The EU's Interests in Afghanistan in Post-2021 Scenario: From Preferences to Operational Engagements

Muhammad Riaz Shad*  
Syed Sibtain Hussain Shah**

Abstract
The European Union (EU) reshapes its position on Afghanistan in the post-US withdrawal scenario, witnessing Taliban re-entrance to the power corridors. By stopping all preferences immediately after the Taliban takeover in August 2021, the EU decided to continue only an operational engagement with the new Afghan administration which was necessary for logistical, operational, and humanitarian purposes. This research paper aims to investigate the EU's responses towards Afghanistan, particularly in terms of its strategic engagement with Kabul, which intends to limit humanitarian assistance and other necessary activities in the war-torn country. A situation analysis of the empirical process was employed as a research technique to investigate the EU's new stance over Afghanistan following the Taliban's reemergence in the country. The study finds that human rights violations, ineffective rules of law, lack of social justice, and security issues led to the lack of interest of the international community including the EU in enhancing trade and economic cooperation with the country. The paper argues that to reopen doors to the international community including the EU, the Taliban regime needs to fulfil its international commitments concerning human rights and security issues.

Keywords: European Union, US, Withdrawal, Afghanistan, Human rights, Afghan Policy

* Dr. Muhammad Riaz Shad is a Professor and Jean Monnet Chair at the Department of International Relations, National University of Modern Languages, Islamabad. Email: mrshad@numl.edu.pk.
** Dr. Syed Sibtain Hussain Shah is a Ph.D in Political Science from the University of Warsaw, Poland. He writes on International Politics. Email: sibshah@yahoo.com.
Introduction
The US Joe Biden administration completed the long-awaited withdrawal from Afghanistan on August 30, 2021. While the withdrawal ended the US-led two-decade-long international engagement in Afghanistan, the Taliban took control of the entire country two weeks before the departure of international forces. Taliban started an offensive operation to take control of Afghanistan on May 1, 2021, and took over the capital city, Kabul, as the final target on August 15, 2021. The Taliban returned to power in Afghanistan after 20 years following its expulsion consequent to the US post-9/11 military intervention in the country. During the Taliban takeover, several incidents related to human rights violations were reported, and, immediately, after taking over power, the Taliban adopted some controversial rules regarding the rights of women, especially, their right to education. The human rights organizations also raised cases related to revenge from political and ethnic opponents and extra-judicial killings.

The EU, which attaches great importance to a stable Afghanistan for long-term security concerns, halted all preferences for the new government in Kabul immediately after the Taliban takeover of the country. It declared that the Taliban establishment would be conditional on its behaviour concerning human rights, rule of law and democratic norms. Although the EU announced in January 2022 to re-establish an operational humanitarian presence in Afghanistan, it stressed that this was not a formal recognition of the Taliban administration.\footnote{1} Since the US withdrawal and control of Afghanistan by the Taliban regime in August 2021, the US and its Western allies have repeatedly expressed that they would not recognize the Taliban government in Afghanistan. Before the Taliban regime, western powers including the EU had a strong social, economic, and political cooperation with the then-Afghan government but this came to an end with the Taliban takeover.\footnote{2} The EU conditioned the cooperation with the Taliban regime upon practising international norms regarding human rights, good governance, and democratic guidelines.\footnote{3} The EU’s conditional restoration of relations with Afghanistan in the post-2021 scenario is still a matter of debate and implementation.

the Taliban remains an important step in the direction of attaching international recognition of the Taliban regime to responsible behaviour both domestically and internationally. The EU supports peace and stability in Afghanistan not just for the country itself but also for regional and global peace and security.4

In this article, the authors examine the EU’s policy and engagement vis-à-vis Afghanistan following the US intervention in the country, its concerns over human rights and security issues under the Taliban regime, and the EU’s reshaped position on Afghanistan in the post-US withdrawal era followed by the theory of behaviourism to analyse the EU’s approach towards Taliban and employs the method of situation analysis.

**Conception of EU’s Foreign Engagements**

The Treaty of Rome signed in 1957 forming the European Economic Community (EEC) was an important development towards establishing European common external engagement. The treaty contained provisions related to the Community’s external economic relations. The Common Commercial Policy of the Community instituted a custom union that entailed common external tariffs on the part of member states in their external international trade. Further, it was declared that the EEC would abide by the UN charter, preserving peace, maintaining reconciliation and emphasizing liberty as its basic aims.5 It was the preliminary phase of European foreign policy that was, subsequently, broadened and deepened.

