

# Leveraging the Taliban's Quest for International Recognition

---

## *Afghan Peace Process Issues Paper*

March 2021

By Barnett R. Rubin

**Summary:** As the United States tries to orchestrate a political settlement in conjunction with its eventual military withdrawal from Afghanistan, it has overestimated the role of military pressure or presence and underestimated the leverage that the Taliban's quest for sanctions relief, recognition and international assistance provides. As the U.S. government decides on how and when to withdraw its troops, it and other international powers retain control over some of the Taliban's main objectives — the removal of both bilateral and United Nations Security Council sanctions and, eventually, recognition of and assistance to an Afghan government that includes the Taliban. Making the most of this leverage will require coordination with the Security Council and with Afghanistan's key neighbors, including Security Council members China, Russia and India, as well as Pakistan and Iran.

In April 2017, in a meeting with an interagency team on board a military aircraft en route to Afghanistan, U.S. President Donald J. Trump's new national security advisor, retired Army Lt. Gen. H.R. McMaster, dismissed the ongoing effort to negotiate a settlement with the Taliban:

*"The first step, the national security adviser said, was to turn around the trajectory of the conflict. The United States had to stop the Taliban's advance on the battlefield and force them to agree to concessions in the process .... US talks with the Taliban would only succeed when the United States returned to a position of strength on the battlefield and was 'winning' against the insurgency."<sup>1</sup>*

---

<sup>1</sup> Donati, Jessica. 2021. *Eagle Down*. PublicAffairs, 232. Kindle.

This was a constant refrain in U.S. government debates throughout my own time in government. During the early stages of the 2009-11 surge, some even tried to estimate exactly when the military balance would have changed enough for the United States to open talks — in April 2010, U.S. Army Gen. Stanley McChrystal, who at the time was serving as commander of the U.S. and International Security Assistance Forces (ISAF) in Afghanistan, estimated the tipping point would come in June or July.<sup>2</sup> Today, even those who no longer harbor delusions of changing the battlefield equation still often believe the leverage of the United States, its international partners and the Afghan government derives primarily, if not entirely, from the presence or absence of foreign troops on the ground that could prevent a Taliban military breakthrough.

This approach ignores the leverage deriving from the Taliban's goal of gaining legitimacy in the form of sanctions relief, international recognition and assistance from wealthy countries. Taliban leaders have stated repeatedly that in addition to the complete withdrawal of foreign troops from Afghanistan, they want the lifting of all sanctions imposed against them (which they refer to as the "blacklist") and the release of all detained Taliban members. When in power, they sought diplomatic recognition and foreign aid. They now seek to succeed where they failed in the past. Ultimately, they want what the Doha agreement calls "the new post-settlement Afghan Islamic government," in which the Taliban will hold substantial — perhaps dominant — power, to have "positive" relations with the United States, to be recognized internationally and to receive the foreign assistance that every Afghan government has needed to function since the late 19th century. Reports from the negotiations between the United States and the Taliban in Doha in the lead-up to the May 1, 2021, withdrawal date for U.S. troops indicated that these are precisely the offers the United States has put on the table in an attempt to persuade the Taliban to accept an extension of the timetable.<sup>3</sup>

When the Taliban tried to rule Afghanistan from 1996 to 2001, they failed to win diplomatic recognition and assistance except from Pakistan, Saudi Arabia and the United Arab Emirates; Saudi Arabia suspended diplomatic relations after Taliban leader Mullah Muhammad Omar broke a previous agreement by refusing to hand over Osama bin Laden in August 1998. Today, if the Taliban gained control of the central state apparatus in Kabul by force, they would still lack international recognition, and they would not have the means to extend their authority over the whole country. They would face an armed opposition that is not just better organized, equipped and trained than in 2001, but more closely networked with international supporters. The Afghan civilian population, now accustomed to a higher level of service delivery and linked among themselves and to the world by the internet, would be far more difficult to control.

The Taliban's quest for recognition and eventual eligibility for aid provides some of the most important leverage that other actors have over them. They reject being labeled as terrorists and seek to be recognized as a legitimate movement and, ultimately, a government or part thereof. Since the

---

<sup>2</sup> Author's contemporaneous notes.

