

For the Taliban, Governing Will Be the Hard Part

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Summary: The Taliban’s rapid takeover of Afghanistan was beyond the expectations of nearly everyone, including the Taliban themselves. The Taliban now face numerous immediate challenges. First, they must establish the legitimacy of their government in the eyes of Afghans and the international community. In addition, the Taliban need to address security risks stemming from their own internal rivalries, the Islamic State-Khorasan, organized criminal networks and the need to reintegrate hundreds of thousands of former combatants. Third, they must restart basic government services amid a near-collapse of the financial sector and loss of human capital. And not least, the Taliban will be hard-pressed to meet the urgent humanitarian needs of the population. This paper explores these challenges and makes recommendations for how the international community could respond.

Four Key Challenges Facing the Taliban

Amid the growing security concerns of the last two years, many expected the fall of Afghan districts and provinces to have a domino effect; however, no one expected that it would lead to a spectacular collapse of the Afghan government, including former Afghan President Ashraf Ghani fleeing the country on August 15. The Taliban rapidly overtaking Kabul was beyond the expectations of almost all experts; Afghans, including senior government officials; the U.S. government and its NATO allies; regional

countries and even the Taliban themselves.¹ The Taliban now face immediate challenges related to legitimacy, security, governance and how to deal with the humanitarian needs of ordinary Afghans.

The Ghani government's collapse brought everyone into uncharted territory. The Taliban taking control of Kabul spawned many urgent crises, including: the evacuation of U.S. personnel, international forces and allies from Afghanistan; efforts to prioritize the evacuation of U.S. citizens and eligible Special Immigrant Visa (SIV) holders and their families; the rush of thousands of Afghans to the airport in Kabul; the need to protect the diplomatic community and immediate security needs on the streets of Kabul given the sudden presence of Taliban fighters and no clarity on who was in charge. The Taliban and their facilitators also did not know how to handle the growing crises. As the Taliban overtook Kabul, the world watched to see how they would portray themselves in the near term, how they would govern and whether they have become more moderate since the 1990s or will pose new challenges.

Absence of government is a big void to fill. In the aftermath of the Taliban takeover, it became evident that no national or international actors were prepared to handle this crisis, nor did they have a plan B for the worst-case scenarios. It took three weeks for the Taliban to coalesce their internal factions and announce some interim appointees for national-level cabinet positions.

This paper does not address how and why the Ghani government collapsed, what mistakes were made by national leaders and the international community or how the enormous effort of the last 20 years, at a cost of \$1 trillion and thousands of lives, was lost in 10 days in August. Failures in Afghanistan have called into question international diplomacy and policies of all national and international actors in that country. It is a question that political scientists, historians and military experts will analyze and debate for years to come.

In this paper, I address some of the Taliban's internal rivalries and the long-term governance challenges Afghanistan's new leaders will face — in part because they do not understand the dynamics of the new Afghanistan. I attempt to explain what we can expect next.

Each of the four areas where the Taliban face challenges demands a comprehensive and robust approach by the group as well as the international community.

Legitimacy Challenges

It will not be easy for the Taliban to overcome several legitimacy issues — both domestically and internationally. Their decisions thus far are out of step with Afghan and international values. Without a broad consensus, the Taliban renamed the Islamic Republic of Afghanistan the *Amarat-e-Islami* (Islamic emirate) of Afghanistan. Despite calls from Afghan civil society not to remove the tricolored Afghan flag,

¹ Barnes, Julian E. 2021. "Intelligence Agencies Did Not Predict Imminence of Afghan Collapse, Officials Say." *New York Times*, August 18 (updated September 13). <https://www.nytimes.com/2021/08/18/us/politics/afghanistan-intelligence-agencies.html>.

the Taliban replaced it with their white flag, which they hoisted at government buildings. They also discarded Afghanistan's 2004 constitution.

