

Talking to the other side

Humanitarian engagement with the Taliban in Afghanistan

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Contents

Executive summary	iii
Chapter 1 Introduction	1
1.1 Overview of the project	1
1.2 Methodology	1
1.3 Terminology and definitions	2
Chapter 2 Aid agency access in Afghanistan	3
Chapter 3 Aid agency perspectives on engagement with the Taliban	5
3.1 Community acceptance approaches	5
3.2 Structured negotiations	6
3.3 Cooperation, collaboration and collective approaches	7
Chapter 4 Taliban perspectives on engagement with aid agencies	9
4.1 Taliban structure and organisation	9
4.2 Taliban leadership policy and perspectives on engagement with aid agencies	10
Chapter 5 Case study: Faryab province	13
5.1 Overview of Faryab	13
5.2 Taliban structure, organisation and influence	13
5.3 Other armed groups	13
5.4 Taliban policies on aid agency access	14
5.5 Influencing factors	15
5.6 Taliban perceptions of aid agencies	16
5.7 Taliban perceptions of humanitarian and development approaches	17
5.8 Perceptions of elders and aid agencies	18
Chapter 6 Case study: Kandahar province	21
6.1 Overview of Kandahar	21
6.2 Taliban structure, organisation and influence	21
6.3 Other armed groups	22
6.4 Taliban policies on aid agency access	22
6.5 Influencing factors	24
6.6 Taliban perceptions of aid agencies	26
6.7 Taliban perceptions of humanitarian and development approaches	27
6.8 Perceptions of elders and aid agencies	27
Chapter 7 Conclusion and recommendations	31
7.1 Recommendations	31
References	33

Map of Afghanistan



Executive summary

In Afghanistan, approaches to negotiating humanitarian access, assistance and protection with the Taliban have been largely inconsistent and ad hoc. After 2001, aid agencies enjoyed access to the majority of the country, but access rapidly declined as security began to deteriorate. As Taliban influence expanded and violence increased, aid workers were caught up in hostilities or explicitly targeted. Few agencies publicly acknowledge engaging with the Taliban to secure access to areas under Taliban influence or control. Even those that are able to access Taliban areas acknowledge the difficulty associated with engagement and the precarious nature of negotiated access.

Taliban attitudes towards and perceptions of aid agencies, their activities and the principles and frameworks that guide their work are poorly understood. Through almost 150 interviews with the Taliban, aid agencies and ordinary Afghans, this Working Paper aims to provide greater understanding of Taliban attitudes and policies. It focuses on two provincial case studies, Faryab and Kandahar, to examine these issues in depth. At the leadership level, the Taliban have a clear policy on aid agency access. Agencies are required to register with the Taliban at senior leadership level and adhere to various conditions, including neutrality, respect for Taliban notions of 'Afghan culture' and, occasionally, payment of tax. This policy was fairly well understood by provincial Taliban leaders in the two provinces examined. The Taliban at the local levels also appeared to be capable of monitoring adherence to these conditions and enforcing them. However, research in Faryab and Kandahar indicated that there is significant discretion and flexibility accorded to local commanders, which means that the rules are fluid and vary depending on who is in charge. Increased military pressure, widespread distrust of aid agencies and a lack of adequate command and control have also undermined adherence to established policy.

There were other subtle deviations from official policy evident at the local level. Senior and provincial Taliban leaders asserted that where an aid agency obtains its funding does not influence access. In practice, however, many local commanders exhibited negative attitudes towards and suspicion of funding from International Security Assistance Force (ISAF) troop-contributing countries. While senior leaders asserted that most activities were acceptable, they were reluctant to allow works perceived to interfere with military objectives, such as road construction, and were hostile towards Western notions of women's rights. At the local level these trends were more pronounced. Suspicion of aid workers as 'spies' results in attacks on them or restrictions on access.

In general, but particularly pronounced at local level, there is deep and prevalent hostility towards aid organisations

and a general difficulty in distinguishing between different actors (NGOs, UN agencies, the UN Assistance Mission in Afghanistan (UNAMA), for-profit contractors, Provincial Reconstruction Teams (PRTs) and so on). The Taliban who criticise aid organisations are not just accusing them of being 'spies' or siding with the government, but are also critical of their perceived lack of a principled approach and effectiveness. Elders, while generally not as hostile towards aid agencies, often shared many of the Taliban's criticisms: uneven distribution of aid in favour of more peaceful areas, corruption and a lack of respect for Afghan culture. Where Taliban – and indeed elders – were more positive about aid agencies, this often reflected personal experience, suggesting that views of one aid agency are likely to influence views of aid agencies in general. It also indicates that consistency and high-quality work can improve access, and that poor-quality programmes can have a negative impact on acceptance.

Even among those Taliban who claim to follow official policy, local differences within and tensions among the Taliban resulted in challenges to access. In areas where the insurgency was fractured, with different groups competing for power, or where there was a proliferation of different armed groups (such as local militias aligned with strongmen or criminal gangs), even structured negotiations and engagement with the Taliban resulted in precarious access. Tensions between the political and military leadership and the growing militarisation of the Taliban have led to uneven implementation and varying interpretations of access policies. While the military leadership appears not to explicitly violate official policy on humanitarian access, such concerns are clearly subordinate to military objectives. There are also substantial differences between local Taliban, who have pragmatic reasons for being part of the insurgency, and Taliban from other parts of Afghanistan or from Pakistan and Uzbekistan, who are ideologically motivated.

Obtaining sustained access to Afghans in need of assistance under these conditions is exceedingly difficult. However, structured engagement in specific circumstances, with multiple levels of the Taliban and with the community, appeared to provide the greatest guarantee of security for aid workers and those they aim to help. However, many aid agencies interviewed followed 'community acceptance' approaches that avoided direct engagement with the Taliban and focused on security guarantees provided by communities. While structured, rigorous approaches to gaining and maintaining acceptance without directly negotiating with the Taliban can be effective in some areas, many agencies appeared to be effectively operating a 'don't ask, don't tell' policy – even internally – with regard to access. Such practices place an undue burden on local Afghan staff and community members,

who assume the bulk of responsibility for securing access to Taliban areas.

Interviews with elders and Taliban highlight the often-instrumentalist Taliban attitude towards civilians and the risks that elders face in mediating on behalf of aid agencies. This calls into question the viability, both operationally and ethically, of such apparently ad hoc approaches. In particular, there are serious questions about the transfer of risk to Afghan staff members at the local level, who are often left with insufficient guidance and support, and community members, who are being asked to put their lives at risk to get assistance.

The withdrawal of international troops will bring even greater uncertainty with regard to aid agency access. Findings from this research clearly demonstrate the need for aid agencies to enhance their understanding of this issue and pursue more rigorous and structured approaches to working in Taliban areas. While engagement with the Taliban presents formidable risks and challenges, it is likely to become increasingly important for those agencies that wish to continue working in Afghanistan. To this end, the report provides the following recommendations:

To aid agencies:

- Improve internal transparency and openness, particularly between senior management in Kabul and staff at the local level, on the risks, policies and tactics for engagement – directly or indirectly, through ‘acceptance’ or other approaches – with the Taliban.
- Develop common minimum ‘principles of engagement’ with anti-government groups. Lack of unity and consistency has created confusion and made it more difficult for agencies to work safely in Taliban areas. Such guidelines could substantially improve access negotiations over the long term – if adhered to.
- NGO consortia have played a valuable role in assisting aid agencies to communicate their mandate and to monitor the risks and opportunities for humanitarian engagement with the Taliban. The Agency Coordinating Body for Afghan Relief (ACBAR) should continue to publicly communicate

the role and mandate of aid agencies. The Afghan NGO Safety Office (ANSO) has also played a critical role in providing independent analysis and recommendations for NGOs, and should continue to provide this support.

To the UN:

- UNAMA should develop dialogue with aid agencies about the risks of, and prospects for, political talks on aid agency access. While aid agencies may understandably be wary of sharing their information with political actors, UNAMA should keep aid agencies abreast of any relevant political developments that may affect their work.
- OCHA should do more to develop its information coordination and management. Mapping accessibility and providing greater understanding, even simple mapping of agencies present, local needs and the prospects for intervention, could greatly assist aid agencies in planning appropriate and safe programming.

To donors and their governments:

- Provide funding and support for further research on developing approaches on access. Encourage frank and confidential discussions about the risks and prospects of intervention, and provide support and guidance to assist agencies in efforts to maintain and expand access.
- Provide greater clarity on counter-terror restrictions. Providing clear guidance on engagement with the Taliban would be a positive step.

To the Taliban:

- Stop all attacks on aid agencies. Where transgressions occur, investigate and seek to hold those found responsible accountable for their actions.
- Increase monitoring of field commanders’ compliance with official policies on access and ensure consistency between directives from the military and political leadership. Continue to disseminate the rules clearly and routinely down to the rank and file.

Chapter 1

Introduction

While a great deal of speculative or anecdotal work has been published in recent years on the Taliban's military objectives and structure, there is little substantive research on their views of humanitarian and development issues. Understanding the history of humanitarian engagement with the Taliban, many of whom are increasingly positioning themselves as a 'government in waiting', as well as prospects for future engagement, will be critical to those seeking to understand the future of humanitarian and development work in Afghanistan after the withdrawal of international forces in 2014.

This research does not aim to provide a full account of humanitarian access negotiations with the Taliban in Afghanistan. Rather, through a series of structured interviews, background discussions and desk research, it seeks to provide greater insight into the opportunities and obstacles aid agencies face in working in areas of Afghanistan where the Taliban have gained significant control or influence. The report begins with an overview of aid agency access in Afghanistan since 2001, obstacles to engagement with the Taliban and various access strategies. It then examines the perspectives of the Taliban leadership and its policy on aid agency engagement. Two case studies, in Kandahar and Faryab provinces, seek to examine these issues at a local level. The report concludes with recommendations aimed at improving agency access through dialogue with the Taliban.

1.1 Overview of the project

Over the past two decades, humanitarian actors have expanded the geographic scope of their work to more challenging and dangerous environments. As a result, negotiations with non-state actors have become increasingly important in order to gain access to populations in need of assistance. Yet many humanitarian actors feel that negotiating with armed groups presents formidable challenges, including a lack of respect for international humanitarian law (IHL), hostility to humanitarian principles and distrust and suspicion of humanitarian organisations.

In 2011, HPG initiated research on aid agency engagement with armed non-state actors, and how this engagement affects access to protection and assistance for vulnerable populations. The work seeks to illuminate this engagement through case studies in complex political and security environments, to learn from productive experiences of dialogue with armed non-state actors and investigate the dangers and risks inherent in this engagement, including the moral dilemmas that often arise in negotiations and the compromises agencies make in order to gain access.

1.2 Methodology

To explore these issues, an extensive desk review of relevant literature on the Taliban and humanitarian action in Afghanistan was conducted. This was supplemented by research conducted in Afghanistan and Pakistan between May and October 2012. At the national level, this focused on structured interviews with aid actors, donors, diplomats, Afghan government officials, reconciled Taliban and others. It also included a structured interview with a member of the high-level Taliban leadership.

In addition to looking at the broader context, the research focused on two provincial case studies: Faryab and Kandahar. Given the decentralised nature of the Taliban, these two case studies examined how aid workers and Taliban interact and negotiate at the local level. These two provinces were chosen in order to explore humanitarian negotiations with different strands of the insurgency, as well as for ethnic and regional variation (Faryab is in the north and has an Uzbek majority, with some Tajiks and Pashtuns; Kandahar is in the south and is predominantly Pashtun). Structured interviews were conducted with Taliban commanders and leaders at the provincial and district level, as well as with aid workers active in each province. Structured interviews were also conducted with community members, the vast majority of whom were male elders. Consequently, the perspectives of Afghan women, aside from those working in aid agencies, are significantly under-represented in this paper.

Research focused on districts within each province where the Taliban have moderate or significant influence; at times, some such districts could not be covered due to security constraints or other challenges. In Kandahar, elders and Taliban were interviewed from Arghandab, Daman, Dand, Khakrez, Maruf, Maywand, Panjwai, Shah Wali Kot and Zhari districts. Taliban were also interviewed in Reg district. In Faryab, elders were interviewed from Almar, Pashtunkot and Shirin Tagab districts, and Taliban from Almar, Dawlatabad, Pashtunkot and Shirin Tagab districts. Most interviews with aid agency staff took place in the provincial capitals, either Maimana in Faryab or Kandahar city in Kandahar, though interviewees were selected for their ability to speak about their experiences of working in Taliban-influenced districts.

Research of this nature is profoundly difficult in Afghanistan. A number of factors may limit or influence the findings, particularly in relation to understanding the motivations and perceptions of the Taliban. There are many reasons why certain informants may have exaggerated or minimised their involvement in humanitarian negotiations, from aid workers afraid of losing their jobs to Taliban trying to enhance the

Table 1: Interviews conducted

	Kabul	Faryab	Kandahar	Other	Total
Taliban leadership				1	1
Ex-Taliban, reconciled	2				2
Aid workers (international)	21				21
Aid workers (Afghan)	15	10	10		35
Donors, diplomats	10			3	13
Government officials	5				5
Academics	2				2
Taliban cadres		3	3		6
Taliban local commanders		12	18		30
Elders, community members		12	19		31
	55	37	50	4	146

perception of their dominance. Where possible, information was triangulated to verify accuracy and provide context.

Talking to the Taliban has often been seen as taboo by many humanitarian actors, and viewed by the government and military forces as an act of collaboration with the enemy. Although attitudes have changed in recent years, few aid agencies are willing to talk about this subject publicly. Individuals may also have been reluctant to speak about instances where organisations have had less engagement, unsuccessful engagement or other experiences that may reflect poorly on the individual being interviewed or their organisation. The names of those interviewed and the agencies they work for have been kept confidential due to security concerns, but also to encourage openness and honesty. Where aid agencies are named it is because they have agreed to be named and/or have publicly discussed negotiations with the Taliban in the past. The same principle has been applied to elders and Taliban, with the exception of one senior Taliban leadership figure who agreed to be named.

The proliferation of actors has created confusion, and this was frequently exhibited in interviews. Taliban and most Afghans interviewed at the provincial and district level had difficulty distinguishing between aid agencies (international and Afghan), for-profit contractors and UN actors. Many Afghan civilians as well as aid actors had difficulty distinguishing between militia, criminal groups, Taliban and ostensibly government-controlled security forces. Although attempts are made to point out when individuals were confused, in some cases it was not possible to precisely identify the objects of their statements.

1.3 Terminology and definitions

‘Aid agencies’ refers to both humanitarian and multi-mandate (humanitarian and development) not-for-profit aid

organisations. These agencies, including the UN, the Red Cross/Red Crescent and international and national NGOs, espouse recognised humanitarian principles in that they aim to save lives, alleviate suffering and maintain human dignity during and in the aftermath of crises and disasters. They should be guided by the principles of humanity (saving human lives and alleviating suffering wherever it is found), impartiality (taking action solely on the basis of need, without discrimination between or among affected populations) and independence (autonomy from the political, economic, military or other objectives that any actor or party to a conflict may harbour with regard to the areas where humanitarian actors are working). Some, though not all, will be guided by neutrality (not favouring any side in a conflict or other dispute).

