

WRITTEN STATEMENT

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“Prospects for Peace: The Way Forward in Afghanistan”

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Good afternoon, Chairman Bera, Ranking Member Yoho, and distinguished members of the Subcommittee. Thank you for the invitation to testify at this important hearing on the prospects for peace in Afghanistan in light of the February 29 conclusion of an agreement between the United States and the Taliban.

I will provide an overview and analysis of the main elements of the agreement; discuss what the agreement means for U.S. policy toward Afghanistan, particularly the continuation or not of a military presence in the country; sketch several scenarios for the outcome of the peace process; and identify several problems to watch for that could thwart a political settlement.

Founded in 1995, International Crisis Group is a field-based organization that conducts research and advocacy on preventing and resolving deadly conflict. We operate in dozens of countries around the world and have worked on Afghanistan for almost two decades. Our fieldwork gives us insight into the perspectives on all sides of conflicts and crises and on the dynamics that shape them on the ground.¹

Key Terms of the U.S.-Taliban Deal and Early Implementation Challenges

On February 29, 2020, in Doha, Qatar, the United States and the Taliban signed a four-page “Agreement for Bringing Peace to Afghanistan.”² The agreement reportedly has two non-disclosed annexes regarding implementation measures that have been made available to Members of Congress for review. References in my testimony to the agreement concern only the publicly-available main portion.

The agreement centers on a U.S. commitment to withdraw all military forces and other non-diplomatic personnel from Afghanistan within 14 months from the signature date of the agreement, in exchange for a Taliban commitment to prevent al-Qa’ida or any other group or individual from using Afghan soil to threaten the security of the United States or its allies. Importantly, it also includes a Taliban commitment to enter into “intra-Afghan negotiations” – a process that the text indicated was set to commence on March 10. The agreement makes clear that the forces of U.S. allies and partners in Afghanistan would be drawn down in parallel with U.S. forces.

Two paragraphs of the agreement lay out the withdrawal timeline and conditions. The first of those states simply that, within 135 days, the U.S. will reduce its number of troops to 8,600 (and allies and Coalition forces will reduce proportionately), and that all forces will be withdrawn from five bases. This paragraph states no conditions for this first phase of withdrawal – meaning, on the agreement’s face at least, that this phase will proceed regardless of the Taliban’s conduct.

¹ A fuller description of Crisis Group’s mission and methodology can be found – together with our publications on Afghanistan and other regions – at [CrisisGroup.org](https://www.crisisgroup.org).

² Available at <https://www.state.gov/agreement-for-bringing-peace-to-afghanistan/>.

The second of the withdrawal paragraphs states that “complete withdrawal” of all remaining forces from remaining bases will occur within the subsequent nine and half months. This paragraph does include conditionality, the entirety of which is stated as a preface to the withdrawal language, i.e., “[w]ith the commitment and action on the obligations” of the Taliban, the withdrawal will proceed. Those obligations are that the Taliban “will not allow any of its members, other individuals or groups, including al-Qa’ida, to use the soil of Afghanistan to threaten the security of the United States and its allies” and will “not host” such individuals or groups. The Taliban also agree to “instruct” their members not to cooperate with such groups or individuals, and to “prevent” such groups or individuals from recruiting, training, and fundraising.

The agreement’s only other indication of conditionality is a statement that four elements – the Taliban’s antiterrorism assurances, the withdrawal timeline for foreign forces, the Taliban commitment to “start” negotiations with other Afghans, and the Taliban’s commitment to include permanent ceasefire as “an item on the agenda” in those negotiations – are “interrelated.” The intended meaning of the interrelationship is ambiguous, however, because the agreement also says that the “four elements each will be implemented in accordance with its own agreed timeline and agreed terms,” a provision that seems potentially contradictory to interrelation.

In a concession to the Taliban, the agreement also includes an aggressive timeline for removal of United Nations sanctions (by May 29, 2020) and U.S. sanctions (by August 27, 2020) imposed on members of the Taliban, though these are stated as goals. Attracting greater controversy so far, the agreement includes, as another concession, a U.S. commitment to achieve the release of “up to” 5,000 Taliban prisoners and “up to” 1,000 prisoners “of the other side” prior to the start of intra-Afghan negotiations, and all remaining prisoners over the course of the subsequent three months. Taliban prisoners are held by the Afghan government, not the United States. Afghan government authorities have so far balked at this timeline for prisoner releases.

