

The Taliban's Crisis of Diplomacy

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Summary: The Taliban are facing a crisis in their diplomacy. The return of Taliban rule to Afghanistan has been characterized by key international expectations and road maps going radically awry, most importantly on girls' education, intra-Afghan reconciliation and counterterrorism. To make matters worse, the diplomatic cadre of the Taliban, who are capable of forging pragmatic dialogue, have been undermined by ultraconservative sources of authority close to the amir, Sheikh Haibatullah Akhundzada. In this context, international actors debate the merits of continued active engagement with the de facto authorities in Afghanistan. This report argues that the crisis of diplomacy in the Taliban is born of the leadership's loss of confidence in formal dialogue as an effective political tool following the failure of the intra-Afghan negotiations and key dialogue channels post-takeover in August 2021. Moving past this period will require creatively investing in trust-building to restore confidence of all parties in the ability of formal dialogue to resolve political challenges. This report concludes with recommendations to facilitate a trust-building environment that will enable progress towards minimum expectations of the Taliban.

Introduction

The Taliban are facing a crisis in their diplomacy. The revival of the Islamic Emirate of Afghanistan (IEA) in August 2021 has been marked by regression on key expectations of Taliban rule from Afghan and international actors. Agreed upon road maps for cooperation between the Taliban and members of the international community have gone awry, from the closure of public secondary schools for girls in March 2022 (despite months of Taliban reassurances), the recent ban in December 2022 that reverses the permissibility of women's attendance at university, to the non-implementation of counterterrorism obligations under the 2020 U.S.-Taliban agreement.

Concerningly, the time for productive engagement is running out. The United States, under President Joe Biden, has already pivoted away from Afghanistan and other Western states are following suit to disengage. What is perhaps underappreciated is that the loss of confidence in formal dialogue is shared not only by international representatives, but also by decision-makers in the Taliban.

From the perspective of multiple militant factions and likely the amir, Sheikh Haibatullah Akhundzada, himself, the Taliban's use of formal dialogue¹ — through international diplomacy or intra-Afghan negotiations — has failed to resolve most of the political challenges they have faced in the last two years, from national reconciliation to the present crises of legitimacy and the economy.

As a result, those members of the Taliban who advocate for dialogue as a political solution, the majority of whom were associated with the Taliban's Political Office (TPO) in Doha, have become increasingly sidelined. The lack of commitment by Taliban decision-makers to domestic and diplomatic dialogue processes has fomented dissatisfaction in the movement,² particularly among those who serve as its international face.

The mission at hand is to convince the Taliban skeptics that the use of formal dialogue for reaching a compromise with Afghan and international actors is in fact an effective political tool for achieving governance objectives and, therefore, is worth the risks to internal cohesion that it entails. Indeed, the risks for the Taliban of adopting moderate policies are substantive at a time when the de facto authorities are beleaguered beating back the extremism of Islamic State Khorasan Province (ISKP), which competes for recruitment with the Taliban using ultraconservative ideology.

Rebuilding the confidence of Taliban decision-makers that a mutually productive dialogue process is feasible will require creatively re-evaluating relations between international actors and the Taliban, which has deteriorated since August 2021. Both sides need to be able to see that progress is attainable through dialogue; if the Taliban and the international community continue to reactively withdraw further from each other due to hot-button issues, the Taliban will fail to cooperate on those specific issues and will also lose broad faith in the value of diplomatic dialogue.

Revamping trust-building with the Taliban post-takeover will in some respects face more obstacles than in the previous phase of trust-building during the U.S.-Taliban negotiations. The threshold for both sides to sign the 2020 agreement, which was essentially a withdrawal and counterterrorism accord that included no guarantees on political governance or rights protections, was lower than the criteria for formal international government legitimacy. The intractable issues that were left out of the 2020

¹ The focus of this paper is formal dialogue processes — the Taliban's diplomacy and intra-Afghan engagement through constitutional/legal means such as negotiations or, potentially in the future, an inclusive *loya jirga* to determine a cabinet or constitution. The Taliban are participating in a fairly broad informal dialogue with other Afghan groups at all levels to build trust, but the nonofficial parameters of that engagement and the lack of willingness from the Taliban to make substantive compromise in the system of government has thus far rendered it incapable of forging genuine national reconciliation.

² We sometimes refer to the Taliban as a "movement" when referring to the group as a whole, despite their formal current position as the de facto authorities, for two reasons. First, "movement" is roughly equivalent to "party" in a one-party state and differentiates between Taliban and non-Taliban government officials. Second, the term underlines the continuing influence of informal authorities over official/state positions and mandates.

agreement were not redressed in the intra-Afghan negotiations and essentially were tabled until after the Taliban takeover, when international leverage is weaker after the military withdrawal.

But present efforts for dialogue with the Taliban will also carry the advantage of approval among the de facto administration's pragmatic international representatives. This pragmatic cohort that is committed to the process of international dialogue should be used as a facilitating interface between the ultraconservative decision-making center in the Taliban and the international community. Without the facilitation of this pragmatic cohort, dialogue efforts are unlikely to influence Taliban decision-making. The surprise 20 December decision to release two American detainees on the same day of the announcement banning women from attending universities was noted by the U.S. State Department as a conciliatory gesture from pragmatic Taliban factions.³

For the task of building bridges with the hardliners, pragmatic Taliban will need the support of an enabling set of relations with the international community. Evidence thus far suggests that the pragmatists are buckling under the heavy weight of this task. In September 2022, the Taliban's spokesperson, Zabihullah Mujahed, was dismissed from his cabinet position and Deputy Foreign Minister Abbas Stanekzai was publicly confronted by a hard-liner over lack of allegiance to Akhundzada.⁴ Amid the worst leadership crisis in the movement since the 2015 cover-up of the death of the Taliban founder, Mullah Mohammad Omar, there are signs that Akhundzada is tightening internal restrictions in response to discontent with his absolute authority. Engagement in dialogue processes has come under greater scrutiny within the movement; now all Taliban require approval from Akhundzada to participate in conferences.

This report first analyzes how the formal exterior of government that the Taliban adopted post-August 2021 obscured where the sources of authority in the movement's decision-making lie and assesses the marginalization of the pragmatic diplomatic cadre. It then conducts process tracing into the last decade of dialogue attempts with the Taliban, including the U.S.-Taliban and intra-Afghan negotiations, to analyze how the status of the movement's outward-facing interlocutors has varied during different phases of dialogue.

We argue that the disempowerment of the diplomatic wing post-2021 is a direct consequence of how the civil war was terminated — through military victory, with a twice-botched negotiation⁵ — and the failure of the Taliban's dialogue efforts since then to resolve political issues. Based on this analysis, we offer recommendations for restructuring negotiations with the international community on priority

³ Al Jazeera. "Taliban release two detained Americans in 'goodwill gesture.'" December 20, 2022.

<https://www.aljazeera.com/news/2022/12/20/taliban-release-two-detained-americans-in-goodwill-gesture>.

⁴ TOLONews. 2022. "Deputy Foreign Minister Calls for Opening of Girls' Schools." September 27, 2022.

<https://tolonews.com/index.php/afghanistan-180039>. Stanekzai's averment that education is an Islamic obligation was rebuked by the acting minister for the promotion of virtue and prevention of vice, Khalid Hanafi, who claimed that education is permissible, "but when there is a conflict between the permissible and the [amir], the order of the leader is obligatory."

⁵ First, the failure of the intra-Afghan negotiations in which, according to the Taliban, the Islamic Republic overestimated its relative military capabilities. Second, the verbal agreement between the Taliban and the Islamic Republic for a two-week transitional handover period that collapsed when then Afghan President Ashraf Ghani fled Kabul on August 15, 2021.

issues so that the Taliban once again invest political capital in dialogue-based solutions. The discussion is informed by fieldwork carried out by the authors in Doha, Istanbul and virtually from March to September 2022. Names and identifying information have been withheld to protect the confidentiality of those discussions.