‘Humanitarian negotiations’ refers to negotiations undertaken by aid actors, including members of appropriately mandated agencies such as UN agencies or representatives, the Red Cross/Red Crescent and national and international NGOs, conducted in situations of armed conflict with parties to that conflict, who are responsible for the conduct of hostilities, the treatment of civilians and the distribution of assistance. They are undertaken for humanitarian objectives, such as securing access, conducting assessments of humanitarian needs and providing assistance or protection, as set out in IHL (see Mancini-Griffoli and Picot, 2004; McHugh and Bessler, 2006).

‘Taliban’ refers to armed groups or actors allied with the Taliban. The Taliban, however, are a highly decentralised network of armed anti-government groups and actors with varying motivations, attitudes and geographical presence. For the purposes of this report, Taliban were interviewed at three levels: the senior leadership, cadres or provincial-level leaders and local commanders and fighters at the district and village level.

Chapter 2

Aid agency access in Afghanistan

In the years immediately following the fall of the Taliban regime in 2001, aid agencies were able to access the vast majority of the country. However, as security deteriorated so too has aid agency access. The resurgence of the Taliban, beginning in the south and the east, saw heightened levels of violence and civilian casualties as well as a sharp rise in attacks on aid workers. Between 2003 and 2006, Kandahar and other areas of the south became increasingly insecure. Some aid agencies, including the International Committee of the Red Cross (ICRC) and Médecins Sans Frontières (MSF), were explicitly targeted for attack. While many organisations withdrew from the south entirely, subcontracted to national NGOs or resorted to remote programming, aid workers remained operational in the vast majority of the rest of the country still considered relatively 'safe'. However, violence continued to spread. In 2006, roadside and other bomb attacks nearly doubled on the previous year, suicide attacks increased six-fold and over 1,000 civilians were killed or injured (Human Rights Watch, 2007). The Taliban extended their control throughout the south and east, and into some western, northern and central provinces, and attacks on aid agencies continued. As a Taliban spokesman told the media in 2006: 'If they won't stop their work, we will target them like we've targeted them in the past' (IRIN, 2007).

The Agency Coordinating Body for Afghan Relief (ACBAR), a consortium of over 100 international and Afghan NGOs, spoke out about the worsening situation. A 2008 statement issued by the consortium noted that aid organisations were subject to increasing attacks from both Taliban and criminal groups, forcing many to restrict the scale and scope of their activities (ACBAR, 2008). By 2009 nearly half of the country was considered too dangerous for UN agencies to access (UN News Service, 2009). Despite efforts to navigate an increasingly volatile situation, NGOs are reported to have 'made no gains in being able to present themselves as impartial or independent actors and continue to be forced from the field by security concerns' (ANSO, 2009a).

Asserting independence, neutrality or impartiality at this point proved difficult. After 2002, many aid agencies assumed a development and reconstruction agenda, in line with the objectives of donors and the Afghan government. While many avoided direct engagement with military actors such as the Provincial Reconstruction Teams (PRTs), the vast majority of aid upon which agencies relied in Afghanistan flowed from governments engaged in the conflict, and was often skewed to provinces affected by conflict, and where international forces were present.

Strategies pursued by international military forces also increasingly, and deliberately, blurred the lines between the

military and civilian spheres. PRTs aimed to fill the security vacuum outside Kabul and provide a counterweight to the warlords and criminals who posed a substantial threat to security. Yet as the insurgency began to spread, international military forces increasingly saw reconstruction and humanitarian assistance as integral to achieving their military objectives, through PRTs and other means. The strategy of international forces became increasingly geared towards achieving counterinsurgency objectives, including through humanitarian and development activities (Eronen, 2008). Particularly after the troop surge began in late 2009, international forces focused on utilising 'money as a weapons system' to win hearts and minds (see US Army Combined Arms Center, 2009). For-profit contractors engaged in a range of activities, from technical assistance to government ministries to construction, and became major implementers for the United States and other donors, particularly in insecure areas of the south and east where aid agencies were increasingly reluctant to work. US and other military forces used humanitarian assistance, including food aid and flood relief, as 'force protection' and as a means of gathering intelligence (NATO, 2007).

Within the UN system there was little support for independent humanitarian action. With the establishment of the UN Assistance Mission to Afghanistan (UNAMA) in 2002, the international community's focus was firmly fixed on implementing the Bonn Agreement, which established an interim government, through reconstruction, development and political activities. The UN Office for the Coordination of Humanitarian Affairs (OCHA), present in Afghanistan under the Taliban, was disbanded with the establishment of UNAMA, and it was not until 2007 that a humanitarian coordination unit was established within UNAMA.

As the situation changed from one of post-war reconstruction to active, intensifying conflict, many aid actors sought to distance themselves from pro-government military forces and the UN, and from donors with troops on the ground. In 2008, a group of 28 NGOs petitioned the UN Emergency Relief Coordinator (ERC) to re-establish an OCHA office independent of UNAMA's integrated mission 'to lead independent humanitarian coordination and support humanitarian efforts to respond to increasing displacement, civil protection concerns, shrinking humanitarian space and lead humanitarian advocacy with the parties to the conflict' (Letter to ERC Holmes, 2010). In December 2008, permission was granted to re-establish OCHA in Afghanistan, and the first staff deployed in January 2009. However, NGOs feel that OCHA struggles with capacity and other issues that prevent it from adequately fulfilling its mandate, and they remain concerned that it is too closely associated with the political component of the UN (Letter to

ERC Holmes, 2010). One international aid agency director described the situation as follows: ‘There was a really big push to get OCHA back in 2008 but now we are just tired, and it’s too late ... The more that they hold meetings and fail to actually improve coordination, the more we pull away’.¹

Despite the prevalent insecurity, many aid agencies feel that the Taliban is no longer explicitly targeting NGOs.² One international NGO director felt that there seemed to be some tacit agreement among the Taliban not to target NGOs. When there were incidents, they appeared to be ‘collateral damage’ or associated with a lack of broader command and control. Another international agency director felt that ‘if you are doing your job properly they will not target you’ and pointed to the Taliban’s most recent annual spring offensive statement, in which NGOs were not mentioned as targets.³ There also seemed to be a widespread belief among aid agencies, if not among the Taliban (see chapters 6 and 7), that Taliban were able to distinguish between NGOs, the UN (even between UNAMA, the so-called ‘black’ UN, and the humanitarian and development agencies, the ‘blue’ UN), private contractors and military forces.⁴ There was also a sense that, according to one international aid agency director, ‘NGOs have a higher guarantee of security while the UN is seen as a legitimate target’.⁵

To some extent, data and analysis substantiate these assertions. The Afghan NGO Safety Office (ANSO) stated in 2012 that, although ‘field commanders, or criminals, at times decide to

¹ Aid agency interview, Kabul, May 2012.

² While research found this to be a common perception, aid workers continue to be targeted (including the kidnap and execution of ten medical workers with the International Assistance Mission in north-eastern Afghanistan in 2010).

³ Aid agency interview, Kabul, May 2012.

⁴ Related in aid agency interviews, Kabul, May 2012. See also Donini (2010).

⁵ Aid agency interview, Kabul, May 2012.

target NGO projects’, data indicates that ‘deliberate attacks on NGOs remain strong outliers and that the conflict parties do not engage in violence on NGOs from a policy standpoint’ (ANSO, 2012). While interviews with the Taliban from the field research discussed below show that few NGOs were targeted in the provinces studied, the ability to distinguish between NGOs and other aid agencies at the local level varies considerably.

The picture of aid agency access at present is highly complex, localised and varied. The conflict has spread to all provinces, to some degree, with previously ‘safer’ areas, such as the north, now becoming increasingly dangerous. Although beyond the scope of this report, criminality (and to a lesser extent incidents involving the Afghan National Security Forces (ANSF) and ISAF) continues to represent a significant security threat. Despite some improvements in access to basic services in the early years after the fall of the Taliban, humanitarian needs are growing. As Terry (2011: 177) notes, ‘just when humanitarian needs are the greatest, aid organisations have the least capacity to respond to them’.

The need to regain ground has become even more pressing with international troops withdrawing and the ‘transition’ to Afghan security control. OCHA believes that ‘the most likely scenario’ in coming years is one of ‘continued escalation of violent conflict fuelled by the departure of foreign security forces in country and subsequent increased humanitarian need, coupled with nominal humanitarian access or assistance’ (UNOCHA, 2011: 2). As one international agency official predicted, ‘we’re entering a period of a long contestation of power. It will only get more difficult, more volatile’.⁶ Many agencies are, however, still grappling with how to ensure that they will be able to work in a principled way and ensure the safety of their staff and the communities they work with – regardless of what happens after international forces leave.

⁶ Aid agency interview, Kabul, May 2012.

Chapter 3

Aid agency perspectives on engagement with the Taliban

This chapter identifies some of the challenges and obstacles in gaining access to Taliban areas. It then examines two main approaches utilised by the aid agencies interviewed: community acceptance and structured engagement. While this does not capture the full variety of approaches employed, it is meant to give a general overview of the most commonly used tactics and strategies.

3.1 Community acceptance approaches

Many aid actors interviewed claimed to pursue an approach focused on gaining ‘acceptance’ from local communities and power-holders. Acceptance approaches traditionally focus on ‘actively building and cultivating good relations and consent as part of a security management strategy’ to gain ‘consent for the humanitarian organisation’s presence and its work’ (Egeland et al., 2011: xiv). While acceptance and direct structured engagement are not mutually exclusive (direct engagement requires acceptance by parties to the conflict to be successful, and acceptance often requires dialogue with all parties to the conflict active in an area), this section focuses on community acceptance approaches that avoid direct engagement with the Taliban.

Many agencies at local level engaged in ‘negotiations’ either through speaking with elders or community members who have links with the Taliban. But in the words of one national NGO director, ‘Obviously it’s a fine line. Who is the Taliban? They are often just part of the community’.⁷ One international agency director described community acceptance as a core working principle, in that communities had to be able to ‘accept’ their work (i.e. guarantee the aid agency’s security). He also described it as a process of persuasion, focused on educating communities about humanitarian principles and making sure that they feel the agency is there to help them meet their own needs. The majority of local staff are selected from the communities they work in, are able to identify and communicate with the Taliban and ensure that activities are accepted.

This focus on ‘community acceptance’ was common among interviewees, but even when a rigorous acceptance approach is applied there are limits to what it can achieve. Where agencies rely on communities to guarantee their security or undertake negotiations with the Taliban, this can only work where the community either actually controls security or has sufficient influence with the Taliban or other armed actors. It also places the burden of risk on community members. Once community members are no longer able to play the role of

mediator, agencies have been forced to withdraw or revert to remote programming. Acceptance is constrained by the parameters of what the Taliban or local power-holders are willing to allow. Accommodation can require compromise around paying ‘tax’, employing only male staff in a certain area or choosing not to pursue programmes explicitly directed towards women or girls. As one international NGO director commented, ‘There are several hundred staff, consistency isn’t easy. And we are trying to explore this now with new groups moving into our areas – what is non-negotiable? What compromises will we be willing to make? And corruption, extortion, taxation are sensitive issues’.⁸

Many other agencies described approaches to ‘acceptance’ that appeared far less rigorous and structured, with little apparent consistency, internal transparency and clear communication up and down management chains. In many instances, approaches to gaining and maintaining ‘acceptance’ largely assumed that the agency was ‘accepted’ as long as the organisation could continue to work without being attacked. Often, interviews indicated that senior managers were unaware or not fully in control of how staff at the local level were gaining or maintaining access. Generally senior managers appeared to want to know as little as possible, or felt unable to ask field staff exactly what they were doing. One senior international NGO worker, for example, commented that, while national staff were responsible for negotiations, he did not know how they went about them. A recent HPG/Stimson Center study found that many UN and NGOs were ‘operating a “don’t ask, don’t tell policy”, whereby international staff assumed or knew that national staff were engaging with local-level Taliban but without the explicit authorisation or support of their organisation’ (Metcalf et al., 2011: 31–32).

This often means that lower-level Afghan aid workers typically bear the brunt of the responsibility – and risks – for securing and maintaining access, often in the absence of clear guidance, support or training. There rarely appeared to be coherent internal policies about engagement with the Taliban at local levels, leaving staff outside Kabul to deal with complex security situations largely on their own. One international NGO director said that his agency had an informal policy whereby ‘we trust our people in the field’ and allow them to ‘gauge risk and then do what’s needed to get the programmes done ... we don’t discuss it internally much’.⁹ Afghan staff at international agencies may also face different pressures and weigh different considerations. One Afghan staff member

⁸ Aid agency interview, Kabul, May 2012.

⁹ Aid agency interview, Kabul, May 2012.

⁷ Aid agency interview, Kabul, May 2012.

at an international NGO commented, ‘If I say it’s not safe or that sometimes we have to pay at checkpoints, will I lose my job? I have promised the people support, will they be abandoned?’¹⁰ While acknowledging that many agencies are beginning to address these issues, one security advisor commented: ‘What if they are asked to hand over food at a checkpoint by the Taliban or anyone else with a gun, without specific guidance and support on how to handle that?’¹¹

3.2 Structured negotiations

Structured negotiations are direct negotiations with Taliban at multiple levels, guided by internal policy or guidance. Few reported that their agency pursued a structured approach, directly negotiated with the Taliban or had engaged with Taliban leaders to obtain permission for their work. There seemed more readiness to openly pursue such an approach among more purely ‘humanitarian’ agencies (as opposed to multi-mandate actors). However, there is reason to believe that such engagement is more widespread than agencies are willing to admit. In interviews for this research, the Taliban leadership provided a list of 26 organisations that had registered with them as of August 2012 (discussed further in Chapter 5).

There are many reasons why aid agencies may want to keep such interactions confidential, including the fear of punitive action from the Afghan government, donors or international or Afghan security forces. A fear of counter-terror restrictions was commonly mentioned, particularly among USAID grantees subject to Partner Vetting System requirements to share information about ‘key individuals’ involved in their programmes, including staff and partner organisations. Some feared that they would risk prosecution or at least accusations of ‘supporting terrorists’ if they directly engaged in dialogue with the Taliban. This is, somewhat curiously, despite the fact that none of the major Taliban groups was included on US terrorist lists until September 2012, when the Haqqani network was added. It was unclear if aid agencies were being overly cautious or were simply unclear on the specific implications of the US government’s counter-terrorism policies.

Others described the ‘chilling effect’ on engagement of the Afghan government’s expulsion of two Western diplomats in late 2007 for allegedly engaging in political talks with the Taliban in Helmand.¹² As the head of one international agency stated, ‘Anyone who talks to the Taliban risks being PNG’d [*persona non grata*] but of course everyone talks to the Taliban anyway – how else could we work?’¹³ Similarly, an international NGO director commented that ‘by law, we are not supposed to engage the Taliban ... but when it comes to security, you do what’s needed. The reality is that if you do it

quietly no one comes after you’.¹⁴ Despite the fact that few aid actors or diplomats have been expelled or otherwise punished for talking with Taliban, and regardless of the growing focus on engaging the Taliban in political talks, there is still a reluctance to take the risk.

