



**Vandenberg Coalition Afghanistan Working Group Report**  
**March 2022**  
**Executive Summary**

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The Vandenberg Coalition Afghanistan Working Group convened a diverse group of national security professionals to develop policy recommendations for the Biden administration and Congress in the wake of the 2021 Afghanistan crisis. Members of the working group included former government officials, military veterans, and academics with substantive expertise in a range of areas including Afghanistan, China, Iran, India, Pakistan, Russia, counterterrorism, sanctions, humanitarian aid, and human rights. The group met from September 2021 to February 2022 to discuss the major consequences of the crisis for U.S. national security and to develop forward-looking proposals. In addition to offering several policy recommendations, the group's work highlights points of failure in the 2021 U.S. withdrawal from Afghanistan with the intention of ensuring that the deadly mistakes of this crisis never again occur.

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**Working Group Members**

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*Members of the working group contributed diverse ideas and perspectives, and this report incorporates those efforts. Members of the group agree that the report is an important contribution to the policy discussion on Afghanistan, but as individuals do not necessarily endorse all of its recommendations.*

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**Recommendations Overview**

*The Executive Summary is a delineation of recommendations proposed by the members of the Vandenberg Coalition's Afghanistan Working Group. Additional details on these recommendations follow in the subsequent pages of this report. Recommendations are organized in five categories: Relations with the Taliban; Counterterrorism; Great Power Competition and Regional Dynamics; Evacuations; and Human Rights and Humanitarian Aid.*

**Relations with the Taliban**

- 1. Deny the Taliban bilateral and international diplomatic recognition – be clear that the United States does not recognize the Taliban regime as the legitimate government of Afghanistan.**
- 2. Maintain robust financial pressure on the Taliban regime.**
  - **NOTE: Some members argued for keeping domestic and international sanctions in place, maintaining strict limits on the use of funds held by the Federal Reserve, and monitoring Afghanistan's banking sector for evidence of money laundering that could lead to a PATRIOT Act 311 finding. Other members argued that aggressive use of sanctions would be strategically and morally counterproductive, exacerbating the suffering of the Afghan people without destabilizing the Taliban. Further details are provided in the report.**
- 3. Deny the Taliban access to or benefits from bilateral and multilateral assistance.**



### **Counterterrorism**

- 1. Diplomatically isolate the Taliban and maintain U.S. and international sanctions on the group until it takes proactive measures to combat all terrorists in the country.**
- 2. Expand counterterrorism cooperation with countries in the region with the goal of securing access for Intelligence, Surveillance, and Reconnaissance (ISR) collection and aerial strikes.**
- 3. Harmonize U.S. humanitarian and counterterrorism objectives to avoid unintentionally bolstering the Taliban through the distribution of foreign assistance.**
- 4. Limit engagement with Pakistan to the minimal extent necessary to retain access to its airspace to conduct drone strikes in Afghanistan.**
- 5. Provide non-lethal aid to the National Resistance Front (NRF).**
- 6. Monitor the flow of foreign terrorist fighters (FTFs) into Afghanistan and take appropriate measures to stem those flows.**

### **Great Power Competition and Regional Dynamics**

- 1. Support alternatives to the Taliban by working with regional partners.**
- 2. Engage Kazakhstan and Uzbekistan bilaterally and in conjunction with Turkey and Azerbaijan.**
- 3. Avoid Pakistan as much as possible, working with it only when it is unavoidable, primarily for counterterrorism operations.**
- 4. Bolster relations with India – a major regional player aligned with the United States in the Indo-Pacific that shares many U.S. interests in Afghanistan.**
- 5. Maintain balancing against China as a guiding principle for overall U.S. engagement in the region, but do not try to counter all Chinese inroads in Afghanistan. Opposing China’s every move in Afghanistan could be a costly distraction from competition in the Indo-Pacific. Forge closer ties with India, and seize opportunities to split China from Pakistan on counterterrorism issues.**

### **Evacuations**

- 1. Establish a dedicated parole channel for at-risk Afghans to expedite the evacuation of those who assisted the United States and share our values.**
- 2. Create a humanitarian corridor for aid delivery and safe passage for vulnerable civilians.**
- 3. Reduce administrative barriers and improve cooperation and transparency with private groups.**

### **Human Rights and Humanitarian Aid**

- 1. Develop a comprehensive strategy to support the Afghan people and ameliorate the humanitarian crisis.**
  - NOTE: Group members had differing views on certain details of the proposed strategy. Some members argued for robust efforts to address the liquidity crisis in Afghanistan and stabilize the Afghan currency; whereas others raised concerns that such efforts could indirectly subsidize the Taliban. Details of the opposing views are provided in the body of the report.**
- 2. Exert U.S. leadership on the human rights situation inside Afghanistan, especially through engagement with Afghan civil society.**
- 3. Work with allies on a robust effort to reshape the United Nations Assistance Mission in Afghanistan (UNAMA) mandate.**
- 4. Pursue a principled human rights-centered strategy throughout the U.S. government, in international organizations, and in cooperation with allies and partners.**



## Afghanistan Working Group Recommendation Background and Additional Context

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### *Relations with the Taliban*

The United States should isolate the Taliban and avoid legitimizing or otherwise assisting them. Weakening the Taliban advances vital U.S. interests in counterterrorism, regional stability, and great power competition while creating critical leverage for progress on human rights, humanitarian assistance, and evacuations. Nevertheless, working group members recognize that some efforts to isolate the Taliban could create challenges in securing certain U.S. objectives, including humanitarian aid distribution. U.S. relations with Afghanistan going forward will therefore require a principled balancing of these interests. The group recommends that the United States be clear-eyed in its approach, recognizing that all interests cannot be pursued simultaneously and that the Taliban will never be a reliable partner.