Two complications quickly beset implementation of the agreement; the lasting significance of these is not yet clear. First was the dissension over prisoner releases. Differences between the U.S.-Taliban agreement and a “Joint Declaration” the United States and Afghan government signed in Kabul the same day created ambiguity as to whether there were shared understandings on whether and when releases would occur.³ Regarding prisoners, the declaration states only that the Afghan government will “participate in a U.S.-facilitated discussion with Taliban representatives on confidence building measures, to include determining the feasibility of releasing significant numbers of prisoners on both sides.” As of the time this testimony was submitted, U.S. discussions with the Afghan government and Taliban aimed at reaching an accommodation on this issue appeared to be underway.

The second complication stemmed from a separate ambiguity, concerning expectations of the extent to which violence would persist after February 29. The U.S., Afghan government, and Taliban had mutually agreed upon and implemented a seven-day

³ Available at <https://www.state.gov/agreement-for-bringing-peace-to-afghanistan/>.

period of “reduction in violence” beginning on February 22 that was intended to improve the atmosphere for concluding the agreement. U.S. officials had pointedly expressed their expectation that the Taliban would keep violence subdued even after signing of the agreement, but the Taliban did not publicly confirm their concurrence in such expectations. The text of the agreement does not require the Taliban to abjure violence at this stage. Since February 29, Taliban violence has somewhat increased over the reduced level of preceding days, drawing U.S. and Afghan government complaints and military actions in response. The Taliban does not technically appear to be in violation of the agreement, however.

What Kind of Deal Has the U.S. Made With the Taliban?

Public debate about the U.S.-Taliban agreement has surfaced the question whether it is a peace deal or ‘just’ a withdrawal deal. This is the wrong question to ask because the former characterization oversells the agreement and the latter undervalues it.

The deal is not a peace agreement. Even full implementation of the terms that are within the four corners of the four-page agreement would not alone bring peace to Afghanistan. Only a political settlement among the Afghan parties to the conflict can do that. The U.S.-Taliban deal does, however, create an opportunity for that political settlement to be achieved by committing the Taliban to enter into intra-Afghan negotiations – but it is so far only an opportunity.

The deal is unquestionably a withdrawal agreement, in that it sets out terms for the complete withdrawal of foreign forces from Afghanistan. But the withdrawal commitment is inextricably linked to the potential for a negotiated peace. In light of the Taliban’s long-standing primary demand for the complete end of the foreign military presence in Afghanistan, there is no prospect of a political settlement of the war that does not include the promise of a U.S. military withdrawal. If there was ever to be such a settlement, sooner or later the U.S. would have to commit to pulling out. Making that commitment *prior to* the start of peace negotiations among Afghans, rather than in connection with the outcome, was a U.S. concession to the Taliban, but it was one the U.S. probably had to make to jump-start talks. Years of U.S. efforts to catalyze peace negotiations *without* making that sequencing concession had failed precisely for that reason.

The U.S. has a starker choice to make than some would prefer. Either it can keep military forces in Afghanistan indefinitely or it can enable the possibility of a political settlement by agreeing to withdraw its forces; it cannot do both. Some who are uncomfortable with both perpetuation of “endless war” *and* the risk entailed by complete withdrawal have suggested that the U.S. military should draw down but maintain a small number of forces in Afghanistan. These suggestions fail, however, to grapple with the Taliban’s refusal to countenance agreeing to a continued foreign military presence no matter the size.

Because the agreement calls for a complete military withdrawal within 14 months, it appears to signify that the U.S. has now made this choice. But this is another respect in which the agreement contains some ambiguity. U.S. officials have emphasized repeatedly that the withdrawal commitment is conditions-based. As already noted, the condition (there is only one) – Taliban “commitment and action” on its antiterrorism “obligations” – is very briefly stated. The U.S. appears to have left itself wide latitude to judge the specific nature and sufficiency of Taliban “action.” The Taliban may dispute U.S. judgments in this regard but it will not be able to compel the U.S. to accept an interpretation at variance with an American one.