The Taliban have appointed a caretaker government, comprised of 33 ministers and several deputies, to manage day-to-day business. But there is no clarity on the law by which this administration is run. The caretaker appointments represent the Taliban's old guard with very few new faces. A clear majority are graduates of Pakistani madrassas (religious seminaries), including the Haqqania madrassa in Akora Khattak. The list of caretaker government officials includes some who have done a substantial amount of time in U.S. military prisons in Guantanamo Bay and Bagram and who remain on U.S. and U.N. sanctions lists — this will constrain the caretaker government's ability to engage with the international community. Further, on the few broad decisions that Taliban leadership has made since taking Kabul, there is a lack of consensus among the leaders, revealing cracks within what has until now been a highly cohesive movement.

The Taliban's caretaker government is modeled on the same system that they had in the 1990s: it has both a spiritual leader and a prime minister or head of government. The caretaker government is neither ethnically balanced, nor does it include women or governance professionals. In a video that was widely circulated on social, national and international media, the new caretaker minister of higher education, Molvi Abdul Baqi Haqqani, questioned the relevance of higher education. In his first speech, he said, "[N]o Ph.D. degree or master's degree is valuable." Some followers of the Haqqani network, a Taliban partner, have introduced the black abaya for women (a full-length outer garment) in educational institutions — dress which is contrary to Afghan tradition and customs.

In both Kabul and the provinces, the Taliban have beaten local journalists and killed former government officials, including those who spoke out against the group. Such brutality and retributive killings are ominous signs of things to come. Nooruddin Turabi, the former Taliban justice minister who is now running the prisons in Afghanistan, recently said the government will bring back amputations and executions as punishments.²

Another key legitimacy issue centers on Pakistan's support for the Taliban. Decisions taken by the caretaker government thus far and Pakistan's overt interference in Afghanistan have undermined the Taliban's legitimacy in the eyes of most Afghans. The covert operation by Pakistan's Inter-Services Intelligence (ISI) agency to support the Taliban, which is visible in the provinces and in Kabul, has further fueled Afghans' resentment of Pakistan's interference in their country. Afghans widely criticized the hasty September 4 visit by ISI chief Lt. Gen. Faiz Hameed to Kabul to broker a deal among Taliban

² Francis, Ellen. 2021. "A Taliban founder says cutting off hands as punishment will be 'necessary for security.'" *Washington Post*, September 24. <https://www.washingtonpost.com/world/2021/09/24/afghanistan-taliban-amputations-executions-return/>.

leaders. On social media, a photograph of Hameed sipping tea in Kabul's Serena Hotel was seen as a victory celebration.³ According to multiple sources, Hameed's visit exacerbated rivalries between the Haqqani network and other elements of the Taliban leadership because the ISI is seen as closer to, and perhaps favoring, the Haqqani network over other Taliban factions.⁴

Pakistan has an interest in ensuring that the Taliban government in neighboring Afghanistan is not too strong. If Pakistan loses control or influence over the Taliban, this will pose a risk that the Pakistani Taliban, the Tehrik-e-Taliban Pakistan (TTP), may seek to align with and gain strength from the Afghan Taliban. The TTP opposes the Pakistani government and wants to install an Islamic emirate in Islamabad. Pakistan sees itself as supporting "good" Taliban, who were fighting in Afghanistan, and against "bad" Taliban, such as the TTP, who oppose the Pakistani government. Afghan Taliban spokesperson Zabihullah Mujahid said at a recent press conference that Hameed visited Kabul because he was worried about the threat posed to Pakistan by TTP members who had been released from Afghan prisons by the Taliban.⁵

