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Working Conditions of Local Civil Society in Afghanistan:

Realities, Opportunities, and Challenges for Future Engagement by the International Community

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Since the Taliban takeover in August 2021, the landscape for Afghan civil society has dramatically changed. Understanding these conditions and constraints is crucial for the external actors, especially as they attempt to engage with local organizations and leverage their work in the hopes of creating social and political change. This policy brief aims to shed light on the realities, opportunities, and challenges that local civil society face, with an eye towards guiding future international engagement.

Current Conditions and Constraints for Civil Society

The overall working conditions for local Civil Society Organizations (CSOs) and social groups have become incredibly difficult. Not only have more restrictions been put on these organizations, but overall space for civic activism and engagement has shrunk. The current non-recognized Taliban government – referred to here as the de facto authorities – has nullified the republic-era Civil Society Law. It has been replaced with a new policy, or layha, which recognizes only specific entities such as unions, welfare foundations and charities. Thousands of local civil society organizations registered during the Republic era have been effectively shut down or were forced to reconstitute themselves under one of the remaining options for civil society actors to continue to operate. Yet there are no easy alternatives. Operating as an NGO is increasingly difficult, and it is no longer possible to operate as a political party or movement. Moreover, physical spaces of these now-prohibited organizations, their places of assembly and community areas they used previously to organize, have been prohibited from supporting their operations or shut down by security forces.

The de facto authorities' stance on civil society, its purpose and functions in society significantly diverges from the Republic era paradigm of civil society. During the Republic, civil society and civil activism was supported by the Government and heavily promoted and subsidized by the (pre-dominantly western) international community. The de facto authorities have thus come to see civil society and civil activism as a western and un-Islamic construct, often perceived to be focused on women's and human rights related issues. This stance towards CSOs has even discouraged more traditional civil society actors like tribal elders and religious actors, which might be accepted by the de facto authorities' from, pursuing the kinds of engagement they did under the Republic.

But this is not a monolithic picture. The dynamics between the de facto authorities and CSOs in Afghanistan vary, and are deeply influenced by geographic, cultural, religious, and historical factors. The urban-rural divide and religious considerations play pivotal roles in these interactions. The nature of the Taliban's engagement with CSOs varies depending on the individual members and the types of CSOs involved. Religious scholars are particularly influential, often serving as

key mediators in these dynamics. The influence of tribal elders, though varying by region, is also notable, being stronger in some areas and minimal in others.

CSOs face different challenges when interacting with the Taliban. At one end of the spectrum, urban CSOs advocating for democratic values or women's and human rights principles often clash with the de facto authorities' religious and rural-oriented perspectives, leading to greater resistance. These urban organizations struggle to establish networks, trust and strong relationships with the Taliban, who are predominantly from rural and religiously conservative backgrounds. The Taliban often mistrusts these CSOs due to their different outlook and a perceived agenda counter to Taliban's values and positions. Meanwhile, CSOs due to their views and mission statements often pre-emptively try to avoid the de facto authorities and might even refuse constructive engagement – not least because their benefactors and members are opposing the Taliban and its ideology. This disconnect stems from a history of limited interaction – unlike CSOs with connections to or rural membership, the urban CSOs often had no or limited (and negative) interactions with the Taliban during the time of the Republic.

At the other end of the spectrum, CSOs operating in rural areas under the Republic and working with rural elders or religious actors tend to have a slightly easier relationship with the de facto authorities. They tend to share similar religious and cultural backgrounds with the Taliban, and thus tend to have more effective communication and stronger relationships with them. They have had an easier transition from the Republic-era. These CSOs have generally been able to more effectively engage with the de facto authorities, often because they are advocating on the concerns of rural populations and issues that are less confrontational (e.g., as compared to human rights and democracy). They have also benefitted from the support of rural communities when advocating for their activities with the de facto authorities. A greater focus on more conservative and religious aspects, as well as addressing the needs and concerns of rural populations, has often also made these CSOs appear to be less threatening. It also increased their legitimacy in the eyes of the de facto authorities.

Despite these challenges, some urban CSOs are making modest headway with the de facto authorities. This development is notable, especially given the Taliban's general reluctance and antagonism towards these entities. That said, this success comes largely as a result of CSOs adjusting their point of view and limiting their activities. These efforts aim to make them seem less at odds with the de facto authorities' ideology and agenda. Put differently, CSOs have changed their positions to accommodate the Taliban – not the other way around. This shift comes about in part as a result of the de facto authorities' crack down on civil society, which has in turn led to self-censorship and limiting behaviors. This includes the warning and arrests of those attending authorized demonstrations, charity organi-

zations' registration being scrutinized if there was any reason to believe that these organizations are connected to a civil society movement, and the close scrutiny of social media channels by the de facto security forces.

In general, CSOs have made substantial progress on engagement with the Taliban in the past two years. In looking at the experiences of active CSOs, a nuanced picture emerges. They have been able to interact with the de facto authorities, organizing of seminars, workshops, and other events. The Taliban have responded by imposing additional rules on civil activities, including mandatory permits for events. Yet at events organized by CSOs, de facto authority officials have often participated, listened to the concerns and issues raised by communities and civil society activists. This is a testimony to the power that local CSOs who have earned the respect of the Taliban still have and the potential they have developed already on their own to effectively engage and lobby the Taliban on a number of issues. While the main focus of CSOs might have become less confrontational and explicitly aligned to western objectives, these adaptations have increased CSO influence. CSOs who are working on issues that the Taliban also recognizes as important have been very successful. And they continue to push the envelope in terms of what the Taliban might be willing and able hear.

