

Afghanistan in Review: November 20 – December 8, 2021

Taliban Government Consolidates Power within Afghanistan

By Peter Mills

The Taliban central leadership continues to consolidate its power within Afghanistan by asserting control over the judicial system, replacing civil servants with Taliban loyalists, expelling some Taliban fighters, and meeting with Shi'a community leaders. The Taliban leadership will continue to appoint Taliban members throughout the Afghan bureaucracy in order to exert control over the state and reward its fighters and commanders. The Taliban's work with Shi'a communities may run into conflict in the future, however, as the Taliban has historically persecuted Shi'a communities in Afghanistan and some hardline elements of the Taliban may not support this change in policy.

The Taliban government recently enacted changes to Afghanistan's legal system that will enable it to exert greater control over the judicial process at the cost of depriving Afghans of their right to due process. Abdul Hakim Sharaf, the Taliban minister of justice, published a decree stripping the Afghanistan Independent Bar Association (AIBA) of the authority to license lawyers on November 23.¹ That same day, up to

Afghanistan in the Region



50 armed Taliban guards forced their way into AIBA's offices and took over the premises.² Sharaf's decree gave the power to license lawyers to the Ministry of Justice and laid out the criteria for whom should be appointed as lawyers and provincial officials. Specifically, the decree stated that lawyers and officials must be "honest and loyal to the Islamic Emirate," have not worked with the previous administration, and have taken part in the "jihad" of the last 20 years. The decree went on to state that those who do not meet these standards should be replaced.³ Very few, if any, non-Taliban figures will meet these qualifications.

Both the central and provincial Taliban leadership have already started acting upon Sharaf's decree. Provincial Taliban leaders in Takhar Province have begun firing municipal staff and replacing them with Taliban fighters.⁴

Taliban officials running the Kunduz Department of Agriculture were reported to be engaging in the same behavior, firing professional civil servants and replacing them with Taliban loyalists with religious educations.⁵ The Taliban is also removing civil servants from the Ministry of Information and Culture and replacing them with religious clerics loyal to the Taliban.⁶ The loss of educated and experienced civil servants, especially in departments like Agriculture, will further undermine the Afghan state's ability to deliver effective public services. The Taliban may effectively consolidate control over the government, but doing so may come at the cost of losing the technocratic knowledge necessary to run the state.

The Taliban central leadership established a commission in mid-October with the stated purpose of expelling Taliban fighters who commit crimes. This commission, known as the "Clearing of Ranks Commission", is under the control of Mufti Latifullah Hakimi, the Inspector General for the Taliban Ministry of Defense. This commission is being slowly expanded to the provinces, arriving in Zabul Province on November 26. In a speech on November 23, Hakimi said the commission had so far expelled at least 687 Taliban members for various crimes.⁷ Hakimi went on to warn Taliban fighters against violating Afghans' privacy; he said fighters should refrain from stopping people based on their appearances, from checking people's phones, and from entering people's homes without permission.⁸ Human Rights Watch and other organizations have documented Taliban fighters engaging in all of the aforementioned behavior.⁹ Still, Hakimi's rhetoric is a tacit admission that these abuses are occurring and that the central Taliban leadership know their fighters are committing them. Addressing these abuses could increase tension within the Taliban movement and it is unclear if all of the senior Taliban leadership, including leaders from the Haqqani network, are supportive of this commission. Ahmadullah Wasiq, a Taliban deputy spokesperson, denied that Taliban

fighters were searching people's phones a week after Hakimi's speech.¹⁰ This contradictory rhetoric indicates that the Taliban central leadership may not be unified in terms of reforming its fighters' behavior.

Taliban units fired upon each other in Baghlan Province on November 20 and Logar Province on November 28.¹¹ While the deaths and casualties in both of these incidents were low, these clashes are an indicator of real internal tension within some parts of the Taliban movement. Although Hakimi's commission has not been ordered so far to look into this specific conflict, these clashes indicate that Hakimi's commission's attempts to remove Taliban fighters may spur a violent reaction by some, or prompt them to defect to rival groups, such as Islamic State Khorasan Province (IS-KP). The commission could become politicized if its removal of certain Taliban commanders impacts the internal balance of power between different Taliban factions within the Taliban movement.

Top Taliban leaders and spokespersons have met recently with Afghan Shi'a religious clerics and political leaders in order to reassure them and obtain broader public support for the Taliban government. Abdul Kabir, who served as the Taliban prime minister in 2001 and is currently the third Taliban deputy prime minister, met with a delegation of Shi'a elders on November 21 and assured them that the Taliban government will serve all Afghans.¹² A few days later, Jafar Mahdawi, a Shi'a Hazara who represented a Hazara-majority area of Kabul in Afghanistan's parliament, led hundreds of Hazaras and Shi'a leaders at a gathering expressing support for the Taliban government.¹³ Mahdawi also said that as "one of the four main ethnic groups in Afghanistan, Hazaras expect to see their faces in the political leadership of the government."¹⁴ This will be difficult for the Taliban to accommodate because IS-KP rhetoric attacks the Taliban for working with Shi'a communities. Hardline elements of the Taliban who are opposed to accommodating Shi'a communities could be incentivized to defect to IS-KP if the

Taliban goes too far in working with Shi'a communities.

