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# International Recognition of the Taliban Regime and Current Political Situation of Afghanistan: Challenges and Solutions

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## **SYNOPSIS**

The Taliban have established an authoritarian regime in Afghanistan that has no system of accountability. This is not acceptable to either Afghan society or the international community. This report will outline why and how the international community can use its leverage to effectively influence the Taliban's behavior, prevent its misuse of power, and pave a path towards its international recognition.

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## About the Authors



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Zainab Hakimi is a university lecturer in Kabul, Afghanistan. She has a master's degree in "theology and philosophy" from International Islamic University, Islamabad. She specializes in contemporary philosophical schools of thought in the Islamic world. She has lived most of her life in Pakistan as a refugee, where she graduated from high school and then completed her BA in Education. She then completed her BS and MS in Islamic Studies, theology and philosophy from Islamic University Islamabad. She has been Assistant Director in the Department of Social Studies at CSRS (Center for Strategic and Regional Studies, Kabul). She has also worked as a visiting lecturer in International Islamic University-Islamabad. Currently, she lectures at Qalam University in Kabul and volunteers as a Researcher in IWA (Integrity Watch Afghanistan). She speaks Dari natively and has well command on four other languages (Arabic, English, Urdu and Pashtu).

## **Problem**

After the Taliban wrested power from the US-backed government, they appointed their trusted commanders and military personnel to fill most of the civilian and military offices. These appointments were exclusively from within the group, regardless of professional requirements; therefore, most of these appointees lack the requisite professional skills to perform their duties. In this process, former employees, especially those with temporary contracts, were discharged only to be replaced by the those favored by the Taliban.

Furthermore, the Taliban leadership issues edicts and decrees regarding a plethora of social and governmental matters without any constitutional justification or backing – because one does not exist. Concurrently, all types of social and political activities are prohibited, and social institutions and political parties are denied licenses. Those media and social activists who are deemed to be “dissenting” have been captured, interrogated, and beaten. The Taliban’s political appointments, its authoritarian decrees, and its prohibition of opposition are the bread and butter of its tyrannical one-party government, in which most personal freedoms and fundamental citizen rights are violated.

## **Essential Background**

The Taliban has put a ban on all social and political parties and their activities. Some of these banned political parties have existed long before the Taliban emerged as a movement in the 1990s and thus have stronger public roots. The heavy-handed and exclusive rule of the Taliban risks fomenting domestic tensions, as marginalized groups and parties – that are denied normal outlets of protest – are likely to reappear as militarized political opponents. Such internal instability would also provide opportunities for external interference in Afghanistan by regional and international powers. These outcomes will only adversely affect national interests and values, and will stifle social and economic development.

The Taliban have not only reverted to brute military power to suppress opposition, but they also employ secret services and other tools to suppress civil society. For instance, they monitor civil society activists using their secret service agencies. They have also set up a ploy to stymie civil society activities wherein they require all entities to renew their license with the Taliban government. However, the “General Department of Registration of Political Parties and Social Organizations” – which is the only institution that mandated civil society activities in the previous governments - is notably omitted from the framework of the Ministry of Justice. As a result, civil society groups and institutions, and political parties simply cannot renew their licenses because the relevant government department does not exist anymore.

Resolving the above issues is more problematic because the Islamic Emirate of Afghanistan has not promulgated a specific constitution, thus rendering law-making procedures ambiguous. Most of the new laws come in the form of ordinances issued by the Supreme Leader. During the first days of their rule, the Taliban had authorized local police and security departments to act as courtrooms. Despite the reopening of some departments, the judicial system is far from functioning. This issue is compounded by the fact that all previous judges were fired by the Taliban. Some contradictions between previously practiced law and Sharia law gave the Emirate the excuse to fire all previous judges and replace them with Taliban personnel. These new Taliban judges lack a requisite academic or professional legal background, and have no work experience in a judicial system.

The other issue that blights the Taliban rule is the fact they have a radical religious perspective on women's rights. Their discriminatory policies do not recognize women's very basic human and citizenship rights. Afghan women are denied the right to education, to be present in the social and political spheres, seek employment, the right to choose how to dress, and more. Suppressing women in this manner robs and denies Afghan society of 50% of its talent, which women offer for the reconstruction and development of Afghanistan. A majority of women no longer see a future for themselves in Afghanistan; therefore, most families are looking to provide educational opportunities and a better life for their daughters outside of Afghanistan.

## **Strategies and Solutions**

The ideal solution to all of these problems is that the Taliban end its military rule and establish a civil and inclusive government, and ensure equal rights for all Afghans, regardless of their ethnicity or gender. Given the current situation, however, it may be more productive to focus on a few targeted strategies to improve outcomes in Afghanistan. These include:

- Fostering opportunities for growth and empowerment of civil society actors and non-Taliban political parties.
- Activating juridical and legal system of the country, including the re-employing of professional judges in all divisions of courts of justice (Dewans).
- Increasing opportunities for educational, work, social and political activities for women, with the goal of granting them their full range of essential rights.
- Improve staffing of government offices with professionally trained and qualified individuals.

## **Recommendations to international community and the government of Canada**

The Taliban will not voluntarily offer to make these improvements, but the international community can use its leverage to influence the Taliban to make changes. Canada could take the lead in engaging the Taliban, towards the following key objectives:

- Persuade the Taliban regime to end one-party rule and establish an inclusive government based on rule of law.
- Pressure Taliban through political means to respect and uphold women's rights.
- Strive towards reactivating the legal and judicial system by recruiting former legal experts.
- Invest in women's education and women's business and self-employment.
- Focus aid on the reconstruction of fundamental institutions, rather than short term needs, and to implement anti-corruption strategies to manage funds.
- Support and shelter civil society, so that it may function as an avenue for resistance.