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COMMON ANALYSIS
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Taliban de facto authorities

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Taliban de facto authorities

After years of insurgency, on 7 September 2021, the Taliban announced the restoration of the Islamic Emirate of Afghanistan and the creation of a 'caretaker cabinet' under the leadership of Mullah Hibatullah Akhundzada [[Security 2022](#), 1.2.1, p. 23].

The Taliban claimed to control all of the Afghan territory by October 2021, after they struck down the NRF in Panjshir Province. A source, however, suggested that the Taliban were not in full control until June 2023 [[Country Focus 2023](#), 1.1.1., p. 17]. As of December 2023, the Islamic Emirate of Afghanistan remained unrecognised by countries worldwide, while the Taliban continue to exercise territorial control of Afghanistan [[COI Update 2024](#), 1., p.2].

The Taliban is currently the sole entity exercising effective control of all parts of Afghanistan through a *de facto* administration led by all-male and predominantly Taliban members. The *de facto* government considers itself a guiding body, with the clear and declared objective to ensure that the people live in accordance with *sharia* and to 'purify' Afghan society. The *de facto* state administration has been described as working in arbitrary and unpredictable ways through repressive bodies such as the Taliban General Directorate of Intelligence (GDI) and the MPVPV, as well as a number of other *de facto* state institutions. Moreover, policy implementation and

local governance has varied across the country due to various interpretations of decrees issued by the central *de facto* government, and the influence of local contexts and stakeholders [[Country Focus 2023](#), 1.1.1., p. 18; 1.1.2., p. 19, 1.2.2., p. 24; 4.12.1., p. 101].

After assuming power, the Taliban dismissed the previous judiciary and issued several decrees and general guidance regarding the implementation of *sharia* [[Security 2022](#), 1.2.3., pp. 29-31]. Nevertheless, various interpretations of *sharia* laws exist and, since no formal legal framework has been enacted, there is uncertainty among the population about which laws apply. The Taliban have issued some instructions in decrees and general guidance, but few have been issued in writing. Moreover, the issued instructions have tended to be vaguely formulated, which leaves space for different interpretations. Sources have suggested that issued instructions are purposefully vague to, *inter alia*, leave space for adjustments [[Country Focus 2023](#), 1.2.1., pp. 21-22].

Additionally, some rules have not been enforced and there have been local variations in the implementation, for example, of the ban on secondary education for girls and the requirement of women to be accompanied by a *mahram*. Moreover, there have been instances where Taliban officials have contradicted each other in public statements, or where it has been possible to work around some announcements [[Country Focus 2023](#), 1.2., pp. 21-22]. Sources have pointed at ideological differences between factions within the Taliban and tensions between an 'older' and a 'younger' generation; nonetheless, the group has also been described as largely cohesive and unified [[Targeting 2022](#), 1.1.1., pp. 18-19; [Country Focus 2022](#), 1.3., pp. 23-24].

Taliban members sometimes used force towards the population, for instance in the implementation of *sharia* and when dispersing protests [[Targeting 2022](#), 1.1.2, 1.3.1, pp. 38-39, 42]. The Taliban Ministry of Interior instructed the *de facto* security forces to take precautions in their interactions with the civilian population. There were however reports, after these instructions were issued, of civilian deaths and injuries following excessive use of force by *de facto* security institutions [[Targeting 2022](#), 1.1.4.(e), p. 32].

It has been reported that the human rights situation has gradually deteriorated, and sources noted the tendency of the *de facto* administration in developing into a theocratic police state, ruling through an atmosphere of fear and abuse [[Country Focus 2023](#), 1.2., p. 21]. Human rights violations by the *de facto* authorities or by Taliban members included intimidation, ill-treatment, excessive use of force, arbitrary arrests, incommunicado detention, use of torture in detention, killings, abductions, enforced disappearances and corporal and capital punishments, including following a *de facto* court judgment. Moreover, it was reported that free speech and peaceful political activity have been violently suppressed and the civil space has shrunk [[Country Focus 2023](#), 1.1.3., p. 20; 4.1.2., p. 58; 4.4.2., p. 73; [Targeting 2022](#), 1.1.4.(g), pp. 34-35; 1.2.2, pp. 38-39].

Haqqani Network

The Haqqani Network, which is a designated terrorist organisation in the EU, UK and the US has been described as the Taliban's 'best militarily equipped faction'. The network largely controls security in Afghanistan, including the security of the capital, Kabul, where Haqqani special forces operate military bases. Besides the post of *de facto* minister of interior, the Haqqani Network secured control of the *de facto* government's intelligence, passports and migration portfolios [[Country Focus 2023](#), 1.1.2., p. 19; [Security 2022](#), 1.2.1, pp. 24-25; 2.1.1. b, p. 39].

The Haqqani Network is on the UN Security Council's sanctions list and is known for having carried out high-profile attacks and suicide missions in Kabul in the past. As of May 2022, the Haqqani Network was viewed to maintain the closest ties to Al-Qaeda among the Taliban [[Security 2022](#), 1.2.1, pp. 24-25].

Al-Qaeda

The Taliban denied Al-Qaeda's presence in Afghanistan [[Country Focus 2022](#), 3.1.2., p. 62], while the UN Sanctions and Monitoring Team claimed that Al-Qaeda was based in its historical areas of presence in the south and east, with a possible shift of some members to locations further west in the provinces of Farah and Herat. The same source estimated Al-Qaeda's size to several dozen fighters affiliated to its core organisation, and its operational capabilities as limited to advising and supporting the Taliban [[Security 2022](#), 2.4., p. 55].

Al-Qaeda continued to maintain a low profile, while the links between them and the Taliban reportedly remained close and their relationship was underscored by the fact that Al-Qaeda's core leadership was residing in eastern Afghanistan [[Security 2022](#), 2.4., pp. 54-55].

Al-Qaeda in the Indian Subcontinent (AQIS), an organisation subordinate to Al-Qaeda's core, has also been reported to keep a low profile inside Afghanistan, where most of its fighters were based. AQIS includes individuals from several south and southeast Asian countries. They were reportedly based in Helmand, Kandahar, Ghazni, Nimroz, Paktika and Zabul. Some AQIS fighters were embedded in Taliban combat units, and the group has been fighting alongside the Taliban, including during the sweeping takeover of Afghanistan in 2021 [[Security 2022](#), 2.4., p. 55].



For further information on human rights violations committed by the Taliban and actors related to the Taliban, and their relevance as potential exclusion grounds, see [7. Exclusion](#).

See other topics concerning actors of persecution or serious harm:

- [2.1. Taliban de facto authorities and affiliated groups](#)
- [2.2. Islamic State Khorasan Province \(ISKP\)](#)
- [2.3. Other armed groups opposing the Taliban](#)
- [2.4. Other non-State actors](#)