Lastly, while much of this report is attentive to understanding the perspective of the Taliban on why they have failed to meet the expectations of dialogue, this is not done to legitimize those decisions, which have caused deep harm to the Afghan people. As the self-proclaimed government, the Taliban must bear responsibility for the current state of nonrecognition and humanitarian crisis created by the diplomatic impasse. The draconian restrictions against girls and women are intolerable violations of their rights protected by Shariah and international law. The Taliban have repeatedly neglected critical opportunities to break the cycle of war in Afghanistan and forge genuine reconciliation among all Afghan groups, with the notable exception of the general amnesty proclamation.⁶ Our analysis simply provides a window into the Taliban's political reasoning so that other Afghan groups and international actors can engage the group on a stronger footing for movement on these minimum expectations. We believe that mutually agreeable settlements are achievable on key issues, if all sides creatively and courageously muster the political will for it.

Centralization of Decision-Making

When the Taliban suddenly found themselves at the de facto helm of government after the security system of the former regime collapsed on August 15, 2021, the insurgency was faced with the challenge of transforming from a long-term insurgency, constituted of a patchwork of tribal networks, into a formal rational-legal bureaucracy. Their experience with the IEA from 1996 to 2001 and the shadow government structures they developed during the post-2001 war mimicked the appearance of a modern state but elucidated little about how the policy formulation process in the Taliban operates in practice. It has become profoundly clear in a little more a year since their takeover that the adoption of the exterior of a modern state has misled external audiences on where decision-making authority is found in the Taliban.

Disciplined and disorganized

The Taliban movement features strong vertical chains of command. The incidence of internal fracturing and divisions in response to orders from direct seniors is lower than in other armed groups of comparable size. Even when Taliban members privately disagree with decisions made at the top,

⁶ The Taliban declared a general amnesty on August 17, 2021, for all government officials, including security personnel, under the Islamic Republic. Prominent political leaders of the former government who have remained in Afghanistan or who return to visit are provided, or at least offered, security by the Taliban. The exceptions are the small handful of leaders who espouse armed resistance, who have not returned to Afghanistan. Among the Taliban's rank-and-file combatants, there have been numerous documented violations of the amnesty against former security personnel and interpreters. There have only been a few insufficient attempts by the Taliban leadership to investigate these incidents and hold the perpetrators accountable.

criticism is expressed publicly only in rare cases, out of both ideological commitment to the Islamist concept of *wala'* (loyalty) and strong cultural respect for elders.

However, though these vertical chains of command are strong, they are multiple, overlapping and competing. As the outgrowth of tribal-based networks that were integral for cohesion during the insurgency, the chains of command have not been able to transform into the well-defined separation of mandates required under a state. Horizontal cooperation is ad hoc and erratic. When issues require coordination between different chains of command at the mid-level they often fall beyond the enforcement range of officials who are senior on paper. Effectively, orders from the senior level to ease problems among civilians are not always implemented at the lower level, particularly if the implementer belongs to a different faction, which was an impediment during the August 2021 civilian evacuation. The lack of horizontal cooperation also leads to the absence of efficient information-sharing among relevant senior individuals, particularly when coordination crosses between the geographical poles of the movement in Kabul, Kandahar and Doha.

As a result of the movement's development of authority structures primarily through personal kinship networks, there has been little investment in the technical capacities and qualifications of individuals appointed to senior positions. Most ministers in the current acting cabinet, including those leading technical service delivery ministries such as education, have rudimentary levels of formal education beyond madrasa learning. A few ministers are rumored to be illiterate.

The fallout from appointing unqualified ministers could have been softened by empowering the technical institutional memory preserved within the professional civil servant cadres that compose the actual workforce of government ministries. The Taliban should have adapted the strategic plans drafted by the former regime (which was in any case necessary given the suspension of on-budget international aid) to retain a blueprint for governance, though admittedly this was also often not done by new ministers during the Islamic Republic of Afghanistan. In the first few months post-takeover, there was evidence of some Taliban ministers seeking counsel from existing civil servants and adopting elements of the policy that was in place under the Islamic Republic to maintain continuity in the administration, with few qualms over whether there should be a more radical break in the governance agenda of the Taliban's regime.

The Ministry of Education, caught in the crosshairs of Taliban factionalism, has been more affected by the ideological politicization of its mandate. The ministry appears to have observed a departure from its earlier technocratic approach, which has given way to a more ideologically influenced stance to assuage the intra-Taliban politics of the girls' education deadlock.

It is also concerning to observe the degree of erosion of technical capacities suffered within the levels of professional cadre first as a result of the mass civilian evacuation from August 2021 and then, from early 2022, reports of dismissal across the government of mid-level civil servants and their replacement by Taliban associates and relatives.⁷

⁷ Khalid, Sakhi. 2022. "Taliban Fires 27 Civil Servants in Takhar for No Reason." *Hasht-e Subh Daily*, January 14, 2022. <https://8am.media/eng/taliban-fires-27-civil-servants-in-takhar-for-no-reason/>.

The supreme authority of the amir

With few exceptions, most officials in the Taliban leadership are not vested with the powers of their mandate. The Taliban have a complex and extremely centralized decision-making mechanism which has disempowered government officials from being able to respond on the spot to proposals presented by international representatives or other Afghan groups. Since individuals in senior positions are not empowered with the authority that would be expected to come with the role, most of the time ministers are unable to agree on offers without first reverting back to the leadership in Kandahar.

Policy formulation on key issues is centralized within the unassailable authority of Akhundzada, the amir, and a small circle of his ultraconservative advisors in Kandahar, far from pragmatic individuals posted primarily in Kabul and previously in Doha. Akhundzada has elected to resurrect much of the hard-line leadership approach of Omar, the founder of the Taliban, that confined Afghanistan to pariah status in the 1990s, while the small uncompromising circle around the amir seeks to shield him from internal and external contacts and influence.

For matters that come under international engagement and foreign policy, related to the work of the Ministry of Foreign Affairs (MFA) in Kabul and the TPO in Doha, proposals are shuttled back to Kandahar before they are agreed upon. The TPO appears to have been significantly affected by this cumbersome process, since it seems that the Taliban members there are frequently not kept in the loop by their counterparts in the MFA, which conducts the bulk of the Taliban's diplomacy. The Doha office continues to exist in a diminutive form with uncertain status, constituted of a small Taliban contingent led by Suhail Shaheen.

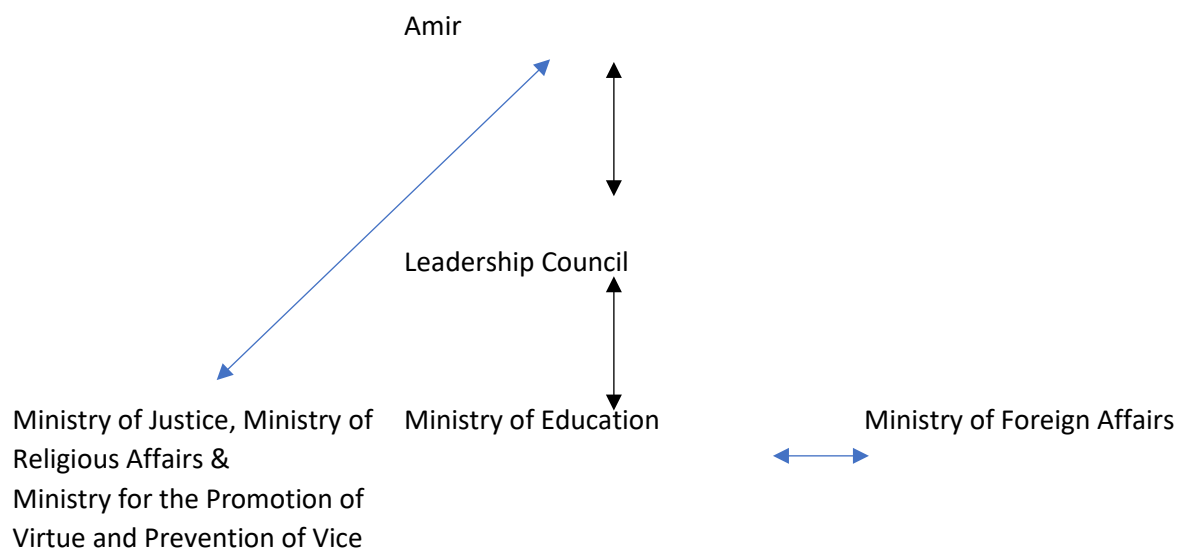
Regarding interagency coordination on the sensitive issue of intra-Afghan engagement, the establishment of the Commission of Liaison and Repatriation of Afghan Personalities in March 2022 was a positive development at the time. The formation of a focal point for Afghans in exile redresses the confused overlap in mandates between the MFA and the TPO on the issue that provokes the most suspicion from the Taliban. Miscommunication around intra-Afghan engagement can trigger serious backlash from Taliban interlocutors. The de facto authorities continue to bristle at any suggestion that the conflict has not ended in Afghanistan and that the negotiation process should be resuscitated. For the Taliban, intra-Afghan reconciliation consists solely of repatriating Afghan leaders in exile for domestic consumption, to portray that they are welcoming political opponents back into the country, but with no intention of engaging in substantive dialogue or technical consultation with the returnees.

