Addressing a Human Rights and Looming Terrorism Crisis in Afghanistan

The Need for Principled International Intervention

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<table>
<thead>
<tr>
<th></th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Executive Summary</td>
</tr>
<tr>
<td>02</td>
<td>Introduction</td>
</tr>
<tr>
<td>03</td>
<td>The Taliban Reverts to Repressive Policies</td>
</tr>
<tr>
<td>04</td>
<td>The Terrorist Threat Grows</td>
</tr>
<tr>
<td>05</td>
<td>Regional Countries Downplay Human Rights</td>
</tr>
<tr>
<td>06</td>
<td>The UN Takes a More Active Role</td>
</tr>
<tr>
<td>07</td>
<td>Policy Recommendations</td>
</tr>
<tr>
<td>09</td>
<td>Conclusion</td>
</tr>
</tbody>
</table>
Executive Summary

Pursuing the same harsh policies as it did during its previous stint in power in the 1990s, the Taliban has increasingly clamped down on the rights of women and girls since recapturing control of Afghanistan in August 2021. Restrictions on education started with the Taliban mandate in March 2022 banning girls from attending school past the sixth grade. The Taliban furthered its efforts to deny women basic rights when it announced later in the year that women could no longer attend university or work for international nongovernmental organizations. These and dozens of additional restrictions on Afghan women remain in place today.

Meanwhile, terrorist threats that emanate from Afghanistan are intensifying, and the Islamic State Khorasan Province (ISIS-K) constitutes the main international concern, especially since it took responsibility for the March 22, 2024, attack on a concert hall in Moscow that killed at least 140 people. The Taliban opposes ISIS-K and had been fighting the group and eliminating its senior leaders, including the mastermind behind the August 26, 2021, suicide bombings that killed 170 Afghans and 13 U.S. service members. Regional groups like the Tehrik-e-Taliban Pakistan are also active but face few constraints on their activities from the Taliban, with whom they share core ideological beliefs.

The Taliban also remains allied with al-Qaeda and has even allowed the terrorist group responsible for the September 11, 2001, attacks on the United States to take on leadership roles within its regime.

Monitoring threats from ISIS-K necessitates engagement with the Taliban, but U.S. counterterrorism goals should not prevent the United States from also pressing a human rights agenda. For the benefit of the Afghan people—especially women and girls—and the long-term stability and prosperity of the nation, Washington and like-minded partners must employ both incentives and disincentives to compel the Taliban to improve human rights. Since regional countries largely ignore human rights in their dealings with the Taliban, it is incumbent upon the United States, United Nations (UN), and European Union to follow a principled approach and incorporate human rights into their agenda on Afghanistan.

In his remarks following a meeting of special envoys in Doha, Qatar, in February 2024, for example, UN Secretary-General Antonio Guterres articulated a UN agenda for Afghanistan that would be a starting point for a coherent international strategy. He emphasized that meeting participants had achieved a consensus to focus on counterterrorism, inclusive governance where all ethnic groups are represented, human rights—especially for women and girls, with an emphasis on education—counternarcotics, and more effective delivery of aid.

To address human rights and terrorism challenges and bolster UN efforts in Afghanistan, the United States should:

- Strengthen public diplomacy and messaging, coordinating efforts with like-minded partners;
- Support the work of UN human rights experts by reinforcing the role of the UN special rapporteur for Afghan human rights with an expanded budget and staffing;
- Encourage change in the UN Assistance Mission in Afghanistan's (UNAMA's) bureaucratic structure so that UNAMA staff responsible for human rights report directly to the Office of the United Nations High Commissioner for Human Rights in Geneva;
- Support the UN Credentials Committee in preventing the Taliban from obtaining a seat at the UN;
- Elevate diplomatic discussions with Afghan opposition leaders and support the consolidation of a non-Taliban political force;
- Insist on stringent conditions on international assistance to Afghanistan;
- Reinforce international counterterrorism norms with additional terrorist designations;
- Impose additional human rights sanctions on individual Taliban leaders;
- Protect Afghan refugees by leading the international community in urging national authorities in Pakistan and Iran to allow the UN high commissioner for refugees to evaluate and offer protection for the most at-risk Afghan refugees; and
- Refrain from opening a U.S. mission inside Taliban-controlled Afghanistan.
Introduction