### *Relations with the Taliban Recommendations*

- **Deny the Taliban bilateral and international diplomatic recognition.** U.S. policy should be clear that the United States does not recognize the Taliban regime as the legitimate government of Afghanistan. The Biden administration and Congress should explore options to formally designate the Taliban as having come to power via a coup. The United States should maintain ties to opposition groups and civil society working to oust the Taliban. The United States should press key allies, including nations in Europe, to follow the same approach in their own relations with Afghanistan. The Biden administration should continue to press the United Nations to deny the Taliban credentials to represent Afghanistan in the UN system. The administration should also work to deny the Taliban any credentials or representation in any other international organization or multilateral forum.
- **Maintain robust financial pressure on the Taliban regime.** The Biden administration should maintain domestic sanctions on the Taliban, and use American influence in multilateral bodies to maintain international sanctions on the Taliban. In response to the President's executive order of February 11, 2022, Congress should consider legislation to maintain strict limits on the use of funds held by the Federal Reserve on behalf of Afghanistan's central bank, removing the potential for future licenses or exceptions that might allow funds to be diverted or otherwise provided to or through entities connected to the Taliban. The administration should urge other countries and both international and regional financial institutions to continue and expand asset freezes for the Taliban government and associated individuals. The Treasury Department should monitor Afghanistan's banking sector closely for evidence of money laundering or terrorist financing, which could lead to a PATRIOT Act 311 finding against either Afghanistan's central bank or its financial sector. The President and Congress should consider secondary sanctions against firms and financial institutions that conduct or facilitate transactions with the Taliban and sanctioned entities, recognizing that they have the option to allow for necessary licenses and exceptions for humanitarian purposes, as appropriate, to facilitate liquidity, transparent private sector financial flows, and aid delivery to the Afghan people, as discussed in this report's humanitarian section.

**Note:** The working group had a split view on aspects of the above proposals.



Some group members suggested secondary sanctions against the Taliban should be more clearly defined in law as applying to all ministries, agencies, entities, or instrumentalities controlled by the Taliban. They also argued that a focus on allowing for liquidity and financial flows for humanitarian purposes might undermine policies aimed at isolating the Taliban, believing that the Taliban could use resources intended to assist the Afghan economy for nefarious aims. Other group members were concerned this approach was overly broad and punitive towards the Afghan people. A pragmatic and principled approach to developing policies on Afghanistan must recognize this tension between isolating the Taliban and assisting the Afghan people. The humanitarian aid section will detail this split view among the group in greater detail.

- **Deny the Taliban access to or benefits from bilateral and multilateral assistance.** Congress should prohibit any bilateral assistance to Afghanistan from going to projects, programs or salaries connected to the Taliban, entities controlled by the Taliban, or Taliban-controlled government ministries or instrumentalities. The Biden administration and Congress must exercise strict oversight over all U.S.-funded multilateral assistance programs in Afghanistan to prevent funds from being used for projects, programs or salaries connected to the Taliban. This approach will entail providing assistance through Afghan non-governmental organizations and exploring informal channels to prevent the Taliban from benefiting from America's generosity. The Biden administration and Congress should take all necessary steps to prevent international financial institutions and multilateral development banks from providing loans or other assistance to the Taliban, entities controlled by the Taliban, or Taliban-controlled government ministries or instrumentalities.

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### *Counterterrorism*

Counterterrorism must remain the top strategic priority of the United States in Afghanistan. The Taliban is a Specially Designated Global Terrorist (SDGT) under U.S. law; it counts designated terrorists, including Sirajuddin Haqqani, among its most senior leadership; and it continues to provide safe haven to al Qaeda. Further, one of the Islamic State's most formidable branches, ISIS-K, controls territory in eastern Afghanistan and is carrying out attacks across the entire country.

The U.S. withdrawal from Afghanistan severely diminished its capability to counter these terrorist organizations, created conditions that will give terrorist groups the time and space necessary to plot attacks against the United States and its allies, and handed the global jihadist movement its most resounding propaganda victory since 9/11. Nonetheless, there are concrete steps that Congress and the Biden administration can take to help mitigate the threat posed by terrorism emanating from Afghanistan.

Paramount among those steps is diplomatically isolating the Taliban to the fullest extent possible, and maintaining U.S. and international sanctions on the group, until it takes proactive measures to combat all terrorists in the country, including both al Qaeda and members of its own Haqqani Network. Second, the United States should expand counterterrorism cooperation with countries in the region with the goal of securing access for ISR collection and aerial strikes on terrorist targets in Afghanistan. Next, the United States must harmonize



its humanitarian and counterterrorism objectives to avoid unintentionally bolstering the Taliban through the distribution of foreign assistance to the Afghan people.

Because the United States is now less reliant on Pakistan for access to Afghanistan, it can reduce its cooperation with a nation with longstanding ties to the Taliban. The United States should avoid partnering with Pakistan as much as possible, limiting engagement to when it needs access to Pakistani airspace. As the United States builds relationships with other regional players, cooperation with Pakistan on counterterrorism should occur less frequently. The United States also should explore ways to provide non-lethal support to the National Resistance Front (NRF), the only viable armed anti-Taliban resistance movement without ties to terrorism. Finally, the United States and its allies should take steps to ensure Afghanistan does not become the destination of choice for aspiring foreign terrorist fighters (FTFs).

#### *Counterterrorism Recommendations*

- **Codify, clarify, and strengthen the sanctions regime against the Taliban and establish a clear set of redlines that the United States cannot cross in dealing with the Taliban unless it meets certain counterterrorism conditions.** Those conditions should include the Taliban taking verifiable active measures to combat al-Qaeda, the Islamic State (i.e., ISIS-K), and other designated terrorist organizations within Afghan territory; denying any SDGTs, including members of the Taliban and Haqqani Network, positions within the Taliban administration; and the safe return of all Americans and allied nationals held hostage by Taliban allies. Unless the Taliban verifiably meets these conditions, the United States should not consider sanctions relief, diplomatic recognition, intelligence sharing, or counterterrorism cooperation. These redlines aim to isolate the Taliban, block it from financial resources, and deny it even a scintilla of legitimacy unless it fully and actively rejects and combats all forms of terrorism. Congress should consider enacting legislation that prevents the lifting of sanctions unless the Taliban meets these conditions.

