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The Guardian

Pakistan refuses to hand over captured Taliban leaders to Afghanistan

By Julian Borger

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Islamabad cites concerns detainees may be freed or transferred to US custody, though broader geopolitics may also be at play

Pakistan is refusing to hand over captured Taliban leaders to Afghanistan on the grounds that they could be released or transferred to the US, according to officials familiar with the negotiations.

The refusal to extradite Abdul Ghani Baradar, the Taliban's deputy leader and military commander, together with several regional insurgent commanders seized by Pakistani forces in recent weeks, has deepened uncertainty over Islamabad's motives.

"Pakistan has not yet made a decision on whether it is ready to enter into comprehensive peace talks on Afghanistan. There's a big debate going on inside the Pakistani leadership and it has not yet been resolved," a senior western official said.

Mediators involved in back-channel talks with the Taliban have told the Guardian that Baradar took part in the dialogue and appeared interested in a negotiated peace. There had been speculation that Pakistan's Inter Services Intelligence agency (ISI) had arrested Baradar in Karachi last month because of those talks, and because he had bypassed Pakistan.

However, according to officials in Washington and Islamabad, Baradar's capture was a joint US-Pakistani operation triggered by intelligence provided by the Americans.

According to this account, Pakistan may not have had a choice over Baradar's capture. But Islamabad has had a say over what happens to the Taliban leader and his fellow insurgent commanders now in Pakistani cells. The government rebuffed US requests for them to be transferred to American custody but had initially appeared open to an Afghan extradition request.

"When we receive a formal request from the Afghan government, we will honour it," Rehman Malik, the interior minister, said in February.

That door now appears to have been shut.

"He'll not be handed over to Afghanistan or to any other country. Many Taliban leaders who have been handed over to Afghanistan have been released or handed over to the Americans," an official said.

Kabul exchanged Taliban prisoners for an Italian journalist at Rome's prompting in 2007, and has released former Guantánamo inmates, one of whom, Abdul Qayyum, is now said to be running the Taliban's military operations in Baradar's absence.

The movement's overall leader, Mullah Omar, is widely reported to be in hiding inside Pakistan and cut off from day-to-day operations to ensure he is not tracked down.

Despite a wave of recent Taliban arrests, it remains unclear whether the ISI is ready to sever support completely for an insurgency it sees as a bulwark against encirclement by India and its Afghan allies.

A western expert on the Taliban, who asked not to be named because of the sensitivity of the ISI's role, said: "The ISI continues to be one of the main sources of discipline in the Taliban and the number one rule is 'no flirting' If there is a deal it will go through Pakistan, and take Pakistani interests into account."

In a speech last week, Britain's foreign secretary, David Miliband, said Pakistan would be critical to finding a regional solution to the conflict.

"Pakistan is essential here. It holds many of the keys to security and dialogue. It clearly has to be a partner in finding solutions in Afghanistan," Miliband said. But he added: "Fears about Pakistan's role in Afghanistan need to be addressed."

Kabul, Islamabad and other regional capitals are also said to be waiting for a clear sign from Washington that the Obama administration will put its full backing behind the search for a political settlement.

"The US has not yet decided that the timing is right, and it has not yet bitten the bullet on what the best international element in the process should be," said Michael Semple, a former UN and EU representative with a long history of contacts with the Taliban.

Semple, now at the Carr Centre for Human Rights Policy at Harvard University, added: "If the Americans come on board and decide to go the international organisation route and, say, come up with an acceptable Muslim with a UN mandate, then all sorts of interesting outcomes are possible."