Since the Taliban took power in August 2021, the human rights situation in Afghanistan, especially for women and girls, has substantially deteriorated. Female citizens are banned from attending school past grade six, working in almost all professions, and traveling outside their neighborhoods without a male companion. The Taliban also imposed a strict dress code on women and girls, prevented them from going to parks, and closed all beauty shops—further denying women sources of income and social recreation. The Taliban enforces its harsh edicts through detention, jailing, whipping, torture, rape, and disappearances.

Meanwhile, terrorist threats are growing, especially from the Islamic State Khorasan Province (ISIS-K), which has begun striking targets outside Afghanistan, such as at a concert hall in Moscow in March and at a commemorative ceremony in Kerman, Iran, in January. Regional groups like the Tehrik-e-Taliban Pakistan (TTP) and Central Asia–focused Jamaat Ansarullah are active and face few constraints on their activities from the Taliban—with whom they share core ideological beliefs.

According to reports by experts affiliated with the United Nations Security Council Resolution 1988 sanctions regime monitoring committee, al-Qaeda leaders are now part of the Taliban’s administrative structure and are constructing their own training camps in the country.

Another problematic development is the Taliban’s focus on establishing religious schools (madrasas) throughout the country to displace schools with standard curricula. One interlocutor told the authors during a trip to the region that the Taliban’s goal is to establish a madrasa in each of the 400-plus districts in Afghanistan, including madrasas that specialize in teaching extremist ideologies.

Despite the worrisome trends, there has been little effective international action to try to shift the direction the Taliban is taking the country. The United Nations Security Council’s (UNSC’s) December 2023 call for the establishment of a United Nations (UN) envoy in Afghanistan who will prioritize human rights, the role of women, and intra-Afghan talks, is encouraging—but there must be more urgency to UN efforts. For example, no envoy has been named even though nearly five months have passed since the UNSC called for one. Some countries, especially those in the region, are starting to normalize their diplomatic ties with the Taliban and give up on advocating for a more legitimate and inclusive government. Unless there is a near-term course correction in the international approach to Afghanistan, in addition to seeing a human rights disaster, the country will again serve as one of the most dangerous terrorist havens in the world.
The Taliban Reverts to Repressive Policies

Despite initial promises that its policies toward women would be more moderate than those during its previous stint in power in the late 1990s, the Taliban has increasingly clamped down on the rights of women and girls since reclaiming control in August 2021.9 One month after taking control of the country, the Taliban initiated its campaign against women by disbanding the Ministry of Women’s Affairs and replacing it with the Ministry of Propagation of Virtue and Prevention of Vice—the organization that has recently been detaining women for disobeying the Taliban’s strict dress requirements.10 The Taliban rolled out restrictions on education, and in March 2022 banned girls from attending school past the sixth grade.11 In December 2022, the Taliban announced that women could no longer attend university or work for international non-governmental organizations.12

The Taliban’s repressive policies toward women are already leading to increased violence against women and abuse of young girls. There has been a spike in forced marriages and child marriages since the Taliban took power in August 2021.13 Public floggings of both men and women for charges such as adultery, theft, and running away from home have become common under Taliban rule.14 There have also been reports of Taliban leaders instructing local police to detain and punish the fathers and brothers of women violating Taliban edicts, including wearing make-up.15 In a culture that already faces the scourge of “honor killings” (the murder of a woman or girl by a male family member for engaging in behavior allegedly dishonoring the family’s reputation), the Taliban’s call for fathers and brothers to take responsibility for their female relatives’ behavior will only fuel domestic violence.
The Terrorist Threat Grows

