

FOREIGN POLICY FUTURES

ALL ALONG THE WATCH TOWER: BRINGING PEACE TO THE AFGHAN PAKISTAN BORDER

Dr. Peter J. Middlebrook
& Sharon M. Miller

INTRODUCTION:¹

Five years after US coalition forces commenced Operation Enduring Freedom, the steadily rising tide of insurgency in southern Afghanistan and northern Pakistan continues to characterise the beleaguered international stabilisation effort. In the presence of a heavily contested border between the two countries, and given that the current ISAF/NATO operation simply can not succeed in the absence of a parallel route of political diplomacy, there is an urgent need to reassess the entire direction of the current 'peacekeeping' and 'counter-insurgency' operation. The paper argues that while the Durand Line Agreement is no longer considered a contentious issue between the current de jure Afghan and Pakistan states, the continued existence of political discontent between their sub-national Pashtun², Baloch, North West

¹ Dr. Peter J. Middlebrook and Sharon M. Miller, MA-CPA, are joint Managing Directors of "Middlebrook & Miller" LLC, (<http://www.middlebrook-miller.com>) an international consultancy and think tank specializing in national security/energy and post conflict reconstruction. Middlebrook, who has a PhD from the University of Durham, UK, served as a World Bank adviser to the government of Afghanistan in the development of the Afghanistan National Development Strategy. Miller was an adviser to the Chief Economic Adviser to the Afghan President and is currently undertaking doctoral research at the Institute of Arab and Islamic Studies at the University of Exeter in the UK on US foreign policy towards the Middle East and North Africa with regard to national energy policy.

² Ironically, and against the logic that Pakistani Pashtuns should be part of a Pashtun Afghanistan, there are in fact more Pashtuns in Pakistan than in Afghanistan. Currently, 28million Pashtuns live in Pakistan (14.8% of the population) against 12.5million in Afghanistan (42% of the population).

Frontier and Federally Administered Tribal Area interest groups continue to usurp the rule of law and undermines the effectiveness of border management controls. In the absence of legally recognised and enforceable border management agreement, it is therefore impossible for the international community to apportion responsibility for the lack of effective state control over insurgency, terrorist, narcotics and smuggling; a situation which must surely be unacceptable to the UN, the US and UK. The failure to address the root causes not just the effects of historical discontent must therefore remain the central tenet of a yet-to-commence state to sub-state reconciliation and peace process.

In the NATO summit in Riga Latvia on November 28-29, alliance members will again focus on meeting the challenges of an uncertain future with Central Asia providing a case in point for what Condoleezza Rice has termed the need for 'Transformatory Diplomacy'. Given the significance of the Afghan-Pakistan-India axis for the structure of the new world order, meeting the challenges presented by the Afghan-Pakistan border crisis provides an important test case for NATO's muscle outside of Europe. As Tony Blair correctly stated during his trip to Afghanistan on the 20th November, 'here in this extraordinary piece of desert is where the fate of world security in the early 21st century is going to be decided'.³ A body such as a Border Commission, mediated by the United Nations is urgently required to work towards reconciling fundamental grievances with regard to legal sovereignty, and thereby allowing ISAF/NATO to provide support to a process of reconciliation and peacekeeping. The Afghan-Pakistan insurgency currently bears all the hallmarks of a

Pashtuns are split across 4 major tribal groups (Sarbands, Batans, Ghurghusht and Karlans) and are composed on more than 100 local tribes.

³ The Guardian, November 21, 2006, Pg 13.



transboundary civil war; and one that risks undermining the stability of the entire length of the Afghan-Pakistan-Indian border.