Many interviewees from aid agencies felt that making contact itself was a major obstacle. In particular, aid agencies pointed to ISAF’s strategy of targeted killings of Taliban leaders as making negotiations increasingly difficult, eliminating the mid-ranking and high-level commanders who may be able to secure access at local level and creating greater violence, volatility and distrust. The tactical success of kill/capture has led to changes in Taliban policy, including routinely rotating Shadow Governors (discussed further in Chapter 5). Even in areas where the Taliban are relatively uniform and their influence substantial, this has made it harder to sustain dialogue or ensure that agreements made with one individual will be adhered to by another. As one aid agency official said, ‘If there was stability in command, the challenge would just be in negotiating – but there isn’t’.¹⁵

The ICRC has long engaged with the Taliban at multiple levels, as it does with all parties to the conflict, but has sought to review and renew its engagement following the targeted execution of one of its delegates in southern Afghanistan in 2003. After the ICRC was forced to pull back operations in some areas of the country, it began to establish dialogue around understanding the killing of its delegate and cautiously started providing medical services in Helmand. This in turn created greater opportunities to engage on issues of IHL and expand operations. Over several years, the ICRC was able to develop sufficient relations with the Taliban to re-establish operations in Kandahar. While encountering initial resistance from the government and ISAF, this too has lessened over time.¹⁶

Similarly, MSF withdrew from Afghanistan following the execution of five of its employees by the Taliban in 2004, but began to re-engage in 2009. The process began with support for two public hospitals, one in Helmand and the other near Kabul. While MSF’s renewed presence required negotiations with all sides, including the government, it also engaged directly with various branches of the Taliban leadership. Negotiations were gradual, with difficulties identifying ‘legitimate’ representatives. MSF was also forced to make concessions, such as agreeing to consider sites proposed by the Taliban for future interventions – despite the apparent fact that the Taliban aimed to use the provisions of these services to win legitimacy among the population (Crombe, 2011).

Such engagement appears most successful when it occurs at multiple levels. While engaging with Taliban leaders may improve access in some areas of the country, it is by no means a guarantee that what the leadership approves the rank and file

¹⁰ Aid agency interview, Kabul, May 2012.

¹¹ Aid agency interview, Kabul, May 2012.

¹² Donor agency interview, Kabul, May 2012.

¹³ Aid agency interview, Kabul, May 2012.

¹⁴ Aid agency interview, Kabul, May 2012.

¹⁵ Aid agency interview, Kabul, May 2012.

¹⁶ For a full account, see Terry (2011).

consistently obeys. Another international aid agency describes its engagement in the south as sustained at three key levels: the high-level strategic leadership in Pakistan; provincial leadership; and local leadership. At the leadership level, engagement focuses on formal agreement and ensuring that this is passed on to field commanders. Provincial engagement with Taliban Shadow Governors or Military Commissioners focuses on activities and policy issues. Local engagement is largely conducted through community members to try to ensure acceptance from local commanders.

Continual communication at all levels is also required. Even after initial permission was granted, MSF describes negotiations as occurring at the Helmand hospital on an almost daily basis (Crombe, 2011). In addition to communication with the leadership, the ICRC coordinates almost daily to communicate its movements in Taliban areas (Trofimov, 2010). In the case of a third agency mentioned, the increasing presence of radical commanders from Pakistan with no ties to and little regard for the wellbeing of local communities has presented new challenges. In some instances, this required the agency to temporarily pull back and engage at higher levels in order to restart programming.

There have also been structured negotiations focused not on sustained presence but on time-bound access to perform specific activities. Through negotiations with Taliban leaders, the World Health Organisation (WHO), the UN Children's Fund (UNICEF) and their implementing partners gained permission to conduct polio vaccinations beginning in August 2007. Taliban leader Mullah Omar issued a letter, and has reportedly issued similar letters or directives for subsequent campaigns, urging fighters to allow vaccination and urging parents to have their children vaccinated. Yet obstacles have been encountered in areas where local commanders may have weaker links with, or less allegiance to, the leadership. As a UNICEF official commented, 'the letter from Quetta [home to the Taliban's Political Commission] is an umbrella, but how it all trickles down to the local level is not always clear. This is why negotiations with the local commanders are always important' (Trofimov, 2010).

When asked about engagement with the high-level Taliban leadership, those who pursued such engagement felt it was valuable – at least in certain circumstances, and when complemented by engagement at the provincial and local levels. But others disagreed. One aid agency security expert argued that there was 'zero usefulness in engaging with Quetta' and that 'it's the provincial level that really matters'.¹⁷ One donor felt that engagement with Quetta was a risky endeavour, as some agencies have paid fixers large sums of money for access to alleged Taliban 'leadership' figures without sufficient assurance of their authenticity.

The examples above highlight the success of engagement in the south – where the Taliban appear to exhibit tighter command

¹⁷ Aid agency interview, Kabul, May 2012.

and control and uniformity than in other areas of the country. One international agency director commented: 'in Helmand, perhaps it's pragmatic but not in Kunduz or Khost – I doubt it really matters there ... and even in the long term in Helmand, maybe they will attack [those they have made deals with] when it's convenient for them'.¹⁸ As an international NGO director commented regarding working in the north, 'these groups are fluid and volatile. Negotiate with one, fall foul of another. They give us "friendly advice" about where to move and the commanders don't want to hit us but it's very unpredictable'.¹⁹ Even in the south, many argued that the indiscriminate character and prevalence of improvised explosive devices (IEDs) render contacts with the Taliban of little use.

3.3 Cooperation, collaboration and collective approaches

Few agencies, even those working in the same provinces and districts, appeared to collaborate on negotiations or share information. Even when coordination of this nature does occur, it is rarely through official channels, such as the UN clusters or formal NGO coordination meetings. Some aid agency managers mentioned informal meetings with one another to discuss security and programmatic issues, but access negotiations were rarely discussed. In the words of one, 'it's just much easier as a single agency to cut a deal'.²⁰

While fragmented and diverse in their approaches, some Afghan and international NGOs are seeking new ways to improve acceptance and security. There are emerging NGO-led approaches to identify and document best practices on access and improve perceptions of NGOs as neutral and impartial humanitarian actors. Several aid agencies also pointed to the importance of local-level coordination over Kabul-level efforts, where they felt agency identity was more likely to interfere with effective cooperation.

Despite the lack of faith in collective approaches, aid actors readily acknowledged the drawbacks. As one national NGO director said, 'Many fear sharing information because they fear the repercussions ... but they get played off one another by the Taliban because they don't share information or coordinate'.²¹ One donor felt that many NGOs were reluctant to acknowledge the limits of remote programming or subcontracting work to national NGOs, and intervened regardless of the risks of corruption and ineffective or poorly implemented programmes.

Few agencies talked to their donors about negotiations with the Taliban, even where these agencies were clearly working in areas of significant Taliban influence or presence. As one NGO director working in the south commented, 'They just don't want to know the details'.²² In some instances, donors

¹⁸ Aid agency interview, Kabul, May 2012.

¹⁹ Aid agency interview, Kabul, May 2012.

²⁰ Aid agency interviews, Kabul, May 2012.

²¹ Aid agency interviews, Kabul, May 2012.

²² Aid agency interviews, Kabul, May 2012.

have pushed for sensitive information such as beneficiary lists, compounding distrust and heightening secrecy. Some agencies have agreed to do this, for instance with the USAID Partner Vetting System, while others have resisted. Only one of the seven donor representatives interviewed stated that they encouraged frank, confidential conversations with their grantees about negotiation strategies.

In recent years, there have been several higher-level or formal initiatives to track access and engage in negotiations. Few have yielded successful results. ACBAR has pursued the establishment of joint NGO access strategies and a UN-led Access Working Group was established in Kabul in 2010. In 2011, OCHA proposed a formal collective access strategy to NGOs, but this was ultimately rejected. In seeking to distance themselves from the UN, NGOs were unwilling to take part in UN-led initiatives around access. Among UN humanitarian agencies as well as international and national NGOs, there was doubt about whether the UN, OCHA or UNAMA, could play a productive role in any collective negotiation initiatives. One international NGO director described the UN as ‘totally bunkerised’ and he, along with others from international and national NGOs, questioned its added value.²³ Others felt such UN-coordinated joint access initiatives were simply impractical. One UN agency official felt that the ISAF kill/capture strategy created too much chaos to identify a stable contact within the

²³ Aid agency interview, Kabul, May 2012.

Taliban leadership: ‘the Humanitarian Coordinator wouldn’t be able to talk to the Taliban now – talk to who?’. Another UN agency official commented, ‘the UN doesn’t have its own house in order. The government is fractured, the Taliban are fractured. So who talks to whom? And about what?’.²⁴ There was also a sense that the situation was too diverse, with very different circumstances across regions and provinces, and even within districts.

Aid agencies interviewed felt strongly that access negotiations should be kept entirely separate from political negotiations. However, diplomatic sources confirmed that the Taliban had requested ‘humanitarian aid’ through informal political dialogue.²⁵ UNAMA and aid agencies do not appear to have established dialogue about the links between political and humanitarian issues as they relate to peace talks, or developed a joint analysis of how humanitarian and development issues may feature in any settlement. Many aid agency interviewees expressed doubt about the credibility of talks, and were sceptical that any political settlement would be achieved before the deadline for the handover of security from international to Afghan forces in 2014, which could explain their reluctance to engage with what they see as a failing political process.

²⁴ Aid agency interview, Kabul, May 2012.

²⁵ Interviews, Kabul, May 2012. Sources declined to provide further details, and it is unclear if this request was met.

Chapter 4

Taliban perspectives on engagement with aid agencies

4.1 Taliban structure and organisation

To contextualise Taliban attitudes toward engagement with aid agencies at various levels, this chapter provides an overview of the Taliban command and control structure. While not a comprehensive analysis of the Taliban across Afghanistan, it provides a broad outline of the hierarchy and relevant positions, with particular emphasis on Kandahar and Faryab. The Taliban are formally organised around two main power centres in Pakistan: Quetta (the seat of the Political Commission) and Peshawar (the seat of the Military Commission and the Finance Commission, although a subordinate southern Military Commission also exists in Quetta). Engagement with aid agencies is governed by the Commission for the Arrangement and Control of Companies and Organisations. A number of other commissions also exist, including those dealing with specific fields such as education, logistics and health.

In Afghan political culture, like any other political culture characterised by weak institutions and a precarious political settlement, there is a tendency to use institutions (like the commissions) or institutional lookalikes for political propaganda purposes, with little bearing on day-to-day activities. This may be because the institutions are not fully functional yet and their intended role is in the process of being communicated to the rank and file. It may also be that the institutions were never taken seriously and are only meant to present a more sophisticated (government-like) image for public consumption.

In practice, personality, leadership and charisma have great importance across the networks that comprise the Taliban. These networks vary in size, with some counting thousands of fighters and with a presence across multiple regions and others counting a few hundred in a single region or province. The largest networks are the Haqqani network and those led by Abdul Qayum Zakir, Mullah Sattar, Mullah Naim and others. Leaders hold very different views on various issues, and there are tensions within the leadership. For example, Zakir is well known for his opposition to political negotiations, while others may not rule out a negotiated settlement as such. The same applies to aid agency access, education and other issues explored in this research.

Across most provinces, the Taliban have tried to improve their command and control through the creation or consolidation of formal military and political structures (Strick van Linschoten and Kuehn, 2012). Provincial Military Commissioners have been appointed, with subordinate Military Commissioners in

each district. They supervise Taliban operations, reporting to the central Military Commission in Peshawar (for Faryab) or the southern Military Commission in Quetta (for Kandahar). The rotation of officials is implemented with commanders being reassigned, or reassessed, at fixed intervals, in order to prevent the formation of personal feuds.²⁶ Provincial Military Commissions are composed of approximately 16 members, including tribal elders, and include departments for justice, finance, transport, education and logistics. Each of these departments has an officer in charge, who selects three or four members to make up their respective commissions. District-level officials rely on the Provincial Commission for general orders, funding and logistical support.

The Taliban Shadow Governor is the highest civilian authority in the province, with duties clearly separate from those of the Military Commissioner. Together with the non-military district chiefs reporting to him, he should provide a semblance of a political structure, reinforce the visibility of the Taliban as a viable alternative to the Afghan government and act as a contact point for locals, elders and financial actors. He may also play a role in the judiciary. ‘Civilian’ officials seem to be firmly rooted in their communities, an expression of the areas they represent, although appointments are at times made to ensure the balanced representation of various Taliban networks. By contrast, military officials are often appointed by the leadership in Pakistan.

Shadow Governors have rarely been present on the ground since 2010 because of the high level of threat from international forces. As such, their influence and role are variable but generally less substantial than Military Commissioners.²⁷ In Faryab, the centralisation of power in the hands of the Provincial Military Commissioner has exacerbated rivalries. The growing militarisation of the provincial-level leadership since 2010–11 may be partly a by-product of increased military pressure on the Taliban. Given the circumstances, key Taliban leaders in Pakistan appear to minimise communication with fighters inside Afghanistan, diminishing their effective agency in the field.

²⁶ In Faryab, given the relative isolation of the province and unlike Kandahar, rotation is decided upon by the province’s Military Commissioner, rather than by the central leadership.

²⁷ At present, the Shadow Governor of Kandahar (like all governors under the control of Quetta) is a more powerful figure than the Shadow Governor of Faryab (and all the governors under Peshawar’s control), as he retains control over the Taliban judiciary, education and health activities. In Faryab, the Military Commission in Faryab controls those activities. In Faryab, sources unequivocally stated that the Shadow Governor’s authority is ultimately subject to the leadership of the provincial Military Commissioner.

In the absence of a strong political authority, actors rely on personal negotiations during decision-making and implementation. Taliban orders and decrees are framed in such a way as to satisfy the various components of the movement and prevent friction between the loosely assembled parts of the organisation. The vagueness and imprecise phrasing of orders allows space for negotiation. Therefore, even a directive from the Taliban leadership issued in print will rarely be clear-cut and is subject to varying interpretations. These discrepancies should not necessarily be interpreted as an indicator of disagreement or friction, but relate to the nature of the Taliban as a movement with a weak centre, 'federal' in character and still struggling to operationalise its structure.

4.2 Taliban leadership policy and perspectives on engagement with aid agencies

The core document governing Taliban conduct is the *Layha*, first issued in 2006 and widely distributed to Taliban cadres in the provinces, implying awareness among the rank and file.²⁸ The *Layha* establishes a hierarchy in dealing with NGOs and the UN, which seems to leave little space for autonomous decision-making below the Commission formally in charge of this. Updated and substantially expanded editions of the *Layha* were issued in 2009 and 2010, with the revised policy on aid agencies marking a dramatic shift from the 2006 edition. Notably, orders to beat or execute teachers, attack schools and avoid engagement with NGOs, previously described as 'tools of the infidels', present in the 2006 edition were removed. The 2009 edition states:

*Concerning the affairs of organisations and companies, provincial officials shall follow the guidance of the Commission for the Arrangement and Control of Companies and Organisations. Of course, should there be a disagreement when provincial officials and the Commission are discussing something, the Commission will request the guidance of the leadership. The provincial, district and group officials and the representatives of the Organisations and Companies Commission in their respective province do not have the right to make their own decisions about the affairs of organisations and companies.*²⁹

While vague, this policy indicates a certain level of openness toward aid agencies. Sources interviewed indicate that 2008–2010 may have represented a 'window of opportunity' with more openness on the Taliban side to dialogue with aid agencies, and would support the contention that there was a subsequent shift in policy. In 2009, a representative from a group of aid agencies reported being approached in Kabul by emissaries from the Taliban. A series of meetings was held,

²⁸ For a comprehensive analysis of the *Layha*, see Munir (2010); see also Clarke (2011).

