

First of all I'd like to extend my deepest thanks to Chairman Kerry and Ranking Member Lugar for the opportunity to provide testimony on the critical issue with which the Committee concerns itself today. The title of today's hearing, "Perspectives on Reconciliation Options in Afghanistan," reminds us that we are here together to explore all options. Some of these options may be from voices in Afghanistan who may not have been heard, and whose views may shed light on viable alternatives for Afghanistan that may not have been considered in the past.

It has been my experience that women, civilians at the grassroots level, and those who are the most politically and economically excluded are impacted the most directly by the consequences of high-level policies and are therefore the ones who present viable and tangible propositions for sustainable solutions. I hope that I manage to represent these voices with the most accuracy and integrity for the utmost benefit of this discussion.

So, what are the options for reconciliation in today's Afghanistan? America considers this question at a time when it has incurred great expense in terms of human and financial resources. It is looking for an exit strategy; the question is what compromises we have to make as we leave. So as we consider Afghanistan's reconciliation options we also consider this in the context of the impending American departure from Afghanistan.

Of course we do not want to make any compromises for America's security, so we will not allow the Taliban to come back with Al Qaeda to Afghanistan. But that is about the only national security concern we have identified to date. No one is discussing how to protect the rights of the minorities or women, because that is not a major security concern for the major powers. Now that is not inevitable--it doesn't have to be. Women's rights are indicators for the direction of the society. Violation, extremism is often first visible when it is directed against women. The Taliban started their oppression and violence with women, but we didn't intervene until their violence manifested itself on our soil September 11<sup>th</sup> of 2001.

Hence we cannot afford to compromise on women's rights in Afghanistan. We need to see what is happening to women as not a marginal issue but as a national issue that is telling about the direction for the society, as an indicator of our success or failure to achieve stability in a country and a region of great strategic importance. Women's rights in Afghanistan *is* an issue of national security. Perhaps not in the short term, but it is definitely in the long run, as we saw that September morning almost nine years ago.

Bearing this in mind, I invite you to consider the importance of the perspective of grassroots people—women, ethnic minorities, the poor—as we debate the issue of reconciliation today. We know the importance of the people's perspective: America's founding fathers established this country with the words "We the people." I'd like to use my time here today to bring you the perspective of the Afghan people, the "real" Afghans, like my colleague Sweeta Noori and the more than 23,000 Afghan women I have worked with since 2002. Today I bring you their recommendations, based on decades of lived experience witnessing the coming and going of a number of political leaders and foreign powers these many years, based on the survival of the violence and instability associated with decades of war. The Afghan people have managed to preserve the hope of Afghanistan's future, and it is to them that I encourage you to look as you determine the best course for their country and our own.

The guiding question that should frame our discussion on the issue of reconciliation is one that is as yet unanswered: “With whom are we reconciling?” This is a point that has yet to be defined in any meaningful way. The Karzai government has euphemized the Taliban as “angry brothers” who must agree to renounce violence, uphold the constitution and renounce Al Qaeda in order to participate in reconciliation. Here in Washington, the United States government uses the term Taliban, but this is an opaque and misunderstood generalization, one that lumps together as one many distinct groups that each have associated nuances and challenges for reconciliation. Allow me to elaborate on some of the complexities within this group called “Taliban:”

1. Firstly, there are the followers of Jalaludin Haqani. These are the hardliners, fundamentalist Taliban, who are purely tribal in identity and associated with the ISI in Pakistan. They have killed members of the government, as well as thousands of people from other tribes. Haqani is a war criminal who uses Islam to fight the Government of Afghanistan, the US and NATO. He is not only dangerous—he’s, to use a word Ambassador Holbrooke has used—an “irreconcilable.” If reconciliation were offered to this faction, the other tribes—principally the Uzbeks and the Tajiks of the North—would remember his brutality would revolt. Reconciling with this level of criminal—no matter what pledge might be made to uphold the constitution or renounce violence—would spell tribal war in Afghanistan.
2. Secondly, there are the followers of Mullah Omar. There are two camps in this group: the moderate Taliban with no relation to Al Qaeda, Afghans who are for the most part willing to accept women’s rights, democratic governance and abide by established preconditions. All they require to make this transition is the guarantee of job and the safety to live their lives. Also within this group there are the fundamentalists who do have links to Al Qaeda. These are also irreconcilables.
3. Finally you have the followers of Gulbadin Hekmatyar. He is incredibly powerful, and a number of people from his party have posts in the Karzai government, all the way up to the level of minister. Hekmatyar is only interested in one thing: power. Within this camp, there are some who want power enough to accept democracy, human rights and other preconditions so long as they exist in an Islamic government. But then there are others within his party who would be considered fundamentalists and who would not accept these conditions, who are irreconcilables.