The Taliban's recent actions demonstrate that they have not internalized national and international realities. Afghans were frustrated with the Ghani government because of corruption, insecurity and bad governance. However, they believed in national progress, including freedom of speech and pursuing a better education and life; they saw the tricolored flag as a unifying and hopeful symbol. Afghans had the right to openly criticize the previous government in the provinces and in Kabul. The uncertainty about their future has led Afghan women to bravely demonstrate against the Taliban's diktats and the overt intervention by Pakistan. On social media, there are increasingly negative trends against the Taliban, especially among younger Afghans. The decision to introduce the black abaya in educational institutions sparked the #DoNotTouchMyClothes social media campaign, in which Afghan women around the world posted photos of themselves wearing traditional, colorful garments.⁶ In opposition to the Taliban's decision to replace the national flag, a widespread pro-flag campaign was started in the provinces and in Kabul. Afghans hoisted the tricolored national flag in many areas across the country. In the face of these protests, Taliban leaders claimed that they did not want to actually replace the flag. Their actions, however, contradict these claims; tricolored national flags have been removed, including those at the presidential palace, the Arg, and replaced with the Taliban's white flag.

³ Khan, Omer Farooq. 2021. "ISI chief visits Kabul ahead of government formation." *Times of India*, September 5. <https://timesofindia.indiatimes.com/world/pakistan/isi-chief-visits-kabul-ahead-of-government-formation/articleshow/85934937.cms>.

⁴ BBC News. 2011. "US Admiral: 'Haqqani is veritable arm of Pakistan's ISI.'" September 22. <https://www.bbc.com/news/av/world-us-canada-15026909>.

⁵ Gul, Ayaz. 2021. "Afghan Taliban, Pakistan Discuss Anti-Terror Cooperation." Voice of America, September 6 (updated September 8). <https://www.voanews.com/a/south-central-asia-afghan-taliban-pakistan-discuss-anti-terror-cooperation/6219314.html>.

⁶ Gliński, Stefanie. 2021. "#DoNotTouchMyClothes: Afghan women's social media protest against Taliban." *Guardian*, September 15. <https://www.theguardian.com/global-development/2021/sep/15/donottouchmyclothes-afghan-womens-social-media-protest-against-taliban>.

Because the Taliban took power by force and have ignored international and domestic calls for an inclusive government and the protection of human rights and the freedom of press, speech and assembly, it will be difficult for the international community to recognize the Taliban government anytime soon. As Ghulam Isaczi, who was appointed by the Ghani government to serve as Afghanistan's permanent representative to the United Nations, wrote on Twitter, 17 of the 33 Taliban cabinet members are on the U.N. sanctions list. At the time of writing, no country, not even Pakistan, Qatar or China, all of which have close ties with the Taliban, has recognized the Taliban government. For the foreseeable future, most countries are unlikely to have normal state-to-state relations with this caretaker government.

Security Challenges

The Taliban are currently comprised of three factions: the Haqqani network, a trusted ally of Pakistan's ISI; the political wing, represented by Mullah Abdul Ghani Baradar; and the military wing, represented by Mullah Abdul Qayum Zakir, Mullah Mohammad Yaqoub (the son of Taliban founder Mullah Mohammad Omar), Mullah Mohammad Fazel Mazloom and Mullah Ibrahim Sader.

A row erupted between the Taliban's political and military wings days after the caretaker government was set up. According to press reports, Baradar, who serves as first deputy prime minister in the caretaker government, and Minister for Refugees Khalil Haqqani argued in the presidential palace in Kabul while their followers came to blows nearby. Baradar was unhappy about the structure of the caretaker government. The dispute reportedly was over who deserved more credit for the Taliban's victory, with leaders of the military wing claiming that victory was only possible because they had defeated the international forces, while Baradar wanted greater emphasis on the role of peace negotiations conducted by the political wing.⁷

Leaders of the military wing did not want an inclusive government. They argued for the revival of the Islamic Emirate of Afghanistan of the 1990s, saying that if this was not done, they could not hold together their rank-and-file fighters. Further, the military wing was unhappy with the leaders of the Haqqani network, Anas and Khalil Haqqani, who were the first to arrive in Kabul after its fall. The Haqqani network conducted some public engagements and engaged former Afghan President Hamid Karzai, former Afghan Chief Executive Abdullah Abdullah and Senate Chairman Abdul Hadi Muslimyar in talks about forming an inclusive government. However, in the first week of Taliban rule, the military wing immediately appointed people it trusted — Sader as acting interior minister and Zakir as acting defense minister. The former Guantanamo Bay prisoner, Abdul Haq Wasiq, who was deputy of Taliban