The Taliban believe the amir possesses the right to demand full compliance with all orders (except those that violate inalienable principles of Shariah) and there is an absence of formal mechanisms to check his executive power. The Leadership Council (Rahbari Shura) is considered an advisory body whose counsel is not binding. This constrains other Taliban from even speaking up once the amir has made a decision, regardless of how catastrophic its impact will be on the Taliban's external relations and prospects for sustainable governance. With the endemic uncertainty over the policy direction of the de facto administration, very rarely do senior Taliban officials dare to publicly or privately champion an issue out of fear of suspicion by the leadership, reputational risk and the ultimate loss of position and expulsion.

The Taliban’s tortuous decision-making on the issue of girls’ education in March 2022 was emblematic of the confused policy formulation of the de facto authorities.⁸

The chaotic reversal of the Taliban’s long-announced position was highly embarrassing for the ministers, whose credibility was severely undermined among their international counterparts. It revealed that those who held the relevant ministerial titles post-August 2021, whom international representatives in Doha and Kabul had spent the previous eight months closely engaging with, were not the main interlocutors with the amir on these issues.

Ultimately, Akhundzada decided to forego the reopening of the schools after a spontaneous intervention by certain ultraconservative individuals in a Leadership Council session. The exact number of individuals varies between interlocutors, but in all accounts includes the chief justice, the acting minister of religious affairs and the acting minister for the promotion of virtue and prohibition of vice.



For a year, there has been burgeoning disaffection among the ranks of the Taliban. Most senior officials in Kabul and Doha have privately expressed dissatisfaction with the decision-making in the iron grip of a small circle in Kandahar and widespread concerns over the prospects of international assistance and recognition if this monopoly over policy continues. Many of the more professionalized cadres fear the heightened friction between different factions in the movement jostling over cabinet positions and the spoils of government. Disaffection in the ranks has extended as far as at least one member declining an

⁸ For a detailed account, see Jackson, Ashley. “The Ban on Older Girls’ Education: Taleban conservatives ascendant and a leadership in disarray.” Afghanistan Analysts Network, March 29, 2022, <https://www.afghanistan-analysts.org/en/reports/rights-freedom/the-ban-on-older-girls-education-taleban-conservatives-ascendant-and-a-leadership-in-disarray/>.

appointment to a position in the acting cabinet out of refusal to become a figurehead for the administration.

Crisis of Diplomacy in the Taliban

The marginalization of the pragmatic, diplomatic face of the Taliban movement following the withdrawal of U.S. and NATO troops from Afghanistan in 2021 has led many to believe that this cadre only belied the ultraconservative ideology of the actual centers of authority in the Taliban. However, this specious assessment overlooks how political wings evolve in rebel movements out of a struggle in political-military relations over what are the most effective strategies of warfare. Whether a rebel leadership believes in the effectiveness of nonviolent strategies for political contestation accounts for whether it will elect to develop an empowered political wing. Since 1991, only a third of rebel groups globally have established specialized political wings.⁹

The formation of the political commission in late 2003 and the opening of the TPO in Doha in 2013 were key events in the political development of the Taliban. The emergence of the political commission and its status in the decision-making structure of the movement have always been sensitive to the prospects for dialogue in the political context of the time. The creation of the political commission signaled a decision by Omar, the Taliban's founder, to invest in the movement's capacities in the use of dialogue-based repertoires of warfare, which the leadership then deemed as serving an essential function. This indicated retrospective adaptation after the international isolation of the Taliban from 1996 to 2001 and the final refusal by the United States and some Kabul factions to support then Afghan President Hamid Karzai's plans to offer an amnesty to the Taliban in 2003. The political commission was initially tasked with a mandate to find a political solution to the war with the U.S.-led NATO forces.

It is sometimes underappreciated how truly diplomatic the TPO in Doha is in comparison to other rebel outposts in the region and worldwide. Unlike, for instance, Turkey, where the rebel Syrian National Coalition has its headquarters in the capital Istanbul, Qatar does not have any interest in playing the role of foreign patron providing materiel support to a proxy group. The outpost was not even created on the initiative of the host country (Qatar was approached by the United States) and the Taliban members stationed in Doha are prohibited by the Qatari authorities from raising funds or any form of resources for military activities. The Taliban founded the TPO for the sole purpose of furthering diplomatic dialogue with the international community in a third-party state that has no real interests in the outcome of the conflict, other than peace, and will afford them the space to negotiate independently. After a decade of international exposure in the cosmopolitan, Muslim-majority city of Doha, these members of the Taliban have come to represent the most pragmatic inclinations of the de facto authorities, including, importantly, their alignment with international expectations on girls' education at all levels. Many diplomats initially and cautiously remarked after post-takeover meetings with these Taliban counterparts that their dialogue harbored well for future cooperation.

⁹ Huang, Reyko. 2016. "Rebel Diplomacy in Civil War." *International Security* 40, no. 4 (2016): 89–126.

The fall of Kabul and the fall of the Taliban's Political Office

There has been much focus on the lack of influence of former members of the TPO under de facto Taliban rule. There is a growing belief among international actors that this branch of the Taliban's outward-facing cadres is not worth the investment of focused exchange. Scholarly attention has looked to the diplomatic cadre's small size, lack of military backing and intra-group heterogeneity across tribal affiliations to explain its marginalization. We argue that the primary explanation is not the TPO's static group characteristics, but its relative position vis-à-vis military factions on effectively resolving political challenges. Unlike militant Taliban units, the unique feature of this quasi-diplomatic cadre hinges on its ability to wield dialogue as an effective political strategy. Its future in the de facto administration is, therefore, wedded to the performance of dialogue as a political solution for the Taliban.

The TPO found itself sidelined in the policy-making process after the collapse of the intra-Afghan peace process. Within days of the fall of Kabul, former TPO head Mullah Abdul Ghani Baradar's proposal for an inclusive cabinet that he negotiated with Karzai and Chairman of the High Council for National Reconciliation Abdullah Abdullah was reportedly rejected by the Akhundzada. Baradar was then allegedly attacked by Khalil Haqqani, a minister and senior leader of the Haqqani network, in the presidential palace and subsequently went into hiding,¹⁰ prompting rumors of his death that he had to dispel. The acting cabinet that was announced on September 7, 2021, was subject to last-minute changes that resulted in lower-ranking portfolios for some TPO members. Mujahed, the Taliban spokesperson, was only appointed deputy minister for culture and information. Stanekzai, who had served as the head of the TPO from 2015 until Baradar's release from a Pakistani prison in 2019 when he was moved down to deputy head, was similarly demoted and appointed as deputy to Muttaqi, the acting foreign minister, who had only been a negotiator in the intra-Afghan process. Moreover, Baradar, who had been perceived by Republican government negotiators during the Doha process as second to the amir, was placed third as first deputy prime minister. The shift in hierarchies involving the TPO occurred at the expense of the old guard pragmatists who had long been at the forefront of the peace process. Senior TPO members privately complained of criticism they now faced from Taliban combatants that they had not known the sacrifices made by the military ranks.