**Note:** The assessment of this working group is that the Taliban is unlikely to meet even the first condition of sanctions relief – breaking with al Qaeda – and therefore the United States is unlikely to ever lift sanctions on the Taliban. The Biden administration’s Treasury Department recently greenlighted non-governmental organizations to pay taxes or fees to the Haqqani Network. Congress should consider enacting legislation to reverse this action and freeze the status quo sanctions regime to ensure that the Biden administration cannot pursue similar policies moving forward.

- **Expand counterterrorism cooperation with countries in the region, ultimately seeking access for ISR collection and aerial counterterrorism strikes in Afghanistan.** The Biden administration’s “over-the-horizon” (OTH) strategy is not a viable approach for degrading the terrorist threat in Afghanistan and keeping America safe. The lack of a U.S. or allied presence in Afghanistan, coupled with the fact that Afghanistan is a landlocked country, makes OTH little more than a talking point – as evidenced by the fact that the U.S. has not taken a single strike in the country since our withdrawal nearly six months ago. Any ability to conduct effective strikes on terrorist leaders and operatives in Afghanistan will require, at a minimum, the ability to operate ISR assets via a neighboring country. Uzbekistan and Azerbaijan are potential candidates for an access or basing agreement. However, in pursuit of such an arrangement in a region where Russia is a dominant player, the United States must be careful not to make concessions that would undermine its interests vis-à-vis Russia in other contexts.



- **Align humanitarian efforts with counterterrorism objectives.** The United States should be very deliberate about delivering humanitarian assistance in Afghanistan to ensure that it does not benefit the Taliban. Terrorist organizations and authoritarian oppressors alike have a history of hijacking foreign assistance – literally and figuratively – to advance their own interests and strengthen their grip on power. They achieve this by taxing humanitarian assistance, controlling its distribution in a manner that benefits supporters and punishes enemies, and arrogating credit for the aid in an attempt to prove legitimacy and win over the support of the population. U.S. humanitarian assistance efforts must comply with robust standards of monitoring and oversight as discussed in the humanitarian section.
- **Limit engagement with Pakistan to the minimal extent necessary to retain access to its airspace to conduct drone strikes in Afghanistan.** It is the assessment of this working group that Pakistan is unlikely to stop providing financial, logistical, operational training, and intelligence support to the Taliban. The United States should therefore focus on providing the minimal amount of aid and diplomatic engagement with Pakistan necessary to maintain access for drone operations. If Pakistan fails to prevent foreign terrorist fighters from accessing Afghanistan via its territory, the U.S. should suspend the remaining economic assistance it provides Pakistan and reduce even further its diplomatic engagement with Islamabad.
- **Provide non-lethal aid to the National Resistance Front (NRF).** The NRF, whose leadership has ties to the former Northern Alliance, is committed to fighting the Taliban, has professed its respect for human rights and the rule of law, and has attracted support from some former members of the U.S.-trained Afghan National Security Forces. U.S. support for the NRF could range from intelligence, financial assistance, food and medical assistance, and high-profile engagements to provide the group with increased legitimacy.
- **Monitor the flow of foreign terrorist fighters (FTFs) into Afghanistan and take appropriate measures to stem those flows.** Terrorist groups whose ranks comprise globally oriented FTFs pose a grave threat to the United States and its allies. FTFs bolster the capabilities of terrorist groups in a number of ways, including their foreign language skills that can be leveraged for recruitment and propaganda, their access to international sources of financing, the unique technical skills many have brought, and their ardent commitment to a global Salafi Islamist ideology. The United States and its allies should be prepared to take steps to pressure source and transit countries to actively prevent the flow of FTFs to Afghanistan. Additionally, the United States should be prepared to support messaging efforts to dissuade potential FTFs from going to Afghanistan in the event that it emerges as a destination for large numbers of FTFs (akin to Syria from 2014-2019).

#### *Counterterrorism Additional Context*

Counterterrorism remains the United States' principal strategic interest in Afghanistan. The Taliban is a U.S.-designated terrorist organization and the country is home to two global terrorist organizations that seek to inflict harm on the United States: al Qaeda and ISIS-K. Al Qaeda maintains a fraternal relationship with the Taliban and will likely enjoy safe haven in Afghanistan as long as the Taliban controls territory there. ISIS-K, an avowed rival of the Taliban and al Qaeda, controls territory in eastern Afghanistan and has expanded its presence to nearly every province in the country since the U.S. withdrawal. Both al Qaeda and ISIS-K have demonstrated an ability and willingness to conduct spectacular mass casualty attacks within Afghanistan, and intelligence officials have assessed that ISIS-K may develop external attack capabilities as soon as April 2022.



The Biden administration’s stated approach to countering these serious terrorist threats is through “over-the-horizon” airstrikes, ostensibly launched from the Persian Gulf. This approach has already proven ineffective, and myriad challenges – ranging from terrain to intelligence collection to airspace access – inhibit the viability of OTH. A more robust and forward-leaning approach to counterterrorism is required if the United States is to have any shot at preventing Afghanistan from becoming a terrorist safe haven from which attacks can be planned and launched against the United States and its allies.

U.S. counterterrorism policy for Afghanistan should aim to weaken the Taliban given its own terrorist leadership and role as a protector of al Qaeda; keep open the ability to strike al Qaeda and ISIS-K leaders and operatives; and prevent the flow of foreign terrorist fighters to Afghanistan.

