Lessons from Bonn

Victors' peace?

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ABSTRACT

What do experiences from the 2001 Bonn process reveal about priorities for peace talks today – for example relating to ownership, participation, power-sharing and the sequencing of inclusion?

The Bonn Agreement has set the tone and trajectory for much of Afghanistan's political transition since 2001. The parameters of the Bonn talks were largely determined by the US' overriding post-9/11 concern of denying Afghan territory to terrorists – al-Qaeda and their Taliban hosts. The political logic of the Bonn process, to negotiate a stable polity, was subordinate to the military, to remove the terrorist threat. A key condition was the exclusion of the Taliban, assuming (wrongly) the movement's categorical battlefield defeat.

Demilitarising Northern Alliance militias, justice or human rights were not priorities. Bonn's iterative transitional framework included steps to broaden inclusion over time – from an interim authority, through a constitutional assembly to popular elections. But post-Bonn opportunities to accommodate amenable Taliban were rejected, and factions that were represented in Bonn have entrenched themselves in power.

Future peace talks with the Taliban will need to decide between narrow power-sharing like Bonn or incorporating wider rights and principles. Bonn's incremental approach to broadening inclusion could work but could also again leave the door open to factional elite capture. A central lesson from Bonn is that prioritising Afghan over external interests is key to a peaceful and sustainable future.

The US invasion of Afghanistan in October 2001 left little space for constructing a framework for the kind of war-to-peace transitions that by then had become a model for UN-supported peace agreements: a political settlement between the protagonists and demobilisation and reintegration of their armies. The Bonn Agreement belongs to a different category. It was not a peace agreement but a statement about the structure of the post-war order, shaped by the military-political logic of total victory and written by the US and its allies as they were driving the Taliban from power. The agreement was a clever diplomatic improvisation. Yet it showed that even a brilliant operation can leave the patient dying.

9/11

In November 2001, when 25 Afghan delegations, UN advisors and a large number of foreign diplomats assembled just outside Bonn, the defining feature of the international context was the dominant role of the US. The Bush administration viewed the 9/11 attacks on New York and Washington as part of a wider onslaught on US global interests and indeed the entire Western civilisation. It is symptomatic that the first issue the administration discussed when deliberating a strategy of response was whether to counter-attack in Afghanistan first, or target Iraq as well.

From the outset, then, the US government saw the war in Afghanistan as one of several fronts in what it called a Global War on Terror. Four US military operations were launched in the immediate aftermath of 9/11 – in Afghanistan, but also in the Philippines, Georgia and Djibouti. All were called Operation Enduring Freedom (OEF).

Washington's wider counter-terrorist strategy meant that the Bonn conference was primarily framed as an instrument in a globalised war, rather than as a path towards peace in Afghanistan per se. This had several important consequences for the delegates assembled for the talks outside Bonn.

First, busy preparing for a global war, the Bush Administration turned the task of negotiating a political settlement over to the UN. Keeping the UN 'out front' avoided a visible 'Made in America' stamp on the outcome, as Richard Haass, then Director of Policy Planning at the US State Department later said – as reported by *Frontline* in 2002. The US still had a sufficiently large number of officials at the conference to ensure that US interests were properly taken into account.

Second, and possibly most important for Afghanistan's future, an implicit US condition was that Taliban would not participate in the talks. President Bush had already on the evening of 9/11, in a speech to the nation, conflated 'terrorists' and 'the nations that harbour them', and vowed to pursue both with the full military might of the US. Military planning and revenge were the order of the day, not negotiating with the Taliban. The chief UN negotiator, Lakhdar Brahimi, seemed to recognise this reality when asked about Afghan representation a few months later. As he explained in a 4 May 2002 interview with *Frontline*: 'The Taliban had gone, and were not a possible partner.'