²⁹ The 2010 edition of the *Layha* has remained fairly consistent on these issues.

with questions focused on financing and funding sources for aid agencies, hiring practices and organisational objectives. In later meetings, the emissaries urged aid agencies to officially register with the Taliban. The representative believed that these meetings were initiated by the Taliban to gather information about aid agencies in order to develop more structured policies. This echoes ANSO analysis from 2007–2010 documenting Taliban contact believed to be focused on intelligence-gathering (see ANSO, 2007). Additionally, a report from a Taliban website, *Al Samood*, published in 2009, in which a Taliban commander claims to be collecting information on NGOs, confirms that the Taliban were undertaking intelligence-gathering on aid agencies during this period (ANSO, 2009b).

An interview conducted for this research with the Taliban Commissioner for the Arrangement and Control of Companies and Organisations, Qari Abas, appeared to reflect a relatively open attitude towards engagement with aid agencies. Abas, a former minister of health under the Taliban government, laid out several conditions for the Taliban leadership to grant aid agency access beyond the provisions in the *Layha*. He stated that all agencies should register with his commission, and provided a list of 26 organisations registered as of August 2012. Abas confirmed that the Taliban do not specifically discriminate between UN organisations or NGOs, whether Afghan or international. A list of registered organisations was provided to researchers and indeed included UN agencies, national and international NGOs and human rights organisations. Aid agency representatives also reported that the Taliban are increasingly inviting aid agencies to register with them. However, it also appears that some organisations might have made agreements with the Taliban outside of this framework, given that several agencies claiming to have letters from Taliban leaders allowing them to operate did not appear on this list.³⁰

Registration is granted on several additional conditions, including a pledge not to commit 'hostile' acts against the Taliban and payment of tax, where applicable. Abas claimed that 23 organisations had been delisted for violations between 2011 and 2012. This implies a crackdown on registered organisations since 2011. This could be seen as an effort at internal balancing within the Taliban; Abas has long been seen by Taliban hardliners as too moderate and may have come under pressure to make concessions. A complete list of the banned agencies was not provided, but a partial list given to researchers casts some doubt on Abas's narrative. At least two of the five organisations named are not physically operational in Afghanistan. All explicitly, if not exclusively, focused on programming or high-profile public advocacy for women and girls. Delisting or banning these organisations is likely to have been an accommodation by Abas, but one with limited impact on aid agency access or agreements in general.

³⁰ Donor and aid agency interviews, Kabul, May 2012.

Abas denied that access was negotiated strictly through elders, but rather insisted that it was negotiated directly with aid agencies by individuals cleared by the Taliban leadership in Quetta or Peshawar. Other Taliban and some aid agency sources confirmed this, and named two individuals who were known to be cleared to negotiate with aid actors (one was Abas). Negotiations may take place in Pakistan or Dubai, as well as in Afghanistan. For example, Taliban commanders in Kandahar asserted that there were individuals at the provincial level who were appointed to negotiate on aid access. Abas also claimed that there were Taliban ‘inspection teams’ in the provinces that regularly investigated aid organisations.

Abas stated that ‘it doesn’t matter to us whether it is American money or the money of the UN’, implying that agencies operating with this funding would be tolerated as long as they followed the Taliban’s rules. Indeed, agencies claiming to have registered with the Taliban rely on funding from a wide range of sources, including both the UN and the US government. He also named specific aid agencies perceived to be doing ‘good’ for Afghans, including mine-clearance organisations and specific UN agencies. Abas was also eager to stress that attacks on aid agencies were not generally intentional. He claimed some were mistakes, though he conceded that others were meant as a warning against ‘disobedience’.³¹ Still, Abas was ambivalent about aid agencies and suspicious of their motivations:

The contrast between NGOs and foreign forces is that NGOs have pens and money but the troops

³¹ It should be noted however that the Taliban sometimes deny attacks attributed to them.

have guns so people of Afghanistan are happy from NGOs not from troops ... Afghanistan is in the lowest position compared to other countries that have the same problems of food, education, health, water and other things. In other countries, NGOs are also present and they help people but they don’t carry out such other missions.

Abas did not discuss in detail the specific criteria for permitting projects, but noted that, for example, road-building projects were opposed when they were perceived to go against Taliban activities, such as planting IEDs. Abas was also critical of certain aspects of humanitarian and development work. This was true in general but particularly so with regard to the failure of aid agencies and donors to support the Taliban government: ‘if they want to bring development why they didn’t want to bring it in the time of Taliban regime?’.

There was, predictably, strong resistance to Western notions of women’s rights. Abas commented:

We don’t want to talk with them about such rights, but if they want to talk about the rights which Islam gives women then we are ready to talk to everyone whether it is NGOs, UN or another party.

Despite the picture painted by Taliban leaders, field commanders interviewed in Kandahar and Faryab generally exhibited more restrictive attitudes towards aid agencies and even greater suspicion of them.

Chapter 5

Case study: Faryab province

5.1 Overview of Faryab

Located in the north-west of the country, Faryab is an extremely poor and underdeveloped province. Most residents are reliant on subsistence agriculture and until recently the province had no paved roads. Faryab is one of two majority Uzbek provinces, with Uzbeks comprising 51–57% (Gompelman, 2010). The largest minorities are Tajiks (21–34%), Pashtuns (14%), Turkmen (4%) and a small nomadic population (*kuchis*) (*ibid.*). The latter are mostly concentrated in the Loya Andkhoy area, towards the border with Turkmenistan, while Pashtuns are mostly found in Almar and Dawlatabad. Tajiks dominate the southern districts of Kohistan, Gurziwan and Bilchiragh, the latter two mixed with Uzbeks.

Like most of Afghanistan, Faryab has seen intense violence on and off since 1978. During the 1980s and 1990s there was bitter conflict between various warlords, eventually leading to the emergence of the party of General Abdul Rashid Dostum, Junbesh-i Milli, as the dominant force in 1992. Even after 2001, Faryab experienced factional conflict, mainly between Junbesh and Jamiat-i Milli, which had support mainly among the local Tajiks as well as some Uzbeks.

Faryab is chronically drought-prone, and droughts have spurred large-scale migration from villages to cities or abroad for work. The isolation of the province undermines economic development and the local economy has seen little growth since 2001. There appears to be a high level of dissatisfaction with the central government. As Junbesh retains a relatively high level of support in Faryab, the marginalisation of the party within the central government has contributed to the sense of neglect. Insecurity in Faryab has worsened significantly in recent years. Aid agency sources mention a wave of abductions of NGO staff in 2010, apparently for intelligence-gathering purposes as the Taliban suspected NGOs of cooperating with their enemies (see also Giustozzi and Reuter, 2011).³² Nonetheless, the aid agency presence in Faryab remains strong, with at least 20 national and international aid agencies operational.³³

5.2 Taliban structure, organisation and influence

The current insurgency in Faryab dates back to 2004, when assets linked to Mullah Baradar were reactivated on the basis of relationships cultivated while he was general commander in the north under the Taliban government. Between 2004/05 and 2008, the Taliban appear to have maintained a minimal

³² Aid agency interview, Kabul, May 2012.

³³ According to local interviews, although researchers could not obtain accurate comprehensive lists from the UN or other sources. Gompelman (2010) reports that 27 aid agencies were present in 2009–10, according to UNAMA.

but intermittently active presence, with Pashtuns instrumental in the early years of the insurgency. Baradar's efforts mirrored those of other southern Taliban networks based in Quetta. The Haqqani network also started infiltrating the area in 2008.

At present, Faryab Taliban are far from being Pashtun-led or -dominated. Both Tajiks and Uzbeks have played a vital role in consolidating the Taliban presence, and non-Pashtuns constitute a majority of the Faryab Taliban. The gradual decline of longstanding, ethnically based patronage networks associated with Dostum and Junbesh proved crucial to turning significant portions of the population towards the Taliban. The Taliban leadership reportedly agreed to allow Faryab's Uzbeks to play a more important role within the movement, resulting in the emergence of a rare phenomenon: a Taliban leadership devolved to Uzbeks, with the contribution of cadres from the Islamic Movement of Uzbekistan (IMU) and the deployment of a particularly aggressive Islamist ideology.

The Taliban and government/ISAF forces exert influence in Faryab in accordance with a well-rehearsed model seen elsewhere: the district centre and surrounding areas are stable and appear to be under government control, while rural and remote areas are heavily populated by the Taliban. The Almar-Qaysar-Loya Andkhoy corridor appears to be the main centre of Taliban activities, particularly among a cluster of villages around Namusa and sparsely populated areas along the border with Turkmenistan. Pashtunkot district has a substantial Taliban presence, and the main road connecting Faryab to Jowzjan and surrounding districts is extremely insecure.

There seems to be significant tension, at least intermittently, between various factions. Command and control is as a result less secure than in other parts of Afghanistan, most notably in Qaysar where there are various different modes of operation and policies on granting aid access. Perceived efforts by the leadership in Pakistan to rebalance the insurgency in favour of Pashtuns in late 2011 and early 2012 led to intensified infighting, resulting in tip-offs by rival factions to government security forces and ISAF, as well as outright murders. During the spring and summer of 2012, there was reportedly friction over the top appointments, and the consensus over the distribution of the spoils appeared on the verge of collapse.

5.3 Other armed groups

The Taliban are not the only armed groups that present obstacles to aid agency access. Militias and illegal armed groups (defined in this study as excluding the Taliban) have a widespread presence in Faryab. There has been considerable controversy over the re-emergence of government-sponsored

Box 1: Militia and illegal armed groups

Afghan Local Police (ALP): local militias loosely integrated under the control of the Ministry of Interior and vetted by elders in principle – but not always in practice. Training and some supervision is provided by US Special Forces.

Arbaki: village militias, often sponsored by local authorities. They wear no uniform, receive no training and are under no real supervision. They are village-based and generally rooted in a particular community.

Critical Infrastructure Protection Force (CIP): currently being incorporated into the ALP, the CIP was an untrained, unvetted militia created by international forces over which very little supervision was exercised.

Private militias: supported by local strongmen, they have no official recognition but differ from criminal groups in that they are concerned not only with financial gain but also territorial and population control.

Smugglers and bandits: general insecurity and weak/absent law enforcement has favoured the emergence of large bands of criminal actors often known to impersonate Taliban in order to intimidate communities and the police.

militias in recent years (see Human Rights Watch, 2011). The Afghan Local Police (ALP) and *arbaki* (village militia) are generally connected to Dostum or other strongmen. Even in areas affected by Taliban presence, most villages have some sort of *arbaki* (see Giustozzi, forthcoming). The outlying districts of Almar, Qaysar and Kohistan are most affected by the presence of competing power-brokers, as is Pashtunkot, near the provincial capital, Maimana.

While not covered extensively in this research, such groups merit brief examination in that they contribute to the complex operating environment for aid agencies. While the perception of militias and *arbaki* was generally positive among elders and community members interviewed, aid agencies had a mixed view. While some aid workers felt that *arbaki* enhanced their security, others complained that militias or local strongmen attempted to interfere with their programming. Additionally, criminality – in which some of these groups play a role – was cited as a considerable concern, particularly with regard to banditry on the roads.

5.4 Taliban policies on aid agency access

The provincial leadership was aware of the criteria set by the senior leadership for granting aid agency access, although this awareness decreases at lower levels of the hierarchy. Cadres interviewed for this project essentially stated that aid agencies would be welcome to work under Taliban supervision and conditions. Negotiations at high level and registration are

reported to be the key issue for allowing access. The Provincial Military Commissioner stated:

Our attitude towards NGOs is that they must have our permission to work in our areas or they must have contact with us before they start working. The NGOs coming to our areas are observed and investigated to see whether they are beneficial for us or not. Even the NGOs that have a working permit from our leader Qari Abas, we check and observe them. If their work is not beneficial for us, then we will refuse them. We will advise our leader not to permit such NGOs next time.

There appeared to be clear lines of communication to Abas verifying whether agencies were registered, as well as communication back to the leadership on agencies that had ‘performed poorly’ or violated the rules governing their presence.³⁴ The Provincial Military Commissioner also stated that aid agencies must have contact with the Taliban locally before beginning work, and were expected to share project and budget details. However, there appeared to be a limited presence of local negotiators or intermediaries (only one Taliban commander claimed to play such a role at district level). In the absence of a specialised Taliban cadre dedicated to dealing with aid agencies, NGOs or elders are advised to make contact with local commanders.

When asked if aid agencies could operate without being registered with senior Taliban leadership, there appeared to be flexibility for ‘cleared’ or trusted NGOs (particularly Afghan NGOs) – but not for the UN.³⁵ One commander from Almar suggested that there may be instances where a letter from an influential figure (such as another senior commander or a mullah) would enable access. Apart from registering, conditions include paying tax when applicable, not spying and abstaining from political activities, following the Taliban’s interpretation of *Shari’a* and regularly reporting about activities. Taliban argued that, as governments have such rules, there was no reason why they should not also have them.

These accounts are broadly consistent with those of aid agencies. However, there were some important discrepancies. Taliban interviewees implied much more direct engagement with aid agencies, and substantiated this with accounts of such interactions. For example, a commander in Gurziwan described his meetings with agencies, which told him that ‘their main purpose is to support the people not government, they don’t have any relationship with foreign troops ... they say their main purpose is to work for war-affected Afghans’.³⁶ Taliban cadres report that aid agency projects are regularly

³⁴ Interview with Taliban commander, Gurziwan, August 2012.

³⁵ Interviews with: Pashtun Taliban commander, Almar, May 2012; Taliban commander, Shirin Tagab, May 2012; Uzbek Taliban commander, Dawlatabad, June 2001.

³⁶ Interview with Taliban commander, Gurziwan, August 2012.

inspected to verify compliance with agreed conditions, as this statement from a commander in Almar demonstrates:

When NGOs want to dig a well or build a school or road, first we check whether the people need such things. After that, we decide in how much time they can complete the work and we also inspect whether the purpose of this NGO is actually this activity or something else ... There was one NGO that told people it wanted to build a school but when we inspected, they were spying and making a list of how many Taliban were there and their names.

The Taliban assert that they do not inspect NGOs just to make sure they are not spying, but also to assess the quality of their work from a ‘public interest’ perspective; in the words of one, whether or not ‘this NGO is making a profit, whether they think about the public or only taking the money’.³⁷ Many aid agencies denied being subject to inspections. However, Taliban indicated that inspections were not always transparent and ‘spies’, usually elders or other intermediaries, were dispatched to report back on aid agency activities. The Taliban only appear to directly intercede in the event of denunciation or a report of ‘wrongdoing’.

When rules are broken, consequences are severe. Taliban fighting units are authorised to expel, attack or harass aid agencies. A commander in Gurziwan stated that the Taliban attacked aid agencies ‘because they didn’t accept our rules and regulation, they didn’t pay our tax, they came to our areas without permission, and they implemented projects which were not useful for us or the people’.³⁸ Attacks on NGOs are viewed as a way of ‘sending a message or a signal’.³⁹ They also appear to use such attacks, discussed further below, at least in part in retaliation for government/ISAF military operations.