Reconciliation efforts must focus on overcoming the limitations of the Durand Line Disagreement, as they continue to obscure Baloch, Pashtun, North West Frontier Province and Federal Administered Tribal Area 'status' issues in the process; up to and including Kashmir. In the absence of such an approach, the legacies caused by the contraction of British India and the ill-fated partition of India and Pakistan risk becoming the defining Achilles Heel of the entire stabilisation effort. Given the waning influence of Anglo-American interests in Central Asia, up to and including Kazakhstan, failure to consolidate the Afghan-Pakistan-Indian border could trigger a strategic realignment of political interests away from the West, towards the north. Under such a situation, and given the geopolitical proximity of Iran and its growing relationship with China, this would have profound implications for the Middle East too.

This paper argues the need for the formal adoption of a Afghanistan-Pakistan Border Agreement to address the issues that the Durand Agreement did not and could not; largely due to the interface between British and Russian Imperialism at the end of the last century and the co-existence of local discontentment between rival ethnic and political interests. In the absence of a tenable peace and reconciliation process, the work of the Tripartite Commission while important is stop-gap at best. Clearly in the absence of political reconciliation involving all factions of the current disagreement, ISAF/NATO will be unable to 'work to resolve conflict and reduce tension within Afghanistan, focused on the holistic defeat of the residual insurgency'.⁴ In highlighting the limitations of the current stabilisation agenda, this article (i) draws lessons from British policy towards Afghanistan at the turn of the century

(iii) documents the underlying causes of political discontentment; and (iii) concludes with a number of recommendations aimed at overcoming the current impasse.

WHAT IS THE PROBLEM?

That the Durand Line is now considered a legal international border is not in doubt and a detailed topographic map was attached to the 1893 Durand Agreement whose demarcation followed logical watershed and mountainous features. The agreement itself was also concluded without a 100 year sun-set clause, despite the claims of many Afghan scholars to the contrary. However, following the decline of the Durrani Empire, the rise of British and Russian Empires during the Great Game of the 1800s, and British failures to consolidate a Forward Policy that included much of Afghanistan, the British therefore concluded a border agreement with the head of the Afghan state (Amir Abdul Rahman) to delineate the outer extent of the British Empire from the southern extent of modern Afghanistan. With the contraction of the British Empire, and the creation of modern India and Pakistan, the Durand Line was therefore inherited as the northern border of the new Pakistan; albeit after conflict with the Baloch. However, the pre-existence of powerful opposition to the agreement was probably ignored for reasons of state, but continued to fester. In fact, during the period of Russian occupation the funding of the Mujahadeen by western interests, and utilisation of opium as a source of war revenue, only exacerbated local grievances. Today, communities continue to see the line as imaginary, but as these communities are now represented by powerful political groups that do not formally accept the sovereign position of either Afghanistan or Pakistan. The hinterland that divides these states has therefore remained a haven for insurgency, terrorism, drugs trafficking and political discontent. In the absence of a Border Agreement ratified by all interest groups, as well as the absence of political commitment and diplomacy to cement Afghan-Pakistan and

⁴ See http://www2.hq.nato.int/ISAF/mission/mission_operations.htm.



Indian relations, the current international peacekeeping and counter-insurgency effort remains heavily compromised. To all intents and purposes the current conflict is probably best described as the continuation of civil war, and framing the problem as such will go a long way to overcoming the discontents of history. The Taliban, terrorism, insurgency and the rise of the opium economy are manifestations (not causes) of historical grievances that were neither addressed during the signature of the Durand Agreement of 1893 or the 2001 Bonn Agreement.

BRITISH IMPERIALISM TOWARDS THE HINDU KUSH

The defeat of the First Anglo-Afghan War continued to haunt the British for decades. Indeed the years following the 1842 defeat have become characterised as a period of great vacillation in British policy toward Afghanistan; largely caused by two opposing camps that John C. Griffiths refers to as the 'half-hearted imperialists and ill-informed liberals'⁵. At that time, the 'half-hearted imperialists' favoured what was seen as a 'Forward Policy' that protected British interests in India by securing all areas up to the Hindu Kush so that part of Afghanistan (and of course Pakistan), including Herat, would be under British control. The Liberal view held that Afghanistan should be little more than a buffer zone between the British and Russian empires. To this end, in 1872, Britain and Russia signed a bilateral agreement; with Russia agreeing to recognise the border of northern Afghanistan (in particular the Amu Darya river) as the outer extent of their sphere of influence in Central Asia. With this agreement in hand, the British did not provide military support to Sher Ali, the Emir of Afghanistan, reportedly much to his distain. Following the election of British Prime Minister Disraeli in 1874 a more proactive Forward Policy was again re-asserted. However, according to