What lesson should we take away from these three distinct sides of a complex triangle of Taliban? That we should disabuse ourselves of the notion that there is one Taliban, and hence move forward very carefully. As within any group, there are moderates and there are fundamentalists. Within the Taliban, there are indeed some people who are fed up with fighting, and all they want is the guarantee that in a new government they will be able to live their lives peacefully, able to enjoy having a job and security. If the Afghan government, the U.S. government or NATO can provide this, they will reconcile. There have already been talks with these Taliban, but these talks are stalled because no one—not the Afghan government, nor the U.S., nor NATO—could give them this guarantee.

On the other end of the spectrum, fundamentalists are fighting for an idea, not for any strategic or economic reason. They will keep fighting for that idea forever if they must. They will not

accept preconditions. We have made much in the U.S. last month of Afghanistan becoming the longest war in American history, surpassing Vietnam. Military leaders as high as General Petraeus have said there is not a military solution in Afghanistan. For these fighters, this is true, because there is no war that is long enough to outlast an idea.

Because of this, the talks must happen. All wars end in talks. Not having reconciliation discussions is regarded by some as an option. But I do not see that as an option, because without talks this war will never end.

I must admit, it is not easy for me as a women's rights advocate to recommend that reconciliation talks must take place. The Taliban were and still are notorious for extreme mistreatment of women in all areas they have touched, from public beatings to the imprisonment in the home to the fear of going to work, to school, and to move about without a male escort to the public executions for crimes of "honor." The human rights violations of women and other ethnic minorities such as the Uzbeks, the Hazaras, the Tajiks— who faced similar mistreatment to that of women--is inexcusable, unforgettable and should never be tolerated. I think we all recall the great sadness with which the world watched the Taliban explode the 6<sup>th</sup> Century Buddhas in the Hazara community for being un-Islamic. This hatred of the "other" extended arbitrarily to numerous groups. There were killings just for being the wrong tribe.

The question is how one can reconcile between severe oppression imposed on ethnic minorities and women in Afghanistan and between the need to take all steps possible to end the war and create peace and stability in the country. Thus the *how* we do this becomes equally relevant and important as *what* we need to do for reconciliation in Afghanistan.

I propose an arrangement that honors those ideals while framing them in a context of our shared reality of loss, oppression and exclusion, using that common experience to sketch a common future where these crimes never take place again. This is the common experience of real Afghans, and it must be strongly represented at any negotiating table that takes up the task of determining the future of Afghanistan. No solution will be accepted and embraced by the larger society if it repeats the same power structures and the same players that led to the destructions and oppression of the country. Thus, we must ensure societal acceptance of the process that transcends beyond the political elite of Kabul and into the rest of the country. We must craft a participatory approach that has the buy-in of those at the grassroots level (for, after all, it is people at the grassroots who will be the critical group in upholding any agreement, informing on its violations and will be most impacted by its consequences). Let us ensure that these peace negotiations are truly representative talks that include ALL members of the society, and not the same old power structure.

Full and meaningful inclusion of women in this process is one proven method of achieving this kind of representative dialogue that adequately reflects the concerns of the country's citizens. Women have insight on the practical implications of high-level policies and negotiations. They know the intricate patchwork that is the daily lives of communities at the grassroots level in ways that may not be reflected when only talking with political elite. The richness of their perspective has a definite impact on the content of negotiation and the nature of any agreement. For instance, a 2009 survey Women for Women International conducted in Afghanistan found that survey

respondents considered that political instability and incompetence of politicians were the biggest political problems they faced at both the national and local levels, followed by corruption. Taliban presence was third in order of importance. This finding points to not only women's interest in negotiating peace with all Afghans, including Taliban, but also reflects popular distrust of processes that are purely managed by the government.

Records from the peace negotiations experience of other countries also shows that that when women are more included in peace negotiation and peace maintenance, there is a higher chance of those agreements having real impact. Women must be included at the negotiating table in no less than 30% representation, following UN Security Council Resolution 1325 on Women, Peace and Security. This is a chance for the U.S. to take the lead in creating model negotiations that are representative, inclusive and address the role of women in contributing to and upholding peace negotiations for lasting impact.