International Counterterrorism attention has turned to the Afghanistan-based Islamic State Khorasan Province (ISIS-K)—the regional arm of the Islamic State—especially since it claimed responsibility for major attacks in Iran in January 2024 and in Moscow in March 2024. Although the Taliban actively opposes ISIS-K, the group continues to threaten not only the United States but also several other countries from its bases inside Afghanistan. ISIS-K claimed responsibility for the March 22, 2024, attack on a concert hall in Moscow that killed more than 140 people. Several months earlier, on January 4, 2024, ISIS-K also took responsibility for the dual suicide bombings in the southeastern city of Kerman, Iran, killing 95 people on the anniversary of the death of the former commander of the Islamic Revolutionary Guard Corps Quds Force, Major General Qasem Soleimani. There is growing concern that ISIS-K will soon target U.S. interests. The commander of U.S. Central Command, General Erik Kurilla, recently testified before the Senate Armed Services Committee that ISIS-K possesses both the capability and the will to target U.S. and Western interests abroad.

The governments of Central Asian states are also concerned about the threat from ISKP militants, who have built up their forces in northern Afghanistan and increasingly threaten to cross the border into Central Asia. ISIS-K has called for the overthrow of Central Asian governments and threatened to assassinate the leaders of Uzbekistan and Tajikistan.

Further complicating the terrorist problem in Afghanistan is the fact that the Taliban remains allied with al-Qaeda and has even allowed this terrorist group, responsible for the September 11, 2001, attacks on the United States, to take on leadership roles within its regime. The June 2023 UN sanctions monitoring report highlighted that the Taliban’s relationship with al-Qaeda remained “strong and symbiotic.” According to the report, “With the patronage of the Taliban, al-Qaeda members have received appointments and advisory roles in the Taliban security and administrative structures.”

The Taliban’s long-time supporter, Pakistan, has also become increasingly frustrated with the Taliban’s harboring of the deadly TTP group on Afghan territory. Following an attack on a Pakistani military post in North Waziristan in mid-March 2024, Pakistan sent fighter jets across the border to strike suspected terrorist hideouts.
in eastern Afghanistan. A statement from the Pakistani Ministry of Foreign Affairs released after the strikes said Afghanistan-based TTP militants were responsible for attacks that had killed hundreds of Pakistani civilians and security personnel. It further accused “elements” in power in Afghanistan of patronizing and using TTP militants as proxies against Pakistan. Pakistan has been forcing Afghan refugees on its territory to return to Afghanistan to try to pressure the Taliban to stop harboring TTP militants. Over 500,000 Afghans have been forcibly returned or deported from Pakistan to Afghanistan since 2023.23

Regional Countries Downplay Human Rights

The historical record of regional countries, as well as the authors’ recent engagements with regional government interlocutors, reveals that they have little interest in including respect for human rights in their policies toward the Taliban. In most cases, neighboring states and regional superpowers focus only on seeking Taliban support in countering terrorist groups that threaten their own interests, while failing to see a link between terrorist activity and the Taliban’s extremist policies and actions against Afghan citizens. In other cases, governments are unwilling to alienate a potential trading partner.

Russia and China seem to believe their soft-pedaling on human rights issues buys them leverage with the Taliban. Both countries have sought to minimize attention to human rights in UN meetings and statements on Afghanistan. For example, in discussions in March 2024 on renewing the mandate of the UN Assistance Mission in Afghanistan (UNAMA), both countries successfully pushed back on adding language reinforcing human rights to the resolution renewing the mandate. China and Russia have both kept their embassies open in Kabul, and in January 2024 China became the first country to accept a Taliban ambassador, and then sent its foreign minister to visit Kabul in March. In 2022, Russia accredited a Taliban official to represent Afghanistan in Russia, although Moscow still formally designates the Taliban a terrorist organization. Some observers claim China accepted a Taliban ambassador in return for the Taliban’s moving East Turkistan Independence Movement militants—whom China believes pose a threat to stability in western China—away from China’s shared border with Afghanistan. China also has an interest in gaining access to Afghanistan’s potentially lucrative mining industry, particularly around rare earth elements, and is buying up mining rights before other countries have a chance to do so.

