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Report

Elements of Latest Round of Taliban-Pakistan Dialogue

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Abstract

This paper covers several interrelated but distinct topics around the issue of dialogue between the Pakistani government and Pakistani Taliban. It is a complicated issue influenced by Pakistani internal, regional and international climates, including the assassination of Taliban leader Hakimullah Mehsud by a United States (US) drone strike. The paper distinguishes between internal and external forces in favour and opposed to dialogue with the Taliban as well as discusses the role of the Balochistan Province in the ongoing conflict. It ends with a number of recommendations to ensure the success of talks between the parties.

Introduction

This report examines the climate and elements of dialogue agreed upon by the Pakistani Taliban and the government of Nawaz Sharif. Sharif's government had promised in its election programme to use dialogue to resolve the ongoing security and military issues which have plagued the Federally Administered Tribal Areas (FATA) of Pakistan for over a decade. The paper addresses the intricacies in the internal, regional and international conditions which deem this attempt at dialogue more successful in comparison to past failures, as well as discusses public and private intermediaries sought out by both parties as credible but sometimes necessarily anonymous actors.

A key factor in any discussion around this topic is the Pakistani military, which initially rejected this dialogue but chose to keep silent because of a popular and multi-partisan mandate given to the government to start the process of dialogue. The paper argues that the main obstacle to dialogue now lies in US drone strikes, particularly given Sharif's failure to obtain a pledge from Obama to cease strikes in light of Taliban insistence on the halt of strikes as a key condition to dialogue.

This paper makes the following recommendations for the success of dialogue, including:

- Closed-door discussions away from the media's limelight;
- Further Pakistani government pressure on Washington to place a moratorium on the strikes, or at the very least those on the FATA;
- Inclusion of non-political intermediaries such as representatives from the Wafaqul Madaris seminaries, Afghan Taliban and tribal leaders in the discussions. Such actors are valuable for their closeness in ideology to the Taliban movement.

On October 31, 2013, Taliban leader Hakimullah Mehsud was assassinated by a US drone strike. The strike came after a conference between several Pakistani political parties on September 9, 2012, mandating the government in Islamabad to open dialogue with the Pakistani Taliban. The overwhelming multi-partisan support for the mandate was the first of its kind in the history of the decade-long conflict.

A number of key actors are examined in this paper, starting with Taliban forces on the ground and the large number of armed groups operating in the FATA, estimated around seventy by the government. (1) This includes groups exploited by other regional forces which oppose Pakistan as well as internal and external forces which remain opposed to dialogue with the Taliban in light of stalled talks between the US and Afghan Taliban and the US' impending withdrawal from Afghanistan set to be completed late 2014.

Further complicating the issue is contradicting information on the extent to which US drone attacks have impacted civilians. Pakistan's Ministry of Defence reported the killing of 2,160 insurgents in comparison to 67 civilians killed by US raids over the past five years, while Pakistan's Foreign Minister placed the civilian death toll at 400. (2) Amnesty International also recently released a report criticising drone attacks on Pakistan's tribal areas but did not endorse any particular set of figures for the civilian death toll. (3)

Dialogue of a new type

The consensus of Pakistani parties early last October on the necessity of dialogue between the government and Pakistan's Taliban constituted an exceptional case in

Pakistani politics, particularly because pro-government and opposition forces rarely agree on such important issues. The approval of the People's Party, which spent five years in power opposing dialogue, was particularly remarkable. Most striking was the approval by the leftist National Commoners' Party, known as a bitter enemy of the Taliban during its control of the Bakhton Khuwa province and its capital, Peshawar.

The former government of President Asif Ali Zardari had resorted to a belligerent policy rather than one of dialogue, consistent with the military's policy of refusing to embark on dialogue when offered by the assassinated leader of Pakistan's Taliban, Hakimullah Mehsud, on December 28, 2012. Barely ten days later, the military's corps command rejected the offer at a meeting on January 4, 2013. Other dialogues and agreements over the past ten years did not succeed for a multitude of reasons beyond the scope of this paper.