The plunging status of the TPO was a direct result of how the war ended with the collapse of intra-Afghan dialogue. In the eyes of many Taliban leaders, the TPO failed to fulfil its mandate of forging a political solution to end the open bloodshed between Afghans; it was the combatants who ultimately accomplished this through a military victory. The TPO had argued in favor of continuing the international dialogue effort (through regional diplomatic tours and informal intra-Afghan dialogue even after their confidence in the official intra-Afghan negotiations waned), despite growing agitation from Taliban commanders who viewed this as time wasted while their men continued to fall on the battlefield. After 11 months of the intra-Afghan process, the pressure from the military wing overcame the TPO to seize most of the country in a three-week-long lightning campaign that culminated in the government in Kabul collapsing like a house of cards. Even on August 15, 2021, the TPO had no negotiated victory to

¹⁰ Najafizada, Eltaf. 2021. "Taliban Shootout in Palace Sidelines Leader Who Dealt With U.S." Bloomberg, September 17, 2021, <https://www.bloomberg.com/news/articles/2021-09-17/taliban-shootout-in-palace-sidelines-leader-who-dealt-with-u-s>.

speak of, since the verbal agreement with then Afghan President Ashraf Ghani for a two-week transitional period to transfer power fell through after Ghani fled the country.

Baradar led the delegation to negotiate inclusive power-sharing with former Kabul factions in the weeks leading up to and after the surrender of the capital. The negotiations with regional powerbrokers such as Atta Mohammad Noor and Ahmed Massoud were rejected because of what the Taliban claim were major demands for decentralization, yet their forces only held small territories encircled by Taliban combatants. Signs at the time indicated that the Taliban had been open to some kind of political inclusivity, such as governor positions, which they had offered in their negotiated surrenders with provincial governors in the summer 2021 offensive.¹¹ Taliban negotiators had previously suggested openness to some type of power-sharing during the intra-Afghan negotiations, which was the reason for their preference for negotiating with the warlords in the Moscow conference in March 2021 rather than the primarily civil society delegates in Doha.

Faced with total military defeat in 2001, the Taliban had only demanded from the Karzai-led government amnesty and political inclusion, not decentralization, in return for relinquishing the remaining territories they controlled. At a similar moment of absolute defeat in August 2021, Noor and Massoud lost credibility with the Taliban for over-negotiating the interests of their local constituencies. These negotiations were a missed opportunity for the former Kabul factions to unite behind a minimum level of political inclusivity in the Taliban-led government. Antonio Giustozzi reports that Baradar had allegedly proposed up to 30% of cabinet appointments to Karzai and Abdullah if they could obtain buy-in from other Afghan groups for a comprehensively intra-Afghan government. The negotiations seem to have been ultimately rejected by Akhundzada because of the fraught negotiation and conflict with Panjshir.¹²

There has been much reflection in policy circles on the exclusion of the Taliban from the Bonn process in 2001, when they were militarily weak and willing to accept the constitution of the new Islamic Republic. However, the style of the negotiations in August 2021 should also be kept in mind as an example of where the Taliban's negotiations with the former Islamic Republic factions left off and why efforts to resuscitate the intra-Afghan issue in any serious way since then have proven fruitless.

It is likely that Baradar's demotion to first deputy prime minister is linked to Akhundzada losing trust in his judgment after the failure of the peace process. And, while the Taliban hold major culpability for the collapse of the Doha process, their criticism of the negotiations is not entirely baseless either. The intra-Afghan negotiations had been partly designed to fail through the spoiler orchestrations emanating from the Arg, the presidential palace in Kabul. The underwhelming performance of the Taliban's negotiators who had insisted on the negotiation process for almost a year, with their efforts proving fruitless in the

¹¹ Barakat, Sultan. 2021. "Afghanistan under Renewed Taliban Rule." Center for Conflict and Humanitarian Studies. September 13, 2021: 6. <https://chs-doha.org/en/Publications/Pages/Afghanistan-Under-Renewed-Taliban-Rule.aspx>.

¹² Giustozzi, Antonio. 2021. *Russia and Iran: Disappointed Friends of the Taliban?* Royal United Services Institute, September 30, 2021. <https://rusi.org/explore-our-research/publications/commentary/russia-and-iran-disappointed-friends-taliban>.

end, soured the faith of many Taliban leaders in the ability of international dialogue to resolve Afghanistan's political challenges.

Take the issue of the prisoner release, which the Taliban first attempted to resolve through the peace process. There has been much analysis of the obligation in the 2020 U.S.-Taliban agreement for the Islamic Republic to release 5,000 Taliban prisoners in order to initiate the intra-Afghan negotiations. Ghani objected to the prisoner release that he had not conceded to, until he was eventually pressured by the United States to move forward by September 2020. The episode led to a six-month delay in the negotiations in Doha and raised frustration levels in the Taliban.

The United States and the Taliban had also agreed to the release of a second tranche of 7,000 Taliban prisoners by the Islamic Republic.¹³ It was subject to less media attention but posed an obstacle to progress in the intra-Afghan negotiations as the Taliban demanded the second prisoner release almost as a precondition for further concessions. Ghani did not accept the prisoner release, instead approving the rearrest of 600 previously released prisoners while his vice president threatened to mass execute all Taliban detainees.¹⁴ Certainly, the Ghani government had good reason to oppose a prisoner release it had not agreed to and that was accelerating its battlefield losses. But, for the Taliban, these objections underlined the failure of dialogue and false pledges. Ultimately, the issue was resolved militarily in a matter of weeks when the Taliban set the inmates of major prisons free in their lightning advance on Kabul.¹⁵

Present efforts to conduct dialogue with the Taliban work in the shadow of the TPO's defeat and the militaristic hubris from winning the war and "defeating a superpower." Nevertheless, there is a difference between military victory and political victory in war.¹⁶ What is painfully understood by the Taliban's outward-facing diplomats, and what they must convey to the armed units who lack international exposure, is that it is recognition that manifests political victory in the international order. Recognition, not territory, is the major prize of civil war. Not only does recognition grant access to the international assistance that is essential for development and post-conflict recovery, but it bestows the psychological triumph that the Taliban desire: being recognized as independent sovereigns and equal members on the world stage, protected from the interventionist paradigms that apply to non-state groups. Militant Taliban struggle with the paradoxical idea that independence on the international level is bestowed — not wrested through force — by other international actors, the most important of whom

¹³ Kumar, Ruchi. 2020. "Taliban Expecting Release of 7,000 Prisoners Additional to US Deal." *National News*, December 9, 2020. <https://www.thenationalnews.com/world/asia/taliban-expecting-release-of-7-000-prisoners-additional-to-us-deal-1.1125631>.

¹⁴ Gul, Ayaz. 2021. "Afghan Official: 600 Freed Taliban Prisoners Rearrested." VOA News, January 24, 2021. <https://www.voanews.com/a/south-central-asia-afghan-official-600-freed-taliban-prisoners-rearrested/6201147.html> and Salahuddin, Sayed. "Afghan VP Pushes for Execution of Taliban Prisoners." *Arab News*, January 19, 2021. <https://www.arabnews.com/node/1794856/world>.

¹⁵ Reiser, Gibson. 2021. "Bagram Air Base in Afghanistan Falls to Taliban, Prisoners Released." MSNBC, August 15, 2021. <https://www.msnbc.com/gibson-reiser/watch/bagram-air-base-in-afghanistan-falls-to-taliban-prisoners-released-118742085913>.

¹⁶ Landau-Wells, Marika. "High Stakes and Low Bars: How International Recognition Shapes the Conduct of Civil Wars." *International Security* 43, no. 1 (2018): 102. https://doi.org/10.1162/isec_a_00321.

the Taliban was until recently at existential war with. That a government only becomes independent in the international arena when one's former enemies declare it so runs counter to the self-preservation instincts of this pariah movement.¹⁷

In the current international system, there is robust consensus that armed groups that come to power through unconstitutional force should not be recognized, unless they form broad-based governments through dialogue.¹⁸ This seems self-evident now, in this brief period of U.S.-led unipolarity in the global order, when international standards for government legitimacy are held up to rights-based frameworks. But this was not the case during the Cold War. In the 1970s and 1980s, exclusivist and totalitarian armed groups that ousted governments through military force were routinely recognized, as long as they possessed territorial control.¹⁹

The critics were right, the ideology of these militant Taliban does belong in the past — only, in the Cold War origins of their jihadist mobilization rather than any medieval age. The challenge is to convince this group *why* governance in Afghanistan is a problem that requires compliance with international norms through dialogue and that military might alone is categorically insufficient. But, while engaging with these “backward” views of militant Taliban, it would be useful for international actors to remember that the international community's position on the matter is itself historically contingent.