The 1992 Treaty on the European Union, also known as the Maastricht Treaty, introduced a comprehensive mechanism of the EU’s external relations. Under its pillar-I – Economic Community – the treaty extended the EU’s external trade and economic policies. Under its pillar-II – Common Foreign and Security Policy (CFSP) – it introduced inter-governmental coordination and collaboration in foreign and security policies of the EU member states. The EU CFSP was rooted in the European Political Cooperation (EPC) that was formed in 1970. Later, the Common Security and Defence Policy (CSDP) was introduced as a component of CFSP that enabled

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the EU to assume a leading role in peace-keeping, conflict prevention, and international security.6

The Treaty of Lisbon signed in 2007 was another milestone in strengthening the EU’s competencies in external relations. The Lisbon Treaty merged the three pillars of the EU policies to increase coherence in its economic, political, and security policies. In addition, it upgraded the EU’s institutional capabilities to better formulate and enforce its external policies. The High Representative of the Union for Foreign Affairs and Security Policy gained a double-hat role through simultaneous placement in the European Commission as vice president and Council of the European Union as chief diplomat for the CFSP. Moreover, the European External Action Service (EEAS) was created as a Foreign Service to increase the EU’s global influence.

The European Union is characterized as a normative and civilian power in terms of its international policies and role. With its attribute as a normative actor, the EU promotes norms, particularly human rights, democratic principles, rule of law, environmental protection and peace, in external relations. These normative principles are embedded in the EU’s founding treaties, especially the Treaty on the European Union. With its characterization as civilian power, the EU employs civilian instruments namely economic influence and political dialogue to pursue norms and security objectives vis-à-vis third countries. Finally, the EU seeks strategic interest, defined in terms of its economic, political, and security objectives, within the context of its normative and civilian orientation. These characteristics and priorities of the EU indicate that its policy and role vis-à-vis Afghanistan should be analysed because of its normative as well as strategic pursuits and the civilian instruments at its disposal.

Situational Analysis of EU’s Afghan Policy

The EU’s policy towards Afghanistan, particularly its changing stance vis-à-vis Afghanistan after the US withdrawal from the country, can be evaluated in the light of normative approach and behaviourism. Both concepts help to understand the post-9/11 and post-US withdrawal EU’s strategies in Afghanistan. As a normative power, the EU aims to set standards for others by promoting norms rather than being powerful with military or economic

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sources. In this sense, the EU seeks meaningful political, social, and economic development in Afghanistan and upholds human rights including women’s participation in the Afghan society. As for behaviourism, the most striking characteristic of the behaviour approach in political studies is the uncertainty of the term itself and its substitutes in political behaviours. The Russian author Ivan Pavlov, who is the founder of classical conditioning, defines behaviourism, as “unconditioned stimulus causes unconditioned response”.

The concept of behaviourism is mainly concerned with obvious behaviour, not internal mechanisms like the thinking process. The perceptive practice is an internal rational act while behaviour is an external visible act that can be characterized as an incentive response. The EU’s support in Afghanistan depends on the political behaviour of the Taliban regime concerning human values including human rights, the rule of law, and actions to prevent threats to international security including, of course, European security.

The method of situation analysis developed by Evgeniy Primakov in the 1960s is a multi-disciplinary empirical technique that allows researchers to focus on key aspects of a problem when there is no clear situation. Further, this method helps in developing a “definite understanding of the phenomena when the views of experts vary widely”. The method of situation analysis tends to be an appropriate explanatory model to have an understanding of the situation in Afghanistan, particularly of the developments that occurred following the US withdrawal from the country. The method helps in understanding the behaviour of the parties under a behavioural inquiry of

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The situation analysis gives a reasonable assessment of what is happening in Afghanistan in the post-US exit period. The international community including the European Union reduced engagement in Afghanistan following the critical situation that erupted because of the vacuum left by the US withdrawal from the country. Simultaneously, the Taliban chose to continue its previous policies despite a cutoff in financial and development assistance from the Western countries. The situation analysis indicates conflicting effects of the changing interests of the international community towards Afghanistan. Despite international pressures, the Taliban have not abandoned the rigid policies related to many political and social areas in Afghanistan.