In contrast, the campaign platform of the current prime minister was focused largely on the need for dialogue with the Taliban. Electoral support came from the social milieu sympathetic with the Taliban and voters swayed by the campaign's promise to improve the country's economic situation. The economic situation, of course, cannot be addressed without a resolution to Pakistan's security problem which has paralysed the country for over a decade. As Sharif stated recently in London, "Our government wants to establish security and stability in the country in order to create an economic environment necessary to attract foreign investors and to appeal to the Taliban to be part of the peace and political processes." (4) In a separate, earlier statement, Sharif publicly responded to Taliban leader Mehsud's requests for dialogue, stating that the Pakistani government was sincere in its acceptance of the invitation. (5)

Sharif's implementation of the Zia al-Haq policy supportive of Afghan Jihad in the 1970s and 80s and the conservative and traditional nature of his party has also made it simpler for him to establish dialogue and afforded him a special relationship with the Afghan Taliban during their rule between 1996 and 2001.

From the Taliban's side, their leader stated in an interview with the BBC before his assassination that there was a need for "serious talks, and although the government has not publicised this, we prefer the dialogue to remain away from the media." (6) This statement was a clear signal to the Pakistani government and added the condition of privacy to the terms previously set for dialogue by the Taliban leader's spokesperson, Shahidullah Shahid, including a cease-fire, withdrawal of the army and halt of US drone strikes on FATA. (7)

Yet another reason this dialogue is different is the harmony currently existing between the regional government in Bakhton Khawah and its capital, Peshawar, formed by the Insaf party led by Imran Khan and the central government of Nawaz Sharif. This is unlike the negative relationship which existed between the former central government headed by Asif Ali Zardari and the Commoners' Party which was heading the local government of Peshawar at the time.

Both sides (Taliban and Pakistani government) have insisted on a highly secretive negotiation process and set of conditions, yet another new dimension which may contribute to the success of the latest dialogue. In addition, Wafaqul Madaris seminaries' Secretary General, Muhammad Hanif Jalandhri, made a commitment during a conference calling for dialogue to act as a mediator between the Taliban and the government if the latter asked his seminary to do so. (8)

Because Sharif knows the inflexible nature of any talks with the Taliban, he was very careful about issuing statements and moving toward dialogue until after gauging the US' stance on drone strikes during his October 2013 visit to Washington. Sharif is also aware that Washington's position could at any time suspend talks, as it has already done so once with the strike that killed Mehsud, stating, "The raids by US drones would destroy the government's policy of dialogue with the Taliban, and as soon as the dialogue with the Taliban begins, any attacks would effectively end the dialogue and thus must be stopped at any cost." (9)

While these new elements signal a successful start to some, other analysts consider any optimism about the talks as seriously premature, particularly given the upcoming withdrawal of US troops from Afghanistan in 2014 and the pressure exerted by the Afghan Taliban with regards to the dialogue.

Known versus anonymous mediators

Several groups have vied for personal gain since Nawaz Sharif's election campaign, one in which he made very clear his intention to pursue dialogue with the Taliban. While the Taliban had initially indicated their willingness to speak directly with the prime minister himself, they are now indicating their preference to use intermediaries such as those from Wafaqul Madaris seminaries due to their shared closeness of the Hanafi ideology.

Another reason for the change in desired parties to the talk has been the Taliban's realisation that non-political intermediaries are more useful to them than politicians seeking their own interests. The government of Sharif has responded by testing

intermediaries which are acceptable to the Taliban, sending them to gauge the Taliban's reaction and then determining whether the intermediary will be able to play the desired role in the dialogue.

Private conversations with leaders of the Afghan Taliban indicate the government has sent mediators from among them close to both Islamabad and the Pakistani Taliban. The government has also sent previous Kashmiri Harakat al-Mujahideen leader, Maulana Fazlur Rehman Khalil, as an intermediary in the talks. Other candidates for intermediaries include tribal mediators who are strong enough not only to influence the Taliban but also implement any agreements between the two sides. Such anecdotal evidence has been corroborated by leaders of the Pakistani Taliban.

