

The situation in Afghanistan Post US withdrawal

Background

Landlocked and resource-poor, Afghanistan's geo-strategic location and importance have always made it vulnerable to foreign intervention. Known as the Graveyard of Empires, Afghanistan has always been an important crossroads, the target of foreign invaders throughout history. Its varied tribal, ethnic, and social landscapes add to the uncertainty and political instability, hindering peace, development, and growth. The recent conflict in Afghanistan remains the longest and most lethal one in history with serious implications for all key stakeholders, but most importantly, for the Afghan people themselves.

Recent Situation

In August 2021, the Islamic Republic of Afghanistan's elected government was deposed by the Taliban, which led to a renewed offensive against it beginning in May. Provincial capitals fell in August and Kabul was overrun on August 15, the same day that President Ashraf Ghani fled the country. There were desperate attempts to flee the country by many Afghan citizens, as witnessed on TV screens across the world. Many countries made arrangements to airlift their citizens to safety. The US evacuated 122,000 of its personnel and there were as many as 700,000 new IDPs (internally displaced persons) in Afghanistan by the year end. The Taliban named a new cabinet in September, with members comprising mostly of the old guard from its senior ranks.

Actions by Taliban

Since the US withdrawal and takeover by the Taliban in August, 2021, the armed conflict has given way to a humanitarian crisis. The Taliban promised a new constitution based on Islamic principles, to be adopted in 2022. Their cabinet has no representation from any other political party and comprises entirely of men. Women's rights are, of course, the area of gravest concern, given the Taliban's history of gender based discrimination. A decree was issued assuring women of their rights, but this was followed by the closure of girls' schools and exclusion of women from government jobs. The Taliban beat and detained journalists; many media outlets closed or drastically scaled back their reporting, partly because many journalists had fled the country.

Personal and political freedoms were heavily curtailed after the Taliban's return to power. In September, the infamous Ministry of Vice and Virtue (MVV), which had enforced their interpretation of Sharia (Islamic law) under their previous regime, was reconstituted. The new regime has tried to suppress freedom of expression and flow of information. Expressing views critical of the government can lead to serious consequences. Meanwhile, the Islamic State Khorasan Province (IS-K) militant group engaged in violent attacks throughout the year. The

IS-K claimed responsibility for an August bombing near Kabul Airport that killed over 170 civilians and 13 US military personnel. IS-K activity continued after the Taliban took power; over 135 people were killed in two mosque attacks in October, while at least 19 were killed when the IS-K attacked a military hospital in Kabul in November.

Laws Introduced by Taliban

In the group's very first press conference, Taliban spokesman Zabihullah Mujahid assured women their rights would be respected "within the framework of Islamic law", adding that women would have the right to education and work. However, Taliban officials remain vague on how Islamic law will be implemented. It is, therefore, unclear what life will be like in the "Islamic Emirate of Afghanistan" – the name the Taliban refers to the country by. "Sharia" translates to "the way" in Arabic and refers to a wide-ranging body of moral and ethical principles drawn from the Quran and from the sayings and practices of the Prophet Muhammad. The principles vary according to the interpretation of various scholars who established schools of thought followed by Muslims who use them to guide their day-to-day lives. Many Muslim-majority countries base their laws on their interpretation of the principles of Islamic law but, despite this, no two have identical laws. Even in Afghanistan, while both the Taliban – which ruled the country between 1996 and 2001 – and the government of Ashraf Ghani claimed to uphold Islamic law, they had distinct legal systems. Article 130 of the Afghan Constitution establishes that judges must apply the constitution and legislation and may only resort to Hanafi fiqh (one of the Schools of Islamic Law) if a necessary legal rule cannot be found in the written laws.

Impacts of Taliban Government on the people:

Human Rights Violations

The most serious concern of the international community with the return of the Taliban was their human rights record. In the past, under the Taliban rule, women were effectively put under house arrest with no access to education or employment opportunities. Women and young girls were made to wear a burka (veil) and had to be chaperoned by a male relative if they wanted to leave their home. Even high-heeled shoes were banned in case they brought unwanted attention from men. There were covers placed on the ground and first floor windows of houses and women were forbidden to go on their balconies.