Consistent with statements from Abas, most Taliban cadres claim not to discriminate according to funding source or project type. Eight out of 13 interviewees stated that the source of funding did not make any difference, although in one case this was because all aid was banned. Of the remaining five interviewees, four declared that US funds were banned while one said that only Muslim sources of funding were allowable. Specific objections were raised to the presence of foreign teachers or non-Muslim education, and there was resistance to road construction due to perceived interference with the Taliban’s ability to plant IEDs. However, most Taliban were opportunistic, with one arguing that ‘a clever Muslim can use the sword of the *kafir* [a non-Muslim] against him’.⁴⁰

The rules on taxation were relayed consistently, even if all aid agencies in Faryab interviewed denied paying tax. Projects

classified as ‘public welfare’ are not taxed, nor are *madrasas* or mosque construction projects; other NGO or UN projects are taxed at 10%, and private company projects are taxed at 20%. One commander explained that ‘authentic’ humanitarian agencies were exempt: ‘we don’t tax them because they help the people and don’t profit a lot’.⁴¹ In some cases, additional conditions were imposed such as providing medical assistance to fighters; providing food, vehicles or shelter; and hiring staff selected by the Taliban. It also appears that ‘presents’ are sometimes accepted: according to one commander ‘the NGOs did a good job here’ at least in part because ‘they also helped Taliban, they bought motorbikes for us and some other help’.⁴² Nonetheless, being willing – or *too* willing – to pay tax or provide ‘presents’ may raise suspicions that aid agencies are attempting to bribe the Taliban or have ulterior motives.

The majority of aid agencies denied accepting any Taliban conditions, but some hinted that compromise would not be ruled out in certain circumstances. One aid worker said that, while the Taliban did not make any direct demands, ‘we have skilled and non-skilled workers and it is possible that Taliban are among our workers or they are people who have relations with Taliban, but they work with us and we have no problem with them’.⁴³ Another also denied paying the Taliban, but conceded that they had been asked on several occasions to do so.

5.5 Influencing factors

The degree to which the Taliban’s official policies are implemented is most influenced by perceptions, experiences and personal inclinations. However, prospects for access appear most heavily and immediately influenced by military pressure. One commander in Almar stated:

My attitude was good until a few months ago. But after the killing of our brothers in an airstrike and arrests by the PRT, we became very angry. I am sure our hideouts were disclosed by these NGOs or their spies. Otherwise how do they know if we are in a mosque or in a house or a garden?

Another reported that, after airstrikes believed to be supported by intelligence provided by an NGO, they attacked the staff of the NGO to ensure that ‘they will never do this again’.⁴⁴ Such actions could be interpreted as retaliation or a defensive measure. Aid agency staff may be the only ‘outsiders’ travelling to a certain village, and presumed the most likely suspects.

The closure of Qaysar district to all humanitarian access in 2011 is an illustrative example. A major wave of fighting displaced 800 people in the spring of that year. Government

³⁷ Interview with Taliban commander, Almar, August 2012.

³⁸ Interview with Taliban commander, Gurziwan, August 2012.

³⁹ Interview with Uzbek Taliban commander, Almar, June 2012.

⁴⁰ Interview with Taliban judge, Almar district, June 2012.

⁴¹ Interview with Taliban commander, Dast-i Laili, May 2012

⁴² Interview with Uzbek Taliban commander, Dawlatabad, June 2012.

⁴³ Aid agency interview, Maimana, June 2012.

⁴⁴ Interview with Pashtun Taliban commander, Almar, May 2012.

security forces behaved very aggressively towards communities presumed to be helping the insurgents and even harassed UN agencies. It is likely that the Taliban closed the district in retaliation for this intense military pressure. One Taliban commander claimed that the closure of Qaysar district to all humanitarian assistance was possible because Taliban power was greater there and they could act more comprehensively, whereas in other areas subject to military pressure this might not have been an option. It is worth noting, in any case, that aid agency interviewees continued to report much of Qaysar as accessible through the spring of 2012 – contradicting Taliban statements.

One commander explained that there are two strands of Taliban in Faryab, one linked to the IMU and the other linked to the Quetta shura: ‘Taliban who are with the Quetta shura have one policy and Taliban who are linked to the Uzbek Movement have another policy’.⁴⁵ However, research revealed no obvious pattern of moderation or radicalisation according to ethnic background or factional alignment, and no evidence that any particular Taliban network is more positive or negative towards aid agencies than another. Either because of ideological differences or the inability of commanders and fighters to discriminate precisely, directives from above seem to be interpreted with a certain fluidity. The Haqqani-linked Taliban in northern Faryab conveyed positive attitudes towards NGOs (as stated in Taliban and NGO interviews), but it is unclear if this is because they only have a thin ground presence or because they are genuinely more well-disposed towards NGOs. Additionally, the leading Haqqani-linked Uzbek Taliban figure in Faryab until his arrest in April 2012, Alim Makdoo, was reportedly responsible for a much tougher attitude towards access in areas under his control, which resulted in the execution of two NGO engineers in November 2011.

To a lesser degree and only in certain circumstances, pressure from communities and elders influenced some Taliban to allow access. Although some Taliban cadres acknowledged that negotiations with elders occur many were suspicious of elders advocating for aid agency presence, with one fearing that elders might be ‘corruptible’ by NGOs. Taliban tend to limit their engagement to elders sympathetic to them, and there are significant risks for elders that do take on this role, as this statement from a district commander in Almar illustrates:

Sometimes elders and villagers come to us with projects but we have our own policy that no one can change. When elders are asking me to allow an NGO to operate in villages under my control, I tell them that we need to talk with the NGO first or we tell the elders to talk with the NGO before they start work. If we find out the NGO is spying or doing something against our law, we will punish the elders. That’s why the elders are not getting involved in these issues much.

⁴⁵ Interview with Taliban commander, Dast-i Laili, May 2012.

The Taliban’s request for guarantees seems to have pushed elders to use mullahs as intermediaries, but it is not clear to what effect. Most elders interviewed denied being involved in any negotiations over aid access, even if it was clear that they had some communication with the Taliban.

5.6 Taliban perceptions of aid agencies

Taliban attitudes toward NGOs and UN agencies, though variable, were generally negative. Accusations of spying for foreign governments or being at their service, grounded in ideological debates within the Taliban, were repeatedly expressed, as this statement from a senior cadre illustrates:

These NGOs and UN do nothing and are not useful for Afghanistan or Islam. Go to Almar, Yakhana, Tailon, Bandar, Jawzar, Chaknaw and Nawmast. People don’t have food, clean water to drink, schools or hospitals, so where are these NGOs and UN? Even a small child can see that such NGOs are American spies and only working against the Taliban.

A common criticism from Taliban towards NGOs and UN is that they have distributed aid in an imbalanced way and are almost exclusively concerned with the short term. One Uzbek commander in Almar commented that the work of these agencies was ‘totally disposable, not permanent’ and ‘they just help you enough to survive’.⁴⁶ Another in Gurziwan stated that:

There are all sorts of problems created by NGOs and the UN and their officers. The money they spent during the past ten years, they divided with Ministers, Provincial Governors, District Governors, Parliament Members and the staff of NGOs and the UN, who put these funds in their pockets ... They are all thieves. Look at the road conditions in Kabul: one side is reconstructing it and another is damaging it again. This is the result of corruption both in this government and in these NGOs.

Among those who could distinguish between different parts of the UN, some cited UN agencies, specifically naming those that provide food or support to education, as ‘better than UNAMA, because UNAMA is acting against Islam sometimes’.⁴⁷ One Taliban commander in Almar said that he had orders to attack UNAMA, while tolerating a different operational humanitarian UN agency. Another district commander in Dawlatabad positively identified a specific UN agency as the only one allowed to work in his district and praised its food distributions – also mentioning that his father had once worked for the agency. Two explicitly expressed their hatred for UNAMA on the basis of its alleged cooperation with ISAF in ‘planning and mapping a fighting strategy for foreign and Afghan forces against us’.⁴⁸

⁴⁶ Interview with Uzbek Taliban commander, Almar, June 2012.

⁴⁷ Interview with Taliban commander, Gurziwan, August 2012.

⁴⁸ Interview with Uzbek Taliban commander, Shirin Tagab, May 2012.

Few were either unable or unwilling to distinguish between UNAMA and other parts of the UN. One senior cadre said he saw no difference between UNAMA and UN humanitarian agencies 'because both of them are controlled, managed and funded by [the] US'.⁴⁹ Some Taliban statements suggest that the district or local leadership might have banned all UN organisations (in contradiction to the *Layha*). However, some low-level Taliban might simply be confused, as this statement from a fighter in Almar suggests:

We are not allowed by our leaders to allow the UN and other foreign departments to enter our village. The reason is that the PRT in our province is trying to make people happy by funding projects and trying to turn villagers against us. This is the reason we don't let any foreign departments whether they are UN or PRT NGOs.

If cadres often tried to frame their lack of sympathy for the UN within their formal respect for the leadership's rules, lower-level Taliban were less inclined to be restrained in their views about the UN. The default attitude was overwhelmingly negative, including that of this Uzbek commander from Almar:

There is no difference between UNAMA, UN or WFP because all of them work under the leadership of universal powers who drink the blood of Muslims and poor people ... They have reached their goals in Kabul. They have converted people to Christianity. Women in Kabul work outside of the house and their husbands wash the clothes and raise the children. This is against Islam.

Overall, six of 13 Taliban interviewed showed acceptance for one specific UN agency; one mentioned demining agencies as the only ones he would permit; five stated that all UN agencies were unwelcome; and two were unable to understand the question properly.

Attitudes toward NGOs were more sympathetic. One of the main rationales for the Taliban to accept the presence of NGOs is practical. The Military Commissioner described allowing NGOs largely in order to tax them. Nonetheless, the Taliban remain critical of NGOs. Beyond ideological rhetoric, they often expressed concerns about their 'honesty', with one commander stating that 'beside spying for the foreign countries [they] don't even spend half of that money on the project' and neither the UN nor NGOs 'have done good jobs'.⁵⁰ These statements from Taliban in Almar and Gurziwan illustrate the other suspicions the Taliban hold about NGOs:

NGOs didn't come to Afghanistan for the Afghan people; they came here for their own reasons. Businessmen are creating NGOs to make money ... Only a few of them really help the poor people of Afghanistan.

⁴⁹ Interview with Military commissioner, Faryab, August 2012.

⁵⁰ Interview with Taliban commander, Shirin Tagab, May 2012.

NGOs are hiring beautiful girls and not boys, even if the boys' education level is higher. At the end of vacancy posts, it's written that females are deeply encouraged to apply ... When a position is announced, before the deadline, the director or manager sometimes sells that position for money.

Taliban views about NGOs are more confused than with regard to the UN. Even when interviewees managed to focus on NGOs as an abstract concept, their views varied widely between outright hostility, some appreciation for select Afghan NGOs only and a somewhat positive attitude towards all NGOs. The radical view is that, because NGOs cooperate with parties to the conflict they are legitimate targets; one commander asked: 'Since we are fighting them, why should we allow them to operate in our area?' and stated that 'their policy is killing Afghan people'.⁵¹

The 'moderate' view was that at least some Afghan NGOs play a positive role. Taliban cadres imply that Afghan NGOs are more amenable to accepting the conditions imposed by the Taliban. One explained the difference between Afghan and international NGOs as follows: 'in Afghan NGOs, most staff are Afghan, familiar with our rules and some had projects during the Taliban government. We tax them less than foreign NGOs because their investments are small'.⁵² Some Taliban were even more sympathetic. In one instance, a commander in Shirin Tagab defied orders to punish NGO staff building a school.⁵³ A Taliban commander from Almar held the 'liberal' view that all NGOs and even the UN play a positive role in Afghanistan, even if 'Afghan is better':

I don't have any problem with NGOs. NGOs and [the] UN always help people. They bring food, tents, mosquito nets and other things. They dig wells where our people drunk water from ponds. But some of our colleagues don't like them. They say that these NGOs spy for foreign troops. It is better for them to be careful when they come to the villages ... Afghan NGOs are better than foreign. They are our own people and can implement projects better. Locals trust and cooperate with them.

5.7 Taliban perceptions of humanitarian and development approaches

Taliban documents circulated in Pakistan from 2011 hint at some self-criticism concerning the performance of the Taliban government with regard to development (Moreau and Yousafzai, 2011). However, there was little evidence of similar reflection among Faryab's Taliban. In most cases they rejected Western views of human rights and blamed aid agencies for not engaging with the Taliban in the 1990s, as this statement from a cadre demonstrates:

⁵¹ Interview with Pashtun Taliban commander, Shirin Tagab, June 2012.

⁵² Interview with Military commissioner, Faryab, August 2012.

⁵³ Interview with Uzbek Talib, Shirin Tagab, May 2012.

It is true that under the Taliban people were jobless. Because it was an Islamic government, no national or international NGOs wanted to do projects and businesses also didn't want to invest because Taliban didn't let women work with men and didn't let women go everywhere.

The idea of bringing development to remote corners of Afghanistan is seen with even greater suspicion as a result of the role of 'development' in counter-insurgency. A Pashtun commander in Almar stated:

NGOs spy for the PRT and make propaganda against the Taliban. They come here and tell locals that they help them. But they are not honest and do things that should not be done. These foreign organisations have their own purposes. Why do they come to these remote areas when there are a lot of poor people in the cities? They always come and ask families how many children they have and how many are young – why are they looking for this information?

Women's rights were the most contentious point and were seen as a prime example of what was seen as the morally corrosive implications of Western-defined 'development'. Negotiating on these issues was often seen as a red line. A senior cadre commented that the focus on women was overly Western and against Islamic values:

UN and NGOs are talking about rights of women that they have made up themselves. They say women have the right to work with men, go everywhere, do what they want – but these are not the rights of women. What do Islam and the Holy Quran give to women as rights? It says a woman can't go out without her husband or brother or other male family member, can't work with men. They don't have freedom to move but they can get an education as long as it is Islamic. The rights of women the UN and NGOs want are not legal, so if they want to talk with us about these rights we don't want their assistance.

Similarly, a commander in Shirin Tagab stated that 'first they ask you to send them to school and later teach them that they have the right to get a divorce. Women's minds are incomplete so they believe what they hear. I heard that it happened in Kabul, that people don't control their wives'.⁵⁴

Among the lower-level commanders, even 'moderate' statements indicate that preserving what the Taliban perceive as 'local values' has priority over development. One Uzbek commander in Dawlatabad emphasised the importance of road-building and constructing clinics, but asserted that 'a school is not necessary and we should have a *madrasa* instead', and asked 'why do these foreigners always insist on

⁵⁴ Interview with Pashtun Taliban commander, Shirin Tagab, June 2012.

girls' schools and try to proselytise Christianity?'.⁵⁵ In other words, development is only seen as beneficial if it is line with the Taliban's perception of Afghan values and culture and does not undermine their military priorities. One local commander explained that 'now we are mostly in fighting mode and we don't have much time to think about development a lot'.⁵⁶ Most have little interest in bringing 'development' to their areas, and even when they do grant access they claim to be doing so only in response to community requests.

