elite, it is the view that we are well suited to bring them closer to South Asian integration, especially on economic issues and people-to-people relations.

The Chair: May I thank all three witnesses for the depth and breadth of information that you have been able to provide us with today? We appreciate that our inquiry is an ambitious one, but in the House of Lords we like being ambitious, and we are very grateful to have experts such as you assisting us.

We are not going to suspend proceedings. In the interests of time, we will see if we can bring our next witness in very quickly, but I thank our three witnesses and wish you farewell for the moment. I hope we meet again in the future.