<sup>3</sup> Farmer, Ben. 2021. "Taliban ask for 7,000 prisoners and removal from sanctions as US seeks troop extension." *Telegraph*, March 31, 2021. <https://www.telegraph.co.uk/news/2021/03/31/taliban-ask-7000-prisoners-removal-sanctions-us-seeks-troop/>.

recognition they most seek is from international actors, and since sanctions are also imposed by international actors, these are sources of leverage that cannot be exercised by the Afghan government. Hence the formula that the talks must be “Afghan-led and Afghan-owned” cannot serve as an excuse for disengagement by the United States and others. International powers control what the Taliban want, including both the withdrawal of foreign troops and the lifting of sanctions.

Bargaining over conditions for sanctions relief, recognition and assistance enjoys an important advantage over relying on military pressure; the United States and its international partners have a degree of unilateral control over sanctions, recognition and assistance that they do not have over the military situation. The enemy gets a vote on the battlefield, but not in the Security Council. The Taliban believe (rightly) that they can outwait military pressure brought to bear by the United States and NATO; they can never outwait the United States’ unwillingness to give aid.

The exercise of this leverage, of course, may not work. The Taliban have never resolved the contradiction between their aspiration to international recognition and their commitment to policies that conflict with international standards.

The quest for diplomatic and political recognition has been a constant in the Taliban’s struggle from the beginning through the Doha agreement of February 29, 2020, and beyond. In January 1997, four months after the Taliban captured Kabul, Mullah Wakil Ahmad Mutawakkil, who was then Mullah Omar’s spokesman and who later became foreign minister, led a delegation to the United Nations in New York to ask the U.N. secretary-general to grant them Afghanistan’s seat in the General Assembly. They did not realize that the secretary-general is not the emir of the U.N. and that he would be bound by the decision of the General Assembly on this question.

During their visit to New York, I chaired a public meeting at which Mutawakkil and his delegation spoke at Columbia University. The tenor of Mutawakkil’s speech suggested that the Taliban were traditional Hanafi Muslims, not “Ikhwanis” like Jamiat-e-Islami and Hizb-e-Islami, and that they would be partners with the United States in the fight against international terrorism! This was also only four months after the Taliban encountered bin Laden and al-Qaida for the first time in Jalalabad. Over the next four to five years, while the Taliban tried to establish their claim to sovereignty by military offensives that brought most of the territory of Afghanistan under their control, they clashed with the U.N. over the rules by which U.N. assistance programs could operate in Afghanistan. They also negotiated with the United States over terrorism, drugs and human rights, especially women’s rights, through diplomatic representatives in Islamabad and New York.

The Taliban at that time had little, if any, understanding of the international community, and the United States considered the Taliban as a marginal problem until al-Qaida’s terrorism forced the issue. The Taliban argued that they could not violate Islamic law by handing bin Laden over to non-Muslims for trial, but they tried to find a solution in accord with their religious requirements by asking bin Laden to leave Afghanistan. The United States, understandably, did not care to entrust its national security to the jurisprudential reasoning of mullahs in Kandahar.

When the Taliban first emerged as a distinct group, in 1994, they did not articulate any positions on international issues and were not thinking about international recognition. One of their officials told U.S. officials in Peshawar early on that the Taliban were “totally empty-minded politically speaking,

with no links to the whole world and no links to the Islamic world even, and especially no links with the western world.”<sup>4</sup> In early 1998, after receiving international demands for a few years, the Taliban responded by listing priorities in an English-language document intended for their international interlocutors.<sup>5</sup> It clearly echoed what they had learned their international interlocutors wanted:

- Sincere negotiation, support for peace efforts by the U.N. and the Organisation of Islamic Cooperation (OIC) and mutual respect and friendly relations with all countries
- Respect for U.N. and NGOs’ rules and principles; support for human rights; women’s education, safety, dignity and freedom
- Combatting production and consumption of illicit drugs
- Opposing all forms of terrorism
- Reconstruction of Afghanistan