Weakening the Taliban will require continuing to exclude it from the global financial system and denying it any degree of legitimacy. Part of denying the Taliban legitimacy means that the U.S. should not treat the Taliban as a counterterrorism or intelligence sharing partner. The Taliban is a designated terrorist organization, and any information the group were to provide to the United States could not reasonably be trusted. Moreover, the Taliban would likely seek to extract concessions from the United States in return for any purported counterterrorism assistance. Fully weakening the Taliban would also require severing the Taliban from its primary source of strength – Pakistan – though we want to stress that it is the assessment of this working group that Pakistan is unlikely to cut ties with the Taliban. Nevertheless, we should note that with the withdrawal from Afghanistan, the United States has an opportunity to exert more diplomatic and economic pressure on Pakistan than in the past and raise the cost of its ongoing support for the Taliban. Finally, weakening the Taliban requires supporting non-terrorist entities that are capable of challenging its grip on power. The only viable such entity today is the National Resistance Front (NRF).

Maintaining the ability to degrade al Qaeda and ISIS-K through aerial strikes is also imperative. Although the U.S. withdrawal significantly hampered such capabilities, operating ISR in the region is critical for enabling such strike capabilities. To be clear, aerial strikes can disrupt or degrade a terrorist organization, but in isolation cannot bring about its enduring defeat. In addition to regional ISR positioning, the United States and its partners need to ensure that foreign fighters do not flow into Afghanistan to bolster the ranks of al Qaeda and ISIS-K. The two most formidable terrorist threats the world has ever faced were groups made up of large numbers of foreign fighters based in failed states: al Qaeda of the early 2000s in Afghanistan and ISIS in the mid-2010s in Syria and Iraq. Every measure should be taken to monitor and preemptively prevent flows of foreign fighters to Afghanistan today.

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### *Great Power Competition and Regional Dynamics*

U.S. policy toward Afghanistan and the Taliban regime should follow a balancing approach drawing on the competing ambitions of Pakistan, India, Iran, the Russian-aligned Collective Security Treaty Organization, China, and the Turkic states. Military, political, and economic investments should be carefully designed to build political alternatives to the Taliban. The United States should avoid working with Pakistan as much as possible,



cooperating only when it is unavoidable because of access to Pakistani airspace, or in specific instances of necessary counterterrorism cooperation. As the United States cultivates counterterrorism ties with other regional states, cooperation with Pakistan on counterterrorism issues should become less frequent. The United States should strengthen its partnerships with India and neighboring states, which will not only serve U.S. interests in Afghanistan, but also further U.S. goals in competition with China in the Indo-Pacific. China is unlikely to cooperate in a process that erodes Taliban control in Afghanistan and will instead attempt to increase its influence and access in Afghanistan, Central Asia, and Pakistan. Countering China's every move in Afghanistan will be costly for the United States, and the United States is best served by focusing on competing with China primarily in the Indo-Pacific while otherwise raising the costs for Chinese cooperation with the Taliban. China will need to balance its interest in bolstering Pakistan with preventing terrorism, and as a result, U.S. and Chinese goals may align in limited instances.

#### *Great Power Competition and Regional Dynamics Recommendations*

- **Support the maturation of alternatives to the Taliban.** This approach includes engagement with the National Resistance Forces and other viable civil and political entities to increase their international legitimacy and non-kinetic capabilities, so they can compete with the Taliban. The NRF should be afforded a key role in any cross-border aid beyond the multilateral programs now in place. Afghan diaspora, particularly those who exercised capable leadership in the past, should receive political and financial support and training to facilitate organizational and informational capabilities. NRF leadership should be invited to meetings and engagements in Europe, India, the United States, and elsewhere. The United States should also explore an understanding with Tajikistan to support anti-Taliban groups in Tajikistan and seek to mitigate Russian efforts to disrupt U.S.-Tajikistan coordination. Russia has strong influence over Tajikistan, given Tajikistan's CSTO affiliation and reliance upon Russian security assistance. Yet Dushanbe also has the clearest overlap of interests with Washington on the matters of rolling back Taliban supremacy across Afghanistan and preventing export of Taliban pathologies into neighboring states.
- **Engage Kazakhstan and Uzbekistan both bilaterally and in conjunction with Turkey and Azerbaijan about supporting Turkic minorities in Afghanistan.** The Turkic states (individually and collectively as the Organization of Turkic States) have interests in the Turkic minorities in Afghanistan, in its commercial potential, and its stability. They also oppose Pashtun domination of the North, and have no interest in Pakistan, China, Iran, or Russia dominating Kabul. Ankara's relations both with opposition elements and with the Taliban present opportunities for the U.S. to indirectly push for and support our policy interests.
- **Avoid cooperation with Pakistan.** Pakistan has consistently undermined U.S. interests in Afghanistan. The Taliban were able to quickly retake control in Afghanistan last summer partly due to the sanctuary and support they enjoyed in Pakistan during the last 20 years. Per other recommendations made throughout this report, the United States must minimize dependence on Pakistan, especially by leveraging other partners for counterterrorism cooperation, and by deepening its partnership with India as follows.





- **Bolster relations with India.** India, as a major regional player aligned with the United States in the Indo-Pacific, shares many U.S. interests in Afghanistan. India can play a positive role in multilateral diplomacy, humanitarian assistance, and development of political alternatives for Afghanistan, including while it remains a member of the UN Security Council for the remainder of 2022. Enhancing the U.S.-India partnership is essential to advancing stability in Afghanistan and U.S. interests in broader great power competition with China.
- **Manage costs in competing with China.** China will seek to increase its access and influence in Afghanistan, Central Asia, and Pakistan, extracting resources from Afghanistan and offering support to the Taliban. Balancing against China should guide U.S. policy in the region, but countering China's every move in Afghanistan could be costly for the United States and a distraction from competition in the Indo-Pacific. Managing these tradeoffs will be a critical component of U.S. policy moving forward. As the United States reduces its reliance on Pakistan following U.S. withdrawal, it can lean more decidedly toward India in balancing China's regional ambitions. Per the above recommendation, the United States should continue to develop the U.S.-India partnership as a critical component of competition with China.