⁵ See <http://www.globalsecurity.org/military/world/afghanistan/cs-hist-setting.htm>.

records, in July 1878, Russia dispatched a diplomatic envoy to Afghanistan and less than one month later the British requested Shir Ali to grant similar access to a British diplomatic mission. For various reasons⁶ Shir Ali did not respond in a timely fashion and the British dispatched a 'small' military force to enter the Khyber Pass – where Afghan authorities openly refused permission to enter. In response to other triggers, British forces entered Afghanistan at three points on November 21, 1878, and gained control of much, but not all, of Afghanistan.⁷

Under the Treaty of Gandamak, Sher Ali's son (Yaqub) who inherited the position as head of the Afghan state following his father's death signed over all Afghan foreign policy affairs to the British. However, in 1880, following large scale military domination, the British realised that even after defeating Afghan tribes in southern Afghanistan and what is now the North West Frontier Province⁸, the Federally Administered Tribal Areas and Baluchistan, military occupation was never translated into overarching control. Rather, simmering insurgency across the Hindu Kush was viewed as a rather intractable problem not least because historical grievances were deeply rooted in local culture and the political dispensation of the day. Anyhow, following the election of a liberal government in Britain, the Forward Policy was eventually revoked and a more liberal watching brief was established. The events that precipitated this u-turn in UK foreign policy paved the way for the eventual demarcation of the Durand Line between British Administered India and Afghanistan, therefore representing the outer limit of British (de facto) interests in the region (See Figure 1 below), as a march further north was constrained by the Russian Empire.

⁶ Shir Ali's son had died, delaying any decision, because the court had been called into mourning.

⁷ See http://en.wikipedia.org/wiki/Anglo-Afghan_wars.

⁸ The North West Frontier Province has never been properly named for political reasons. In the late 1990s, Pashtuns pushed for the NWFP to be renamed Pushtunkwa, but this was unacceptable to Pakistan as it possessed an ethnic dimension and in May 2006, Musharraf offered to rename the NWFP Khyber, which was then turned down by the proponents of Pushtunkwa.



THE DURAND LINE DISAGREEMENT

The Durand line is the 2,640 km (1,519 mile) long 'invisible' line which divided British India from Afghanistan; or more precisely British India from the outer extent of Russian penetration into Central Asia, with Afghanistan (in)conveniently positioned as the buffer state. The 1893 Durand Line Agreement (see Figure 2 below), whose legality is still contested by many Pashtuns, was established to secure the border between British India and Afghanistan following British defeat in

the second Anglo-Afghan war, as well as to demarcate British (East India British Company)⁹ and Russian Interests as part of what is now referred to as the Great Game.¹⁰ Following two wars against Afghans, the British succeeded in 1893 in imposing the Durand line, dividing