Post 9/11 EU's Engagement in Afghanistan
The EU’s engagement in Afghanistan, before the Taliban’s ascendance to power, was designed by the circumstances that erupted on account of the global ‘war on terror’ and the consequent situation in the country. The EU and its member countries significantly contributed to the stabilization of the Afghan government and its society following the US and NATO intervention in late 2001. Immediately after the September 11 terrorist attacks in the US, the EU and its member states expressed solidarity with the US considering these attacks an aggression against all democratic countries. Since the beginning of the war on terror in October 2001, the EU made significant economic and political contributions to the international endeavours in Afghanistan. It also gave support to NATO and International Security Assistance Force (ISAF) operations in the country. Economically, the EU was the second largest contributor in the world in terms of humanitarian and development assistance for Afghanistan. Politically, the EU played a key role through the use of its multilateral diplomatic capabilities in establishing crucial international support to resolve the crisis in Afghanistan in a political manner not military.

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Since 2002, the EU has provided more than €4 billion in development aid to Afghanistan, which makes Afghanistan the largest beneficiary of the EU’s development assistance in the world. The EU significantly supported the international pledge to the rule of law and the establishment of good governance in Afghanistan by assuming the police training mission in 2007. The EU was one of the key players that supported socio-economic projects in Afghanistan after the post-9/11 US-led international intervention in the country. Through the Joint Declaration of 2005, the EU committed itself to bilateral cooperation with the country prioritizing the democratic political system, accountable government institutions, centrality of the rule of law, protection of human rights, and progress of civil society. When it comes to the implementation of such international commitments, the EU like other international actors was lacking on several counts mainly because of the challenging social and security landscape of Afghanistan. Despite these efforts made by the international community including the EU, the Taliban reappeared and gradually took over the entire country.

Besides other reasons, less access of the Afghan masses to the benefits of international financial assistance was an important factor behind the Taliban’s resurgence in the country’s politics. Despite the international community spending billions of dollars/euros, the majority of ordinary Afghans did not experience the benefits related to the security situation, justice, and basic social services. The credit goes to the EU that it continued its commitment to helping successive Afghan governments and various bilateral agreements despite daunting challenges in Afghanistan. An instance of the EU’s consistent resolve to support Afghanistan was the ‘EU-Afghanistan Cooperation Agreement on Partnership and Development’ signed in February 2017. It was ratified by the EU parliament in March 2019. In addition to being the largest recipient of the EU development funds in the Asian region, Afghanistan also benefited from the EU’s preferential trade

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system, Everything But Arms (EBA), under which all imports from the Least Developed Countries (LDCs) are duty-free and quota-free except armaments. The EU prioritized three areas including peace, stability and democracy; sustainable growth and jobs; and basic social services under its 2014-2020 Multiannual Indicative Program for Afghanistan.19

Even the European parliament supported inclusive intra-Afghan negotiations between the Afghanistan government and Taliban as a necessity for an end to a long-standing conflict and civil war through the participation of all political factions and sectors of civil in the political process. Since the fall of 2020, the parliament has continually condemned the outbreak of brutalities, urging an inclusive Afghan government and the protection of human rights. Particularly, it conveyed grave concerns over the possible effects of the departure of foreign forces from Afghanistan, and for that, it suggested a wider policy for future EU engagement in Afghanistan. In July 2021, a month before the Taliban’s emergence to power, the EU Parliament Delegation for Relations with Afghanistan (D-AF) held the 6th EU-Afghanistan inter-parliamentary session to discuss these issues. Further, it deliberated over the efforts for peace and stability in Afghanistan after the US departure emphasizing the role of women in future political processes engagements with the EU.20

Shift in the EU’s Position after the US Exit from Afghanistan
EU’s Concerns in Afghanistan
The EU had already expressed its deep concerns over the growing Talibanization of Afghanistan as the Taliban implemented rigid religious and traditional laws following the US withdrawal. There was a clear message from the High Representative of the EU that the union would not release any funds for development programs until the situation improved. The EU’s HR Josep Borrell stated, “No payments are going on to Afghanistan right now. No payments of development assistance until we clarify the situation”.21 The EU’s public and explicit statements regarding its changed stance on

Afghanistan indicate that it has serious concerns over the re-formation of the “Islamic Emirate” with radical religious rules. It is a major policy shift on the part of the EU to stop its collaboration in Afghanistan that was supposed to be based on the preservation of the past 20-year efforts for human rights including female rights, people’s right to education, rights of ethnic and religious minorities, and various social and political rights and freedoms.\(^{22}\) The EU gives primacy to basic human rights, the sovereignty of law, and international democratic guidelines as the basic principles of its common foreign and security policy. Keeping in view the previous record of the Taliban government in the 1990s, the EU’s concerns are connected with the increasing instances of violations of human rights and the possibilities of escalation in international terrorism, migration, and drug trafficking as the international forces retreat from Afghanistan.