#### *Great Power Competition and Regional Dynamics Additional Context*

Afghanistan and Central Asia present policy challenges that require U.S. engagement and influence despite the withdrawal of U.S. forces from Afghanistan and the collapse of the democratic government. Our interests in counterterrorism, human rights, counter-narcotics, and competition with China, Russia, and Iran continue. The nature of our withdrawal, however, has limited the options to exert direct influence. NATO no longer has access; quasi-antagonist Pakistan has successfully hedged against our position; and the other states neighboring Afghanistan are limited in their ability to pursue policies contrary to those of Beijing and Moscow. Moreover, the pro-U.S. factions in Afghanistan are scattered, defeated, co-opted, fled, or dead.

A weak hand demands recourse to an indirect approach. In military terms, this means providing discreet support to neighboring states seeking to balance against the Taliban, ISIS-K, and other extremists in Afghanistan. It may include training and equipping, together with partners, Afghan forces planning eventual return to the country should the Taliban regime fail. At a minimum, it should entail strengthening intelligence sharing and law enforcement operations with willing partners in the region focused on counterterrorism and counter-narcotics. In political terms, this approach entails engaging with Afghanistan's diaspora to support civil society organizations, business associations, political alternatives, and media focused on Afghanistan. In economic terms, the indirect approach means not empowering the Taliban with aid and repatriated assets, or with the lifting of U.S. or international sanctions. Metered multilateral assistance to avoid humanitarian suffering is appropriate, and should be structured in a way that promotes alternatives to the Taliban.

The indirect approach is a means to an end. In terms of great power competition, that end is to ensure that the situation in Afghanistan, and U.S. policies toward the country, do not damage our ability to compete elsewhere with great power rivals. Only a relatively stable balance in Afghanistan will enable multilateral pressure that curbs the Taliban's worst tendencies while enabling the emergence of political alternatives. There is no single partner for the United States in this endeavor analogous to Pakistan at the time of the anti-Soviet resistance.



There is, however, a constellation of actors with vested interest in a stable balance in Afghanistan – a constellation whose constituent parts have antithetical interests that we can influence and leverage.

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### *Evacuations*

Following the chaotic and dysfunctional U.S. evacuation effort in August 2021, hundreds of American citizens, thousands of Lawful Permanent Residents (LPRs), and tens of thousands of Afghan allies – including those eligible for Special Immigrant Visas (SIVs) and priority refugee status – remain trapped under Taliban rule. Moreover, over the six months since the fall of Kabul, the Biden administration’s evacuation and resettlement efforts remain ad hoc, sub-scale, and non-transparent. Thousands of at-risk Afghans relocated to third countries such as Albania, North Macedonia, and the United Arab Emirates are in limbo. With the economic and human rights situation inside Afghanistan rapidly deteriorating, there is an urgent need for the Biden administration to summon the energy and determination to rescue and support the at-risk Afghans whom the United States is disgracefully neglecting.

Without a presence on the ground in Afghanistan, the Biden administration has relied on third parties – foremost, the Qatari government – to negotiate and arrange safe passage for American citizens and at-risk Afghans left behind. Yet even for desperate Afghan allies who have escaped to third countries through their own efforts or those of NGOs, the White House has failed to materially adapt, meaningfully streamline, or clarify cumbersome, resource-intensive, and opaque processes that contribute nothing to security of the homeland. Travelers are told to maintain lodging near the airport, ensure everyone’s documents are exactly in order, and arrange multiple COVID tests, all while hiding from the Taliban and navigating Afghanistan’s financial and humanitarian crises. Unsurprisingly, the number of Afghans evacuated since August 31 has been a trickle and most of those who have left since then have been American citizens and LPRs. The administration had hoped to achieve a departure rate of 1,000-2,000 persons per month by now but is nowhere near that. Even if they could achieve that rate, it would still take one-to-two years just to evacuate the remaining SIV population. But reaching that tempo is unlikely, as the airbridge between Kabul and Doha, Qatar continues to be problematic, and Afghanistan’s neighbors have largely closed their land borders to forestall refugee flows. Nonetheless, other countries – including Germany, Italy, Canada, and Australia – have managed to find ways to assist at-risk Afghans in escaping.

As during the August evacuation, private groups and individuals have stepped in to pick up the U.S. government’s slack, while simultaneously fighting endless bureaucratic battles to support at-risk Afghans both inside and outside Afghanistan. Veterans’ groups and others who have led this effort since August are aiding these allies out of their own pockets, finding creative ways to get money, food and other basic items to them. The situation is particularly acute for the thousands of at-risk women and girls left behind on August 31<sup>st</sup>. Women political leaders, business owners, human rights defenders, and journalists have been routinely disadvantaged over the course of the evacuation. Among approved primary SIV applicants who have arrived in the United States, approximately 7% are believed to be women. Many women activists are eligible for priority 1 or 2 (P1/P2) refugee status, but they are required to leave Afghanistan to even begin the application. However,



many neighboring countries are reluctant to provide them temporary haven without assurances they have an onward destination – assurances the United States has explicitly refused to provide. As a result, America’s most vulnerable Afghan allies are hiding from the Taliban, running out of money and often without access to humanitarian assistance, work, or their own savings. Without a male escort, they dare not leave their house and risk arrests or worse.

The U.S. urgently needs to keep its promise to those Afghans who supported the United States and share its values. In addition to the current target groups, the United States must prioritize the evacuation of at-risk women, persecuted ethnic and religious minorities, and others being targeted by the Taliban. This includes female security personnel, certain key personnel who worked in Afghan government agencies, and Afghan National Army Special Operations Command. Although there is no silver bullet to fix the current situation, there are reasonable and responsible steps the administration can take to reduce the bureaucratic bottlenecks and overall atmosphere of indecision and inertia that continue to plague the process well beyond the point at which they should have been addressed.