However, this time around, in order to win over popular opinion, the Taliban initially gave reassurances that they would form an inclusive government, representing all ethnic groups and women. The militant group said it "wants the world to trust us" and is not seeking revenge in Afghanistan after regaining control of the country. Taliban spokesman Suhail Shaheen, upon

being interviewed by Sky Sports, said that women in Afghanistan will have the right to work and be educated up to the university level. When asked if the Taliban promised to respect the freedoms of women, he said: "Of course... we are committed to women's rights, to education, to work and to freedom of speech, in the light of our Islamic rules". In one district, elders successfully lobbied Taliban fighters to open a high school for girls. In another, health clinics run by international aid agencies were allowed to resume operations. However, when the new cabinet was formed, it comprised entirely of male hard-liners from their own party, many of them still on the UN and US's terrorism lists.

Within a few months, their initial moderate approach was replaced by increasingly regressive policies. Women's access to health and education was limited to the primary sector. Women are no longer allowed to study or work in secondary or higher education. This has hit the new generation of Afghan girls, who had grown up under the previous, more liberal government, hard. Having gotten used to some basic level of freedom in terms of education and work opportunities, they feel that their future is bleak under the new oppressive regime. Everything, from the clothes they wear to the phones they are allowed to carry, is dictated by the government. "The future looks dark," said one woman who had worked in the government. "I had many dreams, wanted to continue studying and working. I was thinking of doing my Masters. At the moment, they [the Taliban] don't even allow girls to finish high school." It appears that once again, women are not only being physically put behind the veil, but also being made to disappear from the country's political and economic landscape.

The crisis for women and girls in Afghanistan is escalating with no end in sight," said Heather Barr, associate women's rights director at Human Rights Watch. "Taliban policies have rapidly turned many women and girls into virtual prisoners in their homes, depriving the country of one of its most precious resources, the skills and talents of the female half of the population."

Women are not the only segment of the society that is suffering. Intimidation and inspection are the tools being used to violate the basic rights of minorities and political opponents. Harsh Public punishments remain common. Torture and imprisonment are widely used for infringements as minor as possessing the wrong SIM card. There have been several reports of civil society activists, supporters of the former government and journalists, disappearing without trace.

Economic Situation:

Afghanistan has long relied on foreign development and humanitarian aid, to provide basic services such as health care, education, energy, sanitation, shelter, and food assistance. The country's landlocked geography, decrepit infrastructure, lack of local industry, and pervasive instability have deterred foreign investors. Under the previous government, US funding had allowed the inflow of dollars to continue. However, as soon as the Taliban took over, the Afghan

banking system was paralysed, with all aid from foreign donors put on hold. The Central Bank and individual commercial banks have put limits on withdrawal of cash from accounts. As it is, Afghanistan's per capita GDP has regularly hovered at the bottom of international listings. Years of conflict and war has further exacerbated the situation. Many Afghans have long lived in extreme poverty, but the collapse of government services, curtailment of foreign aid, rising inflation and supply chain bottlenecks, disease and drought have pushed millions below it. The Afghan currency has depreciated sharply against the dollar since the withdrawal of US forces, making the economic situation even more dire. Afghans with jobs are not getting paid, while those without them cannot find employment. "We are a family of eight, and I have a university student in my family, I have school students, and my grandchildren are still kids," a former nongovernmental agency worker said. "I was the only breadwinner of the family... No one works in our family now. We have survived by our friends' support. We can only get 20,000 afghanis [\$167] cash from the bank. My savings are ending." Food insecurity has become ubiquitous, affecting more than half the country's approximately 39 million inhabitants. The UN World Food Programme has issued multiple warnings that unless the situation improves drastically, thousands of Afghans could die from starvation.