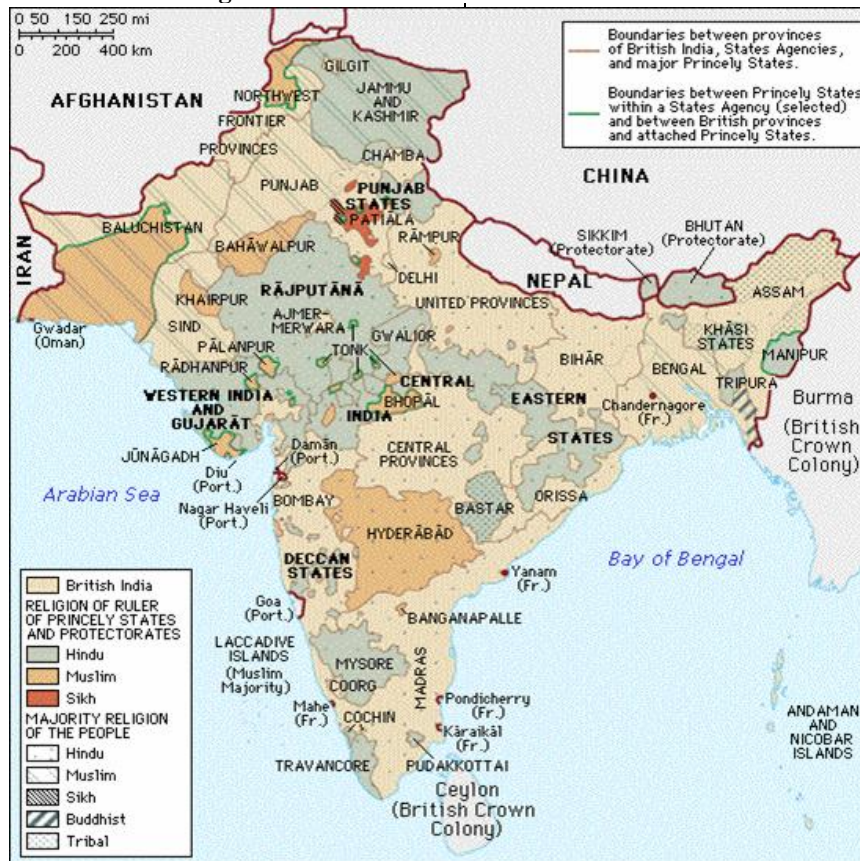
Afghanistan and what was then British India. It could be argued that the issues that the Durand Line sought to obscure continue to fuel the current crisis; which partially explains why the

boundary is both poorly marked and heavily contested.

Amir Abdul Rahman who signed the agreement on behalf of Afghanistan talked publicly about his discontent and on 30 September 1947 Afghanistan formally rejected Pakistan's admission to the UN over the issue. Furthermore, in 1949 the Afghan Loya Jirga rejected the agreement seeing that one signatory had in fact subsequently been dissolved (ex parte) – i.e. British India. Further, it is clear that as the seeds of discontent continue to fester,

reconciliation and resolution through the UN and International Courts is perhaps the only way to formally overcome the failures of history. Failure to acknowledge this fact risks that the very foundation of the current stabilisation and reconstruction initiative is in fact sinking sand. The costs of encampment therefore remain exorbitant and occupation is fraught with uncertainty.

Figure 1: The Outer Extent of British India



In 1947, the Indian Independence Act also foresaw the creation of an independent state of Baluchistan following the annulment of the 1876 Treaty signed with the British, around alliance, defensive and offensive matters. However, following hand over of British control to the ruler of Baluchistan in that year, Baluchistan declared full sovereignty. The Government of Pakistan, led by Mohammad Ali

⁹ The three Anglo-Afghan wars of 1839 to 1919 were fought largely by the British East India Company as both a military and commercial power.

¹⁰ Moreover, with the waning of Pashtun interests in what is now Pakistan as a result of the collapse of the Durrani Empire, and with losses to the Sikhs, Balochis and Persians, the Durand Line was probably seen as a convenient way to demarcate what remains a heavily contested hinterland beyond the effective purview of all de jure states; British, Russian, or Afghan.

Jinnah, sought to regain control of Baluchistan forcing the government into exile. Interestingly, and in spite of somewhat fractious relationship between the Baloch and British, at least self interest allowed the British to support the Baloch to stop the Pashtun tribes of the Suleman Mountains invading, which had risked undermining the Quetta–Taftan trading route.