#### *Evacuations Recommendations*

- **Establish a dedicated parole channel for at-risk Afghans.** The handling of the August evacuation has created an unjust and inappropriate disparity between those who were able to get through the gates at Hamid Karzai International Airport (HKIA) and onto flights to the United States or a U.S.-run “lily pad” and those who did not. According to the Department of Homeland Security’s December 2021 report on those paroled into the United States as a result of the evacuation, more than half did not meet the eligibility criteria for SIV, priority refugee, or emergency parole status. Meanwhile, many of those who have risked and sacrificed the most to protect Americans, promote democracy, and advance human rights for over the past two decades, including those who worked for or closely with the U.S. and our allies, remain in limbo in third countries with no clear path to the United States or trapped in Afghanistan. This shameful disparity between the treatment of the at-risk Afghan allies we promised to help and those who just got lucky last summer has added insult to the moral injury of the evacuation.

The executive branch should make much wider use of its existing authorities to humanitarian parole Afghans eligible for SIV or priority refugee status to enter the United States temporarily, where they can then complete their SIV or asylum applications. These individuals have already been pre-screened by reputable non-governmental organizations, U.S. contractors, and the volunteer evacuation community, and many already have sponsors, promises of jobs, or a desire to join the U.S. military as soon as possible. They can be processed through the existing “lily pad” system and subject to the same level of security screening and verification as the nearly 70,000 individuals who have been processed to date. Rather than subjecting them to individual adjudication on a case-by-case basis, qualified applicants who are referred into the parole category would be subject to expedited review. While the administration has almost unlimited discretion to design the criteria for the category, Congress should insist that it include those who are most at-risk of persecution and who would otherwise have a viable path for admission.

Unlike the current heavily bureaucratic approach, a dedicated parole category also would allow qualified Afghans to receive preliminary U.S. travel authorization prior to crossing a border, making it easier for them to depart Afghanistan through legal channels. Humanitarian parole should be used for the



immediate processing of at-risk Afghans evacuated to non-lily pad third countries such as Albania. Rather than drawing artificial distinctions about, for example, whether an at-risk Afghan was evacuated before or after September 1, 2021, the administration should use its authority broadly to ensure that vulnerable populations of at-risk Afghans in third countries are either brought to the U.S. or successfully resettled in other allied countries such as Canada or the UK. While the humanitarian parole process offers a clear, expedited process to bring at-risk Afghans to the United States, it retains rigorous security vetting in addition to the referrals and sponsorships by U.S. organizations and individuals.

- **Create a humanitarian corridor for safe passage and humanitarian aid.** A humanitarian corridor or land-bridge would allow the international community to bring in much needed humanitarian assistance. It also could provide a means of safe passage for those with an eligible pathway to the United States or another third nation. Under the supervision and protection of the humanitarian corridor protecting power, an international organization such as UNHCR, the ICRC, or the IOM could facilitate safe passage of at-risk Afghans in order to complete their processing for onward resettlement. The United States, the resettlement agency and other countries that have pledged to accept Afghan refugees could establish a processing center to handle these cases. Not only would this allow the most at-risk Afghans much needed protection, but it would also mitigate illegal migration flows and human trafficking in the region.
- **Reduce administrative barriers and improve cooperation and transparency with private groups.** The CARE team that the administration has set up has not been a model of transparency or accountability in its engagement with the broader community of veterans' groups, faith-based organizations, and others who have been working to assist at-risk Afghans. While the recent addition of a special advisor for women has added a helpful focal point for that community, the quality of engagement remains uneven and it often seems the main purpose of the CARE team is to manage the private groups rather than genuinely partner with them. While not all of the private groups are created equal, many of them include substantial expertise and have successfully rescued a number of vulnerable Afghans who otherwise would not have made it. Likewise, the administration has not done enough to reduce unnecessary bureaucracy and streamline processes. For example, the State Department continues to insist on in-person interviews for many visa categories, rather than using video interviews as it has done elsewhere in the world. Likewise, the Centers for Disease Control and Prevention (CDC) has determined that displaced Afghans outside lily pads must obtain a CDC-approved medical exam wherever they are currently located. Instead, the administration should screen applicants for communicable diseases, but centralize the CDC-required medical exams and, where necessary, carry out health quarantines in either a lily pad location or permit medical exams and quarantines at the U.S. military bases that are rapidly emptying as the prior cohort is resettled. Finally, the Department of Homeland Security should preemptively waive fees for Afghan applicants rather than requiring applicants to seek individual fee waivers. The delays and transaction costs inherent in individually adjudicating every step of a large number of similarly situated Afghan cases argues strongly for eliminating certain processes that make sense in a case-by-case adjudication but are not useful with this well-defined cohort.



### *Human Rights and Humanitarian Aid*

The Taliban takeover of Afghanistan in 2021 has radically remade the country's political, security, social, economic and human rights landscape for the worse. Since August 2021, the Taliban has overthrown the constitutional and governance architecture that, while imperfect, made possible over the past twenty years the growth of a dynamic civil society, robust independent media, profound improvements in the rights of women, girls, and ethnic and religious minorities, and extraordinary gains across almost every health, education and human development indicator. Whatever its limitations, the fragile framework of Afghanistan constructed since 2001 bettered the lives of millions. With the Biden administration's abandonment of Afghanistan, all of these gains have been thrown into jeopardy, with consequences both tragic and predictable. With stunning speed, Afghanistan has become what the UN has warned is the worst humanitarian crisis in the world, eclipsing even Syria and Yemen.

The collapse of governance in Afghanistan has significant security implications for the United States. History has repeatedly taught that regimes that radically violate the rights of their people more often than not end up threatening the wider international community; the fallout from catastrophically failed states, moreover, seldom stays contained within their borders. Afghanistan under the Taliban is once again a safe haven for transnational terrorism, a major source of heroin production, and an alarming human rights situation.

Unfortunately, the Biden administration's response to Afghanistan's torment has been inadequate, opaque, or counterproductive. Rather than confusing process for policy or allowing itself to be driven by short-term political optics, the White House must step up and combat the worst effects of the human disaster for which it bears an unusual degree of culpability – and do so in a way that does not further endanger America's national security.