Zabihullah Mujahid, the spokesperson for the Taliban government, was also in attendance at this gathering and later gave a speech about Taliban efforts to pursue economic development and allow women to return to school.¹⁵ Abdul Salam Hanafi, another Taliban deputy prime minister, also met with several prominent Shi'a clergy from the Council of Shiite Ulema on December 1.¹⁶ These clergy expressed support for the Taliban government while Hanafi assured them that the Taliban would provide security and treat them equally. These repeated meetings between various Shi'a community leaders and senior Taliban leaders indicate that the Taliban leadership is trying to consolidate its power by securing support, or at least acquiescence, from Shi'a communities in Afghanistan. Mahdawi's remarks, however, indicate that some Shi'a leaders' future support of the Taliban government is conditional upon the Taliban accepting Hazaras into more senior leadership roles. Considering many of the senior leaders within the Taliban cabinet have been with the Taliban movement for more than 20 years, the Taliban is unlikely to accept Hazaras into the most important positions in government. However, the Taliban may accept more Hazaras into mid-level leadership roles.

Afghanistan in the Region

1. Taliban and Iranian border guards clashed in Kaang District of Nimroz Province on December 1. Taliban forces seized two or three Iranian border checkpoints during a clash that local sources reported killed three Taliban soldiers and 11 Iranian border guards.¹⁷ Both Iranian government and official Taliban sources denied there were any casualties from the border incident.¹⁸ The engagement reportedly began when an Iranian guard crossed a wall on or near a checkpoint that local Taliban soldiers interpreted as the border, prompting them to open fire. A prior border clash occurred on November 2 when Taliban and Iranian border guards engaged in a

brief firefight at the Zaranj border crossing. The reasons for the November 2 clash remain unclear. These border clashes will complicate the Iranian-Taliban relationship, but so far, these incidents do not appear to have reduced Iran's willingness to work with the Taliban government.

2. The United Nations (UN) Credentials Committee deferred accepting the Taliban as the legitimate government of Afghanistan. The nine-nation committee, which includes Russia, China, and the United States, announced its decision on December 1.¹⁹ The decision was later upheld by the UN General Assembly on December 7.²⁰ Ghulam Isaczai, Afghanistan's ambassador to the United Nations under Ashraf Ghani's government, will likely continue to hold Afghanistan's seat in the UN.²¹ The Taliban has nominated Suhail Shaheen to serve as their representative to the UN. Shaheen decried the UN's decision, claiming it was unjust and deprived the Afghan people of their rights, but also expressed hope for positive interactions with the world.²² Most world powers and UN leadership appear to have settled into a consensus around engaging diplomatically with the Taliban, but not extending formal recognition to preserve leverage with the Taliban government. The Taliban will continue to push for formal recognition as doing so is a prerequisite to securing the release of the Afghan state's frozen central bank assets and obtaining international development assistance.

3. Both the United Arab Emirates (UAE) and Saudi Arabia reopened diplomatic facilities in Afghanistan without extending formal diplomatic recognition to the Taliban. The UAE reopened its embassy on November 20, while Saudi Arabia reopened its consulate on November 30.²³ The UAE is in ongoing talks with the Taliban to secure a contract to manage Kabul International Airport.²⁴ Currently, Qatari and Turkish technical teams are managing Kabul Airport, while Qatari special forces ensure security within the airport and Taliban special forces secure the perimeter of the airport.²⁵ The UAE

and Saudi Arabia are likely reopening diplomatic facilities in Kabul primarily to counter Qatari influence with the Taliban.²⁶ French President Emmanuel Macron stated that several European countries are also planning to re-open diplomatic missions in Afghanistan.²⁷ Like Saudi Arabia and the UAE, this European delegation would refrain from formally recognizing the Taliban as the government of Afghanistan.

4. The US Treasury Department Office of Foreign Assets Control (OFAC) designated top Islamic State Khorasan Province (IS-KP) leaders on November 22.

The designation included Ismatullah Khalozai, an IS-KP financial facilitator; Sanaullah Ghafari, the overall leader of IS-KP; Mawlawi Rajab, the leader of IS-KP in Kabul Province; and Sultan Aziz Azam, the spokesperson for IS-KP.²⁸ Khalozai used a hawala network, an informal money transfer system, based in Turkey to transfer funds to finance IS-KP and carried out human smuggling operations to move an IS-KP courier from Afghanistan to Turkey. Khalozai previously operated a business in the UAE that generated funds to support IS-KP. These designations demonstrate that IS-KP is receiving external financial support, which may be enabling its expansion, and that the group is capable of moving individuals from Afghanistan into Turkey. This human smuggling operation connecting Afghanistan to Turkey may be an avenue by which IS-KP could carry out a future attack outside of Afghanistan.