Opportunities and Challenges for Future Engagement

Lack of funding

In spite of all of this, there is still an active civil society in Afghanistan. In many ways one could even argue that what has remained of the civil society in Afghanistan now is a more sustainable, more grass-roots and more firmly rooted in Afghan realities than under the Republic. However, this new civil society faces new challenges, and not all of these have to do with the Taliban. The generous funding for civil society organizations and causes that existed under the Republic has disappeared. Many surviving civil society organizations are facing funding crises. Many of the previously prominent organizations shut down or scaled down their operations but primarily as a result of funding constraints. The international community is seemingly unwilling or unable to fund those they supported in the past. New civil society organizations face even greater barriers to funding, due to donor concerns of inadvertently supporting or 'legitimizing' the Taliban.

Donor political positioning and objectives

Donors seem reluctant to support civil society organizations who might be perceived as sympathizing with the Taliban regime merely because they are engaging with the de facto authorities on issues through advocacy and other activities. In addition to funding cuts, political de-risking and reputational concerns that prevent international community members from funding Afghan CSOs. These concerns seem particularly counterintuitive and counterproductive considering that CSO engagement with the Taliban might be an effective approach to bringing about change over the longer term (and, arguably, more effective than international pressure). CSOs should be advocating with the Taliban for change, and they need to actually engage with the Taliban to do that. Unfortunately, the unrealistic expectations from donors leave little space in which to operate. The international community is thus missing an opportunity to support change from within by backing local CSOs who remain active and engage with the Taliban. Support now could yield longer term gains. Supporting CSOs now with funding and guidance could lay the foundation for a stronger civil society landscape. This civil society could more effectively serve all strata of Afghan society as well as eventually perhaps also more directly challenge the Taliban on democracy, women's and human rights issues.

Engaging with female CSOs

There is also a significant opportunity for the international community to constructively engage with women-led CSOs. Emphasizing support for initiatives that are developed and led by local women ensures that these efforts are more aligned with cultural and societal norms. Even working with the laws and policies of the de facto authority, CSO can still empower women to build and strengthen their communities from within. By focusing on locally-driven development, the international community can play a pivotal role in nurturing sustainable and meaningful growth in women's civil participation. This kind of support and engagement of local women's initiatives might be considered more modest than Republic-era initiatives or support to outspoken female diaspora. But supporting the millions of Afghan women inside Afghanistan, who are in incredibly difficult situations, could have a profound impact on their lives and women's societal role in the future.

Mitigating risks to CSOs

A critical challenge is to support CSO survival without causing undue risk or confrontations with the de facto authorities. The nature of some donor-driven programs over the past two years have inadvertently placed some CSOs in direct conflict with the authorities. Therefore, it is essential to let local CSOs lead program planning and execution, rather

than imposing external agendas that may not be safe or feasible in the local context. Local CSOs are best positioned to advise on what programming is possible and likely to be impactful. Many CSOs which are pushing the boundaries of the Taliban will accept where it makes sense and where it is most likely to be successful, but they need to be able to make those decisions for themselves.

Avoiding donor-driven approaches and aid dependency

One of the mistakes of the Republic era was the imposition of external agendas on CSOs and their over-reliance on international aid. They were often perceived as engaged in civil society for financial gain or self-enrichment rather than as agents of change, which undermined their legitimacy. CSOs are arguable now closer to their true purpose, given that running CSOs now requires real support from the community and credibility with the de facto authorities. Repeating the mistakes of the past should be avoided moving forward, but that may require greater donor flexibility and realism. Moreover, increased international investment in any sector, including local CSOs, tends to draw heightened scrutiny from the Taliban. Therefore, any engagement must be conflict-sensitive, prioritizing the safety and sustainability of local CSOs without inadvertently increasing their vulnerability.

Conclusion

Despite some limited progress, establishing connections with de facto authorities is a significant challenge. Many representatives of the de facto authorities exhibit limited interest in engaging with CSOs, frequently questioning their legitimacy. At the same time, CSOs attempting to engage with the Taliban face criticism from the diaspora. Compounding these challenges is the international community's stance, which adds to the confusion and leaves local CSOs uncertain about how best to navigate their interactions with the de facto authorities. The international community cannot expect and hope for change from within Afghanistan, if it does not have confidence to support the very CSOs trying to bring about this change.

In Afghanistan's diverse landscape of Civil Society Organizations (CSOs) it is essential for external actors to engage with a wide array of actors, as all bring unique contributions and areas of influence. Embracing this diversity ensures a holistic and comprehensive approach to constructive engagement, recognizing the distinct strengths and roles of each of these actors, especially women. The international community might also have to rethink the balance of whom they are supporting. This may mean shifting away from a heavy emphasis

on young urban educated CSO leaders to make room to include more traditional and conservative rural actors. Greater inclusions of CSO actors would also counteract the Taliban narrative that the international community is only supporting a certain (anti-Taliban) segment of the society.

In conclusion, the working conditions of local civil society in Afghanistan have fundamentally shifted under Taliban rule. Despite the challenges, opportunities remain for international engagement, and support for CSOs in Afghanistan right now might actual hold the promise of more effective ways to lobby and change the de facto authorities than through any other means. Recognizing the resilience and determination of Afghan civil society, the international community should seek ways to support its activities in a sustainable manner. This means trusting CSOs to define the parameters of what types of engagements and issues seem most pertinent and attainable. To address the unique challenges of this context, further research and tailored strategies are imperative along with a shift in the mindset of the international community of how to engage with CSOs in Afghanistan.

Imprint

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