⁷ Nasar, Khudai Noor. 2021. "Afghanistan: Taliban leaders in bust-up at presidential palace, sources say." BBC News, September 15. <https://www.bbc.com/news/world-asia-58560923>.

intelligence during the previous regime of the 1990s, was appointed acting director of intelligence. Wasiq was responsible for establishing contacts with other international terrorist networks and was one of five Taliban prisoners released from Guantanamo Bay in exchange for U.S. Army Sgt. Bowe Bergdahl in 2014.⁸

The military and political wings of the Taliban are mostly members of southern clans of the Pashtun ethnic group. They do not accept the hegemony of other Pashtun groups in the east and south of Afghanistan, including the Haqqani network, whose members are mainly from the region of Loya Paktia that abuts Pakistan.

The Haqqani network, meanwhile, has argued that its suicide squads played a critical role in defeating Afghan and international forces. They will likely lobby to have a more dominant role in the Taliban government. It is important to note that the Haqqani network joined with the Taliban in the later stages of the insurgency but kept separate command and control centers. The Haqqanis have better relations with Pakistan and some of their leaders have reportedly resided in Islamabad.

By contrast, the Taliban's political wing is more pragmatic and better understands the reality of Afghanistan and the international community due to its engagement with different national and international diplomats during the peace talks in Doha. However, they lack the military strength to control all groups of the Taliban. Most members of the political wing were arrested, tortured or kept under close surveillance in Pakistan. Baradar was arrested in Pakistan, Omar died mysteriously, Mullah Akhtar Mansoor was killed in Pakistan, and Taliban leader Sheikh Haibatullah Akhundzada's whereabouts are a mystery. Pakistan has less control of or influence over the Taliban's political wing, compared to its influence over the Haqqani network.

Due to these internal rivalries, it took three weeks for the Taliban to resolve their differences over leadership posts. That was accomplished mainly as a result of mediation by Hameed, Pakistan's intelligence chief. The Taliban subsequently announced their first cabinet in which the military wing has a dominant role. They also abandoned any plans for an inclusive government. The Ministry of Defense went to Yaqoub, representing the military wing, and the Ministry of Interior Affairs went to Sirajuddin Haqqani of the Haqqani network. (Sirajuddin Haqqani is on the FBI's most-wanted list and the subject of U.N. and U.S. sanctions.⁹) Historically, it is the Ministry of Defense, rather than the Ministry of Interior Affairs, that has played a dominant role in Afghanistan's internal security. At the same time, managing the Ministry of Interior Affairs presents unique challenges because the ministry needs to deal with day-to-day issues and engage with the population. With lack of clarity on what laws they are upholding and

⁸ Chamberlain, Samuel. 2021. "Four Taliban members swapped for Bowe Bergdahl now in Afghan government." *New York Post*, September 7. <https://nypost.com/2021/09/07/four-taliban-members-swapped-for-bowe-bergdahl-now-in-afghan-government/>.

⁹ FBI (Federal Bureau of Investigation). n.d. "Sirajuddin Haqqani." Most Wanted. Accessed September 23, 2021. <https://www.fbi.gov/wanted/terrorinfo/sirajuddin-haqqani>.

the need to interact with ordinary Afghans, it is possible that the Haqqani network — in its leadership role in the Ministry of Interior Affairs — will lose credibility very soon.

