

# WEEKLY ANALYSIS

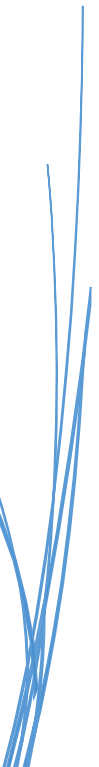
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## THE ISLAMIC EMIRATE'S APPROACH TO ENGAGING WITH THE INTERNATIONAL COMMUNITY AND ITS EFFECTS ON RECOGNITION

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Weekly Analysis is one of the CSRS publications analyzing significant weekly political, social, economic, and security events in Afghanistan and the region. The prime motive behind this is to provide strategic insights and policy solutions to decision-making institutions and individuals in order to help them design better policies. Weekly Analysis is published in Pashto, Dari, English and Arabic languages.



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Center for Strategic and Regional Studies (CSRS)

## THE ISLAMIC EMIRATE'S APPROACH TO ENGAGING WITH THE INTERNATIONAL COMMUNITY AND ITS EFFECTS ON RECOGNITION

### Introduction

Recognition of states is mainly a legal debate. When a new state is created and other states take action to recognize it, it is called recognition of states. And when a new government is established through a coup, revolution, or without the principles set in the constitution, then this new government needs official recognition. Once the governments of the world officially recognize this new government, it is called official recognition of the government. Every country takes steps to recognize a government based on its interests.

In international law, there are clear standards and conditions for recognizing the official status of governments, but there are no accepted principles and standards for recognizing the official status of governments. In the 1933 Montevideo Convention on the Rights and Duties of States, in the third, sixth, and seventh articles of this convention, the recognition standards of states are clarified, which are of four types: Permanent population, defined territory, government, and sovereignty, and when these conditions are met, a newly created state is officially recognized.

There are no accepted standards for the recognition of a government in international law, but still, some scholars have mentioned some conditions and standards in this regard.

**1- TOBAR DOCTRINE:** This doctrine was created by Carlos Tobar in 1907, who was the Minister of Foreign Affairs of Ecuador. This doctrine says: "No recognition for unconstitutional governments". The new government should be recognized by other governments when it has been established legally, especially based on the effective constitution.

**2- BETANCOURT DOCTRINE:** This doctrine was created in the year 1959 and says: "No recognition for military rules". Governments that came into being through military coups should not be recognized.

**3- STIMSON DOCTRINE:** This doctrine was created by the American Stimson in 1932. According to these doctrines, when a government annexes the territory of another state by force and makes it a part of its own, then in such a situation, other states should not officially recognize this government.



**4- ESTRADA DOCTRINE:** This doctrine was created by the Minister of Foreign Affairs of Mexico Genaro Estrada in 1930. Based on this doctrine, when a new government is established, states should not recognize it based on their positive or negative judgment, because this is breaking the principle of sovereignty of that state and interfering in their internal affairs. Two principles of international law should be considered for the recognition: The first is the independence of the government in decisions (Self-determination) and the second is non-intervention by that government in the internal affairs of other states. This means that based on this doctrine, if a government is established within a recognized state that is independent in its decisions and does not interfere in the internal affairs of other states, then it should be recognized. The purpose of this discussion is that the current defecto Afghan government can rely on the doctrines of Estrada and request recognition from the international community in light of this doctrine.

In addition to the above doctrines, the foreign and domestic policies of the government also play a role in official recognition. If the foreign policy is such that it threatens the national interests of other states, then other states use caution during official recognition. The foreign policy of the Islamic Emirate is economically oriented and neutral. Also, internal politics, which mostly appears in the way of human rights and the implementation of laws, if good interaction is not used in this area, then other states may use caution in the recognition of officialdom.

According to the spokesman of the Ministry of Foreign Affairs, Abdul Qahar Balkhi, so far, Iran, Turkey, Pakistan, Russia, China, Malaysia, Kyrgyzstan, Uzbekistan, Turkmenistan, Qatar, and Kazakhstan have transferred Afghan embassies and consulates to the Islamic Emirate, which is about eleven countries. The question is that the above countries have not officially issued a declaration of recognition of the Islamic Emirate, but still handed over their embassies to it. Does handing over the embassies mean official recognition or not?