Displacement of the Population:

The UN refugee agency has warned of an impending disaster due to the internal displacement of hundreds of thousands of Afghans following the 40 years of conflict in the country. The US withdrawal has worsened the situation significantly, with women and children making up a disproportionate number of the new refugees. Today, more than 6 million Afghans have been driven out of their homes or their country by conflict, violence and poverty, a number that is seriously testing the resilience of both the Afghans and their host communities. In 2021, there were 777,400 new internal displacements due to increasing instability and violence. By the end of 2021, the number of refugees had gone up to 3.5 million. The majority of these refugees are not crossing the border into Pakistan or Iran, but are internally displaced within Afghanistan. This fact has made it even more imperative that proper provision of aid in the areas of food supply and healthcare, be ensured, within Afghanistan, to avoid a humanitarian catastrophe. Afghan refugees are the third-largest displaced population in the world after Syrian refugees and displaced Venezuelans.

Foreign Relations:

Over the last decade, the Taliban have gradually moved from being pariahs to being seen as legitimate stakeholders in the Afghan conflict and being welcomed at the negotiation table. They have worked to establish ties with various countries and gain international legitimacy. The Taliban's attempt to open a political office in Doha in 2013 laid the groundwork and the peace

talks with the US in 2018 set the stage for future meetings and negotiations. In February 2020, the Doha Agreement was signed, setting down the detailed terms of withdrawal.

Although the Islamic Emirate of Afghanistan has not been officially recognized by any country, there have been official diplomatic talks between the Taliban and other countries since September 2021.

According to the Australian Minister for Foreign Affairs, Marise Payne, "We make no premature commitments to engage with an Afghan administration that is Taliban led." Australia will support international efforts to maintain pressure on the Taliban and any future Afghan administration to meet its responsibilities to its people, its region and the wider world.

According to the Foreign Minister of Bangladesh, AK Abdul Momen, "If a Taliban government is formed, which has been done, our door will be open to them if it is a government of the people" and "No matter which new government is formed, we will accept it if it is of the people". Both Bangladesh and Afghanistan have good diplomatic relations, with the minister considering Bangladesh as a "potential development partner and a friend of Afghanistan".

Prime Minister Justin Trudeau has stated that Canada will not recognize the Islamic Emirate as the legitimate government of Afghanistan and that the Taliban would remain a banned organisation in Canada.

A spokesperson for the foreign ministry of the People's Republic of China stated that China "respects the wishes and choices of the Afghan people" and hopes for "friendship and cooperation" with the new authorities. China wants assurance from the Taliban that they will not support the UN-proscribed Turkistan Islamic Party or allow them to operate from Afghan territory. In March 2022, Wang Yi, foreign minister of China, visited Kabul and met with the acting foreign minister of Afghanistan, Amir Khan Muttaq.

French Foreign Minister, Jean-Yves Le Drian, has stated that France "refuses to recognise or have any type of relationship with this government".

Czech Foreign Minister, Jakub Kulhánek, has stated that the Czech Republic will "by no means recognise the Taliban under any circumstances" but did not rule out dialogue with the group.

Iranian President, Ebrahim Raisi has said the US "military failure" in Afghanistan offers an opportunity to establish lasting peace in the country. Iranian state TV quoted him as saying that "America's military defeat and its withdrawal must become an opportunity to restore life, security and durable peace in Afghanistan".

Foreign Minister Saifuddin Abdullah has stated that Malaysia is undecided on whether to recognise the Taliban and will take a very cautious approach.

Pakistani Prime Minister Imran Khan stated that Afghans have "broken the shackles of slavery". Foreign Minister Fawad Chaudhry stated that Pakistan would not recognise a Taliban-led government without consultations with regional and international partners, adding that he was pleased that the transfer of power took place without bloodshed. The Pakistani Representative to the United Nations referred to the government led by Ashraf Ghani as "a now defunct regime" and criticized both the participation of the Afghan representative appointed by Ghani as well as being blocked from addressing the India-presided UN Security Council at a meeting of the security council. Pakistani National Security Advisor, Moeed Yusuf, has warned that the West risks a second 9/11 situation if it doesn't "immediately recognise" the Taliban.