Secretary of Defense Mark Esper added to the uncertainty by asserting an additional condition not in the text of the agreement in an opinion piece published on February 29.⁴ He stated that the U.S. troop presence would be reduced “to a goal of zero in 2021” if “progress on the political front between the Taliban and the current Afghan government continues,” and that stalled progress probably would translate into suspension of the drawdown. This suggestion of conditionality outside the actual text muddies the deal.

The Next Stage, and the Next Main Hurdles

If the initial complications regarding prisoner releases and expectations regarding violence are resolved and intra-Afghan talks commence, then even tougher issues await negotiators than those addressed in U.S.-Taliban talks. A peace settlement among Afghans will have to determine how to share power and security responsibilities, and how to modify state structures to satisfy both the current government’s interest in maintaining the current system and the Taliban’s desire for a system they would regard as more Islamic.⁵

This next stage of talks appears to be, as yet, woefully under-prepared. Even with the negotiations possibly imminent there is still much left to be decided and done: the parties have yet to name a venue for the talks, at least publicly; agree on an agenda (save for the Taliban’s commitment to include ceasefire as a topic); or designate the members of negotiating teams. Putting together the negotiating team is a problem particularly on the Afghan government’s side, due to the recent high-stakes political tensions over presidential election results. In addition, U.S. intentions regarding its role in shaping or participating in the next-stage negotiations are unclear – nor is it apparent what sort of U.S. involvement the Afghan negotiating sides would welcome.

⁴ “Defense Secretary Mark Esper: This is Our Chance to Bring Troops Home From Afghanistan for Good,” *The Washington Post*, February 29, 2020, <https://www.washingtonpost.com/opinions/2020/02/29/defense-secretary-mark-esper-this-is-our-chance-bring-troops-home-afghanistan-good/>.

⁵ Regarding substantive issues that will likely have to be addressed in intra-Afghan negotiations, see Laurel E. Miller and Jonathan S. Blake, “Envisioning a Comprehensive Peace Agreement for Afghanistan,” RAND Corporation, 2019, https://www.rand.org/pubs/research_reports/RR2937.html.

A process as difficult as peace talks aimed at ending decades of war in Afghanistan is unlikely to get off to a productive start without thorough and urgent preparation. International Crisis Group has proposed practical steps that can be taken to bolster the prospects for sustaining intra-Afghan talks beyond an opening round and eventually producing a political settlement to the conflict.⁶ These include designating a neutral mediator, selecting a location for talks based on the host government's ability to organize and facilitate them effectively, and clarifying the format and structure for talks.

Scenarios for Plausible Outcomes

If the Afghan parties, with support and pressure from the U.S. and other interested governments, overcome both the political and organizational challenges to starting an Afghan peace process, that process is not likely to produce results quickly. A timeline of a year or more would not be surprising given the complexity of the issues and other experiences with peace processes around the world. If the talks extend beyond the 14-month timeline for a U.S. military withdrawal, Washington will have to face the decision whether to proceed with the withdrawal regardless. If the talks fail to gain traction and the peace process collapses, the U.S. also will have to face that same decision.

Setting aside the question of the timeline, in a scenario in which the Afghan parties succeed in reaching a political settlement there will be no basis (in accordance with the February 29 U.S.-Taliban agreement) for the U.S. to keep any forces in Afghanistan, including for a counter-terrorism mission. Unless the Taliban dramatically changes its viewpoint on the question of a foreign military presence, zero will have to mean zero or else the Taliban will not concur in a settlement. In this scenario, the U.S. would be able to maintain its embassy (and appropriate security personnel for the embassy), and thus would be in a position to provide both diplomatic and necessary financial support for implementation of the settlement. There is a theoretical possibility that a future Afghan government that includes the Taliban might agree to some form of counter-terrorism security cooperation with the United States, but the plausibility of that is quite uncertain.

In an alternative scenario in which the peace process collapses and there is no political settlement, the war will persist. In those conditions, if the U.S. decides to maintain troops in Afghanistan, it is unlikely that their numbers could dip much below the level anticipated in the first phase of withdrawal. Some have suggested that the U.S. military might be able to scale down its mission to one focused only on counter-terrorism. That is an implausible outcome because Afghan government forces would continue to be reliant on the U.S. in their existential fight against the Taliban insurgency, and the Afghan government would not likely consent to a U.S. force presence that aims to serve only U.S. counter-terrorism interests while declining to back up the government in its fight. Moreover, any U.S. forces remaining in the country would have to maintain sufficient capabilities to continue protecting themselves from Taliban attacks.

