

TIME TO NEGOTIATE

It is widely assumed that we must not negotiate with terrorists. We must not accept their political statuses or condone their methods of terror. But does “must not” mean we should not ever? With Islamist terror representing a new form of warfare today, it is probably time some opinions are heard, transparency within government activity is established and some changes are made.

Terrorism is defined by the UN Security Council as a violent or criminal act designed to create a state of terror in the general public. It is “premeditated, politically-motivated violence perpetrated against noncombatant targets by substantial groups of clandestine agents”. From this definition of terrorism we can loosely define what a terrorist is, though it should be noted that this is highly subjective, as “one man’s freedom fighter is another man’s terrorist”. The types of terrorist that we believe exist are manipulated by our personal definitions of terrorism. Terrorists perpetrate violent or criminal acts and for a plethora of different causes. Most today though, are either religiously motivated or politically motivated – though such motivations are not exactly mutually exclusive.

Opinions and literature that condemns the act of negotiating with terrorists very often derive from the same traditional arguments and rarely stand up to scrutiny. This article will tackle five of these main arguments and address why it is effective to negotiate with terrorists yet why, in certain circumstances, it is highly difficult to do so.

First, many scholars, and even some world leaders, assert that providing terrorists with a place at the negotiating table gives them some form of political status and worse, validates the group’s grievances, methods of violence and requests. It doesn’t. Instigated at the correct time, strategic negotiations between opposing groups can be highly effective for both governments and terrorist organisations in order to end a terror campaign. In the immediate aftermath of the 1991 mortar attack that nearly eliminated the whole of the British cabinet, for example, the British government attained then maintained a secret back channel to leading figures of Irish Republican Army. Following decades of sectarian insurgency, negotiations – though covertly conducted – were seen as an imperative step towards instilling peace for both the British and the Irish. The IRA promised to end the violence and thus the British gave concessions and set the foundations for shared political power in Northern Ireland. The Good Friday Agreement was beginning to take shape. Although tensions still arose, negotiations allowed politics to take precedence and are vital at calming violence and gaining co-operation.

The granting of concessions to terrorist groups, not



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matter how small, leads us to another issue. This is, the “more guns, more hostages” argument. It would seem that entering into negotiations, if at all possible, with extremist groups such as Boko Haram, for example, may actually lead to a missed opportunity in defeating the terrorist group for good and leaves the state liable to further more frequent attacks in the future. Of course this is a strong argument, but it has been found that a firm stance, with room for open dialogue, works effectively in reducing the consistency and regularity of attacks or can stop them altogether. Thus far, the fear of repeated attacks and the rigidity of the “no negotiations” stance between governments have so far

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prevented any methodical assessment of how best to conduct negotiations.

Terrorists observe their previous targets and can clearly see that a government, once bitten, markedly improves its security. This of course makes it a less attractive target in the future. A contemporary example of how negotiations do not leave states open to more regular attacks is the Israeli-Palestinian conflict, which has seen negotiations reduce both the regularity and brutality of violence – particularly since the Oslo Accord was reached in 1993. Of course, there have been other acts of terrorism – not every negotiated success can boast a completely clean record – but in general, with the use of low-level negotiations

through third parties such as the United Nations, there has been a decrease in scale on both sides.

Not only can negotiations reduce the frequency of attacks but they can also aid governments in thwarting future, similar attacks and stamping out domestic terrorism for good. Negotiations take time. Time allows for intelligence gathering and analysis, and often a halting of violence against a hostage, kidnapped person or group. For example, under pressure from the Brazilian Communist party which utilised kidnappings for ransom to raise funds, the Brazilian government released 15 prisoners to secure the kidnapped US ambassador in 1969. Four years later, in 1971, they opened up negotiations and again made the concession of releasing 70 more prisoners in order to free the Swiss Ambassador. On the surface the Brazilian government looked weak under the strain of threatening and violent behaviour, but patiently negotiating with their enemy actually gave the Brazilian authorities adequate time in order to collect concise information on the terrorists, which enabled them to implement policy in order to prevent further terrorist activity in the country. Giving the Brazilian Communist party a little of what they wanted kept them at bay, bettered the government's chances of exerting influence on the group and finally gave them the intelligence and the tools to eradicate terrorism for good. Although crime is still rife in Brazil, terrorist attacks and/or requests for concessions are unheard of today.