5.8 Perceptions of elders and aid agencies

The Taliban regularly stated that most communities agreed with their approach. One Uzbek commander in Pashtunkot claimed:

Villagers are Muslims and they have the same opinion. They support us. The elders always help us in term of weapons and financially. They provide motorbikes for us. Elders always tell us that they are happy with our rules. The elders told me many times that all people hate the foreigners and they come to us if they have any problem.

Elders presented a different picture, perhaps reflecting the Taliban's coercive approach toward civilians, and few were willing to intercede directly with the Taliban on behalf of aid agencies. A teacher in Pashtunkot felt that 'talking to the Taliban is like speaking to the wall' and complained that 'if you give some report regarding the foreigner's activity or the Afghan forces plan, you are welcomed but if you talk about people's benefit, they don't listen'.⁵⁷ None of the elders interviewed felt that the Taliban had a unified approach in Faryab, which strongly detracted from their credibility as a negotiating partner. Elders in Pashtunkot and Almar told researchers:

You can't talk to the Taliban. If you make an agreement with one commander, then another commander won't accept it. Each Talib is his own king. They are always moving and don't stay in one place ... They are not one group.

These Taliban are not the same. They have internal problems. Some of them allow something and others don't. We had a wedding party and a group of Taliban attended. They are local young people and they didn't say anything about playing music. But then another group came and banned music.

Aid agencies agreed, with one aid worker stating that 'one day they are in one area and another day they are somewhere else'.⁵⁸

⁵⁵ Interview with Uzbek Taliban commander, Dawlatabad, June 2012.

⁵⁶ Interview with Taliban commander, Shirin Tagab, May 2012.

⁵⁷ Interview with Pashtun teacher, Pashtunkot, June 2012.

⁵⁸ Aid agency interview, Maimana, June 2012.

Most concluded that it was not worth the risks associated with mediating with the Taliban, with one elder from Almar pointing out that doing so meant putting his life in jeopardy. This elder, like many others, also felt that he simply had no influence:

There are female teachers and doctors in our village but they were recently threatened by Taliban. The district centre is fine but it is getting difficult in the villages. What can I say? Although we don't want to accept their conditions, we can't do anything.

Some elders were concerned that negotiating with the Taliban would only legitimise and encourage them, with one from Pashtunkot fearing that allowing the 'Taliban to impose their conditions on UN operations will help the Taliban to distinguish themselves as a power in the area.'⁵⁹

Elders were mostly inclined to accept only Taliban conditions that were in line with their view of Islam, though a minority was willing to compromise. One elder from Pashtunkot felt that some conditions should be accepted in the hope of gradual change, and that 'if there is no female doctor but instead we will have clinics and schools, then step by step we will have female staff for it'.⁶⁰

For aid agencies, refusal to negotiate with the Taliban may mean losing a project or leaving an area without health

⁵⁹ Interview with teacher/elder, Pashtunkot, June 2012.

⁶⁰ Interview with elder, Pashtunkot, June 2012.

workers or teachers. While few aid agencies admitted to having direct relations with the Taliban, many implied that others made deals. As with elders, reactions to the conditions imposed by the Taliban varied widely among aid agency staff. Some stated that they would reject such conditions:

When we were building a clinic, the Taliban told us that if they saw female doctors they would burn it ... These conditions are not acceptable for me because women need to go to the doctor and a woman needs a female doctor.

Others were inclined to accept limitations in the hope that engagement would afford greater scope to expand the terms of access later:

Even little things are better. We accept doing it gradually. If they accept our clinic, having our doctors and medicine, we should accept their demands. The Taliban's wives may get sick and they may bring them to the clinic. When they see only a male doctor, they might see the necessity of female doctors and decide that female doctors and nurses can work there. A few years ago, they had the same conditions banning female doctors and nurses and we accepted. When their wives or daughters got sick, they brought them to clinic and there were only male doctors to treat them. So gradually they changed their ideas and said female doctors were OK.

Chapter 6

Case study: Kandahar province

6.1 Overview of Kandahar

Kandahar province is the political and economic centre of the south, with Kandahar city the second-largest city in Afghanistan. It has always had national political importance as the birthplace of the Afghan monarchy and later the Taliban. Kandahar city is surrounded by the densely populated, settled districts of Zhari, Panjwai, Arghandab, Dand and Zaman. Aside from Maywand and Khakrez, the other outlying districts are largely populated by nomads.

The province is predominantly Pashtun, with small Qizilbash and Baluch minorities in Kandahar city and the south, respectively. The Pashtun population of Kandahar comprises several tribes, the largest of which are the Popolzai, Barakzai and Alokozai. Tribal rivalries run high in Kandahar and dominate local politics (see Forsberg, 2010). Driven by these rivalries, Kandahar was ridden with infighting among factions and groups in the 1980s and 1990s. In the 1990s, after the disintegration of the central government, the province fell into a state of chaos until 1994, when the Taliban emerged and quickly took control.

Kandahar was one of the first provinces where the Taliban re-emerged after 2001; by 2003 there was a significant Taliban presence in some outlying districts. Accessibility in Kandahar province worsened dramatically after 2004, and reached its lowest point in 2010. The first major crisis in humanitarian access occurred in 2005–2006, when the Taliban started moving into more heavily populated areas near Kandahar city. Aid agencies appeared to the Taliban to be legitimate targets, leading most to withdraw from the province. The situation seemed to improve around 2009, possibly as the Taliban had consolidated control over the villages and were less concerned about aid activities benefitting the Kabul government. As the Taliban were pushed back from Kandahar in 2010 and 2011 violence decreased slightly, only to flare up again in 2012. Although the Taliban are not the only source of violence in Kandahar, access restrictions were largely attributable to them. Despite the very limited access available and the withdrawal of many aid actors at least 30 UN agencies and NGOs are present in Kandahar.

6.2 Taliban structure, organisation and influence

The turning point for the insurgency in Kandahar came in 2006, when the Taliban entered densely populated areas close to Kandahar city, including Panjwai and Zhari districts. In the early days of the insurgency, the Taliban targeted the militias of pro-government strongmen like the Karzais and Gul Agha Shirzai, mobilising tribes excluded from power in the post-2001 period. From 2006 onwards, the Taliban began to target

the US and Canadian forces assigned to Kandahar city and its neighbouring districts. Combat followed a basic pattern, with fierce and bloody engagements ultimately ending with ISAF airstrikes. Such tactical defeats did little to discourage the Taliban, who continued to expand their control. A large-scale Taliban presence in Zhari and Panjwai (affecting a corridor to Helmand) provided a springboard for operations against Kandahar city, and the assassination of an anti-Taliban tribal warlord, Mullah Naqib, in Arghandab in 2007 left that district weakened. Meanwhile, the Taliban progressively changed their approach, avoiding face-to-face confrontation and relying instead on IEDs, small-scale hit-and-run attacks, targeted assassinations and a campaign of intimidation against anti-Taliban tribal elders, government officials and government supporters.

By the winter of 2008–2009 the Taliban controlled several districts – including at one point entering Arghandab en masse – and were able to strike into Kandahar city itself, mainly through targeted assassinations. Taliban patrolled villages across much of the province, ran checkpoints on major roads, had shadow governance mechanisms in place and openly operated *Shari'a* courts, often from fixed locations. The central government was incapable of providing even the most basic services of governance, such as security, law and order and viable mechanisms for dispute resolution. The Taliban's ability to fill this gap increased their legitimacy with the population. Through Taliban courts, locals now had a method of addressing crime and the property, land and family disputes prevalent in Afghan village life. Furthermore, the Taliban proved that they had something to offer: a political and social programme beyond mere resistance to the government and ISAF. From approximately 2007 onwards, the Taliban would regard shadow governance as of primary importance. Even so, while very few locals had any sympathy for the central government or foreign troops, neither were they necessarily pro-Taliban, with their tendency to attract ISAF raids and airstrikes. The Taliban continue to have a significant constituency, larger than the government's, but many villagers resent their presence.

ISAF efforts in the south were largely concentrated on neighbouring Helmand province until 2010. From then onwards, the Taliban have been partially and gradually pushed back from central areas of Kandahar by the increased deployment of ISAF and Afghan forces. In April 2010, a major joint ISAF/Afghan National Army (ANA) operation dubbed Operation Omid was launched in the key districts surrounding Kandahar city. Taliban forces took heavy losses in personnel, logistics and command-and-control capabilities. The Taliban's main fighting forces retreated to neighbouring districts and provinces, while

local fighters melted back into the population. ANA and Afghan National Police (ANP) forces, backed by ISAF units, dispersed throughout the districts, successfully dislodging the Taliban and denying them territorial control. The Taliban adapted by moving underground again. *Shari'a* courts and Taliban shuras became mobile. The government and ISAF managed to push government control, at least for a time, beyond district centres. As of mid-2012 only Shorabak district remained under complete or near-complete Taliban control. However, the government has been unable to establish its credibility among the local population, and the Taliban have maintained significant levels of influence and freedom of movement.

Similar to Faryab, Kandahar has its own provincial Military Commission and Commissioner, Shadow Governor, associated commissions at the provincial level and district military officers and governors. The organisation of the Taliban in Kandahar is centred on numerous networks extant since the Taliban's birth as a movement. ISAF sources estimate that 20 Taliban networks are present in Kandahar, Uruzgan and Zabul provinces, with the majority in Kandahar. These networks vary widely in size and influence, from very large ones such as Zakir's and Baradar's to small ones active in only a few districts. The presence of Taliban combat groups not aligned with any network but directly dependent on the Taliban central military command is marginal.⁶¹

There has been turmoil within the Taliban, often along tribal lines, with allegations of different leaders trying to eliminate rivals through tip-offs to ISAF or Pakistan. Until 2007, the main friction was between the networks of Dadullah and Baradar. Later, Zakir's growing power created tension with another key figure, Akhtar Mansur. In 2010, Baradar's arrest in Pakistan spurred competition between various networks seeking to poach his commanders. In 2011–12 tension arose over peace negotiations.

As of 2012, the Taliban of Kandahar are characterised by a dichotomy between the local Taliban, who tend to maintain a closer relationship with local communities, and cadres and fighters from Pakistan, who may or may not be originally from Kandahar, but would have been recruited in *madrasas* and refugee camps. They have more fully absorbed a jihadist attitude and the policies of the leadership, with less regard for the interests of local communities. One Taliban commander described how the 'hardline people who often live in Pakistan don't allow UNICEF, UN and other organisations to come here at any cost, they consider all of them the same'.⁶² As interviews were conducted in 2012, it is unclear to what extent the prevalence of hardline views is the result of a new generation of commanders replacing more moderate figures killed or

captured following the intensified targeting of leading Taliban by ISAF since 2010.

6.3 Other armed groups

As with Faryab, there are a number of other armed groups present in Kandahar. These include ostensibly pro-government or government-controlled militias (such as the ALP) as well as criminal groups. Kandahar is a major centre for poppy cultivation and drug smuggling. Elders interviewed expressed extreme worry and dissatisfaction with the lack of law and order. An elder from Panjwai stated that there 'are groups that steal, create lawlessness, and carry our activities in the name of Taliban', but when the Taliban 'come to know about it, they are swiftly eliminated'.⁶³

The presence of illegal armed groups was not reported by aid agencies as frequently in Kandahar as in Faryab, but attacks by bandits or gangs were reported. The general lack of rule of law, impunity, the potential for personal enmities to erupt into violence and the proliferation of violent actors have understandably created confusion and exacerbated insecurity. Aid agencies reported attacks on offices and clinics being burnt down, but in many cases they were either unable to identify the perpetrator or attributed the violence to criminals or personal grievances. Additionally, proportionately more agencies reported problems with pro-government forces in Kandahar than in Faryab. Several aid agency interviewees reported issues with ISAF, including arrests of their staff or beneficiaries. One reported major incidents with the ANA/ANP and at least one reported incidents involving ALP, mainly involving bribery and criminality.

6.4 Taliban policies on aid agency access

The rules as recognised by Taliban cadres and local commanders are that only registered aid agencies are permitted. The position of Taliban cadres in Kandahar on access is roughly consistent with what was stated by Abas, as this quote from a commander in Spin Boldak illustrates:

For the Islamic Emirate, NGOs that are good offer complete support for us both financially and logistically, whether they are Afghan or foreign NGOs. There are many NGOs doing this ... When they do what they say, are helping people affected by war, accept all our rules and regulations and pay our tax, then there is no difference.

When asked about the specific conditions they imposed, interviewees tended to go beyond what was dictated by Abas. These conditions include honesty, no corruption and that 'the money they bring in the name of Afghanistan should not be ferried back';⁶⁴ respect for 'Afghan values'; and impartiality,

⁶¹ The Military Commission in Peshawar has been recruiting directly (bypassing the networks) since about 2010, but much more successfully in the east than in the south.

⁶² Interview with Taliban commander, Khakrez, July 2012.

⁶³ Interview with tribal elder, Panjwai, May 2012.

⁶⁴ Interview with Taliban commander, Panjwai, July 2012.

or non-discrimination against specific groups. In practice, they also appear to include, at times, paying tax, buying vehicles for the Taliban, hiring local people and providing information about the project.

Hiring local staff was important to ensure that local people benefitted, and to improve oversight. A commander in Panjwai pointed out that ‘when 60 to 100 local people are involved in a project, how would they be able to work for hidden targets?’.⁶⁵ The same commander felt that having trusted local people involved made it easier for the Taliban to help aid agencies resolve any misunderstandings or security issues:

We asked [two specific UN agencies] that only trusted people or those introduced by us work in our area. It is not acceptable for these organisations to send outsiders to our areas because in the prevailing circumstances we cannot trust everyone ... When we face any big problems, their people are known to us and can secretly contact us to solve the problem.

Most aid agency interviewees were not willing to discuss such hiring practices. Those that did felt that such requests were in line with existing approaches that focus on recruiting local community members, and as such were not necessarily problematic. As one aid worker stated:

They asked that a person they trusted be employed. They also said that this person was familiar with the area. The person introduced by the Taliban is also known to us, and both sides trust him. The Taliban do not allow all people in their area. An unknown person is forbidden from entering an area under their control. The Taliban fear that unknown people will gather information about the Taliban and spy.

Once access is granted, aid agencies are subject to a monitoring regime similar to the one in Faryab, whereby individuals within the community are ‘nominated’ to collect information about the project. When there are violations of the rules the agency is warned or the project stopped. According to one local commander in Zhari, after permission is granted the Taliban investigate ‘in different ways, monitor their work and maintain their control so that they cannot violate the conditions ... if it is proved that they violate these conditions, they are stopped from working’.⁶⁶

As in Faryab, the Taliban employ coercive tactics and claim to have attacked agencies that fail to follow the rules. In some cases, they state that monitoring prompted them only to restrict access. There may be local bans on a provincial or district basis, but it is unclear if monitoring is actually what drives access restrictions. There was often an underlying and in some cases overt reluctance to allow aid agency activity,

⁶⁵ Interview with Taliban commander, Panjwai, May 2012.

⁶⁶ Interview with Taliban commander, Zhari, June 2012.

driven by extreme suspicion of their motives. One commander in Khakrez stated:

They are not dying to provide potable water for us, provide us health facilities or construct roads for us. They do these activities but their real target is something else. They only work in the areas the government controls ... Anybody who comes here for work is our enemy. And we consider them all the same.