For that, the EU decided, in September 2021, not to recognize the Taliban government and recalculate the level of its engagements in Afghanistan. Despite concerns, the EU along with its member states pledged $677 million of a total $1.2 billion offered at the UN Conference on Afghanistan held in Geneva on September 13, 2021.\(^ {23}\) Additionally, the European Commission President von der Leyen declared, at the G20 summit on 12 October 2021, a financial assistance of €1 billion for Afghanistan because of the severe humanitarian crises the country faces.\(^ {24}\) A large number of Afghans are surviving without basic needs including foodstuff, useable water and medications; millions of them are internally dispersed and many of them are still taking refuge in neighbouring Pakistan and Iran. According to the policy statement of the EU, it will provide life-saving assistance on a humanitarian basis such as health care, nutritional support, cash and protection support. This assistance also includes areas that the government and other bodies cannot reach.\(^ {25}\)

Following the US withdrawal from Afghanistan in August 2021, the media reports sparked concerns that the Taliban would impose harsh rules, neglect

\(^{22}\) J. Soutullo, A. Striegnitz and W. Masur. South Asia.

\(^{23}\) Delegation for Relations with Afghanistan (D-AF), visit https://www.europarl.europa.eu/delegations/nl/d-af/home.


the provision of basic services, and abuse human rights, which indicated the likely critical situation concerning human rights in Afghanistan.\footnote{Lindsay Maizland. Taliban in Afghanistan, \textit{CFR}, (2021). Visit https://www.cfr.org/backgrounder/taliban-afghanistan.} According to human rights organizations such as Amnesty International and Human Rights Watch, the Taliban, after assuming control of Afghanistan, have imposed severe policies that have created huge barriers to human rights including women’s health and girls’ education, freedom of movement, expression and association. They have also deprived many of the women of their earned income.

Expressing grave concerns over the critical situation in Afghanistan, the European Parliament passed a resolution and condemned the violence during the Taliban’s takeover of the country. The Parliament, in its September 2021 session, raised strong concerns regarding Afghanistan’s future and supported the EU’s determination not to recognise the Taliban regime. It also approved that operational engagement in Afghanistan would be essential for logistical and humanitarian reasons. The Parliament asked the EU for humanitarian support and assistance to safely evacuate Europeans and Afghan nationals who felt threatened by the new dispensation. The Parliament’s Delegation for Relations with Afghanistan (D-AF) also favoured humanitarian assistance. In their joint declaration of January 2022, the United States and the European Union called for urgent actions to address humanitarian crises and the formation of an acceptable political system for a secure, stable, and prosperous Afghanistan. The joint statement asked the Taliban to take urgent steps to stop human rights abuses, unnecessary detentions, forced disappearances, media restrictions, extra-judicial killings, torture, scuttling of female rights, and their right to education and job and freedom to go out from home without a male attendant.\footnote{Reliefweb, US-Europe Joint Statement on Afghanistan, (26 January 2022). Visit https://reliefweb.int/report/afghanistan/us-europe-joint-statement-afghanistan-26-january-2022.}

Finally, a statement of the EU High Representative, issued on 28 March 2022, is a clear indication of the EU’s firm stance on human rights including women’s right to education. The statement said, “The European Union and its member states, together with international partners, have condemned the decision of the Taliban to deny until further notice secondary level
education for over one million Afghan girls". Moreover, a joint statement in April 2022 issued by the US and the EU promised cooperation to stabilize economic and financial conditions in Afghanistan but condemned the Taliban's declaration for not allowing female students to attend secondary schools. Lately, clarifying the European Union’s policy, the EU’s envoy to Afghanistan Tomas Niklasson also clarified that the EU would not recognize the interim government of the Taliban in Afghanistan, but it reestablished engagement through the diplomatic mission in the country. Addressing a press conference in Kabul on 12 May 2022, Ambassador Niklasson expressed concerns over the imposition of restrictions on Afghan women and girls’ education but assured that humanitarian assistance to Afghanistan would continue.