Even though the post-colonial concept of ‘*Uti Possidetis Juris*’ is still deemed legally binding (where binding bilateral agreements with or between colonial powers are "passed down" to successor independent states)¹¹, that this principle has never been recognised by the communities affected by the current crisis remains a fundamental obstacle to further progress. While it is clear that the Durand Line Agreement did not have a 100 year ‘sun-set clause’ built in as many Afghan scholars have claimed, and because the Agreement remains a central piece of legal jurisprudence in this case, it must constitute the foundation for any future negotiation. Furthermore, as 80-90% of the actual Durand line essentially follows clearly demarcated watershed and mountain boundaries, the key issues is not demarcation itself; it is lack of formal recognition in the eyes of communities that live there that also restricts the provision of government services and security arrangements. Furthermore, in the absence of a clearly demarcated border that is accepted locally, it is impossible for the

international community to apportion responsibility for lack of effective state control over insurgency, terrorist, narcotics and smuggling; a situation which must surely be unacceptable.

Unfortunately, as Pashtun Nationalists in Afghanistan still claim ownership of Pashtun territories deep inside Pakistan, and because Pakistan continues to use Afghanistan as part of its Foreign Policy towards India as well as to reassert its global strategic centrality towards the US, the current situation seems as irresolvable as ever. Vulnerability to India and to Afghan claims that seek its dismemberment causes Pakistan to play off relationships between Afghanistan, India, the US and China. As a result of this inherent vulnerability, at any given

moment there is little stomach within Pakistan for resolving border management problems as this alone would remove a key contestation that Pakistan needs to preserve to strengthen its foreign policy. It is for this reason that the supposed breakthrough of the current Tripartite Commission with regard to border management and patrol responsibilities is unlikely to do little more than buy a little extra time.

The ‘three way deal’ (Afghanistan, Pakistan and NATO) will attempt to establish border controls along the Durand line¹² to control illicit and illegal activities although in the absence of a formal peace agreement between the various parties the current process, whilst important, will likely become one of many soon forgotten exercises. Furthermore, any state to state agreement aimed at strengthening border management arrangements that is not supported

Figure 2: The Durand Line



¹¹ A treaty ending a war (as was the case with the Anglo-Afghan wars) may adopt the principle of *Uti Possidetis Juris* whereby the parties of a particular treaty are to retain possession of (as they possess) that which they forcibly seized during war. In contradiction to *Uti Possidetis Juris*, the principle of *Status Quo Ante Bellum* (state of things before the war) can also be applicable if deemed applicable. The fact that Afghan authorities have never taken the case of the Durand Line to the International Court of Justice must signify broad acceptance of the current international border with Pakistan, at least with regard to formal state interests.

¹² With a particular focus on the provinces of Konar, Nangarhar, Paktia, Paktika, Zabol, Kandahar, and Helmand.



locally would do little to address the roots of the current problem; civil war. In addition, to assist in creating bridges between communities straddled across the border, an American-backed plan calls for ‘Reconstruction Opportunity Zones’ to allow goods manufactured in the border areas with input from communities on both sides to be exempt from American import tariffs. While a good idea in principle, whether such zones will ever rival the value of the opium, arms and smuggling economies appears unlikely, certainly given the wholesale absence of an enabling environment along the border area.

CURRENT STABILISATION INITIATIVES

Given that the currently Durand Line between Pakistan and Afghanistan is not recognised by the majority of Pashtuns, the Baloch and communities of the North West Frontier Province and the Federally Administered Tribal Areas¹³, achieving ISAF/NATO objectives must involve political and security initiatives to be supported in Pakistan too. History highlights the limitations that superpowers face in dealing with an evasive door to door insurgency fought over rough and unforgiving terrain; particularly where boundaries are porous, poorly demarcated and bitterly contested. Moreover, history also shows that the presence of an invisible, well organised, highly mobile and experienced insurgent army can erode the heart and mind of even the largest superpower – as the Vietcong and Mujahadeen demonstrated in the late 1960s and 1970s respectively.