However, the same commander admitted that low-level negotiations took place in his area on health projects, with elders mediating and communicating conditions to the aid agency. Some areas of work appeared preferable to others, including health and – at times – education. A Taliban commander in Maywand stated that permission would not be given for any type of activity regardless, and that it had to be granted ‘in accordance with the directives of our leader Mullah Mohammad Omar Akhund, and so permission can be given only in education and health sectors’.⁶⁷ Aid agency interviews confirmed the preference for health and education activities, but several indicated that access was granted to other types of humanitarian aid, such as food aid.

Although the official position of the Taliban is that the source of the funding does not affect their position on specific projects, in reality many Kandahar Talibs feel that this does have some bearing. It is hard for many to reconcile accepting assistance from countries whose militaries they are at war with. Taliban from Spin Boldak told interviewees that, while funding sources did not necessarily matter, ‘when money is from the country whose soldiers are not in Afghanistan then people think this is support without any aims such as Saudi Arabia; when funding is from another country then people worry about the motivation’.⁶⁸ Similarly, a commander from Reg stated that ‘if it is money from America, we are not glad because America doesn’t spend money for our benefit and it uses money of different types to destroy us’.

Taxation is subject to rules, though these are variable. Not all aid agencies are taxed. One commander from Spin Boldak felt that ‘we are only taking our right from them, which is our tax’, and claimed that ‘in return we provide peace and security to these NGOs to do their operation without any fear’.⁶⁹ Payments are not supposed to influence Taliban decision-making. The Taliban’s leadership strictly bans unregulated extortion and Taliban in Khakrez and Dand claimed that those who broke the rules were punished. While the commander in Khakrez admitted that some Taliban take NGO money, he claimed that ‘if our central leader finds out he will punish them’.⁷¹

⁶⁷ Interview with Taliban commander, Maywand, July 2012.

⁶⁸ Interview with Taliban Commander, Spin Boldak, August 2012.

⁶⁹ Interview with Taliban Commander, Reg, August 2012.

⁷⁰ Interview with Taliban commander, Spin Boldak, August 2012.

⁷¹ Interview with Taliban commander, Khakrez, July 2012.

The line between tax and extortion seemed unclear to some. Some cases appear borderline and ‘presents’ and ‘support’ from aid agencies are not uncommon in Kandahar. A commander in Panjwai stated:

On some occasions, our leaders have accepted something from an NGO starting a big project in the region. This is done to show the head of the NGO that they have control. This is not bribery. It is so, when an agreement is reached, our people can provide protection to the NGO and its workers. Then no one can harm them in the area.

Elders from Maywand and Shah Wali Kot hinted that paying the local Taliban might open up access, though both insisted that there were instances where local commanders defied orders not to permit access without any financial benefit. Such local agreements – whether or not they involve ‘tax’ or ‘gifts’ – would have to be done carefully. These deals are fragile, and there is a risk that hardline Taliban might interfere or general insecurity would undermine access, as this statement from an elder from Panjwai indicates:

Some time ago, an organisation came here to clean irrigation ditches but the Taliban did not allow it. Then I and some other elders of the area went to talk to the Taliban. After detailed discussion, they were allowed to work on the condition that all workers would be local people. But then the organisation left because their car hit a roadside bomb and several of their people were killed and injured.

Unsurprisingly, aid agencies denied that extortion was a significant problem, or at least it was seen as a manageable one. One aid agency stated that it never paid bribes, though it did make donations to local mosques and some staff made individual donations and provided support to *madrasa* students. Another said that it resisted anything that might be construed as a bribe and threatened to withdraw when pressure was exerted because ‘if you start paying, it will get worse and worse’.⁷²

6.5 Influencing factors

The influencing factors determining the extent to which official policies were implemented were similar to Faryab. However, military pressure appears to play a much more important role – unsurprisingly given the greater military pressure on Kandahar’s Taliban. One commander stated that aid access ‘changes in time of fighting between foreign troops because we don’t trust them and we don’t let any NGOs have access to our areas’.⁷³ A Taliban commander in Maywand explicitly described this link:

In the beginning, people thought that the US and the UN are two separate entities and we allowed the UN to

work. But later when the government and the US troops started arresting our elders and started night raids, we discovered that those working in the name of relief are secretly working for them. Only then did we close down their offices.

Where there is solid Taliban control and little conflict, then it could be assumed that attitudes toward aid agencies would be more permissive. Yet in some areas where Taliban control was stronger, there were more restrictive attitudes than in areas where they were weaker. The two explanations of Taliban behaviour (violence and strength) in part overlap, as night raids tend to be concentrated in Taliban strongholds bordering on areas of greater government control. In Maywand, Panjwai, Zhari, Shah Wali Kot and Maruf, interviewees indicated a hardening of their position, while the contrary was true in Daman and Dand. According to a Taliban commander in Panjwai, the Taliban were initially happy to grant access to NGOs and UN agencies, but hardened their position as they saw many aid agencies working only in government-controlled areas and increasingly believed that their activities benefitted the government. He commented that ‘when we became convinced that our support for them resulted in benefits for the current government and Americans, we started opposing them’.⁷⁴

In Dand and Daman, the opposite appeared to be true. According to one Taliban commander from Dand:

In the beginning we considered all the projects and organisations as the same, having the same target of capturing Afghans. But when we saw these organisations making dams in many villages and our own people were recruited to work in these organisations, we understood that there is a big difference among them and they are not all the same.

An elder from Dand confirmed this, saying that ‘when the Taliban got weaker in Dand district, people got the feeling that not all these offices are affiliated with the Americans and felt that the UN and others were separate’.⁷⁵

One district commander from Panjwai indicated that, once foreign troops withdrew, the Taliban might show greater willingness to negotiate agreements on aid access:

First, US troops should leave our county. But in their withdrawal, arrangements should be made for reconstruction. In that case, the UN and other countries could carry out reconstruction on the condition that they would not pursue any political or military goals. Then we could agree to their activities. But with the government now and the US in our country, we will not allow them.

⁷² Aid agency interview, Kabul, April 2012.

⁷³ Interview with Taliban commander, Spin Boldak, August 2012.

⁷⁴ Interview with Taliban commander, Zhari, June 2012.

⁷⁵ Interview with elder in Dand, June 2012.

Another factor appears to be the inclinations of the military leadership in Pakistan. Field commanders indicate that their leaders are in favour of banning all aid agency activity. A single commander hinted that some Taliban leaders are more positive, perhaps indicating the political leadership in Quetta, but their influence was limited:

There are people in the ranks of our elders, who would never want to see UNICEF or other organisations allied with the US to work here. They consider them the same and suspect that they have hidden agendas. There are elders who are soft towards organisations that work for the benefit of the local population but they don't have much influence. Sometime back, there were directives from Mullah Omar to allow work in education or other sectors.

A commander in Panjwai made a similar point, and indicated that access restrictions came from senior leaders, probably military commanders. He said that, initially, the government and NGOs were allowed to work 'but later when our leaders recognised that those activities were aimed to benefit the government and the foreigners, they issued orders to ban them so we blocked their activities with a single call'.⁷⁶

The military leadership, at least in Kandahar, is likely to have more contact with and greater influence on fighters than political leaders like Abas. This underscores the growing militarisation of the Taliban leadership and indicates a manifestation of tensions between the political and military leadership on the ground. While the political leadership of the Taliban is in favour of granting conditional humanitarian access, as indicated by Abas, the military leadership of the Taliban seems to be responding to increased military pressure by restricting humanitarian access. Where the Taliban were strong and unchallenged, the military leadership did not always object to granting conditional access. Where the Taliban were weak, local commanders tended to grant a measure of access in order to maintain community support. One aid agency interviewee stated that 'partnership with NGOs is seen as positive because their image improves'.⁷⁷

This division is illustrated by the 2011 attack on a compound belonging to US contractor IRD in Kandahar city. The Taliban used the neighbouring UNHCR compound as a passage to reach IRD, killing several UN guards in the process. The Taliban political leadership reportedly apologised to UNHCR, suggesting that the attacking Taliban had been instructed by military leaders to ignore policy concerning relations with accepted aid agencies in the pursuit of what they viewed as a legitimate target (IRD). These divisions, and correspondingly different attitudes towards aid agencies, were described by one commander as follows:

The Taliban have three groups. The first is the hard-liners, who are not easily convinced. They fight for

Islam. The second one is made up of people who are a bit soft. They compromise with the government on certain occasions. The third group is opposed to the government. The last two groups would make deals but the first one is very hardline.

One commander from Zhari saw himself as 'a villager Talib and never wanted to fight against the government', and claimed not to attack the government but only foreigners. He explained that 'local Taliban listen to the requests of tribal elders who ask us not to interfere with projects', but when 'leaders, who live on the other side of the Durand Line [the border between Afghanistan and Pakistan], find out they react sternly and they say not to listen to the elders, who want you to help infidels'.⁷⁸ Similarly, a commander from Khakrez said that, although he wanted reconstruction activities in his area 'most of our leaders who live in Pakistan do not allow such activities by the government and NGOs'.⁷⁹

Another factor that has disrupted aid access is the flow of 'foreign' fighters into Kandahar in recent years. Local Taliban interviewed saw hardline, jihadist Taliban as disruptive to aid access, in contrast to more moderate Taliban, who are typically well connected with local communities and more likely to listen to appeals from elders. Fighters coming from Pakistan also generally have little regard for the political Taliban leadership. One elder in Shah Wali Kot stated that the Taliban used to be more cooperative, but 'Taliban from Pakistan are oblivious to our suffering and now we can't even think of development or relief work in our areas'.⁸⁰ Some aid agency sources reported harassment and hostile behaviour by Pakistani Taliban from Baluchistan in the first half of 2012 – a timeframe which seems to correspond to a Taliban surge into southern Afghanistan aimed at instilling vigour into a weakening insurgency.

As in Faryab, elders can play a role in securing access where the Taliban is predisposed to listen to them. Some local commanders indicated that, despite the perceived hostility of their leaders, the fact that the population advocated for aid persuaded them to allow projects to go ahead. Even those who preferred a total ban left the door open for some deal-making should local elders be supportive. A commander in Daman told of elders coming to him with several projects supported by an aid agency which he then approved, subject to close monitoring and supervision.⁸¹

While elders appeared to play an important mediating role in some instances, there was often a high degree of Taliban hostility towards them. This included suspicion about the influence of aid agencies on elders. In some cases elders were clearly unable to influence the Taliban. Elders from Khakrez

⁷⁸ Interview with Taliban commander, Zhari, July 2012.

⁷⁹ Interview with Taliban commander, Khakrez, July 2012.

⁸⁰ Interview with elder in Shah Wali Kot, July 2012.

⁸¹ Interview with Taliban commander, Daman, May 2012.

⁷⁶ Interview with Taliban commander, Panjwai, May 2012.

⁷⁷ Aid agency interview, Kabul, June 2012.

and Panjwai highlighted the predominantly negative attitude of the Taliban and their reluctance to listen:

The Taliban have not allowed an important project in our area. They have only allowed projects in health and schools under the condition of not doing any other work. They would not do any intelligence activities. I have not heard that any other organisation has come here for those activities.

They don't allow us contact with any organisations or allow them to work. If somebody is seen more than two times visiting an office, whatever is done to him by the Taliban it is considered his fault ... They say that these offices work for the foreigners and the targets of all the foreigners are the same so do not be trapped by the infidels. They think that those offices work under the UN and thus they work for the US. Those who support them or seek their support are their enemies.

These differences in access restrictions indicate that district-level Taliban leaders have significant discretion and employ this to respond, at least in part, to local conditions and their own inclinations. Research found no evidence that this is done against the advice of the leadership as a whole – quite the contrary, as the Taliban indicate that it is military leaders based in Pakistan who push to restrict access – and demonstrates the fluidity of official policy on the ground.

6.6 Taliban perceptions of aid agencies

As in Faryab, the perception of aid agencies was largely negative. Local Taliban commanders were more critical than their leaders and cadres, or at least less inclined to restrain themselves. Again, Taliban interviewees were often unable to distinguish between the UN and NGOs. When they were able to do so, this was often based on personal experience. Where possible, these differences are explored below.

What stands out, along with the usual allegations of spying, is the feeling that aid agencies are trying to get the rural population 'hooked' and make them reliant on the aid of Western governments 'so as to make people dependent on them all their lives'.⁸² There was also anger at the perceived ineffectiveness of aid, with one commander from Maruf commenting that 'huge amounts are spent in Kandahar but we have not seen any project during the last decade that has brought any positive change to our lives'.⁸³ This, along with the widespread association of aid agencies with the military efforts of the government/ISAF, has led to distrust, fear and hostility.

The position of the cadres towards the UN is largely negative, with one stating that 'they just want to remove Islam from Afghanistan and turn the people of Afghanistan from Islam to

⁸² Interview with Taliban commander, Zhari, June 2012.

⁸³ Interview with Taliban commander, Maruf, June 2012.

other religion'.⁸⁴ One cadre of the three interviewed expressed positive appreciation.⁸⁵ As in the case of NGOs, the local Taliban commanders seem more negative about the UN than their leaders and cadres. At least seven Taliban commanders expressed explicit, strongly negative views about the UN. They often cited a perceived link between the UN and the US and a suspicion that the UN has ulterior motives when delivering assistance. Negative views were sometimes justified on the basis of poor performance. One commander in Spin Boldak commented: 'go everywhere in Afghanistan, ask people in every village, district and province ... the number of people who say the UN is not helping will be more than those people who say UN is helping us'.⁸⁶

Where commanders could distinguish between the various components of the UN, UNAMA is seen less favourably than other agencies. UNAMA's support to the Afghan government is explicitly described by some Taliban as compromising the position of all UN agencies. One commander from Panjwai concluded that 'we cannot say that the UN has come to help Afghanistan when they have political and other aims'.⁸⁷ Taliban also warn these agencies against or explicitly request that they stay away from certain offices, including UNAMA. The commander in Panjwai explained that the Taliban would not be responsible for any loss of life should aid workers get caught up in attacks on these offices as 'the actions that we carry out are against the organisations which are supported by foreign donors and they work for strengthening the government'.⁸⁸

The underlying attitude towards NGOs is negative even among cadres and provincial leaders, for a mix of ideological and pragmatic reasons. The local commanders interviewed for this study appeared considerably less concerned than the cadres with Taliban rules and regulations when dealing with NGOs. The same underlying negative views were apparent but without the qualification that the orders impose some restraint. In support of his suspicion that aid agencies were working against the Taliban, a commander from Maywand said 'the best example is the fake polio campaign run by Afridi to find Osama [bin Laden] in Pakistan, as a result of which Osama was found and handed over to the US'.⁸⁹

The point often made in Faryab, namely that Afghan NGOs are more acceptable than foreigners, was not evident in Kandahar. A commander from Shah Wali Kot commented that elders who worked with foreigners or supported them were 'more dangerous' because 'these Afghans are the eyes of the foreigners and so we strive to make them blind'.⁹⁰ Only one NGO interviewee reported being invited by the Taliban to bring

⁸⁴ Interview with Taliban commander, Kandahar, August 2012.

⁸⁵ Interview with Taliban commander, Spin Boldak, August 2012.

⁸⁶ Interview with Taliban commander, Spin Boldak, August 2012.

⁸⁷ Interview with Taliban commander, Panjwai, May 2012.

⁸⁸ Interview with Taliban commander, Panjwai, May 2012.