The Ministry of Foreign Affairs went to Amir Khan Mutaqi as the acting minister and Abbas Stanekzai from the Taliban's Doha office as his deputy, representing the political wing. Mullah Hassan Akhund, who was deputy of the 1990s' Taliban regime and remains on the U.N. sanctions list, was appointed prime minister or head of the *Amarat-e-Islami*. Baradar, as first deputy prime minister, might also serve a representational role at international fora because he was previously the head of the Doha office. But the Taliban government's foreign policy might reflect its domestic policies — it is worth remembering that the military wing and Haqqani network oversee the country's security and will shape the future.

When an insurgency has a common enemy and objective or cause, it is easier to maintain unity among different groups and the rank and file. But when that insurgency assumes political power and no longer has the common objective to fight, power struggles can create rifts between rival groups — as was the case after the mujahedeen ousted Mohammad Najibullah's government in 1992 and fell into infighting. Governance is much harder than fighting and opposing a government.

Factionalism, as described above, may prevent coherence within the Taliban government and leadership; it also presents security risks. If internal rivalries are not resolved through a dispensation of power, some factions may break from the leadership and resort to violence in self-protection, or to pursue their own political objectives.

The second security challenge for the Taliban will be how to deal with the Islamic State-Khorasan (IS-K). There is the risk that disaffected rank-and-file Taliban fighters might join IS-K. As a former governor of Nangarhar province, I have seen firsthand how IS-K poses a threat to the Taliban; IS-K quickly took over most of the Taliban's territory in a few southern districts of Nangarhar in 2019. It was only after Afghan government forces, backed by air and ground support from the NATO-led Resolute Support mission, pounded IS-K bases and defeated them in their last stronghold in Achin district of Nangarhar did the Taliban reappear in some mountainous areas. I was recently informed by a contact in Nangarhar that the Taliban are carefully checking all traffic entering the provincial capital, Jalalabad, in search of IS-K fighters. I believe the Taliban will face serious security challenges from IS-K.

The third security challenge for the Taliban will be how to deal with political opponents and potential scattered, armed resistance in different parts of Afghanistan. Even though such resistance may not prevail because of a lack of credible national resistance figures, pockets of resistance could be destabilizing in the short or long run. The Taliban will also face challenges in the north and the northeast of Afghanistan from some extremist groups such as the Eastern Turkistan Islamic Movement (ETIM) and the Islamic Movement of Uzbekistan (IMU).

The fourth security challenge is how to integrate former militias, Afghan National Defense and Security Forces (ANDSF) soldiers and the Taliban's own rank and file. Even during normal processes of reintegration, this is a significant challenge. If the Taliban cannot help these various former combatants to reintegrate into society, many may join terrorist and criminal networks. As many reports have suggested, the Taliban receive major funding from illicit drug trafficking, mining and the timber trade; they also levy local taxes on people and organizations. If the Taliban stop paying their own fighting forces due to a lack of funds, those Taliban involved in criminal networks will continue to get money

from illicit sources. Eventually, the Taliban may lose control of their rank and file, and these people could be recruited by criminal and terrorist groups.

Finally, more broadly, organized criminal networks will continue to pose a serious security challenge to the Taliban government as they did to the previous Ghani and Karzai administrations. These networks will likely continue to operate and could expand in the absence of government capacity to check them. They may exacerbate local drivers of conflict and crowd out licit forms of economic activity.

Governance Challenges

The Taliban face multiple governance challenges. Public legitimacy is the necessary foundation for governance, but as discussed above, the Taliban will have difficulty gaining legitimacy given the fact that they have already contradicted national values and ignored public opinion.