Similarly, ethnic minorities such as the Uzbeks, Tajiks and Hazaras must also be represented. Their contributions to the discussion and buy-in to the results are critical for the longevity of whatever peace is agreed. Their voices also bring a balance of power and other elements to the discussion that can not be insured in talks that are exclusively Taliban-Afghan Government.

Changing the dynamics of negotiation with the inclusion of women and ethnic minorities can give an upper hand to the US and Afghan government in ensuring accountability, credibility, and sustainability of whatever agreement is ultimately negotiated. It is time that these perspectives be taken in serious consideration, beyond symbolic representation of women's voices and into real, equal and respected representation that reflects the importance of their role vis a vis keeping hope and building prosperity and sustainable solutions in Afghan Society.

It is apparent that reconciliation will proceed, with or without the U.S. What is key is that the U.S. play a leadership role in ensuring that the process is representative, constructive and that it operates effectively, within clearly defined parameters or "redlines," without sacrificing our American ideals of democracy, human rights, rule of law, justice and equality for all.

How do we do this? The U.S. can support reconciliation, but it must do so the right way. And the right way requires a great deal of prudence and courage. The U.S. must enter into this debate with its sense of history and commitment to its core values close at hand. It must draw clear redlines around the scenarios in which it will support reconciliation, and be prepared to back them up with clear consequences if those boundaries are crossed.

I invite you to envision the following scenarios:

1. *Clear boundaries are not defined around who is eligible for reconciliation, which leads to false reconciliation with the "irreconcilables."* This is the scenario in which hardliners like Haqani are brought into government, which as I explored earlier would result in civil war. Afghanistan is a decentralized country where people outside the capital have seen that the government cannot protect them and have hence turned to local tribes for protection. In this scenario, the central government would be incapacitated by infighting between representatives of warring tribes. Without sounding too alarmist, I warn you that this option could lead to tribal war. At last week's Kabul Conference, Karzai proposed

empowering local militias. Please don't misunderstand—"local militias" are "tribal" militias. Empowering local militias is empowering opposing tribes that already do not get along and now have an elevated means of disagreeing—through more violence. As students of history, we remember that this was tried once in Afghanistan, with the decision to empower the Dostum militia under the Najib government, 20 years ago. Najib empowered this militia and it ultimately used its new power to wage war against him. Empowering local militias means civil war.

It is important to recognize that if there had been a vetting process to answer that important question of "with whom shall we reconcile?," if there had been women and many tribes at the table, they would have been able to distinguish between the reconcilable and the irreconcilables. But without appropriate vetting, without a clear understanding of our answer to our guiding question, it does not work.

**Bottom line:** The U.S. leaves, blanket reconciliation with no relevant vetting mechanism causes Afghanistan to descend into tribal war, and the country remains a regional and international security threat. Whatever the outcome of this peace reconciliation, it's sure not to be peace.

2. A second option that has been increasingly discussed in the media and even in some influential political circles in Washington is the approach of "de facto separation"—that is, forgoing reconciliation and essentially ceding the south to the Taliban and concentrating U.S. efforts at promoting peace and development in the North, dividing Afghanistan into two. From the Afghan perspective, this is not an option, as the society is not as neatly laid out as this scenario would have it. In the North there are some Pashtuns, in addition to the Tajiks and Uzbeks. In the south there are some Tajiks and Uzbeks, in addition to the Pashtuns. Afghanistan is a multiethnic society and attempting to divide it into two perfectly separate parts is impossible. This would only spark infighting within each of the parts, leaving neither part happy nor stable, not to mention what would happen to human rights of minorities like women and ethnic minorities.

**Bottom line:** The U.S. makes things worse than they were to begin with. In an attempt to salvage the North by sacrificing the South the U.S. will lose both, with strong potential for civil war.

3. *Bring the moderates to the table through an appropriate vetting mechanism, but without effective enforcement of the redlines.* This is an improvement, which doesn't immediately ignite revolt, but it is still insufficient. With relevant preconditions for participation there is the opportunity for constructive talks, but it is important to note that these preconditions are insufficient in their current form: "renounce violence, renounce Al Qaeda, embrace the constitution" is not enough. We've seen the standing government trample the principles enshrined in the constitution; what reassurance do we have that the insurgents wouldn't do the same? For instance:
  - a. In February, national police were complicit in the public beating of two women.
  - b. Not one month ago, a provincial governor publicly slaughtered a member of the national police.
  - c. Last year, Karzai himself shunned the constitution when he signed into law a measure severely curtailing the rights of women of the Shia minority, prompting outcry at home and internationally.