Uzbekistan has welcomed Taliban leaders to Tashkent and pursued various economic projects with the Islamist extremist group, including signing an agreement for a multimodal transportation project that would go from Pakistan through Afghanistan to Uzbekistan, and which Qatar recently agreed to financially support. Uzbekistan has convened international conferences to encourage other countries to invest in Afghanistan and actively seeks to build consensus among a host of countries for engaging with the Taliban. In a similar show of support, Kazakhstan removed the Taliban from its list of terrorist organizations in December 2023.

Tajikistan, on the other hand, has shunned engagement with the Taliban and instead plays host to the
National Resistance Front, an anti-Taliban resistance force led by Ahmed Masoud, son of the deceased leader of the disbanded Northern Alliance, an Afghan coalition that resisted the previous Taliban rule. Tajik President Emomali Rahmon has said his government would not recognize the Taliban unless the Taliban accord the Afghan Tajiks—who make up the second largest ethnic group in Afghanistan—a role in running the country. While it is helpful that the Tajik president is standing up for minority representation in the government, he has shown little interest in pushing for women’s rights.

For the benefit of the Afghan people—especially women and girls—and for the long-term stability and prosperity of Afghanistan, countries and entities that prioritize women in their foreign policies, including the United States, UN, and European Union, must ensure that human rights remain a priority in dealing with the Taliban. Aside from being the morally correct thing to do, insisting that the Taliban improve the rights of women and girls may also help dampen extremist trends in society and even prevent future acts of terrorism. There is increasing recognition of the positive correlation between human rights abuses against women and girls and the growth of extremist ideologies.

The UN Takes a More Active Role

The best hope for sending a clear signal of united international rejection of the Taliban’s harsh policies lies with the UN, as it speaks most coherently and convincingly on behalf of the international community. One of the most important normative activities underway is the effort to make “gender apartheid” a new crime under the draft Crimes Against Humanity treaty now under consideration by the General Assembly Sixth Committee. Several nations, including the United States, have already signaled their openness to such an inclusion. Among the many voices in favor of using this terminology to demonstrate the seriousness of Taliban actions is Richard Bennett, the UN special rapporteur on the situation of human rights in Afghanistan. In July 2023, he said,

Women and girls in Afghanistan are experiencing severe discrimination that may amount to gender persecution—a crime against humanity—and be characterized as gender apartheid, as the de facto authorities appear to be governing by systemic discrimination with the intention to subject women and girls to total domination.

Recent actions by the UN secretary-general and Security Council, such as the release of the UN Independent Assessment on Afghanistan in November 2023, the passage of UNSC Resolution 2721 in December 2023 calling for a UN envoy for Afghanistan, and the UN secretary-general’s convening of special envoys on Afghanistan from 25 different nations in February 2024 in Doha, have demonstrated the potential for a more active UN role on Afghanistan. UN Secretary-General Antonio Guterres has pledged to hold regular consultative meetings of the special envoys, and a third meeting is scheduled for June 2024. He also has called for UN member states to decide on the format and composition of a small-scale “contact group” to elevate international action. Guterres noted that these efforts will create a format that could allow for the Taliban to participate, without having to meet their unacceptable conditions of recognition as the sole representative of all Afghans.

Some might argue that Taliban and Russian noninvolvement in the Afghanistan Envoy talks in Doha, and Russian and Chinese opposition to the establishment of a UN envoy without Taliban approval, mean UN efforts are doomed to fail—but this is short-sighted. The UN
could move forward. Establishing an envoy does not require Taliban approval, and even Russia and China may eventually appreciate the utility of an independent actor who can work closely with the region. Threading this needle will take time and diplomatic expertise, yet it is a better alternative than failing to act, perhaps based on the assumption that the Taliban will never change or that its draconian policies toward the Afghan people must be accepted in the interest of counterterrorism or economic gains. Afghanistan’s history amply demonstrates that excluding large parts of the population from a say in governance leads to more cycles of civil unrest.