Russia has not recognized the Islamic Emirate as the lawful authority of Afghanistan. Moscow has said it hopes to develop ties with the Taliban, although it also says it is in no rush to recognize them as the country's rulers. On 16 August 2021, Dmitry Zhirnov, the Russian Ambassador to Afghanistan, praised the group and stated that "the situation is peaceful and good and everything has calmed down in the city. The situation in Kabul now under the Taliban is better than it was under Ashraf Ghani." Zhirnov met a Taliban representative on September 15 to discuss security for the embassy in Kabul, which remained open. On October 21, a day after hosting the Taliban for talks in Moscow, Vladimir Putin announced that Russia would "move in the direction" of delisting the Taliban as a terrorist group, although the president stressed that the UN Security Council should be the first to change the Taliban's designation. Soon after, the Russian state news agency Rossiya Segodnya forbade its reporters from referring to the Taliban in published content as a terrorist organization that is banned in Russia. This has happened before: In November 2018, management at RIA Novosti ordered staff not to mention in reporting about the Taliban that it is a banned terrorist organization in Russia. However, the Taliban are still on Russia's federal list of banned terrorist organizations. On 31 March 2022, the Russian Federation became one of the first countries to accept the diplomatic credentials of a Taliban-appointed envoy, although this is not equivalent to official recognition.

Relevant UN Resolutions

S/RES/2626

This resolution extended the mandate of UNAMA until 17 March 2023.

S/RES/2615

This resolution was on the 1988 Afghanistan sanctions regime and addressed the provision of humanitarian aid to Afghanistan.

S/RES/2611

This resolution renewed the mandate of the Monitoring Team supporting the 1988 Afghanistan Sanctions Committee for a period of one year.

S/RES/2596

This resolution extended the mandate of UNAMA until 17 March 2022.

S/RES/2593

This was a resolution that addressed recent developments in Afghanistan, including the Taliban's seizure of power and the 26 August attack at Kabul airport.

S/RES/2557

This resolution renewed the mandate of the Monitoring Team supporting the 1988 Afghanistan Sanctions Committee for another year, until 17 December 2021.

S/RES/2543

This was a resolution renewing the mandate of UNAMA until 17 September 2021.

S/RES/2538

This was on the role of women in peacekeeping operations.

S/RES/2513

This resolution welcomed the progress towards a political settlement of the war in Afghanistan facilitated by the 29 February "Agreement for Bringing Peace to Afghanistan" signed by the US and the Taliban, and the "Joint Declaration for Bringing Peace to Afghanistan" issued by the US and the Afghan government.

S/RES/2501

This was a renewal of the mandate of the Monitoring Team assisting the 1988 Afghanistan Sanctions Committee until December 2020.

S/RES/2489

A unanimous adoption of resolution 2489, renewing the mandate of UNAMA until 17 September 2020.

S/RES/2460

This was a resolution in which a “technical rollover” was adopted, extending the mandate UNAMA for six months.

S/RES/2405

This was a resolution, unanimously adopted, extending the mandate of UNAMA for another year, welcoming the strategic review of the mission, and calling for implementation of its recommendations.

S/RES/2344

The Council renewed the mandate of UNAMA until 17 March 2018.

S/RES/2274

This was a resolution renewing the mandate of UNAMA for one year.

What the Future Holds?

The reluctance of the Taliban leadership to show flexibility in their repressive policies, particularly with respect to women’s rights, has resulted in renewed sanctions from the US and the EU, which bars them from receiving aid. Afghanistan today is a politically divided and economically devastated state, facing seemingly insurmountable problems. About 60 per cent of the Afghan population faces the prospect of severe food shortages that could result in mass hunger and starvation. The country is burdened with huge refugee and drug problems. Millions of Afghan children have grown up never having known a life without war. The psychological repercussions of this fact far outweigh even the economic and social implications. A stable Afghanistan will be an asset to the entire neighbourhood and although China and Pakistan would like to assist Afghanistan, security and political issues are coming in the way of their extending a greater level of cooperation. The future, though it seems bleak, lies in the hands of the Afghans themselves. A commitment to an inclusive political process, education and human rights remains the only way forward.