In response to this question, it can be said that there are two types of recognition:

A: De Jure (Permanent or Explicit) Recognition: When a state recognizes the government of another state explicitly and clearly, it is called explicit recognition, which is usually done in two ways: Announcing through a declaration that the government officially recognizes it, or through a treaty, a government agrees with another government that it officially recognizes the government.



B: Defacto (Temporary or Implicit) Recognition: If a state does not officially recognize a new government, but performs some actions that carries the meaning of official recognition, it is called implicit official recognition. Such actions may include conducting political negotiations, signing political agreements, or opening embassies, the latter of which is a stronger reason than others for implicit official recognition.

## **OPPORTUNITIES FOR RECOGNITION OF THE ISLAMIC EMIRATE AND ENGAGEMENT WITH THE INTERNATIONAL COMMUNITY**

The United Nations Secretary-General Antonio Guterres, after several months of research and evaluation, presented the results of his special representative on Afghanistan along with the recommendations to the United Nations Security Council. The media referred to Guterres's plan as the plan to remove Afghanistan from the ongoing disaster by the United Nations. The question is why the international community insists on interaction with the Islamic Emirate. And what are the problems facing recognition? These and some other questions will be answered throughout the article.

After the defeat of the United States in Afghanistan, the Islamic Emirate came to power again, which has not been recognized by any country so far. Along with protecting the territorial integrity, the Islamic Emirate is trying to experience economic development through the implementation of various projects in the country. In addition to creating job opportunities, this will lead to being recognized by the international community. Below we point out some of the cases that the Islamic Emirate considers its achievement, and according to which the international community is willing to engage with it.

### **1- A strong central government**

Throughout history, systems in Afghanistan that have had a strong central government have been successful while protecting territorial integrity. The Islamic Emirate has authority over the entire territory of the country and the local authorities obey the central government, which has led to security and stability.

### **2- Ensuring security and stability**

Throughout history, every major player in the region and the world has preyed on small or economically weak countries to achieve their own goals. In such conditions of the world, where



the international norms and principles are not taken into consideration, the neutrality of some countries is violated and they come under the invasion of the great powers. Afghanistan is one of the countries that has been victimized throughout history due to its geopolitical location. In the past four decades, insecurity and instability have been widespread in Afghanistan due to regional and international interference and a weak central government in the country, which has hurt economic development and negatively affected foreign investment. With the restoration of the Islamic Emirate in Afghanistan, security and stability have been established in Afghanistan, and the interest of foreign investment in the country has also increased, due to which domestic economic development is flourishing.

### **3- Development of relations with neighbors and countries of the region**

After the defeat of the United States in Afghanistan, Afghanistan is moving towards regionalism, and relations with neighbors and countries of the region have expanded more than before. Although foreign countries have not yet recognized the Islamic Emirate, informal political and economic relations are expanding, and diplomatic missions of neighboring and some regional countries are also open in Kabul. This development of relations can strengthen political stability in Afghanistan and create economic development in the country and the region.

### **4- Reduction of cultivation and production of opium**

The past four decades of war, along with immigration, had also created the ground for opium cultivation and production in Afghanistan. Not only Afghans but also regional and world mafias are involved in the production and trafficking of drugs, the profits of which mostly go to the pockets of international mafias outside of Afghanistan. According to some reports, Afghanistan used to meet up to 90 percent of the world's drug production needs.

### **5- Regional economic projects and the stability of Afghanistan**

Implementation of national as well as regional economic projects within the country will lead to economic development and regional stability in the country. Qosh Tepa is one of the national projects that is unique in the region and will make the country self-sufficient in the agricultural sector in the near future. At the same time, in some areas of the country, small and large projects such as the construction of highways, construction of railways, and construction of water dams are what have raised the hopes of Afghans towards economic development and prosperity. It is worth noting that the Afghan government's preparation for the implementation of regional



projects such as Turkmenistan–Afghanistan–Pakistan–India (TAPI), Central Asia-South Asia (CASA-1000), as well as the Belt and Road Initiative, shows its willingness to develop political and economic relations with its neighbors and the region, which can pave the way for recognition.