According to NATO’s Secretary General, Jaap de Hoop Scheffer, “this is one of the most

¹³ The formal inauguration of the province took place five and half months later on April 26, 1902 on the occasion of the historical ‘Darbar’ in Shahi Bagh in Peshawar held by Lord Curzon. The province of NWFP then comprised only five districts. They were Peshawar, Hazara, Kohat, Bannu, and Dera Ismail Khan. The Malakand, which consisted of three princely states of Dir, Swat, Chitral was included in it. NWFP also included the four tribal administered agencies, Khyber, Khurram, North Waziristan, and South Waziristan (now seven). The first chief commissioner of NWFP was Harold Deane. A strong administrator, he was followed by Ross-Keppel in 1908, Keppels whose contribution as a political officer was widely known amongst the tribal/frontier people.

challenging tasks NATO has ever taken on, but it is also a critical contribution to international security”. The alliance’s aim is to help establish the conditions in which Afghanistan can enjoy – after decades of conflict, destruction and poverty – a representative government and self-sustaining peace and security. As such, NATO’s engagement in Afghanistan includes (i) leadership of the UN-mandated International Security Assistance Force (ISAF),¹⁴ an international force of some 31,000 troops that assists the Afghan authorities in extending and exercising its authority and influence across the country, creating the conditions for stabilisation and reconstruction (ii) a Senior Civilian Representative, responsible for advancing the political-military aspects of the Alliance’s commitment to the country, who works closely with ISAF, liaises with the Afghan government and other international organisations, and maintains contacts with neighbouring countries and (iii) a substantial programme of cooperation with Afghanistan, concentrating on defence reform, defence institution-building and the military aspects of security sector reform. Furthermore, ISAF’s primary role¹⁵ is to support the Government of Afghanistan (GOA) in providing and maintaining a secure environment (through Provincial Reconstruction Teams)¹⁶ in order to facilitate the re-building of Afghanistan and in ensuring a safe and secure environment that will be conducive to establishing democratic structures, to facilitate the reconstruction of the country and to assist in expanding the influence

¹⁴ ISAF IX, the current ISAF mission, is led by Headquarters Allied Rapid Reaction Corps, commanded by Gen. David Richards.

¹⁵ ISAF integrates its efforts with the highest levels of authority at the Government of Afghanistan, with the United Nations Assistance Mission to Afghanistan (UNAMA), with the Combined Forces Command-Afghanistan, the US-led Coalition, and with other actors of the international community.

¹⁶ The role of PRTs is to assist the local authorities in the reconstruction and maintenance of security in the area. These are run via five Regional Commands (RCs), RC Capital located in Kabul, RC North located in Mazar-e-Sharif, RC West located in Herat, RC South located in Kandahar and RC East located in Bagram. These in turn have Provincial Reconstruction Teams that report to them, 5 in the North (Kunduz, Meymana, Pole-Khomri, Mazar-e-Sharif and Feyzabad); 4 in the West (Herat, Farah, Qala-e-Naw and Chaghcharan); 4 in the South (Kandahar, Lashkar Gah, Tarin kowt and Qalat) and 11 in the East (Bagram, Bamiyan, Sharan, Ghazni, Gardez, Asadabad, Jalalabad, Panjshir, Mitharlam, Kowst and Nuristan). There are no PRTs in RC Capital. They are supported by Forward Support Bases (FSB) - one in Mazar-e-Sharif, one in Herat, one in Kandahar and one in Bagram.



of the central government.¹⁷ It is also stated that ISAF will not depart until this mission is accomplished.