Two additional reasons for the introduction of new intermediaries and a change in strategy has been the failure of mediation by Maulana Samee al-Huq, leader of Jamiat Ulema-e-Islam and the assassination of deputy leader of the Taliban, Waly al-Rahman, killed by a US drone on May 19, 2013. The strike was interpreted as an attempt by the US to sabotage dialogue and created a clear challenge for the government's proposal for dialogue.

The large number of intermediaries, frequent changes in actors and the government's keenness on secrecy indicates there are private reflections on the dialogue. This is also visible in the differing accounts of public officials, with some like the Minister of Information in Peshawar, Farman Shah, saying talks have already started, while others like Prime Minister Pervez Khatak of the Bakhton Khuwa province (whose capital is Peshawar) expressing concern about the delay of the federal government in starting talks. (10) Such disunited narratives indicate the secret nature of channels being used to create dialogue between the Taliban and the federal government.

US, Pakistan and Taliban relations

Internationally-circulated reports have served as a godsend to Nawaz Sharif in his calls for dialogue with the Taliban. The Amnesty International report titled, "Will I be next?" and the International Crisis Group report, "Drones: myths and reality in Pakistan," justify the Taliban's refusal to halt operations until the strikes cease as well as cast a damper on the US' policy on Pakistan, citing the drone attacks as a violation of international law and a crime against humanity. According to some estimates mentioned in the report, the strikes have killed between 2,000 to 4,000 Pakistani civilians. (11)

Despite these reports, however, and despite Pakistan's heavy reliance on the reports to make a case for changing US policy, Washington refused to include anything about the raids in the joint statement issued by Obama and Sharif during his recent visit to the US. Islamabad's frustration was only multiplied when US sources reported no change in the Obama administration's position toward drone strikes and that the proposed dialogue was considered an internal matter. (12)



Saadullah Wazir of tribal Pakistan, aged 17, lost his legs in a US drone attack which killed three of his relatives [AP Photo/B.K.Bangash]

Experts say Washington's actions indicate their lack of support for dialogue for a number of reasons. Rahimullah Yousuf Zai, an expert in armed movements, argues that Washington fears that successful dialogue will create a flow of armed Pakistani Taliban into Afghanistan, rocking the fragile situation it has worked at stabilizing for ten years. Talks also threaten the US' planned withdrawal from Afghanistan next year. The US' actions, including the latest strikes, cemented their disapproval of dialogue and effectively aborted the Pakistani government's efforts, causing the Taliban to increase their rejection of talks with those they described as US agents. (13)

In addition to Taliban Commander Waly al-Rahman's assassination by a US drone, Washington officially declared responsibility for the kidnapping of Lutfallah Mehsud, the second most important figure in the Pakistani Taliban. Mehsud was kidnapped from inside Afghan territories shortly before Sharif's trip to Washington despite being known for his moderate stances and calls for dialogue with the government, quite contrary to fellow Taliban hardliners. These events led Sharif to accuse the US of violating his

country's sovereignty and deterring Pakistan's fight against terrorism in a speech to the Institute of Peace in Washington. (14)

US raids on the FATA have resulted in yet another key repercussion – the Pakistani state's authority has been severely eroded by their inability to stop the attacks. The US argues that Pakistan's authority was already eroded by the weakness of the state apparatus in the FATA, but Pakistan contends that the vacuum wouldn't have existed if the US hadn't continued to challenge their sovereignty with air attacks for a decade. The US' argument is backed by confessions of those accused of bombings in New York and London – they claim they received training in the FATA, while Pakistan's argument is backed by the reality that air attacks fuelled the growth of groups against the US presence in Pakistan.

To conclude this section, it is important to note that the Pakistani government has allied itself with the US government despite its criticism of the drone attacks. Particularly to the Pakistani people and armed groups, this has been another reason for weakened Pakistani sovereignty.

Multitude of parties to the conflict

This section will discuss the internal, regional and international parties to the conflict. There is overwhelming support for dialogue from all stakeholders within the country, with the exception of the military's silent stance and that of the Shi'a alliance in Pakistan. On a regional and international level, there is very little support for the process.