Although after the restoration of the Islamic Emirate to power, Afghanistan's currency had lost its stability in the beginning, with the passage of time, based on special procedures, Afghani is gradually returning to stability. A clear change is seen in the value of Afghani. For example, based on the World Bank's June 2023 report, the Afghani is 3.8 percent against the US dollar, 2.9 percent against the Euro, and 0.5 percent against the Indian rupee, It has maintained its value by 20.6 percent against the Pakistani Rupee and 41.2 percent against the Iranian Toman.

In addition to the above achievements, the Islamic Emirate should try to create a regional consensus on Afghanistan with the help of major regional powers such as China. In this way, Afghanistan will further expand its relations with the international community and foreign investment will be attracted while strengthening political and economic stability. Isolation of Afghanistan can create various threats for Afghanistan and the region, therefore the international community should remain engaged with Afghanistan, and Afghanistan in turn is required to accept the legitimate demands of the international community.

#### **PROBLEMS CONCERNING THE RECOGNITION OF THE ISLAMIC EMIRATE AND ITS ENGAGEMENT WITH THE INTERNATIONAL COMMUNITY**

During the administration of the former President of the United States of America, Donald Trump, in 2018, direct negotiations between the Americans and Afghan Taliban began in Doha, Qatar, without the participation of the then-Afghan government. In February 2020, the Doha agreement was signed between the then American representative Zalmay Khalilzad and the Taliban representative Mullah Abdul Ghani Baradar. On August 15, 2021, after the Islamic Emirate came to power, the American and Afghan sides accused each other of not fully implementing the Doha Agreement, and because of this distrust has arisen. The United States and its friends are insisting on three issues related to the Islamic Emirate: respecting human rights, establishing an inclusive government, and cutting ties with international terrorist groups on the American list. Russia, in turn, is asking for an inclusive government, and China considers the above issues to be domestic issues of the Afghan government and insists that the Islamic Emirate should consider international concerns and requests.



After the military defeat of the United States in Afghanistan, China and Russia have become involved in Afghanistan and have significantly expanded their influence. But because Russia is involved in the war in Ukraine, it cannot help in the economic reconstruction of Afghanistan, as it is necessary.

There are two fundamental obstacles to the recognition of the Islamic Emirate, the first is internal and the second is external.

First, the doors of schools and universities are closed for girls above the sixth grade. Opening the doors of schools and universities for girls, as well as removing restrictions on women's work in government and private institutions, is not only a demand of the international community, but first of all, it is a demand of Afghans themselves. If the Islamic Emirate of Afghanistan accepts this request of the Afghans and the international community, it is clear that it indicates the good governance of the Islamic Emirate and may open the doors for recognition. However, the concern is that if the Afghan government opens the doors of schools and universities for girls, the Islamic Emirate may not be recognized in a short period of time.

The second obstacle is the United States of America. The Islamic Emirate of Afghanistan and the United States of America accuse each other of not implementing the Doha Agreement, due to which the process of recognizing the Islamic Emirate has stalled. It is useful for the Islamic Emirate to engage with the United States of America and its friends within the framework of national interests. On the other hand, the countries of the region such as Russia are concerned about the current security situation in Afghanistan, and both sides must reassure each other through discussions on the table. On the other hand, China does not believe in the long-term stability of Afghanistan, which is why it does not like to invest; but what is evident from the situation is that the Chinese government is still suspicious of the relationship between the United States of America and the Islamic Emirate. And it assumes that there are some unknown issues behind the scenes. Therefore, it is necessary for the Islamic Emirate of Afghanistan to clearly define its relations with some countries within the framework of national interests so that the ambiguous situation disappears.

## CONCLUSION

There are international legal standards for the recognition of governments, but the recognition of governments is a political process and each country takes steps to recognize a





new government based on its own interests. A strong central government, security and stability concerns, reduction in opium cultivation and production, regional economic projects, and the development of relations with neighboring and regional countries are what Afghanistan considers to be the cause and achievements for interaction with the international community. However, the suspension of girls' education, women's work, and the absence of an inclusive government are the problems that have closed the doors to the official recognition of the Islamic Emirate and are turning the international community away from engaging with the Taliban.

## SUGGESTIONS

1. The Islamic Emirate should try to finalize the plan for the education of girls as soon as possible and open the doors of women's work and education in the light of Sharia so that the door of interaction with the international community can be opened on the one hand and it can be officially recognized on the other hand.
2. Solving some problems through dialogue with neighboring and regional countries so that the door of interaction with the rest of the world can be opened through them. The end

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