Third, and contrary to Brahimi's claim at the time, the Taliban and 'foreign fighters' operating under the al-Qaeda label were not in fact 'gone'. US forces and the anti-Taliban Northern Alliance militias launched major offensives against the Taliban throughout October and November 2001. Kabul fell on November 13, two weeks before the conference started, but the initial phase of the US-led military campaign continued with intense, offensive operations against Taliban and al-Qaeda targets until the end of the year and well into 2002. Military considerations were thus paramount on the US side in the run-up to the Bonn conference as well during the meeting itself.

Priorities for parley

The continuing military campaign shaped the Bush Administration's thinking about specific issues to be addressed in the agreement. Most important from a long-term perspective was the failure of the conference to address the question of disarming and demobilising Northern Alliance militias. As allies of the US with operational capacity on the ground, they were regarded by Washington as essential military assets and pillars of the post-war order. In practical terms, moreover, there were no forces on the ground to carry out demobilisation, which the Afghan armed factions themselves opposed. The final agreement called only for all armed forces and groups to be placed under the command of the Interim Afghan Authority established by the agreement. There were no provisions for the other aspects of security sector reform.

The US military also opposed an international peacekeeping force with a wide geographic mandate as it feared this might interfere with OEF operations against al-Qaeda and the Taliban. This suited the Afghan armed factions represented at Bonn perfectly, as they did not want an international force presence that might curtail their power. As a result, the agreement's provision for an International Security Assistance Force (ISAF) confined its deployment to Kabul. The provision was later amended in 2003 to permit ISAF to operate throughout Afghanistan.

Overall, the agreement bears the imprint of the Bush Administration's views on the nature of the post-war order. Its perspective was short-term and minimalist,

defining political order as an arrangement that would facilitate the final phase of US-led military operations, and as having a central government sufficiently stable and effective to prevent 'terrorists' from re-establishing themselves. More specifically, that meant a 'broad-based government', understood as initially comprising the factions represented in Bonn, and proper representation of the Pashtun, who were the largest single ethnic group and traditionally formed the governing elite. Hence, Hamid Karzai was quickly endorsed as interim leader. He came from a prominent Pashtun family that had spent many years in exile, was considered politically 'moderate' in questions of religion and politics, and – not having a large armed following of his own – was not considered a formidable rival by the Tajik, Uzbek and Hazara factions that made up the Northern Alliance. Transitional justice mechanisms to ensure accountability for past war crimes and human rights abuses were not on the agenda as this would have implicated Afghan leaders who now were US allies in the transition and the construction of the post-war order.

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US views found strong echoes among many of the Afghans and state delegates to Bonn. To be sure, there were differences. Apportioning ministries in the post-war administration among the Afghan factions was extremely difficult and almost derailed the process. Representatives from Afghan civil society, who had been excluded from the conference and relegated to their own 'parallel event' at a nearby venue with no formal access to the principal meeting, claimed their absence reinforced the illiberal directions of the emerging agreement, as described by Florian Krampe in 2013.

The question of how to structure political representation in a post-Taliban order was of course fundamental. Brahimi played a central role in designing the solution, based on an iterative structure that did not lock in the initial power-sharing agreed to in Bonn, but had a timetable for progressively wider elections and mechanisms to establish representative institutions. In principle, this broadened the competition for power beyond the narrow circle of Afghans assembled at the conference.

Negotiating process

Brahimi had returned to work for the UN on Afghanistan as Special Representative of the Secretary-General on 3 October, just a few days before the US started the bombing campaign. He immediately set about canvassing views among state parties and Afghans concerned – except the Taliban. Less than two months later, on 27 November, the conference opened, and only nine days after that, the agreement was signed. In the annals of peacemaking, it was a formidable feat of diplomacy. Even though this was not a conventional peace agreement between belligerents, who often take months or years to hammer out compromises, the speed was remarkable. Speed, it was also clear, went against Brahimi's instincts. As he later said, 'We were rushing in all directions … I was the one who had to say "please, not too fast … go slow if you want to go fast".'