As a starting point, in his remarks following the February 2024 Doha special envoy meeting, Guterres emphasized that the meeting participants had achieved consensus on five major issues: counterterrorism; inclusive governance, where all ethnic groups are represented; human rights, especially for women and girls and with an emphasis on education; counternarcotics; and more effective delivery of humanitarian aid.38 The narcotics talking point appears to be inserted to give the Taliban some positive credit for its poppy ban, even though some heroin trafficking continues and trade in other drugs, particularly methamphetamine, is flourishing.39

The regular renewal of the mandate of UNAMA presents another opportunity for the international community to press for improved human rights in the country. In addition to coordinating needs-based humanitarian assistance, UNAMA documents human rights atrocities, works to protect vulnerable populations, and aids Afghans who are unjustly detained and tortured. On March 15, 2024, the UN Security Council voted to extend UNAMA’s mandate for another year to promote peace and stability and encourage dialogue among all national political actors. Commenting on the extension of the mandate, several country representatives made it clear that the Council wants UNAMA to address the continuing “systematic oppression” of women and girls in the country.40 Now that the mandate is renewed, there is an opportunity to push for vigorous implementation of its human rights oversight functions.

Yet another way the UN is addressing human rights concerns in Afghanistan is through the work of the special rapporteur on human rights in Afghanistan. The current special rapporteur, Richard Bennett, plays a vital role through his public statements and meetings with human rights activists. Unfortunately, his office remains small, without the resources necessary to travel regionally or translate reports into Afghan languages.

### Policy Recommendations

To address human rights and terrorism challenges, and bolster UN efforts in Afghanistan, the United States should:

**Strengthen public diplomacy and messaging on human rights in coordination with like-minded partners.**

Without the need for a legal ruling, U.S. officials can—and should—adopt the same language as Special Rapporteur Bennett when referring to the Taliban’s measures against women: “potentially acts of gender apartheid” and “in violation of Afghanistan’s international human rights obligations.”41

**Support the work of UN human rights experts and, in particular, strengthen the role of the UN special rapporteur for human rights in Afghanistan.**

The United States should lead an effort at the Office of the High Commissioner for Human Rights (OHCHR) in Geneva to expand the budget and staff of the special rapporteur to allow him to travel in the region and translate reports into Afghan languages.

**Encourage change in UNAMA’s bureaucratic structure so that UNAMA staff responsible for human rights report directly to OHCHR in Geneva.**

While human rights units within UN political missions traditionally have dual reporting lines to the mission’s special representative of the secretary-general and to OHCHR in Geneva, given the extraordinary pressure exerted by the Taliban on the UNAMA mission, this unit would be more effective if it reported solely to OHCHR.

**Support the UN Credentials Committee in preventing the Taliban from obtaining a seat at the United Nations.**

Washington must keep up the pressure in opposing the Taliban from gaining a seat at the UN, especially as legal scholars and human rights experts credibly allege that the Taliban is practicing gender apartheid.42

**Elevate discussions with Afghan opposition leaders and support the consolidation of a non-Taliban political force.**

Based on the suggestion in the UN Independent Assessment Report for a UN-brokered intra-Afghan dialogue, Washington should lead an effort to create
a coherent framework for non-Taliban Afghans with a peaceful agenda to interact with the international community. This could entail working with Afghans inside the country and those in exile to develop a list of governance principles. The effort could include a foreign minister–level meeting on the margins of the 2024 UN General Assembly High-Level Week with a diverse group of Afghan human rights defenders and the expectation that the group will coordinate its agenda among the widest possible representation of Afghan groups and coalitions.

*Insist on Taliban transparency as a condition of international assistance to Afghanistan.*

As the single largest donor of humanitarian aid to Afghanistan, Washington must require full disclosure of the Taliban’s budget, income, and expenditures, and demand that the Taliban commit to spending its own money on basic human needs (as opposed to spending it on security forces or jihadi madrasas) as conditions of World Bank assistance beyond emergency aid. This is especially important given the recent findings by the U.S. special inspector general for Afghanistan reconstruction (SIGAR) that the Taliban is benefiting from the $2.6 billion in assistance the United States has provided to Afghanistan since August 2021. The SIGAR report, released in January 2024, provides detailed information about how international aid is ending up in Taliban coffers.