The variable status of the Taliban's Political Office

The blow to the influence of the Taliban's diplomatic cadre associated with the TPO in Doha after the group's military victory indicates that their political status is variable and, accordingly, their role in the decision-making process with the leadership is subject to change. After the disappointing record of dialogue in the intra-Afghan Doha process, it has become much more difficult to convince Akhundzada and other senior factions that the challenges the Taliban face require solutions based in international dialogue. It would be easy to fall into the belief that Akhundzada himself is unequivocally opposed to dialogue — but only if one forgets the compromises that the United States was able to extract from the Taliban during negotiations for the 2020 agreement.

The U.S.-Taliban negotiations were driven forward by the sequencing logic of mutual compromise. This simple rationale that underpins negotiations between comparable rivals was an effective strategy in negotiating with the Taliban. It enabled the TPO to convince the leadership of its ability to win political victories through diplomacy and, from this, obtain leadership approval for compromise. Arriving at the

¹⁷ Recognition practices in the post-Cold War period have largely followed the constitutive theory of government recognition in international law, which argues that state representation in the international system is voluntarily bestowed by other states according to rights-based frameworks. During the Cold War, they typically followed the declaratory theory of government recognition, which claims that governments come into being if the armed group merely demonstrates effective territorial control.

¹⁸ Unlike in the 1990s, when three states recognized the Islamic Emirate of Afghanistan, today no state has issued diplomatic recognition to the de facto authorities.

¹⁹ Of the 21 rebel military victories in intrastate conflicts between 1945 and 1991, only two were not recognized by the United Nations (China 1949 and Cambodia 1979). See the State Capture dataset in Tariq, Sana. https://figshare.com/articles/dataset/State_capture_zip/20406969.

point where the United States and the Taliban could negotiate in this way, however, required five years of investment in confidence-building measures. Developing mutual trust commenced in a serious fashion with the opening of the Doha office in 2013 and the prisoner exchange for Bowe Bergdahl in 2014, which continued until the final Eid cease-fire in 2018 and prisoner exchange for a US and an Australian national in 2019.

There was a pattern of the Taliban softening its position toward intra-Afghan negotiations after the United States offered compromises. After the opening of its political office in Doha in January 2012, the Taliban participated in a conference in Chantilly, France, in December 2012 where they sat down with former Northern Alliance commanders for the first time. The United States released five senior Taliban members in return for Bergdahl, a U.S. soldier, in 2014 and, the next year, the Taliban attended a low-level peace seminar with Afghan women in Oslo.

The Taliban also sent representatives to one day of formal intra-Afghan talks in Murree, Pakistan, which the TPO refused to participate in. The talks were upended by a leak that Omar, the Taliban's founding leader, had died two years prior and his deputy had organized a cover-up to secretly rule in his name. The revelation led to the most serious internal fracturing in the history of the movement, out of opposition to the succession of the new amir that had circumvented the process of approval from the Leadership Council. The Taliban's leadership issued a statement the day after the Murree meeting empowering the Doha office in appreciation of its suspicion of the impending Murree disaster: "The Political Office has full capacity and agency powers to conduct or postpone, in light of Islamic principles and national interests, negotiations with internal and foreign parties wherever and whenever it deems suitable."²⁰

During the official U.S.-Taliban negotiations, the Taliban dropped their demand for guarantors to the agreement in September 2019 after the United States arranged for 11 Taliban members to be removed from the U.N. travel ban. Dropping the demand for guarantors was a significant concession, since the Taliban had distrusted the United States would implement the agreement. By December 2019, the Taliban committed not to attack large urban centers after the United States agreed to end night raids. The Taliban were capable of compromise on the significant issues of intra-Afghan negotiations and guarantors for the 2020 agreement.

The relative status of the TPO was strengthened during the negotiations with the United States as it demonstrated its ability to achieve political gains through dialogue and, thus, was empowered by the leadership to make risky compromises. This was observed in 2019 and 2020 through the appointment of several members of the Leadership Council, who had powerful military and judicial backgrounds, to strengthen the ranks of the TPO, whose long-standing staff for the most part had less influential backgrounds in media and academia.

Midway through the U.S.-Taliban talks in February 2020, four members of the Leadership Council were appointed to the negotiating team: Mullah Abdul Latif Mansour, a military chief in the east; Mullah

²⁰ Osman, Borhan. 2015. "The Murree Process: Divisive Peace Talks Further Complicated by Mullah Omar's Death." Afghanistan Analysts Network, August 5, 2015. <https://www.afghanistan-analysts.org/en/reports/war-and-peace/the-murree-process-divisive-peace-talks-further-complicated-by-mullah-omars-death/>.

Abdul Manan Omari, the head of the *da'wah* recruitment commission and the brother of Taliban founder Omar; Muttaqi, Akhundzada's chief of staff and now acting foreign minister; and Sheikh Qasem Rasekh, the appeals judge for the Taliban's military courts in the north and east. Another important addition was Anas Haqqani as a representative of the Haqqani network, who was appointed to the negotiating team while in prison in Afghanistan from where he was eventually released in November 2019.

The signing of the 2020 agreement with the United States led to two chief heavyweights joining the TPO at the start of the intra-Afghan negotiations in 2020: Sheikh Abdul Hakim Haqqani, who was selected as the lead negotiator for the intra-Afghan talks after having served as the shadow chief justice of the Taliban's supreme court since 2016, and Mullah Shirin Akhund, who had been the head of the intelligence commission and led military operations in Kandahar.²¹

The period of negotiations from 2019 to 2020 was thus characterized by a convergence between the traditional bases of power in the Taliban — their military operations and Shariah authorities — with the negotiations underway at the TPO. There was even some transfer in the other direction, where members of the TPO were promoted to the Leadership Council. Mullah Fazil Mazloom, for example, was made a member of the Leadership Council and the deputy head of the negotiating team with the United States around the same time. This may have also been the case for Sheikh Qasem Rasekh. These trends were a clear indicator of Akhundzada investing the Taliban's political capital in the dialogue process in order to align the TPO's leadership with the leadership of the wider movement.

The relative standing of the TPO against anti-dialogue factions in the Taliban appears to be variable. Juxtaposing their empowered status during the negotiations with the United States versus immediately after the collapse of the intra-Afghan talks reveals this mutability in their intra-Taliban influence. When dialogue is fruitful and results in political gains, the TPO is empowered by the leadership to engage in riskier bargaining. When dialogue fails to produce any workable solutions and negotiated settlements fall through at the last minute at great political cost — as allegedly occurred when Ghani fled Kabul and reneged on the deal for an inclusive governance structure that would have received recognition — then the efforts of the TPO to maintain a strong dialogue channel come under suspicion.

The predicament that outward-facing Taliban are now experiencing — that international exchange undermines them in the eyes of other members of the Taliban — is fueled by the current diplomatic impasse. This challenge rises to the fore when prolonged international dialogue proves fruitless and unable to produce any substantial political gains. It is in these periods, with no discernible payoff, that suspicions are cast on the loyalties of members of the Taliban who advocate for greater compliance with international expectations.