It would be a great oversimplification to paint the efforts for dialogue as a dispute between two or even three parties if the US is included in the mix. There are a large number of parties in the backdrop which stand to be affected by any future dialogue. There are over seventy Pakistani groups fighting in the seven Tribal Areas, including armed Jihadist, sectarian, ethnic, racial and criminal groups. Each has their own agenda and interests fuelled by ten years of conflict. Disarmament of the groups at this point would be a monumental task, and any such effort would also be foraying into stopping groups serving the agendas of neighbouring countries. Any agreement reached between the Taliban and the Pakistani government binds these groups to the terms, particularly given their use of the Taliban as a cover for their operations.

The Pakistani government, then, faces the added challenge of defining the party with which it is trying to negotiate. On the one hand, factions of the Taliban define

themselves as resisting foreign occupation in Afghanistan, while others define themselves as advocates for Shari'ah (Islamic law). There are still other groups which can be defined as nothing more than criminal gangs who have taken on the name of Taliban but only for the advancement of criminal activity.

That is not to discount the presence of groups which do support dialogue with the government. For example, the Punjab Taliban, also known as Jund Hafsa and led by Esmatullah Muawiya, have made public statements in support of dialogue. Muawiya is quoted in a Pakistani newspaper saying, "The Taliban cannot ignore the pleas of religious scholars for dialogue with the government, provided the dialogue will be on firm foundations." (15)

While the Pakistani military has alluded to fear of attacks by the Taliban as the key reason for not publicly endorsing dialogue, they have also retreated to a more silent observer status in the process. The military is fully aware of the popularity of dialogue among the public and thus avoids confrontation on the issue. The military retains this stance despite the large losses they have suffered during military operations in the FATA as well as in an attack by militants under Mullah Fazlullah's command on September 15, 2013, which killed a general in the Pakistani military, Sana'Allah Khan Zai. (16)

The Alliance of Unity of Shi'a Muslims is perhaps the singular voice inside the country publicly opposing dialogue with the Taliban. At a conference in Karachi, their leader, Nasir Abbas Jafari, announced that any dialogue was simply a game, particularly given the Taliban's attacks on the military and America's attacks on civilians. (17) The alliance may also be taking this position given the possibility that Pakistani Taliban fighters could make their way to Syria to fight President Bashar Assad's forces, particularly after reports that Pakistani Shi'a fighters were participating in the war alongside Assad's army.

On a regional scale, Pakistani analysts say that India also rejects dialogue between the government and the Taliban. This is first a result of the shared military and security interests between New Delhi and Kabul as well as those between New Delhi and Washington. Second, the Indian, Afghan and United States governments are all against dialogue which they believe will cause insurgents to flow to Afghanistan, sabotaging the political process they have worked to achieve for ten years. India is particularly fearful of a repeat of the Kashmiri uprising after the Soviet withdrawal from Afghanistan in 1989, when insurgents from the calm Afghan front turned their attention to the Kashmiri front.

Internationally speaking, the United States has made its stance clear on the tribal situation and its position on the dialogue. The US' continued use of drone attacks on FATA is a clear indication of their position on any attempt at dialogue with the Taliban.

To conclude this section, it is worthy to note former presidential spokesman Farhatullah Babar's synopsis of the narratives which summarize the current state of affairs. "One is the narrative that since the US is talking to the Taliban, there is no harm in Pakistan talking to them as well. [The second is that] militancy is the product of the foreign presence in the region and it will end as soon foreign forces leave. The third political narrative... is that the use of force against militants in the past had failed and it will not succeed in the future as well." (18)

Balochistan eager for dialogue to succeed

Bordering with Afghanistan and the FATA, and the largest of Pakistan's four provinces, Balochistan has been in a state of turmoil for decades, suffering from violence, terrorism and in-fighting. If dialogue called for by the Chief Minister of the province, Abdul Malik Baloch, is successful, the province may provide a prototype for successful dialogue between the government and the Taliban. Baloch has called several times for peace talks with the local insurgents in order to put an end to bloodshed. (19) He also stated he held mixed emotions about the feasibility of such talks but that his goal was to improve security and economic conditions in the region. (20)