*Reinforce international counterterrorism norms with additional terrorist designations.*

Based on consistent findings of Taliban sheltering terrorist groups coming from UN experts that monitor sanctions on al-Qaeda, ISIS, and other terrorist groups, the United States should recommend new listings to the UN Security Council Resolution 1988 Committee which oversees sanctions on Taliban leaders. These new listings should include leaders who commit cross-border attacks from Afghanistan such as the Taliban’s acting minister of defense, as well as other Taliban leaders who support terrorism, such as regional governors who host terrorist training camps and senior figures in the Taliban’s intelligence service. A congressional bill referred to as “The Taliban Sanctions Act,” which was introduced in the Senate in May 2023, calls on the U.S. administration to maintain sanctions on the Taliban pursuant to UNSCR 1988 and UNSCR 2255 and to engage with governments of allies and partners to promote their use of sanctions against the Taliban for support to terrorists, serious human rights abuses, and international narcotics trafficking.

*Impose additional human rights sanctions on individual Taliban leaders.*

In December 2023, the U.S. Department of the Treasury sanctioned two Taliban leaders—the minister for the promotion of virtue and prevention of vice, Sheikh Mohammad Khalid Hanafi, and the head of the Academy of Sciences, Sheikh Fariduddin Mahmood—for their roles in banning secondary education for girls. The United States must continue to impose sanctions on Taliban human rights abusers, especially within the General Directorate of Intelligence.

*Protect Afghan refugees, human rights defenders, and other vulnerable populations.*

The United States should lead the international community in urging national authorities in Pakistan and Iran to allow the UN high commissioner for refugees to evaluate and offer protection for the most at-risk Afghan refugees, especially human rights defenders. Washington must also put forward durable solutions for Afghan refugees who need to leave the region, including speeding up and streamlining the process for admitting Afghan refugees to the United States through the U.S. Refugee Admissions Program. Furthermore, the United States should lead an effort encouraging UNAMA to negotiate for more in-country protection for human rights defenders and members of the former government and military.

*Refrain from opening a U.S. mission inside Taliban-controlled Afghanistan.*

There are voices in the U.S. diplomatic and assistance community that believe Washington would improve its ability to monitor U.S. assistance programs and consular interests and engage with Taliban leadership, particularly on economic and security matters, if the United States re-opened its embassy in Kabul. However, such a move would be a devastating signal for Afghan human rights advocates and would strengthen hardliners within the Taliban, who could then credibly argue that the international community would soon recognize the regime without them having to make any changes to their repressive policies toward women and girls.
Conclusion

The deteriorating human rights situation, especially for women and girls, and the deepening extremist trends and proliferation of terrorist groups in Afghanistan, deserve greater international attention and a more principled approach from Washington and international stakeholders. While complete disengagement from the Taliban regime is not the answer, a policy of non-recognition of the Taliban is the right move. The United States and other like-minded nations should support a robust UN process that promotes an inclusive political dialogue, elevates the role of non-Taliban Afghans, and places the issue of women’s rights at the center of its agenda. The alternative course of action—accepting the erasure of 50 percent of the population and awarding international legitimacy to a terror-supporting organization—will have enormously negative and dangerous consequences for the world community.


6. Seldin, “Afghanistan Reemerging as a Terrorism Incubator.”


8. Interview with a group of Afghan expatriate leaders in London, January 2024.


Addressing a Human Rights and Looming Terrorism Crisis in Afghanistan: The Need for Principled International Intervention


38. “We all want an Afghanistan at peace, UN chief says in Doha.”

39. United Nations Office on Drugs and Crimes, “UNODC:


42. United Nations Human Rights Office of the High Commissioner, “Gender Apartheid Must Be Recognised as a Crime against Humanity, UN Experts Say.”


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