⁸⁹ Interview with Taliban commander, Maywand, July 2012.

⁹⁰ Interview with Taliban commander, Shah Wali Kot, July 2012.

projects to areas under their control. It may be worth noting that this NGO is explicitly Muslim; one commander expressed a preference for Muslim NGOs over others.

6.7 Taliban perceptions of humanitarian and development approaches

Taliban cadres did not openly challenge the notion of development per se, but they often raised concerns or objections about specific activities. The following comment from a commander in Maruf is perhaps the most coherent statement from a Taliban commander concerning development, and why it cannot be pursued during the conflict:

It's very logical to say that development work should be done for the people and elders do seek development for their areas, to see clinics established and schools for children. But we are in a state of war. I don't think it's possible during war. The clinics, roads and all the rest that were there have either been closed or damaged. In these conditions, neither the foreigners nor we are in a position to carry out development ... Under the current circumstances, no entity, whether it's the UN or NGOs, can work selflessly.

Taliban commonly criticised a perceived lack of respect for Afghan culture and feared the corrosive effect on morality of certain aspects of development. Development would be accepted among many if it was seen to respect the Afghans' honour and culture – as the Taliban interpret it. Linked to this, there was strong resistance to Western notions of women's rights, as these statements from a cadre at provincial level and a commander in Maywand demonstrate:

Their concerns about our women are wrong. They want our women to be the same as women in America and Europe in appearance and habit – nothing else. They should marry three husbands in a month, go outside bare, only in underwear ... We know that women who work with NGOs and the UN, their clothes are completely different from clothes worn by women not working with the UN and NGOs.

We don't want our women to go out of the home for work, education and other things. God has created women for the home not the bazaar. It is enough for a woman to live an honourable life with her family, look after her kids and prepare food for husband and family. This itself is a great human responsibility, which she is doing inside her house. So keeping Islamic teachings in mind, we will never allow the international community to bring our women out of their houses.

Aid agencies did not report the same degree of hostility towards work with women and girls, or seemed to be able to find ways around such objections. Occasional problems were

reported resulting in the temporary suspension of female staff in some instances, but almost all aid agency workers interviewed were confident that the Taliban would not ban female employment altogether as long as 'Afghan culture' was respected (for example, on the condition that female employees only work with Afghan women).

As in Faryab, the Taliban justify the fact that they failed to provide development projects and services when they were in power on the grounds that no donors would fund them. Commanders in Panjwai and Shah Wali Kot explained:

We can bring about law and order and development but only when we have economic resources like foreigners give to the government ... If the Taliban get rid of war, they would do development but they cannot do this on their own. They need financial resources and manpower. If the foreigners support us selflessly and accept our conditions, we would accept aid from them to carry out reconstruction.

When we were in power, we established complete order and development works. Even now if we get funds and time, we would do a lot. The funds and resources are in the hands of the government. If they were in our control, we would have developed Afghanistan. But now whatever comes is wasted in bribes, corruption and other illegal practices. There is no corruption with the Taliban.

Many Taliban, unsurprisingly, felt that they would do a better job than the Afghan government. A commander in Reg told interviewers that 'the support which the world gives to Karzai's government, if this support was given to us, we would make Afghanistan paradise [*janat*]'.⁹¹

6.8 Perceptions of elders and aid agencies

Elders' views of the Taliban were also mixed, not only in the sense that some have positive and some negative views, but also in the sense that individual elders might express seemingly contrasting views about the Taliban depending on the question being asked. However, all elders agreed that the Taliban were reluctant to allow aid agencies access. There was also a sense that the Taliban cannot differentiate between agencies.⁹² An elder from Shah Wali Kot said: 'we cannot differentiate, so how would the common Taliban fighters know the difference between them?'. He then pointed out that 'local Taliban know better, as they listen to tribal elders, than the ones who come from Pakistan'.⁹³ Others felt that the Taliban feared that aid agency support would undermine their control, however genuine their intentions. One elder in Panjwai stated that low-level fighters may not be able to

91 Interview with Taliban commander, Reg, August 2012.

92 Interview with elder, Shah Wali Kot, May 2012; interview with elder, Panjwai, May 2012.

93 Interview with elder, Shah Wali Kot, June 2012.

differentiate between agencies, but that ‘their leaders would know the actual situation and they don’t share information with the fighters in this regard because they don’t want these organisations working for the people’.⁹⁴

Just three of the 19 elders interviewed reported any role in negotiating with the Taliban. In some cases the experience was so negative that elders simply did not want to try again, as these statements indicate:

Some time back, I and other elders held talks with the Taliban for opening some clinics, schools and some other projects in our area. But to no avail and those projects started in another district, which disappointed us. They even threatened us against contacting them about this again.

Some people held talks with Taliban for opening up clinics, schools and other projects in our area. We asked them to permit these projects but they did not accept it. A few days later they called us to them and strongly told us not to make such demands anymore. They warned us that if we tried to do so again, we would be responsible for the losses inflicted on us. Therefore, I don’t engage in such issues anymore.

However, where attitudes were more permissive, such as in Daman, elders reported a much higher rate of success and generally positive experiences. In some instances, such as Panjwai, ‘quiet’ negotiations with local commanders – and against the apparent wishes of higher-level commanders – were the only way to enable access.

Taliban conditions do not seem to concern the elders of Kandahar as much as they bother the elders of Faryab, or at least they appear more resigned to them:

The Taliban conditions are acceptable for us. For example if they say female doctors should not work in clinics, we would accept this. It is better to have an agreement with the Taliban not to recruit female doctors than having no clinic. If they say that schools are allowed on the condition that girls won’t attend, we would accept it as it is better to have a school without girls than not having one at all.

However strict the conditions the Taliban set, whether we like it or not, we have to accept. If the Taliban permit a clinic on the condition that female doctors will not work there this is very hard for us because female patients can see female doctors only. But what can we do?

Several elders in Kandahar (five out of 19, contrary to Faryab) had positive views about the Taliban’s inclination towards development and what they would do if in power, with one

⁹⁴ Interview with elder, Telukan, Panjwai, June 2012.

elder stating that ‘if today, the world powers give resources to Taliban, they’ll do ten times better than the government’.⁹⁵ But the majority was sceptical about the Taliban’s commitment to development even under the best circumstances.

The views expressed by the elders concerning aid agencies varied considerably: a few echoed the extremely negative views of the Taliban, some were generally supportive and others were critical of the lack of effectiveness of aid agencies. The predominant criticism concerned the low quality of work and the reluctance of aid agencies to operate in insecure areas, as this statement from an elder in Arghandab illustrates:

In some areas these organisations have set up a few clinics and schools but their standard is very low. In the majority of projects, corruption is very high. People are convinced that these organisations either don’t want to or are not interested in establishing lasting institutions. This is why people have lost confidence in them. They do not think that the sole purpose of these organisations is to support the people of Afghanistan but that they have other aims.

Some echoed criticisms by the Taliban that aid had been distributed unevenly among communities, privileging the well-connected and benefitting agencies themselves over the people they were claiming to help. The more radical critics accused aid agencies of having vested interests. Few elders expressed unconditional support for aid agency work, in contrast to Faryab.

Elders were much more negative and more polarised about the UN than they were about NGOs, and the UN was often seen as defending US interests. According to another Panjwai elder:

When the US does not want peace there, the UN is unable to do anything ... Political, intelligence and mafia activities are carried out here in the name of relief. So how could I say that the UN is separate and its only aim is to support the Afghan people? I mean that the UN does not work at all. They have a hidden agenda. How can it happen that an organisation has hundreds of workers and does not have any function?

The UN was also more frequently mentioned as working in the interests of local strongmen and the wealthy, and not distributing resources equally or based on need. One elder felt that ‘they should not treat the influential people and the poor people differently’ and that ‘this can only work effectively when the UN follows the principles of equity’.⁹⁶ There were also some positive assessments of the UN, with at least five elders out of 19 rating UN agencies higher than NGOs in terms of their distribution of humanitarian aid.

⁹⁵ Interview with elder, Arghandab, June 2012.

⁹⁶ Interview with elder, Maywand, June 2012.

Aid agencies saw the Taliban as less violent and more predictable than their counterparts in Faryab. This might be because the aid agencies that the Taliban were most hostile towards have withdrawn. Some aid agencies accused others of not having behaved in accordance with local mores and therefore having discredited aid agencies writ large. In most cases of threat, intimidation or kidnap by the Taliban described by aid agencies, the Taliban appeared to have backed down once the nature of the aid work being carried out had been explained to them, usually through the mediation of elders.

Aid agency staff saw Taliban hostility as driven by the perception that aid agencies were ‘working for foreigners’, and that aid was being unfairly distributed between pro-government and pro-Taliban communities. A deeper source of hostility, as perceived by aid agency staff and some elders, was the belief that such assistance worked in favour of the government. But there was a significant difference between elders’ views of their ability to negotiate access (which they felt was limited and entailed a high degree of risk) and the views of aid agencies that relied heavily on them to do so. Despite the risks

to elders, aid agency interviewees confirmed that approaching local elders was the favoured mode of testing the ground with the Taliban – as opposed to attempting to make direct contact – and assessing the potential for access to a new area or resolving security issues.

Regardless of the anti-women’s rights statements heard from the Taliban, many aid agencies felt that they could work within whatever constraints were imposed and that they would act consistent with local values and norms. However, if the constraints, for example on having female employees, were non-negotiable many aid agencies stated that they would not accept them. Aid agencies also highlighted the uncertain reliability of Taliban guarantees and internal divisions, but these issues appeared less important than they had been in Faryab. However, agencies did feel that the lack of an identifiable and territorially based Taliban administration made it more difficult for them to contact the Taliban. The rotation and turnover of Taliban commanders also represented a problem, though this was only temporary and was resolvable in most instances.

Chapter 7

Conclusion and recommendations

Taliban restrictions on access appear to be increasing, at least in the areas examined in this study, Faryab and Kandahar. This is due to a wide variety of factors in different areas: increased military pressure, increased violence (particularly in the east, west, north and centre of the country) and the proliferation of armed groups. Widespread suspicion of aid agencies also supports an inclination to ban access over any desire to allow it. Yet the relatively permissive policy dictated by the Taliban political leadership in Pakistan has, to varying extents, materialised on the ground in at least a general awareness of the rules. There is also a clear ability to monitor and regulate aid agencies at various levels in the hierarchy.

Tensions within the leadership and the growing militarisation of the Taliban have led to uneven implementation and varying interpretations of these rules. In Kandahar, even registered aid agencies have been attacked or denied access to certain areas. While the military leadership does not appear to have objected to the access rules set by Abas, humanitarian access is subordinate to military objectives (hence the tightening of restrictions in recent years as ISAF operations in Kandahar increased). There are also differences, some of them substantial, in the approach of local Taliban, who have pragmatic reasons for being part of the insurgency, and Taliban sent from other parts of Afghanistan or from Pakistan, who are ideologically motivated.

The Taliban who criticise aid organisations are not just accusing them of siding with ISAF and the Afghan government – they also fear that allowing access would expose the Taliban’s own weaknesses in providing services and governance and, particularly in Kandahar, benefit their enemies. Perceptions of aid agencies, particularly positive ones, appear to be the result of direct experience. Among the Taliban that were more positive or had allowed access, this was due to direct experience of more satisfying aid activities and, in some cases, the influence of elders (especially in areas of weaker Taliban presence). However, the majority of Taliban rank and file struggle to clearly differentiate between UN agencies, UNAMA, NGOs and for-profit contractors. The fact that experiences with one aid agency are likely to influence a local Taliban commander’s views of the community of agencies generally underscores the importance of impartial, needs-driven, high-quality programming in maintaining access.

The attitude of the Taliban towards the community leadership appears mostly instrumental: they listen to the elders only when they need them, calling into question how safe, effective and sustainable mediation through elders or ‘community acceptance’ alone can be. Perhaps just as worrying for aid agencies in Afghanistan, elders often shared many of the Taliban’s criticisms: uneven distribution of aid, corruption, lack of respect for Afghan culture and ineffectiveness. This

casts some doubt on how far aid agencies can really gain and maintain acceptance in such areas.

The diversity shown across and between Faryab and Kandahar illustrates the difficulties of engagement. It is clear, however, that structured engagement in most circumstances, with multiple levels of the Taliban and with the community, provides the best guarantee of security for aid workers and the community. Structured engagement works best where the Taliban are relatively uniform, comprise local residents and have either relatively weak or near-complete control. In areas where such conditions do not exist aid agencies face greater risks and obstacles to access.

The withdrawal of ISAF is no guarantee that aid access will become easier. Even if they are able to assume greater command and control and dominance over territory, examples from Kandahar suggest that the Taliban may be even less disposed to allowing access. Alternatively, they may be willing to fully implement the access rules as defined by Abas, if they remain in place, and be better able to ensure that they are respected. If the Taliban were seriously weakened militarily, this could also lead to a softening of their policy, as examples from Kandahar suggest – although predicting their reactions in such a situation is difficult. But as the examples from Faryab demonstrate, the proliferation of armed groups, which is likely to increase after the troop withdrawal, may only undermine access further.

Transition will bring even greater uncertainty but it will undoubtedly require renewed and robust efforts to maintain and expand access. At present, aid agencies, the UN and donors appear ill-prepared. The following recommendations aim to provide some guidance, based on the findings of the research, to begin to address this.

7.1 Recommendations

To aid agencies:

- Improve internal transparency and openness, particularly between senior management in Kabul and staff at the local level, on the risks, policies and tactics for engagement – directly or indirectly, through ‘acceptance’ or other approaches – with the Taliban.
- Develop common minimum ‘principles of engagement’ with anti-government groups. Lack of unity and consistency has created confusion and made it more difficult for agencies to work safely in Taliban areas. Such guidelines could substantially improve access negotiations over the long term – if adhered to.
- NGO consortia have played a valuable role in assisting aid

agencies to communicate their mandate and to monitor the risks and opportunities for humanitarian engagement with the Taliban. ACBAR should continue to play a role in publicly communicating the role and mandate of aid agencies. ANSO has also played a critical role in providing independent analysis and recommendations for NGOs, and should continue to provide this support.

To the UN:

- UNAMA should develop dialogue with aid agencies about the risks of and prospects for political talks on aid agency access. While aid agencies may understandably be wary of sharing their information with political actors, UNAMA should keep them abreast of relevant political developments that may affect their work.
- OCHA should do more to develop its information coordination and management. Mapping accessibility and providing greater understanding, even simple mapping of the agencies present, local needs and the prospects for intervention, could greatly assist aid agencies in planning appropriate and safe programming.

To donors and their governments:

- Provide funding and support for further research on developing approaches on access. Encourage frank and confidential discussions about the risks of and prospects for intervention, and provide support and guidance to assist agencies in efforts to maintain and expand access.
- Provide greater clarity on counter-terror restrictions. The current ambiguity is not only a problem in Afghanistan, but providing clear guidance on engagement with the Taliban would be a positive step.

To the Taliban:

- Stop all attacks on aid agencies. Where transgressions occur, investigate and seek to hold those found responsible accountable for their actions.
- Increase monitoring of field commanders' compliance with official policies on access and ensure consistency between directives from military and political leadership. Continue to disseminate the rules clearly and routinely down to the rank and file.

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