¹<https://twitter.com/bsarwary/status/1463352613441871878>

<https://www.jurist.org/news/2021/11/afghanistan-bar-association-head-pleads-for-international-help-as-armed-taliban-take-over-offices-displace-leadership/>

²<https://twitter.com/RohullahQariza4/status/1463477170681098247>

³<https://twitter.com/khminawi/status/1463517094897762307>

⁴ <https://aamajnews24 dot com/fa/takhar-3/>

⁵ <https://aamajnews24 dot com/ps/kunduz-3/>

⁶ <https://aamajnews24 dot com/fa/taliban-36/>

⁷<https://twitter.com/aamajnews24/status/1464208440503504902>

5. The Taliban deployed at least 1,300 additional troops to Nangarhar Province in November to support its ongoing campaign against Islamic State Khorasan Province (IS-KP).²⁹ The Taliban crackdown on IS-KP is being directed by the Taliban General Directorate of Intelligence (GDI), which is launching regular raids on IS-KP safe houses, most recently on November 30 and December 3.³⁰ These raids killed several IS-KP members, including the leader of an IS-KP cell. The Taliban continues to downplay IS-KP's strength by underreporting casualties from IS-KP attacks and framing some raids on IS-KP as targeting criminal networks rather than IS-KP.³¹ Mohammad Bashir, the Taliban intelligence chief for Nangarhar Province, has been executing suspected IS-KP members without going through the Taliban's formal legal system. Community leaders in Nangarhar have asked the Taliban to stop this approach, warning, "otherwise we cannot stop our youth from joining the Islamic State and the beginning of a very brutal era."³² Jalalabad's main hospital reports that war casualties were higher in October than in any previous month of 2021. Those reports indicate that the Taliban-IS-KP conflict is producing more casualties in the area than the Taliban's own summer 2021 offensive against the former Afghan government. Despite the additional Taliban forces and their brutal methods, IS-KP continues to stage regular attacks in Nangarhar Province.

Contributors to this Report:

Matt Skros

⁸<https://twitter.com/ObaidullaBaheer/status/1463216252546166784>

⁹ <https://www.hrw.org/news/2021/09/23/afghanistan-taliban-abuses-cause-widespread-fear>

¹⁰ <https://gandhara.rferl.org/a/taliban-beatings-smartphones/31585340.html>

¹¹<https://twitter.com/khminawi/status/1462825569884721158>
<https://twitter.com/Natsecjeff/status/1464926875562790913>

¹²<https://twitter.com/rtadari/status/1462384117404901378>

¹³<https://twitter.com/AfghanAnalyst2/status/1464051558421827584>

¹⁴ Ibid.

¹⁵<https://twitter.com/BakhtarNA/status/1463761708556632064>

¹⁶<https://twitter.com/HabibiSamangani/status/1466063502393724929>

¹⁷<https://twitter.com/bsarwary/status/1466077558697508866>

¹⁸https://twitter.com/Zabehulah_M33/status/1466110970414223361?s=20%22%20%5Ct%20%22_blank
<https://www.bbc.com/persian/afghanistan-59495857>

¹⁹<https://www.nytimes.com/2021/12/01/world/america/s/united-nations-taliban-myanmar.html>

²⁰ <https://www.voanews.com/a/un-upholds-decision-denying-taliban-myanmar-junta-s-requests-for-representation-/6341750.html>

²¹ <https://www.voanews.com/a/un-upholds-decision-denying-taliban-myanmar-junta-s-requests-for-representation-/6341750.html>

²²<https://twitter.com/suhailshaheen1/status/1466320299998257156>

²³https://twitter.com/Zabehulah_M33/status/1462100836264337418?s=20%22%20\t%20%22_blank
<https://twitter.com/QaharBalkhi/status/1465772001465823234?s=20>

²⁴ <https://www.reuters.com/world/asia-pacific/exclusive-uae-holds-talks-with-taliban-run-kabul-airport-foreign-diplomats-2021-11-24/>

²⁵ <https://www.wsj.com/articles/arab-gulf-states-compete-for-influence-in-taliban-ruled-afghanistan-11638624895>

²⁶ Ibid.

²⁷ <https://www.reuters.com/world/asia-pacific/france-europeans-working-open-joint-mission-afghanistan-macron-2021-12-04/>

²⁸ <https://home.treasury.gov/news/press-releases/jy0502>

²⁹ *Washington Post*, November 22, 2021
<https://www.washingtonpost.com/world/2021/11/22/taliban-isis-afghanistan/>

³⁰<https://twitter.com/AfghanAnalyst2/status/1467394966301331460>
<https://twitter.com/GDI1415/status/1465628962957135879>

³¹<https://twitter.com/AfghanAnalyst2/status/1467394966301331460>

³² *Washington Post*, November 22, 2021
<https://www.washingtonpost.com/world/2021/11/22/taliban-isis-afghanistan/>