Why the speed? There was a race between military and the political logics. As the Northern Alliance militias raced towards Kabul in the second week of November, the US Secretary of State Colin Powell was calling for 'speed, speed, speed' to get negotiations going. The Northern Alliance, he feared, might take control of the capital before the other Afghan factions and the international parties concerned had even sat down to discuss the practicalities of establishing a central government and possibly an international peacekeeping force to help secure Kabul. There was also concern that Northern Alliance militias might engage in ethnically targeted massacres in the capital.

In formal terms, only the four Afghan factions represented at the conference were parties to the negotiations – the Northern Alliance and factions organised around exiles based in respectively Rome (with ties to the ex-King), Cyprus (with ties to Iran) and Peshawar (predominantly Pashtun based). Brahimi had insisted and the Security Council concurred that Afghanistan was not to be a UN quasi-trusteeship as in East Timor or Kosovo. The Afghans needed take the lead in the talks – at least formally. Official representatives of other nations were only observers to the conference; they were excluded from the formal sessions among the Afghans that only Brahimi and his advisors attended. The final agreement thus was signed only by Afghans and witnessed by Brahimi. Matters dealing with the role of the UN and ISAF were addressed in appendices and appeared as requests from the Afghan Interim Authority established by the agreement.

Brahimi scripted this structure and directed the talks. By dividing the Afghan and the foreign state delegates organisationally, he created a separate space for a relatively small number of Afghans to find common

ground. Afghans and international observers mingled freely and frequently in the corridors, but the formal division gave some power to Brahimi to choreograph the international influence and lessen the complicating presence of external rivalries and patronage ties. Although the regional and international context had become relatively conducive to cooperation – Pakistan was 'on board' thanks to coercive US diplomacy, and even the US and Iran recognised common interests – many among the Afghans and the state observers had interests to promote and favours to call.

This did not prevent Brahimi from calling in external state support when needed, as he did at critical junctures. Iran, the UK and Russia were extremely helpful, he later said. The US was in this respect by far his most important asset by virtue of its military position in Afghanistan and consequent leverage on the Afghans. One episode is illustrative. When talks seemed to break up disagreement regarding the division of ministries and a key Northern Alliance delegate threatened to leave, Washington's advice to ambassador James Dobbins working the conference corridors was clear: 'Do not let them break up. Lock them up if you have to … [O]nce you get the frogs in a wheelbarrow, you don't let them get out' (*Frontline* June 2002). When the still-titular Afghan President Burhanuddin Rabbani, sitting in Kabul, became an obstacle, the US made him reassess by firing a rocket next to his home.

The iterative framework, with a two-year tight schedule of transitional steps from an interim authority to the convening of a constitutional assembly, pointed the way towards popularly elected government. Arguably, this made it easier to forge agreement on division of power in phase one, as opportunities for accessing power among those who lost out early in the transition beckoned in later phases. The agreement itself conveyed this point; it was a short, essentially skeletal outline of structures and an inclusive list of broad political and social norms. Constitutional design, such as a unitary versus a decentralised state structure, was not discussed but left for the constitutional process as designated in the two-year transitional timeline.

Brahimi's skills as negotiator and authority were both formal and authentically steeped in deep knowledge of the region, including previous service as UN Special Representative for Afghanistan in the 1990s. Returning to the job in early October 2001, he worked according to a three-pronged strategy: 1) develop consensus among non-Taliban Afghan factions; 2) obtain agreement principles of the transition among Afghanistan's neighbours and the major powers, the '6+2' (China, Iran, Pakistan, Tajikistan and Turkmenistan, plus the US and Russia), and other states concerned; and 3) prevent the political transition from being overtaken by developments on the ground – as discussed in my 2011 book, *When more is less: the international project in Afghanistan*. It was a rough plan in a scene with multiple actors and limited space for manoeuvring, and when time was short. By his own description, it was an improvisation. Though stressing the need for preparation ('make sure you've done the ground work, so that when you call them in, you have a chance of getting somewhere'), improvisation is essential ('it is "navigation by sight" … just open your eyes and see where the wind will take you').