A shift, therefore, from diplomatic impasse to productive engagement where current and former TPO members are once again in a position to deliver political gains is needed to empower their internal bargaining strength vis-à-vis members of the Taliban skeptical of the value of international dialogue. It

²¹ Afghanistan Analysts Network. 2020. "Translation of the Biographies of the Taleban Negotiation Team." September 21, 2020. <https://www.afghanistan-analysts.org/en/resources/peace-process/translation-of-the-biographies-of-the-taleban-negotiation-team/>.

may have been easier to create this environment during the U.S.-Taliban negotiations, because the expectations of confidence-building measures were lower (prisoner exchanges, modifying some military tactics) to satisfy the United States signing the stripped back withdrawal and counterterrorism obligations in the 2020 agreement. Moreover, the 2020 agreement by its very nature operated almost primarily on the plane of pledges rather than implementation on the ground.

Now, there is no alternative other than to respond to the Taliban based on their actions, not their rhetoric. This means that the confidence-building measures needed to move the Taliban authorities toward compliance with accepted norms of the international community will require them to resolve much more fractious issues: protecting the rights of women and girls in public life, genuine intra-Afghan reconciliation and the enduring necessity of breaking with al-Qaida.

Many international interlocutors are skeptical of the continuing relevance of the diplomatic-political wing in the current Islamic Emirate of Afghanistan structure. Yet, former TPO members were deemed important enough by Akhundzada that most appointments in the acting cabinet drew from them. This includes the first deputy prime minister and the second deputy prime minister, Baradar and Abdul Salam Hanafi, respectively. The prime minister, Mullah Mohammad Hassan Akhund, was not a member of the TPO but served as deputy foreign minister in the previous Taliban government from 1996 to 2001. The powerful acting minister of interior, Sirajuddin Haqqani, is closely advised by his brother, Anas, who was a negotiator, and the image that has emerged of the erstwhile notorious terrorist fugitive is of a complex figure both in favor of girls' education and close to al-Qaida.

Many of the senior negotiators of the intra-Afghan talks received ministerial appointments and some were bestowed high revenue-generating ministries, such as the Ministry of Mines and Petroleum (with coal exports to Pakistan a key revenue generator post-takeover) and the Ministry for Public Works, which controls the Afghan Railway Department and its levies. Some of these ministers were the heavyweight additions to the TPO in 2019 and 2020 (Mullah Abdul Manan Omari, the minister of public works), but others were longstanding members of the TPO (Maulvi Shahabuddin Delawar, the minister of mines and petroleum). Cabinet positions are still evidently viewed among militant and political Taliban alike as significant political spoils, which was evident from the degree to which they were contested by rival Taliban factions in August and September 2021.

Thus, even after the relative marginalization of the TPO post-August 2021, this cadre in the Taliban retains a high status in the formal decision-making structure of the Taliban government. This is unusual in most governments, where diplomatic civil service and political appointments are separately staffed. It is a reassuring sign that, at the highest levels of the Taliban leadership, diplomatic credentials and international exposure are still viewed as important for regime formation and governance.

The issue of the central bank's assets

The Taliban's diplomatic victories since August 2021, which largely comprise hostage releases and humanitarian dialogue over access and safe passage, have not been commensurate to the scale of diplomatic failures, in particular regarding frozen Afghan sovereign assets. For the Taliban, the withheld central bank (Da Afghanistan Bank; DAB) assets are viewed as a continuation of warfare by the United States through economic means. Dialogue has not resolved this issue.

After a year of drawn-out negotiations between the United States and the Taliban for the release of \$7 billion in frozen DAB assets held in the United States, the outcome was decided independently by the Biden administration. The United States plans to transfer \$3.5 billion worth of assets to a Swiss-based bank to use the reserves for currency stabilization and potentially outstanding payments for essential imports. The transfers would be monitored by a third party and authorized by a “Fund for the Afghan People,” likely led by diaspora-based Afghans with international experts. The Taliban have publicly stated that they are willing to accept third-party monitoring, but it seems that after the killing of al-Qaida leader Ayman al-Zawahiri in a U.S. drone strike on a house in Kabul on July 31, 2022, any arrangement that includes the Taliban authorizing the transfer of funds is no longer on the table for the United States.²²

Since diplomacy has not succeeded in unfreezing official state funds, the lack of access to national capital assets and on-budget assistance has shifted the internal power dynamics in the Taliban toward militant camps that raised wartime revenues. A greater reliance on mobilizing finances from local communities has led to a recorded rise in taxation.²³ The result is likely to incentivize the promotion of more conservative social policies, including on the rights of women and girls, to ward off triggering resistance against the collection of levies from conservative rural populations.

To the extent possible, recalibrating international support to regulate Afghanistan’s monetary policy — and there has been some progress made on aspects like currency printing — should be agreed upon in mutual consultation with the de facto authorities to move past the Taliban’s framing of bilateral relations as economic warfare. The U.S. demand that the Taliban appoint neutral non-Taliban governors for the DAB, especially given the fact that the deputy governor of the bank, Ahmad Zia Agha, is under U.S. and U.N. Security Council sanctions for his financial activity, would likely have been accepted by almost any Afghan movement other than the Taliban, who view international pressure over specific appointments as a direct assault on their autonomy (and an affront to Afghan sovereignty). Persuading the Taliban to move past the sticking point of the frozen assets issue likely will need movement on other forms of international assistance to the de facto authorities, which may prove a more difficult political challenge than the DAB assets issue itself.

How to Empower Diplomacy with the Taliban Again?

Dialogue would need to be reestablished according to the logic of compromise in pursuit of strategic interests that enabled the United States and the Taliban to reach an agreement in 2020. The exchanges

²² Qazi, Shereena. 2022. “Taliban Rejects US Plan to Transfer Afghan Assets to Swiss Bank.” TRT World, September 13, 2022. <https://www.trtworld.com/magazine/taliban-rejects-us-plan-to-transfer-afghan-assets-to-swiss-bank-60735>.

²³ RFE/RL Radio Azadi. 2022. “One Certainty for Afghans: The Taliban and Taxes.” Gandhara, June 16, 2022. <https://gandhara.rferl.org/a/afghanistan-taliban-taxes-revenue-services/31901313.html>.

between the Taliban and the international community must make substantive progress in order for Akhundzada and his skeptical advisors to view dialogue as capable of achieving political gains and, therefore, worth making politically risky compromises for.

The aim of devising possibilities for productive dialogue should be to convince Taliban skeptics that political problems can be resolved through negotiation. International investment in trust-building with the Taliban will be needed to assuage concerns over the value of international dialogue. When it comes to concrete ideas and proposals on how to transform the diplomatic atmosphere, when most major areas of concern (women's rights and counterterrorism) have seen regression, the work ahead is difficult. But the cycle must be broken wherein the Taliban regress on an issue, followed by the international community further withdrawing from cooperation, which leads to more radical Taliban positions, *ad infinitum*.

The complexity and magnitude of this challenge will necessitate a long-term strategic view of years, not months. The comparatively simpler process of the U.S.-Taliban negotiations was held over two and half years of official talks. To make the best use of time, the priorities for dialogue need to be separated between the important and the urgent, on one hand, and all else on the other.

The goalposts for the Taliban cannot be moved on the most important red lines of rights for women and girls, counterterrorism, and intra-Afghan reconciliation. There can be no *de jure* legitimation of the Taliban authorities outside of those parameters. Members of the international community, such as the United States, had reportedly been planning to initiate a road map for recognition for the Taliban government after the resumption of girls' secondary education in March.²⁴ The reinstatement of the public secondary schools' closure suspended those plans and the al-Zawahiri killing put them indefinitely on the back burner. The series of edicts issued in the second half of 2022, particularly against the rights of women and girls to education and public spaces, have entrenched the Taliban's trajectory away from international engagement.

International expectations of the Taliban authorities regarding government formation are already lower than what is expected of post-conflict states, which typically involves holding elections or at least putting forward a constitution. Alternative regional configurations should be explored that recognize the comparative advantage of differentiation in roles and that enable a leading role for states less constrained by the domestic pressures of Western democracies.

There are a range of items the international community and Afghan actors have discussed with the Taliban, some of which are productive to move on and some of which are not. The following sections explore the issues with the greatest potential to create a facilitative environment to resuscitate dialogue with the Taliban, while delivering humanitarian impact for the Afghan population struggling to survive in a collapsed, emaciated economy.