**Concerns of Human Rights Organizations**

Not only are the EU and other international political actors concerned about the human rights situation in Afghanistan after the Taliban’s resurgence, but international human rights organizations have also testified to the human rights violations under the Taliban regime and expressed their grave concerns in this regard. The organizations claim that human rights violations have been rising in Afghanistan since Taliban fighters took control of the country.

Amnesty International, in its report of 2021, accused Taliban and non-state actors of targeting human rights protectors, women activists, media persons, health and humanitarian workers, and religious and ethnic minorities; and denying rights to freedom of assembly and expression in the country. The organization blamed the Taliban for the forced expulsion of thousands of 

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people from their homes and areas. It also threatened to evict residents including Hazara and Tajik communities from their homes and land in various provinces including Daykundi, Helmand, Balkh, Kandahar, Kunduz, and Uruzgan. The report revealed that the Taliban ordered female employees of various government departments to stay at home. The Taliban authorities also dismissed several female lawyers, judges, and prosecuting attorneys from their jobs.33

Another international human rights organization, Human Rights Watch, issued a similar report in 2021 claiming that the control of Afghanistan by the Taliban in August 2021 gave way to a fast-tracking human rights and humanitarian crisis as the Taliban immediately rolled back women’s rights advances and media freedom. Further, the report blamed the Taliban for beating and detention of journalists, arresting or executing former members of the Afghan National Security Forces (ANSF), officials of the former government and their family members, closing media outlets, and dismissing the women from jobs.34

The United Nations Human Rights Council claimed in a press release that despite a general pardon by the Taliban in August 2021, there were “credible allegations” of above 100 killings of former employees of the Afghan National Security Service and other people associated with the former Government. At least 72 killings in these cases were attributed to the Taliban group, and in several cases, the bodies of victims were openly displayed. In addition, the statement ratified the reports of extra-judicial killing of 20 individuals suspected of being linked with the so-called Islamic State, the Taliban’s rival militant group in Afghanistan. The UN statement claimed that they were killed through brutal methods of killing such as hanging, beheading and public exhibition of their bodies. Further, the report also claimed that there was a decline in progress concerning women’s rights and deprivation of females from secondary school education.35

In conclusion, the situation analysis of developments in Afghanistan, following the US withdrawal from the country, shows that the new regime

33 Ibid.
has a poor record in terms of human rights, women’s rights, good governance, rule of law, and prevention of security threats to the interests of international community in the country. All the matrices of human development are not working or not up to the minimum mark. Given the post-withdrawal terrible human conditions in Afghanistan, the EU provides humanitarian aid and offers support to retain independent and active human rights groups in the country. Taliban’s previous record on human rights forced the EU to condition its cooperation in Afghanistan concerning human rights, rule of law and international democratic standards. The EU conditions include a guarantee that Afghanistan would not become a centre for the export of terrorism to other countries. Besides, the conditions are related to a commitment to free access to humanitarian aid supplies, and compliance with standards in the areas of human rights, rule of law, and freedom of the press.

Various media reports and official documents issued by the EU, the UN, and international human rights organizations proclaim that grave human rights violations have occurred in Afghanistan under the Taliban. Taliban have imposed strict religious rules by their faith and ideology interpreted by them. Many independent sources have confirmed that Afghanistan is undergoing serious human rights violations. The majority of the population is fearful of the Taliban as the group has forced the eviction of its opponent communities like Hazara and Tajik from their homes in various provinces of Afghanistan.

The European Union being one of the largest contributors to humanitarian and financial assistance for social and economic development in Afghanistan has consistently been expressing its concerns on human rights violations, especially the right of women to education and work. Keeping in view the previous record of the Taliban rule in Afghanistan in the 1990s and current conditions in the country, the EU along with the international community decided not to recognize the new Taliban regime. However, it decided that it would continue its humanitarian assistance and operations in Afghanistan with a limited scope. This decision created optimism for the international community’s engagement in Afghanistan for the sake of socio-economic development in the country.

For reopening Afghanistan to the international community including the European Union, the Taliban regime needs to review its rigid policies and accept its international commitments concerning international norms, the
rule of law, and human rights including women’s rights to education and work. The regime in Afghanistan also needs to make a firm commitment to the protection of international interests in Afghanistan, assuring that the Afghan soil will not be used against any country. Last but not least, the regime has to ensure an acceptable political system and an inclusive government having the participation of all segments of society.