Two months later, the Bonn Agreement was signed. Four years later, the political transition had been implemented, a constitution had been promulgated, and popular elections had been held for a president (2004) and a parliament (2005). Yet the vulnerability that Brahimi had reflected upon during the conference had come to pass: 'Any grain of sand can stop our machine … this is Afghanistan. There is a sandstorm.'

Conclusions – whose peace?

Two principal consequences of the agreement are not in dispute. First, excluding Taliban set the stage for renewed war. Not being treated as a legitimate party, and hunted by OEF forces and their Afghan allies, the Taliban had few options. They could place themselves at the mercy of local rivals empowered by the US, or hope for assistance in Pakistan to organise armed resistance. By 2003, they were showing signs of a comeback, and by mid-decade the insurgency was under way. Brahimi now reassessed. Not inviting the Taliban to Bonn was 'our original sin' that critically undermined the post-war order, he said in 2006, as recounted in Ahmed Rashid's 2008 book, *Descent into Chaos*. Second, the Afghan factions represented in Bonn established themselves securely in positions of power for years to come. Privileging 'warlords' with records of serious human rights abuses, including war crimes, in order to secure military gains in the US-defined 'war on terror' led to a securitisation of the new order that blocked the development of stability, justice and peace.

Yet both consequences were only in a superficial sense a result of the Bonn Agreement. They flowed more directly from the political and military logic of the US-led 'war on terror'. That logic dictated the invasion of Afghanistan, a strategy of militarily defeating the Taliban and al-Qaeda, and – over time – produced an escalating armed conflict and a political economy of war that benefited local allies of the US military. The Bonn Agreement was more a reflection than a cause of this dynamic.

Future peace talks in Afghanistan will similarly reflect the prevailing political realities. Hence, drawing lessons from Bonn is difficult. As Brahimi observed – negotiating is in good part navigating by sight. We do know, though, that future talks probably will involve the Taliban. If these take place under conditions of a military stalemate, the divisions are likely to be deeper, the dilemmas sharper and the outlines of compromises more difficult to accept than at Bonn. The range of views on political, social and economic rights will be wider. In this situation, one key issue will be whether to aim for a narrow power-sharing agreement (like Bonn), or adopt a structure based on a wider set of rights and principles for the post-war order. A comprehensive, rights-based peace agreement may be more difficult to conclude, or – if on the table – take the form of a broad, consensual statement without implementing clauses. Yet a growing international consensus, affirmed in several recent UN based documents, holds that rights-based peace agreements are more sustainable than narrow deals, even if the latter bring ceasefires and an end the immediate violence.

The iterative structure for a transition adopted in Bonn may be well suited to handle a negotiating situation with strongly conflicting interests. But the downsides must also be recognised. Particular factions may capture power at an early stage, aborting the transitional dynamic, and difficult issues may be postponed, left to generate renewed conflict at a later date.

Skilful mediation at the Bonn conference contained two strategic elements. Organisationally, the chief negotiator created a separate space for the Afghans to find a common ground, although linked to external mechanisms of coercive diplomacy. Creating and using such a space effectively to forge an agreement rested on a fair degree of common interest among key external and internal actors: first, among the major powers concerned (US, Russia and Iran) with at least coerced cooperation from Pakistan; and second, among the Afghans at the conference, who were at least united in their opposition to a common enemy. Neither condition is likely to figure in negotiations between Afghan political elites and the Taliban at the present time.

More fundamentally, the hegemonic position of the US in 2001 meant that US policy in effect defined the chief parameters of a common strategy. This enabled Brahimi to cobble together an agreement in a matter of weeks. US policy in Afghanistan, however, was not primarily designed to establish peace in Afghanistan, but to strengthen US national security. In a deeply ironic sense, the result was to undermine the spirit of the Bonn Agreement and the new order it promised. Perhaps the main lesson from Bonn is that a sustainable peace agreement must give primacy to Afghanistan rather than the broader interests of outside powers. At a minimum, the key objective must be to end the armed conflict and construct a framework that will encourage the Afghans and their foreign supporters to pursue their interests through means other than collective political violence.