The Taliban’s commitment to these externally defined goals was not really internalized. Under increasing pressure, in June 1998, Mullah Omar agreed with Saudi intelligence chief Prince Turki al-Faisal to turn bin Laden over to the kingdom; but he reversed himself when the United States retaliated for the August 1998 bombings of its embassies in Tanzania and Kenya by al-Qaida by launching cruise missiles into eastern Afghanistan.<sup>6</sup>

On July 14, 1998, the U.N. and Taliban agreed on a Memorandum of Understanding that allowed women to work in the health sector and provided for the construction of equal numbers of schools for boys and girls. A dispute over whether Muslim female U.N. employees had to be accompanied by a *mahram*, or male family member, was referred for arbitration by international ulema. When a committee appointed by al-Azhar Islamic University in Egypt ruled in favor of the U.N. position, however, the Taliban refused to accept the ruling.

The 1998 bombings led to the first imposition of sanctions against the Taliban. The United States imposed sanctions by executive order in July 1999, and the Security Council followed in October 1999. These resolutions cited the Taliban’s harboring of bin Laden and support for terrorism; a little over a year later, in December 2000, a resolution added the drug trade to the rationales.

Attempts to have sanctions removed became an integral part of the Taliban’s international diplomacy. The Taliban negotiated with the United States over both bin Laden and the drug trade, but they further exacerbated their international ties by destroying the Bamiyan Buddhas in March 2001, just as Taliban special envoy Sayyid Rahmatullah Hashemi arrived in the United States.

The Taliban actually succeeded in suppressing poppy cultivation in 2000 and 2001, which was more than any other government had managed to do. Like other drug control efforts in Afghanistan, this

---

<sup>4</sup> Van Linschoten, Alex Strick, and Felix Kuehn. 2012. *An Enemy We Created: The Myth of the Taliban-Al Qaeda Merger in Afghanistan*. Oxford University Press, 155.

<sup>5</sup> Ibid., 160-161.

<sup>6</sup> *Der Spiegel*. 2004. “And then Mullah Omar screamed at me.” March 8, 2004.

<https://www.spiegel.de/international/spiegel/spiegel-interview-and-then-mullah-omar-screamed-at-me-a-289592.html>.

one was not sustainable as it led to price increases that incentivized evasion. The U.S. response, an offer of \$100 million in humanitarian assistance to be delivered through U.N. agencies, fell far short of what Mullah Omar expected.

After 9/11, once Mullah Omar refused to hand over bin Laden, U.S. President George W. Bush treated the Taliban as essentially indistinguishable from al-Qaida. This policy ruled out any negotiated solution or participation by the Taliban in the Bonn process. U.S. Secretary of Defense Donald H. Rumsfeld publicly rejected an incipient truce negotiated by Afghan President Hamid Karzai with the Taliban leadership.<sup>7</sup> U.S. Vice President Dick Cheney ordered a halt to efforts by the CIA to help former Taliban officials organize to participate in the new order.<sup>8</sup> In 2004, when the Taliban sent a delegation to Kabul to negotiate with Karzai, the United States informed the Afghan government that it would not guarantee the security of Taliban officials it considered to be linked to al-Qaida, ending the entire effort. As a result of this incident, the United States codified its position on negotiations with the Taliban. It compiled a list of members of the Taliban leadership whom it considered as “linked” to al-Qaida and told Karzai that he could not engage any of them without explicit agreement from the United States.<sup>9</sup> This list was finally abolished in April 2010, when the Obama administration decided to support political negotiations with the Taliban as a component of U.S. strategy.