In establishing a legitimate and accountable post-conflict state, international 'peace keeping' forces seek to strengthen civil-military-operations; to extend the 'hearts and minds' campaign whilst simultaneously collecting intelligence information about 'insurgents' whose hearts and minds have yet to be won over. Since 9/11, civil-military operations have arguably, as a consequence of the threat assessment expounded by the US, taken on greater significance than at any point in recent history. The anti-terrorist agenda is in essence no longer a state-to-state agenda (although it may have many of these characteristics), but rather a state-to-person agenda, where no door remains beyond the purview of the global order. Whilst certainly not a panacea, civil military operations can serve to increase the penetration of 'Forward Foreign Policy' on the ground; often delivering gains at the grassroots level that could not have been forged through the barrel of a gun alone. Many of the lessons emerging from Afghanistan, in particular those from the PRTs, have of course wider application for foreign policy in the emerging millennial order; in particular (i) that combined civil-military operations are increasingly perceived as vital for securing enduring stability (ii) that the rejection of external 'authority' by an 'insurgent' community will not be overcome through the application of even greater military might and 'power-over', and (iii) that the adoption of an alternative and inclusive policy; with 'openness' and 'reconciliation' as guiding features, is perhaps a more logical path to sustaining foreign policy aspirations in the long run.

Yet, in the absence of a formal peace agreement – because the Bonn process was everything but that - and given that NATO forces can do little more than prepare the terrain

for a political solution at best, growing concern about the overall engagement rationale and tactics would appear to be wholly justified. Following the withdrawal of US forces early in 2006, and with operations currently under the UK led NATO contingent, the numbers of military personnel and civilians affected by conflict now constitutes a steadily rising tide; much to the irritation of President's Karzai, Musharaf and Bush, as well as Prime Minister Tony Blair. To achieve ISAF/NATO mission objectives, the US and UK administrations will need to rethink their policy towards the south, and the Taliban in particular, as NATO forces alone cannot be expected to provide a panacea for what amounts to nothing short of civil war. Yet, having fought its way into Southern Afghanistan, British Led NATO forces now face the even more complex task of creating an enabling and enduring peace that also allows for an orderly exit or handover of responsibilities. Even given current Afghan military establishments, without the continued support of ISAF/NATO and PRTs on the ground the notion that the Afghan state will any time soon be able to exercise legitimate control over contested borders is arguable at best, not least because certain interests in Pakistan would clearly move to impede the emergence of a powerful Afghan state; to limit the emergence of Pashtun nationalism.

WHAT TO DO:

In the absence of a formal peace agreement and border settlement plan, questions must remain as to whether the current approach of ISAF/NATO is in fact the one most likely to lead to increased stability over the longer term? Without addressing the root causes of the Durand Line Disagreement and the reasons for simmering discontent, the current peacekeeping initiative ultimately risks being historically flawed. What is required is a far more bold and pragmatic approach to overcoming a very complex and contested history that continues to dwell at the very heart of the problem itself; a simmering civil war between

¹⁷ See http://www.hq.nato.int/ISAF/mission/mission_role.htm.



rival political entities that has not been nullified by the establishment of an Afghan parliament and US\$60 billion in international reconstruction and security assistance. That ISAF/NATO and Coalition forces are expected to assist in fostering stability in the absence of a broad track of political reconciliation only exposes the international community to a high risk military strategy that is fundamentally ill conceived. Given the threat posed towards Anglo-US strategic interests north of Afghanistan by China are substantial, (including the political pendulum of Kazakhstan), and because Chinese foreign policy is now firmly focused on consolidating links towards Iran and beyond, creating a stable axis of political, military and economic consensus between Afghanistan, Pakistan and India at this moment of history is vital. The authors reach the following conclusion:

1. The current standoff between state (Afghan and Pakistan) and non state actors (Taliban and Baloch etc.) constitutes nothing short of civil war. Efforts that build walls and not bridges between communities will only bring increased resentment;
2. The Taliban, terrorism, insurgency and the rise of the opium economy are manifestations (not causes) of historical grievances that were neither addressed during the signature of the Durand Agreement of 1839 or the Bonn Agreement of 2001;
3. In the absence of tenable alternatives, the Durand Line simply must be enforced, as the evolution of a Greater Pashtunistan or Greater Baluchistan would lead to the liquidation of both Pakistan and Afghanistan in their modern sense, creating political instability across the region that would once again have a profound impact on the shape of the global order;
4. That said, given that the Durand Line is now seen as the enemy of certain nationalistic interests, and given the urgent need to

embark along a track of reconciliation, establishing a Border Commission to develop a holistic Border Agreement based on the Durand Line but signed by state and non state actors is absolutely critical. Such an agreement would require a reconciliation process between Afghanistan and Pakistan states and Pashtun, Baloch, NWFP and FATA communities;