All three cases indicate the level of seriousness with which members of the current government consider the tenets of the constitution. This is not democracy, its thuggery. It

is the same sort of behavior for which we malign the Taliban. Given this apparent disrespect for the constitution, what assurances do we have that promises to renounce Al Qaeda would be given any more credence?

It is apparent that not only must our preconditions for reconciliation be expanded to include explicit language about the values we hold most dear—and Secretary Clinton’s remarks at the Kabul Conference last week gave an excellent indication that women’s rights are among them—but additionally, it is clear that we must go one step further: we must back them up by tying our preconditions to firm enforcement mechanisms that we are prepared to exercise.

**Bottom line:** The U.S. leaves without ensuring appropriate enforcement mechanisms of its stated preconditions and only a cosmetic peace is achieved in the face of an established political culture of impunity for broken promises where the values of democracy and justice and the principles enshrined in the constitution are concerned. A corrupt regime presides over a population who has little faith in it, laying the foundation for future unrest.

4. The 4<sup>th</sup> scenario is the only viable option. In it, *the U.S. supports reconciliation, but only through a clearly defined vetting process that is conducted by a representative sample of the Afghan population, according to established parameters around who is and is not eligible for reconciliation (these should eliminate from candidacy war criminals and individuals with a history of human and women’s rights abuses, and all participants should explicitly pledge to uphold the rights of women, minorities and all Afghans to enjoy social, economic and political participation), tied to real enforcement mechanisms that will hold these pledges to account.* This means setting a tone of gravity when drawing redlines by vowing, for example, to withdraw assistance if they are crossed. If the Afghan government starts prohibiting girls from going to school or women from running for office; if rule of law is sacrificed for thug-style enforcement; if individuals are harassed or killed for being a minority, then the U.S. needs to be prepared to reinforce its standards with real consequences. Additionally, the U.S. must bear in mind the considerable challenges associated with this option—it will require considerable enforcement on the ground as well. In its current state, Afghanistan does not have the capacity to enforce these preconditions. The justice sector not only lacks the capacity to process the numerous human rights abuses and other legal infractions that exist, it is also considered the most corrupt by Afghans. There are few female lawyers, and the ones that do exist are threatened or attacked for doing their jobs. Given this ground zero of the justice sector, holding Afghanistan to stated standards is going to require America to help build the domestic capacity to carry them out. This is neither an easy nor a quick task, but it is essential to the success of reconciliation efforts.

This is a discussion of US national interest *and* practical and moral leadership in Afghanistan today and in the future. This is about the creation of a U.S. legacy that changes the patterns of past experience in Afghanistan. We need not abandon women in thinking there are only two options: either Taliban or Wahhabi sufi action. We must consider as a real possibility that there is a third option available to Afghanistan, one that honors Muslim perspectives and that *is* consistent with Afghan culture, history and religion. And this is where we can use to our advantage those Muslim-majority countries that have been allied with the US, whose interpretation of Islam and politics are consistent with international human rights standards.

If we must cut a deal with Pakistan, and we may have to, what we have to make it clear that Afghan women *cannot* have lesser rights than women in Pakistan. Pakistan may be given *no leeway* to getting away with promoting a regime that would perform human rights and women's rights violations of the sort that it would not be tolerated in Pakistan itself.

Second, the U.S. should consider working with other more moderate Muslim-majority countries than Pakistan, such as Turkey. Turkey is already building schools and contributing in troops in Afghanistan. Turkey provides a much better model for an Islamic solution for Afghanistan rather than does Pakistan. Turkish leadership would be critical in forming a coalition of Muslim-majority countries (such as Malaysia and Indonesia) to provide a solution for Afghanistan where protection of women and minorities is enshrined.

In sum, this is an issue about the American legacy in a region of geopolitical and strategic importance. It is about honoring the American ideals of justice, equality, democracy and freedom, in a land where the institutions that would uphold these ideals are fledgling and under severe attack. It is about showing Americans, Afghans and the world what nine years of war, of tremendous loss of life for Afghans and for American troops, of incredible expense, was intended to accomplish: the creation of a state that can and does honor and protect the rights of liberty and justice by the people and for the people. This can be achieved through a careful reconciliation process in which we are clear about our goals and our redlines, and where we look to leadership of internationally-agreed human rights standards and model Muslim-majority countries to achieve an inclusive and sustainable peace that will be palatable to the people it most concerns: Afghans themselves. Let us not lose sight of that now.

Thank you.