Under these circumstances, the Taliban’s first priority was proving on the battlefield that they could not be ignored or eliminated. Taliban leaders focused on reconstituting their organization from the safe haven they enjoyed in Pakistan. The Bonn process that had excluded the Taliban drew to a close with the 2005 parliamentary elections. A significant escalation of the Taliban’s military efforts began with multiple assaults on Kandahar throughout the summer of 2006.<sup>10</sup>

The political component of the Taliban’s strategy, largely overlooked at the time, was launched soon after. In 2007, the Taliban established a political commission to start diplomatic outreach initially through Saudi Arabia, and later through Germany and Qatar. Having maintained an unerring focus on ending the foreign troop presence, and likely concluding that a settlement with other Afghans was impossible without U.S. consent, they sought contact with the United States to reverse the perception that they constituted a threat to the United States. The initial steps the Taliban proposed before entering into political negotiations involved their recognition as a political movement rather than a terrorist organization. Detention of their leaders in Guantanamo Bay was a core symbol of the equivalence the United States drew between the Taliban and al-Qaida.

---

<sup>7</sup> C-SPAN. “Defense Department Briefing.” December 6, 2001, video, 38:08. <https://www.c-span.org/video/?167684-1/defense-department-briefing>.

<sup>8</sup> Coll, Steve. 2018. Directorate S.: The C.I.A. and America’s Secret Wars in Afghanistan and Pakistan. Penguin Press, 140.

<sup>9</sup> Van Linschoten and Kuehn. *An Enemy We Created*; National Security Agency documents; author’s contemporaneous notes from 2010.

<sup>10</sup> Forsberg, Carl. 2009. *The Taliban’s Campaign for Kandahar*. Institute for the Study of War Afghanistan Report 3, December 2009, 24-26.

As explained to me by Mullah Abdul Salam Zaeef, a former Taliban ambassador to Pakistan, deputy minister of defense, and Guantanamo detainee, in Kabul in April 2009, the Taliban's first proposal was that the United States should release members of their leadership from Guantanamo Bay and transfer them to a third country (at first Saudi Arabia, later Qatar), where the Taliban would establish a recognized political office from which they could bargain over their removal from the "blacklist," by which they meant all bilateral and multilateral sanctions lists. The Taliban characterized the initial steps — recognition of an office, transfer of leaders out of Guantanamo Bay and removal of sanctions — as "confidence building measures" between them and the United States. Only when those measures were completed would they enter political negotiations with other Afghans, including the government they did not recognize. All of these measures amounted to demands to accept the Taliban as a legitimate participant in Afghan politics and international society and to remove their stigma as terrorists. The releases from Guantanamo Bay were particularly important because the Taliban regarded their detention as terrorists together with al-Qaida as a particularly serious obstacle to their legitimacy.

During the Obama administration, the U.S. government gradually accepted that it could not defeat the Taliban or make them disappear. While the Taliban's political office in Doha never gained the official recognition that the movement sought, it became accepted as the Taliban's de facto representation abroad, visited by diplomats from the United States, the U.N., the United Kingdom, Norway, Germany, the European Union (EU) and many other states and organizations. While sanctions against the movement remained, in July 2011, the Security Council modified the sanctions regime to distinguish al-Qaida from the militants of the Taliban, who were sanctioned only as threats to the peace and security of Afghanistan rather than as international terrorists. The new sanctions resolution explicitly aimed to support a process of peace and reconciliation, in part by allowing for the temporary suspension of sanctions on travel and finance if the U.N. sanctions committee determined that the suspension would promote the peace process. The Taliban took advantage of these provisions to intensify their regional diplomacy with visits to Russia, China, Uzbekistan, Turkmenistan and Iran. Once established in Doha, the political office also sent delegations back to Pakistan to consult with government officials and their own leadership.

An initial effort to open the Taliban office in June 2013 failed when the Taliban and their Qatari hosts violated the U.S. understanding of the extent to which they could refer to their office as belonging to the "Islamic emirate of Afghanistan."<sup>11</sup> For the rest of the Obama administration, officials gave priority to concluding the Bilateral Security Agreement with the Afghan government. Trump's August 2017 "South Asia Strategy" for Afghanistan half-heartedly left open the possibility of a negotiated settlement, but only after intensifying military operations in Afghanistan and putting pressure on Pakistan in an attempt to weaken the Taliban position.<sup>12</sup> When these efforts failed to deliver the

---

<sup>11</sup> Author's contemporaneous notes as a participant in these events.