When it comes to tactical negotiations, utilised in order to secure the release of hostages, for example, there is a lot to be gained by negotiating with Islamic terrorist groups. The US government, regardless of its long-stated position is that it won't negotiate with terrorists, often does exactly that for both the long-term tangible benefits it reaps and for the benefit of its own people overseas. Quite often, overlapping interests can be identified through negotiations. Al-Qaeda want to see the end of Western occupation in their country and, in truth, we want our soldiers home. In February 2014, the US government began to resume secret talks with the Afghan Taliban. It established an overlapping interest to free prisoners and offered to trade five Taliban prisoners held at the detention facility at Guantanamo Bay for US Army soldier Bowe Bergdahl, who has been held in the Middle East since 2009. When Western governments grant terrorist's tangible concessions, they can expect to gain a lot more back, in the form of people and even power. The problem occurs, however, when the concessions asked for by violent groups are not so achievable.

Indeed, the terrorist whose goals are solely political do have more potential of becoming constructive interlocutors. Their desires are either tangible concessions,

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Tough talk: a police negotiator attempts to calm an armed Pakistani civilian

such as money or the release of prisoners, and are, on the whole comparably straightforward. With negotiations and concessions, they will often cease their terrorist activities. But for groups such as Boko Haram, who do not even accept Western education in Nigeria or for Al-Shabaab and lone-wolf terrorists who commit atrocities with the stated goal of establishing a worldwide caliphate, how can strategic negotiations even be instigated when negotiations are controversial and highly problematic and the granting of their concessions is unfeasible?

That negotiating with controversial, absolutist terrorists goes against a moral principles and undercuts global efforts to banish terrorism is the standpoint of many governments – but it is not always a belief practised behind closed doors. Governments do negotiate with terrorists, both strategically and tactically, but why they keep it a secret is a more complex issue to assess. Governments do not want to look weak in the face of a crisis. They do not want to openly announce that they are conducting talks with terrorists groups for two main reasons. Firstly, their citizens and global allies may strongly object to the idea, and secondly Western governments do not want to display to other terrorist groups around the world that violent methods, such as hostage taking, bombing campaigns and kidnappings, are effective in gaining attention and concessions.

In addition, negotiations carry risks, particularly with new types of terrorism. If negotiations break down or concessions cannot be granted or are not followed through with, there is a strong chance that relations between the opposite players can become even more hostile than they were previous to the negotiation attempts. For example, al-Qaeda is different in a post 9/11 world. People do not need to be in contact with, or have received training from al-Qaeda in order to feel justified in acting on its behalf. For this reason, when secret negotiations have taken place in the past and Osama bin Laden offered ceasefires to governments in the US and Europe, it has been unclear as to whether or not the organisation's commanders and "followers" near or afar would honour them.

With 21st century terrorists groups such as Somali-based

al-Shabaab, the chances of negotiating at this early stage are slim. There is of course a clear distinction between the success of negotiating with groups that have nothing to lose and those who fight in order not to lose out, however. Groups that utilise suicide bombings generally have nothing to lose. Whether or not negotiations should take place is thus a complex matter. Even if they do take place, talking will not meet everybody's needs and it will not solve every group's grievance. Under no circumstances should this stop any governments from attempting negotiations, however. For decades, Israel has been reluctant to recognize Hamas as a political power, let alone enter into talks with them. This really is unsurprising, considering Hamas' leaders have called for the complete destruction of the Jewish state. Regardless of Hamas' motivations and its constant attacks on Israeli soil, the Israeli government does continuously negotiate with it. They can see that the benefits of communicating outweigh the drawbacks of staying silent, and if they can keep on attempting to negotiate, what do they have to lose?

Negotiating allows governments to gain information and intelligence on specific groups and can reduce the degree and intensity of attacks over time. Time and time again, believing that there is more to be gained by continuing to talk, the Spanish, Irish, South American terrorist groups – and even some religiously-motivated terrorists – have successfully come to the negotiating table. Governments must strive for openness and look beyond retaliation in the face of new types of terror or act solely on the basis of pre-existing policies or romanticised principles. Burying one's head in the sand, or alternatively being too forceful, is simply counterproductive. In light of the Syrian Crisis and the global reluctance to intervene with boots on the ground, perhaps some Western governments are beginning to realise this. Of course there is a still a need for physical and social security in Western society. We are still treading in very deep water. It is imperative that we are both vigilant and thoughtful about our moves when addressing new, advancing forms of terrorism. If the opportunity to negotiate on some level is not demonstrably impossible then, in truth, it is feasibly possible and should always be attempted.

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