⁶ International Crisis Group, "Twelve Ideas to Make Intra-Afghan Negotiations Work," 2 March 2020, <https://www.crisisgroup.org/asia/south-asia/afghanistan/b160-making-intra-afghan-negotiations-work-twelve-ideas>.

In the peace process collapse scenario, if the U.S. maintains more or less the status quo level of forces, it probably could prevent the defeat of the Afghan government for the foreseeable future – at more or less status quo levels of financial support. The ongoing conflict would continue to severely constrain Afghan economic growth and limit improvements in governance capacity. On the other hand, if the U.S. in this scenario proceeded with military withdrawal, the conflict would likely worsen, perhaps even rapidly spiraling into intensified and multi-sided civil war. In that context, the U.S. embassy would be in jeopardy and probably would have to be evacuated; civilian assistance would be reduced to humanitarian-only; and security assistance would become difficult to deliver unless the U.S. were prepared to forego oversight. The implications for the Afghan population – which last year suffered over 10,000 civilian casualties alone – would be grave.

An especially difficult scenario for the U.S. to navigate would involve the Afghan parties sustaining peace negotiations for most or all of the 14-month drawdown period but collapsing around that point in time. If the U.S., in fact, adheres to the 14-month timeline, the drawdown will have to be well underway close to the final deadline. Notably, the February 29 agreement – again, in the public portions – says nothing about the pace and slope of drawdown during the period after the first 135 days, so it is uncertain what current U.S. military plans are in this regard.

The possibility of one or more parties to the talks negotiating in good faith just long enough for the U.S. to implement its withdrawal commitment cannot be excluded. This risk can be mitigated only imperfectly through measures such as assessing the parties' negotiating behavior as talks proceed; encouraging a process that produces a series of interim agreements that build on each other rather than one that withholds any agreement until the end; and working diplomatically with other governments that have influence with the parties to sustain external pressure in favor of conflict resolution. It should be noted that even if the parties do negotiate in good faith and finalize a political settlement, that settlement – like many peace agreements – could still fall apart at any time during implementation. This is a risk that an indefinite U.S. military presence (leaving aside the implausibility of the Taliban agreeing to such) is not likely to mitigate successfully given that the last 18 years of U.S. experience in Afghanistan shows the limits of Washington's ability to compel its preferred outcomes through force.

The more-positive *and* the more-negative scenarios sketched out here are plausible and therefore should equally inform contingency planning.

Problems to Watch Out For

As and when the currently unsettled state of the peace process begins to clarify, there are several problems that may come to the foreground.

First, the fuzziness of the withdrawal conditions in the February 29 agreement may indicate that the U.S. has not resolved its internal policy struggle over whether it really

intends to withdraw militarily from Afghanistan. President Trump has been clear about his preference to pull out and public support for the war has dimmed. But the commitment of elements of the national security bureaucracy appears uneven.

Second, even if Kabul manages to quickly pull together an inclusive negotiating team for the intra-Afghan talks, ongoing political disunity among factions and ethnic groups may bedevil the team's ability to reach consensus on its negotiating positions. Furthermore, is not yet clear whether the maximalists or those more amenable to compromise with the Taliban will be dominant on Kabul's side of the negotiating table.

Third, as for the Taliban, they have not yet had to make any very difficult choices. Consequently, the nascent peace process has not yet seriously tested their ability to do so. Because their cohesion has been one of their comparative advantages and because they diligently, and sometimes ruthlessly, protect it, it is not yet clear whether they will be willing and able to make controversial compromises that might strain cohesion.

These are not the only problems the peace process is likely to encounter – I have not, for instance, touched on the capabilities of Pakistan and Iran to make a successful process more or less likely – but these problems alone could be enough to scuttle it. Because the U.S. can only be a supporting player in the next, intra-Afghan stage, it cannot guarantee a successful outcome. As it becomes clearer what the actual outcome will be, and if that outcome is failure of the peace process, the U.S. will need to weigh the known costs and risks of maintaining its military presence against the less certain risks of pulling out.