<sup>12</sup> *New York Times*. 2017. "Full Transcript and Video: Trump's Speech on Afghanistan." August 21, 2017. <https://www.nytimes.com/2017/08/21/world/asia/trump-speech-afghanistan.html>.

hoped-for results, Trump prioritized the U.S. troop withdrawal. While he reopened direct negotiations with the Taliban, his priority was clearly the withdrawal of U.S. troops, not a political settlement. This effort led, eventually, to the U.S.-Taliban agreement of February 29, 2020, which was signed in Doha.<sup>13</sup>

In addition to agreeing to withdraw its troops from Afghanistan and obtain the release of Taliban prisoners, the United States commits itself in the agreement to “initiate an administrative review of current U.S. sanctions and the rewards list” targeting the Taliban, and to “start diplomatic engagement with other members of the United Nations Security Council and Afghanistan to remove members of the [Taliban] from the sanctions list.” Given the delays in starting talks and their subsequent slow progress, the United States let the deadlines for sanctions relief slip as well.

The conclusion of the Doha agreement included, at the insistence of the Taliban, what amounts to a guarantee that the result of the negotiations process will be a fully recognized government that includes the Taliban. It states:

1. The United States will request the recognition and endorsement of the United Nations Security Council for this agreement.
2. The United States and the [Taliban] seek positive relations with each other and expect that the relations between the United States and the new post-settlement Afghan Islamic government as determined by the intra-Afghan dialogue and negotiations will be positive.
3. The United States will seek economic cooperation for reconstruction with the new post-settlement Afghan Islamic government as determined by the intra-Afghan dialogue and negotiations, and will not intervene in its internal affairs.

The May 1 deadline for the withdrawal of U.S. and allied troops has monopolized the attention of U.S. policymakers. The three goals listed above, however, remain unachievable without the comprehensive implementation of all components of the agreement: the Taliban and the Afghan government actually reaching a settlement, the Taliban accepting a comprehensive cease-fire, the Afghan government agreeing to release remaining Taliban prisoners, and both the United States and the Security Council agreeing to remove the current sanctions against the Taliban.

The last condition of economic cooperation and noninterference in turn makes it inevitable that the process of a political settlement will include regional states and global diplomacy. Ending the U.N. sanctions regime requires a vote in the Security Council; modifying the list of designated Taliban requires Security Council unanimity, as any member can block a change. The United States, Russia and China, the so-called troika that has supported the Doha process, all have vetoes in the Security Council. India began its two-year tenure as a non-permanent member of the Security Council in January. The EU is represented not only by permanent member France, but also by Ireland and

---

<sup>13</sup> U.S. Department of State. 2020. “Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America.” February 29, 2020. <https://www.state.gov/wp-content/uploads/2020/02/Agreement-For-Bringing-Peace-to-Afghanistan-02.29.20.pdf>.

Estonia. The U.K. and Norway, also members, have pursued active policies in support of a political settlement in Afghanistan and are likely to have views — influenced heavily by Washington — on what conditions the Taliban must meet before the sanctions are lifted.

Hence all of the members of the Security Council will be relevant to the negotiations. During a visit by the leadership of the Taliban political office to Moscow at the end of January 2021, the Taliban asked Russian Presidential Special Envoy on Afghanistan Zamir Kabulov to support removing the sanctions. Kabulov dismissed the request, noting that the Taliban had not done anything to merit sanctions relief. As of this writing, they continue to claim to be an “Islamic emirate” and have not negotiated on any substantive political issues with the Afghan government, both facts that were denounced by the troika plus (Russia, China, the United States and Pakistan) in a joint declaration from Moscow on March 18. The EU has taken a clear position in favor of maintaining a democratic system and protecting human rights in Afghanistan. The Taliban will have to address these issues if they want the Security Council to revoke the sanctions.

The closer the Taliban come to participating in government in Afghanistan, the sharper the contradiction between their aspiration to recognition and the political framework becomes. In 2001, Mullah Omar preferred to sacrifice the entire system of Taliban rule rather than violate Sharia and Pashtun tribal custom by handing over bin Laden to the United States. Negotiations with supporters of the current system and the international community over a future political road map for the country cannot succeed if the Taliban behave as they did in the 1990s. Entering a genuine political settlement would enable the Taliban to realize their goal of being internationally accepted as partners in ruling Afghanistan, but to do so they would have to make difficult decisions that they have thus far avoided.