²⁴ Wintour, Patrick. 2022. "Taliban Reversal on Girls' Education Derails US Plan for Diplomatic Recognition." *Guardian*, March 27, 2022. <https://www.theguardian.com/world/2022/mar/27/taliban-bar-girls-education-us-plan-diplomatic-recognition>.

1. Provide targeted assistance to the Ministry of Education

Social service delivery has been hit hard by the suspension of on-budget donor aid to Afghanistan and international assistance becoming divorced from the purview of the national government. It is very difficult to move from short-term humanitarian relief to long-term development and reconstruction, where sustainable peace dividends are located, with next to no coordination on programming and accountability between the de facto authorities and aid agencies.

The future of the most vulnerable sector, education, is in the greatest jeopardy out of fear from international donors of enabling the government's restrictions on women and girls. In addition to eschewing on-budget assistance, there are recommendations floating around international aid circles to generally withhold assistance to affected sectors, since the system in place promotes gender inequality.²⁵ This advice is a poor substitute for progress; it does not redress the injustice against women and girls and only amplifies the scope of damage to education targets in Afghanistan.

Instead, three actions are required. The first, which has been underway since March, is an intra-Afghan and intra-Taliban dialogue to appease the handful of individuals who raised their voice against reopening girls' schools in the Leadership Council and who have been behind the series of ultraconservative Shariah edicts.²⁶ These men do not need to become advocates for girls' education, but they do need to refrain from arguing to Akhundzada that there is a lack of consensus, which will prevent reversing the policy.

Therefore, the second action should be to entertain the Taliban's official rationale for the reversal on the reopening of the girls' schools and universities. There is no other avenue from which this issue can be approached that might feasibly influence hardline Taliban figures. The human rights discourse alienates them, and they often reply with experiences of torture or civilian killings at the hands of international military forces. Calling on renowned foreign scholars to lecture on the Islamic obligation of educating women and girls is likely perceived as patronizing by individuals who are already considered established sources of religious authority within their own movement.

Furthermore, while the segregation argument does not represent the personal opinions of the outward-facing Taliban who articulate them, it should still sensitize international actors because it is a common view among rural constituencies in Afghanistan. The unfortunate reality is that, outside of the major urban centers, the permissibility of girls' education is a national debate over segregation. What may be viewed as severe measures to protect the safety and moral probity of young women and girls, such as discouraging them from leaving their homes and limiting their movement in public spaces, nonetheless hold cultural and socioeconomic salience among many rural Afghans. Most Afghan girls were not sent to secondary school even under the Islamic Republic and widespread cultural barriers resulted in only a small minority attending university.

²⁵ Human Rights Watch. "Four Ways to Support Girls' Access to Education in Afghanistan." March 20, 2022. <https://www.hrw.org/news/2022/03/20/four-ways-support-girls-access-education-afghanistan>.

²⁶ A notable newer addition to this group of hardliners is the acting minister for higher education appointed in October 2022, Mullah Nida Mohammad Nadim.

There are two broad reasons why households that have the means to send their daughters to school will not do so: either (i) an absence of adequate security and segregation arrangements for girls to receive teaching in line with perceived Islamic principles or (ii) a belief that educating a girl past puberty is unequivocally, under any conditions, forbidden in Islam. These are two distinct policy conversations; it is dangerous to conflate them. Even Khalid Hanafi, the ultraconservative acting minister for the promotion of virtue and prevention of vice, has not gone as far as the extremely radical position of the latter viewpoint and maintains that girls' education is permissible.²⁷

Humanitarian dialogues in other conflict contexts suggests that pressure from rural constituencies is likely influencing this drive towards radicalization, particularly among localities that serve as important sources of taxation and recruitment. The more pragmatic Taliban may not admit to political considerations, which could highlight weaknesses in political cohesion or security capabilities. Yet the delicate balancing act between competing factions and conservative constituencies, so critical to the Taliban's insurgent success and still steering current decision-making, is largely overlooked. Most Afghan and international observers seem to embrace a narrative that Taliban opposition to female education or presence in public space rests with a small number of individual clerics or leaders.

So long as the Taliban express justification for the ban in terms of logistics, there is potential for productive dialogue. It is already understood by many members of the Taliban that, in order to implement their own policy of segregation in government service delivery (for example, in health, education, policing, administration), an educated female workforce is required. The Taliban authorities have shown interest in retaining the services of female teachers by paying some of the salaries of those whose schools have been closed.²⁸

The third action is to negotiate all concerns for segregation and the adequate functioning of schools with the Taliban in a comprehensive plan.²⁹ This would include the provision of female teachers, school supplies, and the construction of boundary walls, to organizing bus systems to safely transport girls, opening smaller facilities in neighborhoods if long distances are considered unsafe, or partially reverting to the distance-learning arrangements that were in place during the peak of the COVID-19 pandemic. This assistance has been offered in part, such as regional governments offering to supply female

²⁷ TOLONews. "Deputy Foreign Minister Calls for Opening of Girls' Schools." September 27, 2022. <https://tolonews.com/index.php/afghanistan-180039>.

²⁸ Houser, Veronica. 2022. "Waiting for a Lifeline." UNICEF. April 14, 2022. <https://www.unicef.org/afghanistan/stories/waiting-lifeline>.

²⁹ Humanitarian practitioners have found positive results in negotiating girls' access to education with other extremist Islamic groups. In a conversation between one of the authors and Iyad Nasr, a former humanitarian advisor to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and a Center for Conflict and Humanitarian Studies visiting researcher in 2022, he recounted his experience negotiating the opening of a summer camp for adolescent girls in the Gaza Strip. It was first discussed with Hamas, who stipulated multiple segregation requirements such as no men should be permitted in the building, which UNRWA implemented. The camp was eventually burned down by another radical Islamist group who argued that the boundary walls should be raised to prevent passersby from peering inside. Once the walls were raised with a fabric covering, the radical Islamist group was satisfied and claimed that the camp was now under their protection.

teachers, but the most powerful offer would be a comprehensive proposal that employs strong arguments against possible points of refusal.

Such an offer would primarily involve in-kind assistance for the Ministry of Education disbursed through the Ministry of Finance, with the offer ideally conveyed through the acting minister of foreign affairs. A third-party monitoring mechanism will be necessary, comprised of Afghan and international experts who would be physically present in the ministries with the financial controller to monitor agreed upon benchmarks. The principles of such an arrangement were accepted by the Taliban during negotiations for the central bank assets.

There are hints of the potential for positive development cooperation with the de facto authorities, with even firebrand individuals like the acting minister for refugees, Khalil Haqqani, having left a cooperative impression on directors of local nongovernmental organizations. There have also been promising reports from the leaders of NGOs (including women-led organizations) in the field and from students that the Taliban have initiated meetings with to discuss their concerns. Positive engagement on humanitarian and development needs (such as NGO legalization, humanitarian access and security guarantees) are frequently taking place at the district and local levels where there is a common interest in meeting people's needs and demands.

Regional governments must lead on this, since Western democracies are limited by their electorates' perceptions of close engagement with the Taliban. Wealthy Gulf countries in concert with regional neighbors are best placed to establish such a promise of support, with the United States and other Western states diplomatically backing the proposal.

This form of aid modality, if effectively and consultatively designed, will serve two purposes. First, it will provide badly needed international assistance to a core public sector and stem the tide of mass migration out of Afghanistan. Second, the Taliban authorities will be able to convey what an incremental road map for the normalization of aid will look like to their leadership. Both of these carrots dangling together — international support for a key social service and a step toward the normalization of development aid — have a greater chance of influencing Akhundzada's view rights of girls and women, while at the same time empowering the Taliban's pragmatists. Funding education through UNICEF and other international agencies has not yielded the same result because off-budget aid underscores the delegitimization of the de facto authorities. If the experience is positive on education, and it should be tested through a trial period, the modality should be extended to other sectors such as health, water and sanitation.

2. Move the diplomatic delegations back to Kabul

Informal influences are running haywire over the Taliban government's formal mandates for political appointees, leaving diplomats to wonder whether meeting with the formal titleholders among the Taliban is merely an exercise in diplomatic procedure and unlikely to lead to progress in bilateral exchange.