Implementing these recommendations will not be easy, and doing so will require the United States to exhibit a level of political will, policy creativity, and international leadership the Biden administration has been lacking up to now. In addition, the Taliban has been conditioned by both prior negotiations and its experience since August to expect that it never needs to make concessions nor worry about being held accountable. This dynamic must change if the international community expects to see a different result in Afghanistan, and wishes to avoid state collapse, the return of terrorist safe havens, or the renewal of violent civil war. If the Taliban wants to be treated as a legitimate political force, they should be held to minimal standards of participation in political processes, including by exhibiting a willingness to compromise, share power, and adhere to international human rights norms, including women's rights. Should they continue to strip away the rights of the Afghan people, carry out extrajudicial killings, divert aid from the people, restrict fundamental human rights, and ally themselves with terrorists, they should have to bear the consequences.

### *Human Rights and Humanitarian Aid Recommendations*

- **Develop a comprehensive strategy to support the Afghan people and ameliorate the humanitarian crisis.** As mentioned previously, the United States should maintain significant targeted economic pressure on the Taliban and its associates while delivering humanitarian assistance to Afghan civilians. As the world's largest humanitarian donor, the United States has extensive capabilities to ensure that humanitarian assistance is provided to the Afghan people in ways that do not legitimize or enrich the



Taliban, including by working with and through Afghan and American NGOs. All U.S.-funded assistance is already subject to strict monitoring and oversight, including adherence to humanitarian principles of impartiality, transparency, and accountability. The U.S. should work to ensure aid provided through the United Nations and other multilateral institutions adheres to the same limitations that apply to U.S. bilateral assistance. Congress, the administration, and aid agencies should work to maintain these robust standards, and large international implementing agencies should lead efforts to push back on any Taliban efforts to divert or instrumentalize aid. This could extend to tasking the Special Inspector General for Afghanistan Reconstruction (SIGAR) with additional monitoring responsibilities for UN-provided aid.

Every effort should be made to support smaller Afghan and other non-government actors to ensure that they are conducting their activities in ways that are in compliance with U.S. law and policy. U.S.-based veterans' and faith-based groups that are providing support directly to Afghans are among the most valuable and under-utilized assets in ensuring targeted and effective aid to the most vulnerable Afghans, but often lack compliance and monitoring capabilities. The humanitarian community should work to support them and ensure they are able to maintain these key lifelines, while providing them much-needed official cover to carry out their work. In addition, the administration should work with the humanitarian community and international financial institutions (IFIs) to establish an escrow account, which can be used for the benefit of the Afghan people. The administration should modify or rescind licenses that allow for payment of taxes, fees, or duties to the Taliban. There should also be additional pressure placed on the Taliban to account for the hundreds of millions of dollars it has collected in fees and taxes since September 1, 2021.

As noted, the United States and its humanitarian partners should explore the option of a humanitarian corridor that can operate cross-border to facilitate the movement of goods and services into the country via channels outside Taliban control.

As the largest donor to UN humanitarian operations in Afghanistan, the United States should insist the UN position its humanitarian agencies as advocates for their local staff and partners in ways that shield them from Taliban pressure. Under no circumstances should UN humanitarian agencies be permitted to cut their own deals with Taliban authorities in ways that compromise their integrity and humanitarian principles. They should instead be encouraged to use non-governmental Afghan channels such as Community Development Councils, and work to create humanitarian space for them. UN funds and programs and other international organizations must also maximize the use of their protection functions to reduce Taliban pressure on local organizations.

**Note:** The working group had a split view on the following additional proposals.

Some members of the working group agreed with this view: With regard to the liquidity crisis, the U.S. should intensify high-level engagement with leading international banks and IFIs to encourage them to enable financial transactions in support of humanitarian activity and legitimate commerce within the parameters of U.S. sanctions policy. The U.S. should back direct cash payments into the hands of Afghans who need them most, including through micro-grants to woman-run businesses, cash-for-work projects to restore basic infrastructure, and continuing to directly pay the salaries of health workers, teachers, and other providers of essential services. World Bank trust funds that have now been made



available for Afghanistan should be directed towards activities that will improve livelihoods and liquidity, including by working with the Community Development Councils and the remaining private Afghan banks. Small scale development projects that have managed to survive to date should be recapitalized by donors and assisted in transitioning to the new political and economic context, with a particular emphasis on women's livelihoods. The U.S. and its allies should focus on stabilizing the Afghan currency by either ring-fencing the Afghanistan Central Bank through the appointment of an independent governor and oversight committee, or choosing one of the other proposed solutions such as the creation of an independent third-country-based or virtual central bank run with IFI support. Continued delay in restoring legitimate private sector economic activity will only exacerbate and accelerate the Talibanization and criminalization of the entire economy, and prolong the humanitarian crisis.

Other members of the working group objected to aspects of the above approach regarding U.S. policy toward Afghanistan's liquidity crisis. While all members agreed that the United States should back direct cash payments for vulnerable Afghans, some argued that extending cash-for-work projects for infrastructure or to pay salaries in essential services could indirectly subsidize the Taliban regime. These members were also concerned that an extensive disbursement of World Bank funds could likewise indirectly subsidize the Taliban. In addition, they believed a focus on stabilizing the Afghan currency could result in a de facto bailout for the Taliban regime, allowing it to maintain power and to divert other resources to illicit activities, ultimately making life harder for the Afghan people and putting U.S. national security at increasing risk.