## Recommendations

The United States has proposed accelerating political negotiations and even presented a discussion paper on the outlines of a possible settlement. The March 18 troika-plus statement in Moscow appeared to support that effort. In the accelerated negotiations taking place under pressure of time, one source of leverage for the Afghan government and its allies and supporters is the Taliban demand for sanctions relief and recognition. The troika plus Moscow statement has already signaled that reestablishing the emirate and taking power by force would be deal breakers for the international community. Probably the only negotiating strategy that has a chance to succeed in this high-wire act is one that maintains military and security assistance to the Afghan government and refuses to recognize any government established by force, while offering sanctions relief and assistance in return for Taliban concessions on a cease-fire and future political arrangements that exceed anything they have thus far considered.

Only a consolidated and coordinated international effort — including by the Taliban’s Pakistani hosts, backed by Islamabad’s all-weather ally Beijing — would have a chance of budging the Taliban. Success in this effort requires making Afghanistan a higher priority in U.S. bilateral relations with Russia, China and Iran than it has been thus far, despite occasional mentions. While the United States and its allies maintain assistance to the Afghan National Defense and Security Forces (ANDSF), these



other powers can maintain a unified position against recognition of any violent takeover. They also retain the option of aiding anti-Taliban forces inside or outside the Afghan government. As argued elsewhere, a serious effort to renew the Joint Comprehensive Plan of Action (JCPOA) with Iran and opening dialogues with China and Russia on areas of cooperation are likely to be necessary for managing what U.S. Secretary of Defense Lloyd J. Austin has called a “responsible withdrawal.”<sup>14</sup>

Given the centrality of Security Council sanctions to the Taliban’s international pariah status, it will be in the interest of the United States to enhance and promote the role not only of the U.N. secretary-general’s personal envoy and his special representative in Afghanistan, but also the Security Council itself as a party to the negotiations. The Security Council could, for example, pass resolutions stating a joint stance on what actions by the Taliban would lead the council to lift the sanctions. The United States should use the full resources of the international system to impress on all Afghan parties the urgency of ending more than four decades of armed conflict.

\* \* \*

**About the Author:** Barnett R. Rubin is a senior fellow at New York University’s Center on International Cooperation. During 2009-13, he was senior advisor to the special representative for Afghanistan and Pakistan at the U.S. Department of State. He previously served as senior advisor to the U.N. special representative of the secretary-general for Afghanistan during the negotiations that produced the Bonn Agreement.

**The United States Institute of Peace** is a national, nonpartisan and independent institute founded by the U.S. Congress and dedicated to the proposition that a world without violent conflict is possible, practical and essential for U.S. and global security. In conflict zones abroad, the Institute works with local partners to prevent, mitigate and resolve violent conflict. To reduce future crises and the need for costly interventions, the Institute works with governments and civil societies to build local capacities to manage conflict peacefully. The Institute pursues its mission by linking research, policy, training, analysis and direct action to support those who are working to build a more peaceful and inclusive world. Visit our website at [www.USIP.org](http://www.USIP.org).

---

<sup>14</sup> Rubin, Barnett R. 2020. “Reimagining U.S. Asia Policy for a Peaceful Afghanistan.” United States Institute of Peace, December 2020. [https://www.usip.org/sites/default/files/Afghanistan-Peace-Process\\_Reimagining\\_US-Asia-Policy-for-a-Peaceful-Afghanistan.pdf](https://www.usip.org/sites/default/files/Afghanistan-Peace-Process_Reimagining_US-Asia-Policy-for-a-Peaceful-Afghanistan.pdf); Ismay, John. 2021. “U.S. Defense Secretary Makes Secret Visit to Afghanistan.” *New York Times*, March 21, 2021. <https://www.nytimes.com/2021/03/21/world/asia/afghanistan-lloyd-austin.html>.