The fact that the embassies of many NATO members, including the United States, have pulled out of Kabul and are stationed in Doha has introduced geographic separation between relevant international representatives and the informal powerbrokers in the Taliban based in Kabul and Kandahar. All points of contact that would enable stronger lines of communication to Akhundzada should be investigated and

explored. Governors, for instance, are influential appointments in the political system in Afghanistan and are often overlooked by international actors.

There has been a marked difference in the approaches of the regional powers and Western states to Taliban rule, even if formally the *de jure* status is shared by all. Most regional states maintained their delegations in Kabul and strengthened their communication channels with the *de facto* authorities and the informal personalities who hold sway within it. They have been closely and actively engaged, from the recent bilateral agreement signed between Russia and the Taliban to provide essential food and energy commodities³⁰ to the high-level visit from Chinese Foreign Minister Wang Yi the day after the reversal of the opening of girls' secondary schools.³¹

Regional powers such as Russia and China, who are more influenced by the principle of noninterference and espouse more flexible expectations regarding government inclusivity, are comparatively well placed to facilitate engagement at the senior level. Russia and China's approach also marks a divergence from that of the Western nations, as the two states have indicated a different set of criteria for the Taliban to be conferred recognition.

Reestablishing official diplomatic delegations in Kabul may be a difficult task — politically, legally and in terms of security after the ISKP attack on the Russian Embassy in Kabul on September 5, 2022³² — but given that decision-making power is centralized in Afghanistan, it is becoming increasingly more challenging to justify the costs of not doing so. European delegations have been debating the merits of shifting back to Kabul since the early months of Taliban rule and proposed to send their technical staff back to the Afghan capital given necessary security and travel guarantees from the Taliban authorities. Reestablishing official diplomatic delegations in Kabul will also enable diplomats to conduct more informed exchanges with the Taliban with their eyes and ears on the ground, particularly on ongoing concerns around fear among minorities.

3. Explore various convening formats for dialogue with the Taliban

Conflict management approaches to stabilization and peacemaking in Afghanistan should draw on the relatively high degree of international consensus on what is expected of the *de facto* authorities to return to the pathway for formal international legitimacy. Some of the lessons learned from the failure of the intra-Afghan negotiations relate to flawed process design of the talks in Doha and weak multilateral backing for them. Both of these aspects should be strengthened through continuous experimentation with different convening formats in ongoing dialogue with the Taliban. Knowledge of the policy formulation process in the *de facto* authorities has grown over the past year, but there is still

³⁰ Al Jazeera. "Taliban Signs 'Preliminary' Deal with Russia for Oil, Gas, Wheat." September 28, 2022.

<https://www.aljazeera.com/news/2022/9/28/taliban-signs-preliminary-deal-with-russia-to-buy-gas-wheat>.

³¹ Ministry of Foreign Affairs of the People's Republic of China. 2022. "Wang Yi Holds Talks with Acting Foreign Minister of the Afghan Interim Government Amir Khan Muttaqi." March 25, 2022.

https://www.fmprc.gov.cn/eng/zxxx_662805/202203/t20220325_10655541.html.

³² Goldbaum, Christina. "Suicide Attack Hits Russian Embassy in Afghanistan, Killing 2 Employees." *New York Times*, September 5, 2022. <https://www.nytimes.com/2022/09/05/world/asia/kabul-russian-embassy-suicide-attack.html>.

much that is obscure and mutable in the Taliban and that should be tested through different approaches.

Several regional states have provided a space specifically for the promotion of wide-ranging dialogue initiatives. Various modalities for bilateral engagement should be tested in neutral third-party locations like Istanbul, Tashkent and Ashgabat, as well as Doha. Doha is still useful as a convening site because it is viewed as a de facto transit hub on Afghan issues, which limits the legitimacy afforded to the Taliban in their meetings there and is thus a lower-risk option for Western states who have scaled back their engagement.

Bilateral discussion between governments and the Taliban should be coupled with the promotion of non-state third-party facilitators and mediators, such as humanitarian and peace NGOs. On sensitive issues like intra-Afghan reconciliation, these non-state back channels are more effective at scoping out space for Afghan leaders to have frank discussions among themselves, without the presence of foreign governments.

The international community should also be sensitive to its engagement with the outward-facing cadre of the Taliban who do not pose the intractable problem that hardliner factions do. The suggestion to negotiate directly with the informal sources of hardline authority on the ground in Kabul and Kandahar is less likely to be productive without some intermediate facilitation and support from the pragmatists, given how quick even moderate Taliban camps are to become suspicious of foreign interference. For this reason, group-based formats involving Taliban from different ministries and backgrounds should be encouraged to support the empowerment of coalitions in the movement, since individuals are liable to reputational harm in the eyes of other Taliban for championing issues alone.

Hosting religious conferences with the participation of respected Islamic scholars should also be promoted, because it assists in establishing a common language and shared values to ground the dialogue. It also enables international interlocutors to invite hardliners like the acting ministers for religious affairs and promotion of virtue and prevention of vice to the discussion to enhance their international exposure.

4. Promote intra-Afghan engagement on unified principles

After the disastrous intra-Afghan negotiations, the space for the intra-Afghan dialogue needed for genuine national reconciliation is very narrow. Not even the most moderate among the Taliban are willing to entertain the idea of a formal peace dialogue with members of the former Islamic Republic; they will not tolerate the word “negotiations” or statements to the effect that the conflict is ongoing.

Inclusive track 1.5 channels are a useful format to encourage official Taliban participation in dialogue with other Afghan groups. Though senior Taliban representatives express positive views about the need for consultation with others, they should proactively turn their intentions into action since over the last 16 months they have made very few gestures on this front. No non-Taliban political leader or former technocrat was invited to the grand meeting of Ulema held in July, for example. This is despite evidence that there are key issues that Afghans on both sides can agree on, when protected from the harsh scrutiny of foreign media.

Almost all non-Taliban groups welcome an end to the open bloodshed of the civil war and do not advocate for the revival of armed opposition. This consensus is a first step in launching the process of national reconciliation. It is a strong foundation for dialogue that has withstood more than a year of catastrophic governance failures. There is an understanding among most former Islamic Republic officials that even an inclusive government would be Taliban-led and that certain ministries, in particular the security apparatus, would be retained under Taliban control for the foreseeable future. Nor do most of these groups call for the resuscitation of the political system of the Islamic Republic, which, outside of important human rights protections and minority representation, disillusioned many of its political actors. The common desire is simply for a political system that allows Afghans to express their views and see those views reflected in the government. Hosting a representative *loya jirga*, with the participation of all Afghan tribes and peoples, is one format that draws on a respected Afghan tradition for consensus-making to meet domestic demands.

Many senior officials from the former Islamic Republic have demonstrated trust in the de facto authorities' guarantee of security by taking the initiative to travel back to Afghanistan or to remain there. These individuals are mostly Pashtun since ethnic minorities are more likely to fear targeted attacks when they return to Afghanistan, with social media's tendency for misinformation only fanning the anxieties of Afghans distanced from their homeland. The devastating slew of ISKP attacks on minority groups, such as in the Hazara Dasht-e-Barchi neighborhood in Kabul, lends credence to this fear. To prevent dialogue with the Taliban fracturing along ethnic lines, the Commission of Liaison and Repatriation of Afghan Personalities should spearhead outreach efforts toward non-Pashtuns.

The war has left deep scars on the psyche of all Afghans who were victimized by its injustices, including the Taliban. The conflict exacted great suffering in south and east Afghanistan in particular, the historical homelands of Pashtun communities. With the general amnesty proclamation and the pardon granted for crimes committed during the war, the Taliban took a difficult but necessary step to establish a clean slate on which to reforge a unified Afghan nationhood.³³ As Afghanistan's de facto rulers, it is their responsibility to abandon their militaristic hubris and lower their threat perceptions in order to trust their fellow Afghans to come together for inclusive governance. Only through a genuine collective dialogue for national reconciliation that offers space for all peaceful Afghan groups can peace truly be brought to Afghanistan.

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³³ See footnote 6 for an overview on the record of the general amnesty.

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