The people of Afghanistan expect that their lives under the Taliban should be better than under the previous government. But delivery of basic services will be difficult because the Taliban lack the human resources and international support which the previous government had. The flight of human capital from Afghanistan over the last month has been a huge setback for the Taliban. It will be difficult to fill the void in order to run the government machinery in the near future. More than one million government workers, including security sector personnel and teachers, had not received their salaries for up to three months at the time of writing. (Nonpayment of salaries was also a problem in the last couple of months of the Ghani administration.) The U.S. Federal Reserve has frozen all of Afghanistan's foreign exchange reserves, the International Monetary Fund (IMF) has frozen Afghanistan's access to all IMF resources and the World Bank has stopped payments to the Taliban government.¹⁰

A major challenge for the Taliban will be running the fiscal and financial management system of Afghanistan. They do not have the human resources to run the system, collect revenues and distribute the resources to different levels of ministries, provinces and districts because the officials who had these responsibilities under the previous government have either left the country or are simply not showing up to work. Previously, the United States and other international donors funded roughly 80 percent of the Afghan government's budget. Now, with donors having stopped that assistance, the Taliban faces a massive budget shortfall. The Taliban called back some former government employees and security personnel to restart the engine of bureaucracy, but too few have returned to work for the government to reach its previous level of operations. Imports and exports are down, and revenue generation has declined. The prices of basic commodities have already gone up in local markets.

Given this dire fiscal situation, poverty and unemployment have increased. Based on information from friends, relatives, government officials and the business community, the economy has stalled because the financial sector is not operating as it used to. In the very few bank branches that have reopened,

¹⁰ Byrd, William. 2021. "After Taliban Takeover, Can Afghanistan's Economy Survive?" U.S. Institute of Peace, September 7. <https://www.usip.org/publications/2021/09/after-taliban-takeover-can-afghanistans-economy-survive>.

people are allowed to withdraw no more than \$200 per transaction. Large crowds are assembled in front of banks. Even Western Union and the hawala system suspended operations for a few weeks, preventing the Afghan diaspora from sending cash to their families in Afghanistan. Some financial services have resumed, but it is still not as easy as it used to be to obtain and transfer cash. Since people do not have access to their own money in the banks, it is also difficult for the Taliban rank and file to feed themselves. Reports from Herat and Kunar provinces indicate that Taliban fighters are asking local families to provide food for them.

The Taliban have not yet shifted their full attention to governance issues; thus far, their focus is mainly on security and internal power-sharing. In order to run the government machinery from the national to local level, the whole supply chain system needs to work. The contractors who provide goods and services to the ministries must be paid on time and goods must be imported. Without normal functioning of the banking system or transactions with international financial institutions, the economy is stalled on all levels. New officials lack experience running the administration. They do not know the rules and procedures or under which laws they function. Public pressure will likely increase day-by-day for the Taliban government to resume normal operations and address basic governance needs.

The judicial process does not exist. Extrajudicial incidents have been reported in various parts of the country. In Herat, the Taliban hanged four people who were allegedly involved in kidnapping.¹¹ Despite the Taliban leadership's claim of amnesty for former government officials, there are many reports of local commanders killing former government employees. The Taliban killed a pregnant police officer in Ghor province.¹² Taliban edicts in the provinces are conflicting with pronouncements from Kabul. For instance, in Helmand, the Taliban's Department for the Promotion of Virtue and Prevention of Vice issued a letter to local barbers not to shave men's beards. Taliban authorities in Kabul later rejected that instruction.¹³ More broadly, addressing basic human rights issues such as the education of girls, job security and freedom of assembly appear to be beyond the Taliban's capability to handle. The Taliban responded violently to recent women's rights demonstrations in Kabul.

The Taliban are not capable of addressing these governance challenges in the short or medium term. The mood on social media suggests that most people, especially educated members of society, are already frustrated with the Taliban government. If the Taliban enjoy a honeymoon in the public opinion of some Afghans, this may end soon. Many Afghans have high expectations that life under the Taliban

¹¹ Al Jazeera. 2021. "Taliban displays bodies of alleged kidnappers in Herat." September 25.

<https://www.aljazeera.com/news/2021/9/25/taliban-displays-bodies-alleged-kidnappers-herat>.

¹² BBC News. 2021. "Afghanistan: Taliban accused of killing pregnant police officer." September 5.

<https://www.bbc.com/news/world-asia-58455826>.