Another reason Balochistan is set to succeed in its efforts for dialogue is the change in the Pakistani government's attitude toward the province. Amer Zia, a Pakistani analyst, writes, "While the Sharif government may opt for the policy of appeasement of the local and Afghan Taliban and other Islamic hard-liners, it is showing a slightly changed attitude towards Balochistan – which should give hope to Dr. Malik and all his moderate nationalist friends. Attempts to bring separatists on to the negotiating table sometime in 2014 and halting extrajudicial executions and other high-handed actions against activists by the security forces could be the first necessary steps on the way to achieving the goal of lasting peace in Balochistan. The bigger challenge, though, would be to ensure the economic and political rights of the people of the province." (21)

Recommendations

In light of the human and economic suffering in the country over the last decade, most Pakistani public opinion leaders argue that dialogue with the Taliban is in the best interests of the country. With the Pakistani military's inability to put a decisive end to the

situation and achieve a military and security victory, and possible spillover of the conflict into other areas of the region, a feasible solution is necessary for the country to move forward. In addition, the US and Afghanistan's pursuit of dialogue with the Afghan Taliban has legitimized this approach for Pakistan's future attempts at peace.

There are a number of ways this dialogue could unfold in Pakistan. It could be in the form of a government mandated by the people and opposition, such as the one reached at a conference early last October calling on the government to engage in dialogue. Another scenario could be that open Afghan dialogue with Washington prompts dialogue with the Pakistani Taliban as well, particularly given the importance of regional stability to the impending pull out of US forces from Afghanistan.

While dialogue is the proposed solution to the problem, it must not be ignored that other problems exist in Pakistan which could cause dialogue to fail. The FATA pose a constitutional, legal, security and military problem for the country. According to the constitution, the FATA are indeed a part of Pakistani territories, but the Parliament's control over the area was taken and given directly to the President of the country according to Article 47, a remnant of British colonial rule. These areas are then deprived of parliamentary accountability and any representation in Parliament, often seen as the root of the problem for the instability.

The following recommendations are made in order for the proposed dialogue between the Pakistani government and Pakistani Taliban to work.

1. Both sides must keep the dialogue secret and away from the media given past experience with this matter. In other words, if the parties hope to prevent outside influence by obstructive or unwilling parties, the scrutiny of the media must be avoided.
2. The Pakistani government must guarantee the cessation of US drone strikes, which will ensure an encouraging atmosphere for dialogue and serve as a point of leverage over the Taliban.
3. The Pakistani government should make use of religious schools close to the Pakistani Taliban's intellectual and religious frame of reference to exert influence in the talks rather than to attempt to use political parties as mediators. A tripartite delegation is recommended in this case, the first part of it comprising of senior heads of tribes from each of the seven tribal areas, the second of religious scholars from the Hanafi Deobandi school of thought, particularly Wafaqul Madaris, and the third a group from the Afghan Taliban.

4. Both parties to the dialogue should be aware of forces which may try to deter its success in the event that an agreement is reached. The Pakistani government should maintain Mullah Fazlullah, leader of the Pakistani Taliban, as its key point of contact in negotiations and remain undeterred by isolated actors who may seek to cause harm or implement foreign agendas. While Fazlullah has a reputation for being stringent and inflexible, he is responsive to pressure by the Afghan Taliban.
5. The Taliban must realize that on a domestic level, they have lost credibility among the population. While the movement often denies responsibility for attacks on civilians, the Taliban continues to be the first blameworthy party when violence occurs in the country. It would be particularly strategic to use the Afghan Taliban to exert pressure on the Pakistani Taliban in this regard, because the Afghan branch of the movement is concerned with its public image both at home and abroad.
6. If the FATA territories continue to fall outside the scope of the Pakistani government's responsibility and legal framework, this creates a void in which armed groups will continue to operate with very little or no consequences at all. If the western world, including the US, consider dialogue with a return of authority to the Pakistani government in the area, this would commit the government to its international and regional responsibilities in reigning in the armed groups.

Conclusion

This report has described the political climate in Pakistan in light of US drone strikes and Sharif's leadership, identified actors in the dialogue between the Pakistani government and Pakistani Taliban, and provided feasible recommendations for successful dialogue between the Pakistani government and Pakistani Taliban in the FATA territories.

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