- **Exert U.S. leadership on the human rights situation inside Afghanistan, especially through engagement with Afghan civil society.** While the Afghan government and security services collapsed or fled last summer, the country's civil society and free media have proven both resilient and courageous. Independent Afghan journalists continue to report extensively on the ground across the country despite intimidation and violence from the Taliban. Afghan activists and entrepreneurs continue to conduct a variety of social, philanthropic and commercial activities, challenging Taliban strictures. Unfortunately, the Biden administration has largely ignored the non-Taliban Afghans who remain inside the country, despite abundant opportunities to engage them, even in the absence of a diplomatic presence in Kabul. At bare minimum, U.S. executive and congressional leaders should begin to communicate regularly and publicly via video teleconference with prominent Afghan civil society figures, while U.S. and Western diplomats should insist that they will meet the Taliban only if legitimate representatives from civil society are present and given equal status. Moreover, the United States can make clear to the Taliban that its policies toward them will depend in large part on what these Afghan civil society figures say. More tangibly, Congress should consider the establishment of an Afghanistan Democracy and Human Rights Fund with U.S. funding – subject to strict oversight and delivered in a manner that avoids the Taliban or its partners – provided to a range of women's empowerment, business and education programs, human rights advocates, democracy organizers, and Afghan media and civil society organizations, including both those still operating inside Afghanistan and initiatives by Afghans who were forced to flee their homeland but who are now organizing political, educational, journalism, health, and cultural programming remotely. It should also increase support for programming by government-sponsored media entities such as Radio Free Europe / Radio Liberty and fully private Afghan-led journalism and entertainment groups, which will carry the additional benefit of putting displaced Afghan human capital to work. The administration should use its voice and vote at the World Bank, other international financial institutions, and international organizations to direct that any funds



made available for Afghanistan must be delivered in a manner consistent with U.S. sanctions, while abiding by core humanitarian principles including transparency and accountability.

- **Work with allies on a robust effort to reshape the United Nations Assistance Mission in Afghanistan mandate.** Beyond the immediate issues of addressing the humanitarian crisis, the United States should ensure the UN, especially the Security Council, and other key international partners are working towards the restoration of a legitimate and constitutional governmental order where the rights of all are respected, and political issues are settled at the ballot box and in parliamentary sessions rather than at the barrel of a gun. It is unlikely the Taliban will willingly agree to elections, humanitarian access, and other threats to their current hold on power; therefore, the United States and others must be willing to deploy multilateral and bilateral coercive measures. While the UN is currently a weak actor on Afghanistan, the United Nations Assistance Mission in Afghanistan and the Security Council's resolutions on Afghanistan could provide the cornerstone of a principled international response. The current UNAMA mandate is inadequate and needs to be strengthened and restructured when it comes up for renewal on March 17, 2022. While the mandate renewal will necessarily address the current humanitarian crisis, it should also focus on the necessary actions to ensure the governance status quo does not become permanent. The United States should start from the baseline that the Taliban are not legitimate governing authorities and the UN's objective should be to move towards restoration of constitutional order and representative government. The U.S. should work with its allies on a robust effort to reshape the mandate to include the following:
  - The necessary authorities, personnel and capabilities to carry out a full "good offices" mission, including negotiations on protection of civilians and toward early supervised elections.
  - The necessary resources to protect and preserve space for civil society to operate, including robust protections and support for media and women's full participation in all aspects of public life.
  - The necessary resources to perform robust and transparent analysis and reporting directly to the Council on the status of human rights, security, narcotics production and trade, political freedoms and stability, civic life, social protection and economic well-being across the country.

Ideally, the U.S. would work through likeminded partners to propose mandate elements in a way that will not elicit an immediate negative response from Russia and China. The Security Council should look at reimposing a travel ban on the Taliban leadership for destinations outside of Afghanistan until such time as they have formally agreed to a path for restoration of a legitimate, constitutional order.

As the Taliban is not the legitimate government of Afghanistan, it must not be afforded the privileges and authorities of a sovereign government by the United States or any other self-respecting democracy. Just as the post-coup regime in Burma is not recognized as legitimate, neither should we recognize the Taliban. To that end, the United States and its allies should work to ensure the suspension of Afghanistan's membership and participation in regional and international organizations partnerships negotiated or joined by the former Islamic Republic of Afghanistan (IRoA) to which the U.S. is a convener or party, such as the C5+1 configuration and the World Trade Organization (WTO). Membership and participation should only be restored following the restoration of constitutional order and a government formed through popular sovereignty. In the event the United States is unable to





achieve such suspension or removal, the U.S. delegates to forums should object to the presence of Taliban representatives and refuse to participate or walk out of forums, as is done in the case of Venezuela and other illegitimate regimes. The U.S. should also consider proposing additional individuals to the UN sanctions list in order to create leverage for pressing both the Taliban and reluctant countries to accept a stronger mandate.

Responsibility for the UN's humanitarian response should be separated from the good offices mission in order to ensure that the UNAMA good offices mission can operate distinctly from discussions on humanitarian access and delivery. In addition, the U.S. should work through the Security Council to ensure the international humanitarian response is carried out consistent with established humanitarian principles of neutrality, impartiality, independence, transparency and accountability, bearing in mind that neutrality is not synonymous with silence. The Council must take the necessary steps to ensure that the Taliban is not positioned to weaponize humanitarian access or leverage the international community's concerns for the well-being of the Afghan people. We have seen the negative consequences in Syria, Yemen and other contexts where the UN's primary mission is negotiating humanitarian access with a gun to the head of those who are suffering.

- **Pursue a principled human rights-centered strategy that includes the following:**
    - Push for the strongest possible resolutions on the human rights situation in Afghanistan in the UN Human Rights Council and the 3<sup>rd</sup> Committee of the General Assembly, as well as robust diplomatic and other support for credible human rights special procedures interventions.
    - Empower the new State Department's Special Envoy for Women, Girls, and Human Rights to drive diplomatic engagement around these issues, including in cooperation with the UN, Congress and like-minded partners.
    - Resume adding individual perpetrators and entities to the Specially Designated Nationals list when they are identified in connection with specific gross violations of human rights and corruption under Global Magnitsky authorities.
    - Fully implement the recommendations related to assistance to high-risk Afghans in the Evacuation section of this report.
    - Reinstate Afghanistan as a "Country of Particular Concern" for religious persecution.
    - Establish a secure platform for international cooperation in the collection of evidence of atrocities in anticipation of future prosecutions and other transitional justice efforts.
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