¹³ Associated Press. 2021. "The Taliban Order Barbers Not To Shave Beards In Afghan Province Of Helmand." NPR, September 27. <https://www.npr.org/2021/09/27/1041025238/the-taliban-order-barbers-not-to-shave-beards-in-afghan-province-of-helmand>.

will be better than under the previous government. Unfortunately, the Taliban’s governance today will probably not differ much from their governance in the 1990s.

Humanitarian Challenges

The Afghan people are in the midst of a humanitarian crisis. The population’s limited ability to obtain cash, together with job losses and months of nonpayment of salaries to hundreds of thousands of public servants and members of the security forces, is exacerbating an already dire situation — caused by a prolonged drought, the effects of the COVID-19 pandemic and the large-scale displacement of people due to violence. Most borders and crossing points are closed for travel and trade. The prices of daily commodities have gone up 30 to 75 percent.¹⁴ The United Nations has warned that 95 percent of families do not have enough food, and that food insecurity is affecting people in cities at a rate similar to that in rural areas.¹⁵

The World Health Organization (WHO) has warned that the health system is on the brink of collapse and less than one-fifth of Afghanistan’s largest network of health clinics remain open. The United Nations has released \$45 million to address the immediate needs of the health sector.¹⁶

In Kabul and other major cities, people have been forced to sell their personal belongings in order to survive. The large playground near Ghazi Stadium in Kabul has been converted into a market for secondhand goods.

By the coming winter, the humanitarian situation in Afghanistan could turn into a catastrophe. This urgency to address the population’s most basic needs is putting pressure not only on the Taliban government, but also the international community, to respond — and fast.

Recommendations for the International Community

It is imperative for the international community to engage with the Taliban. Yet diplomatic recognition of the new government, and engagement with it, should be conditions-based.

First, the international community should push for access for humanitarian aid delivery, for an end to extrajudicial killings and punishments and the harassment of former government officials, for girls’ access to education and for allowing Afghans’ freedom of movement to and from Afghanistan.

¹⁴ Mackenzie, James. 2021. “New era for Afghanistan starts with long queues, rising prices.” Reuters, September 1.

<https://www.reuters.com/world/asia-pacific/new-era-afghanistan-starts-with-long-queues-rising-prices-2021-09-01/>.

¹⁵ United Nations. 2021. “Afghanistan’s healthcare system on brink of collapse, as hunger hits 95 per cent of families.” UN News, September 22. <https://news.un.org/en/story/2021/09/1100652>.

¹⁶ Ibid.

Second, the international community should establish a third-party mechanism to monitor the Taliban's actions with respect to human rights, freedom of assembly and free speech. Such a monitoring body should be charged with reporting on the abuse and punishment of former government officials, security personnel and human rights defenders.

Third, Afghans and the international community should demand that the Taliban establish greater legitimacy for their government. The Taliban can do this through different mechanisms: by holding a representative *loya jirga* which could approve an interim government, which could then pave the way for elections and a future representative system of government. At the time of writing, it is not known what constitution or legal system will apply in Afghanistan. In the 2002 emergency *loya jirga*, it was decided that Afghanistan would be run under the 1964 constitution until a new constitution could be drafted and approved by the constitutional *loya jirga*. To maintain national legitimacy, the Taliban should keep the previous tricolored flag which represents Afghanistan, rather than a flag that represents one political faction. Many Afghans will refuse to work under the white factional flag of the Taliban.

Fourth, the Taliban should establish a good mechanism with international organizations for the distribution of humanitarian assistance to immediately address food shortages in remote areas of Afghanistan as well as in the big cities before food insecurity becomes a national catastrophe.

The above four recommendations are the bare minimum confidence-building measures that the international community should pursue vis-à-vis the new Taliban government. If the Taliban fail to address the lack of legitimacy of their government, it will be extremely difficult for them to overcome the security, governance and humanitarian challenges that they face.

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