5. Given that the presence of the Durand Line continues to ignite nationalistic fervour, to overcome the legacy of colonial discontent, and to set the two countries on a path towards reconciliation, a new agreement could be undertaken, with a new name even if the boundary is fundamentally based around the Durand Agreement, yet reflecting that this is now a bilateral agreement between both parties of the current dispute. This would also serve to negate the unnecessary politicisation of the so called 'invisible' line thereby facilitating clear delineation of border management responsibilities to enhance the work of the current Tripartite Commission; thereby bringing the border back under the effective purview of international law. Furthermore, such an agreement would form an important part of the long overdue reconciliation process;
6. Without a parallel track of political diplomacy that seeks to overcome the discontents of history, and in the total absence of a peace and reconciliation process, the current ISAF/NATO stabilisation exercise is stop-gap at best. Moreover, peacekeeping and counter insurgency operations can not substitute for failed political diplomacy. Furthermore, a Peace Agreement should be established between Afghanistan and Pakistan, acceptable to India, and brokered through the UN using the principle of Uti Possidetis Juris as the starting point for reconciliation;



7. Given the contested nature of the border area, it is impossible for the international community to apportion responsibility for lack of effective state control over insurgency, terrorist, narcotics and smuggling; a situation which must surely be unacceptable to the UN;
8. The role that Pakistan has to play in bringing peace is pivotal. Unless Pakistan is made to feel secure in its relationship with both India and Afghanistan, it is unlikely to build a common Afghan-Pakistan-Indian axis as a powerful new alliance that could at one moment call into question Pakistan's inalienable right to full national sovereignty;
9. Failure to develop an unbreakable political and military consensus linking Afghanistan, Pakistan and India will only expedite the realignment of states north of Afghanistan towards a political bent that is congenitally Chino-Russian, and one that is destined to strengthen ties with Iran. With US-Anglo interests in Central Asia (including Kazakhstan) already facing displacement, failure to rapidly cement political and military ties between Afghanistan, Pakistan and India could have very profound implications for Western interests in Central and Southern Asia for decades to come;
10. While the amnesty program initiated by President Karzai was a significant initiative; even if it had been accepted by the Taliban, it inevitably would have failed to reconcile the grievances of history; not least because the Bonn Agreement deliberately excluded the Taliban from engagement in the forward process. However, given that the resentment of history continues to fuel future discontent, perhaps nothing less than a full transitional justice program will suffice to finally bring everyone around the table to reach a common conclusion; the war has left deep scars in the minds and hearts of all Afghans and that

demands nothing less than an acceptable process of closure. It is recommended that the country undertakes a transitional justice program, similar to South Africa, more substantial than Rwanda, whereby grievances can be aired and the discontents of history and frustration can finally be released.

Note: This article was prepared in March 2006, following the presentation of the Afghan National Development Strategy, and the deployment of NATO, in anticipation of an escalation in fighting.

Published by Middlebrook & Miller as a not for profit free-press analytical technical series to stimulate discussion on key global foreign policy issues.

Recommended citation:

Peter J. Middlebrook and Sharon M. Miller, "All Along the Watch Tower: Bringing Peace to the Afghan-Pakistan Border," (Middlebrook & Miller, NY, Foreign Policy Futures (FPF), October 10, 2006).

Web location:

<http://www.middlebrook.miller.com/>

Production:

Writers: Peter J. Middlebrook and Sharon M. Miller
Editor: M&M Editorial Team
Layout: M&M

Contact:

info@middlebrook-miller.com

© Middlebrook & Miller (2006)

