



Addressing Entities of Particular Concern: Non-State Actors and Egregious Violations of Religious Freedom

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Thank you to members of the U.S. Commission on International Religious Freedom (USCIRF), including Deputy Director of Research and Policy Kurt J. Werthmuller, for giving me the opportunity to testify today on non-state actors in the Sahel and South Asia that are designated as Entities of Particular Concern (EPC). The designated EPCs from this region include the Islamic State's Sahel Province, al-Qaeda's Sahelian branch Jamaat Nusrat al-Islam wal-Muslimin (JNIM), and the Taliban. The latter established its Islamic Emirate regime in Afghanistan following the U.S. withdrawal of troops in mid-August 2021.

This testimony will provide recent details on the harm that all of these EPCs have committed in the past year. It will conclude by highlighting limitations on policy solutions that USCIRF or other parts of the U.S. government can attempt to accomplish due to a changed international system in the past half-decade. In the regions where the three EPCs mentioned operate, it is in the shadow of actors who are adversarial to Washington.

Before getting into specific details, it is important to recognize that these three groups have different histories and backgrounds. They also diverge ideologically at points even if they can all be viewed within the broader umbrella of jihadism. However, they all have a fundamental "in-group" and "out-group" worldview that pits Sunni Muslims as the in-group and anyone else as the out-group.

How each of these three EPCs deals with the out-group varies, especially with the Taliban compared to the two Sahelian EPCs. Part of this is because the Taliban controls an entire country and has a monopoly on violence. This is why, in the next designation process, it might be worth going beyond the step of naming the Taliban as an EPC to including Afghanistan as a Country of Particular Concern, especially as it relates to the Taliban's Islamic Emirate and its treatment of the Shia Hazara minority group. As for the two Sahelian EPCs, as both have continued to push farther south in their insurgencies, both have come into greater contact with more Christian communities in countries that are not majority Muslim, which has led to major human rights and religious freedom violations. I will return

to those two EPCs after discussing the current status of the Taliban and issues related to religious freedom.

The Taliban

Since the Taliban retook Afghanistan, it has attempted to refashion itself as a less extreme version of itself during its first regime from 1996-2001. And while it is true there is a hint of truth to this, it falls short of the lofty propaganda efforts that the Taliban has put forth to try and make it seem as if it has somehow completely transformed its essence and *raison d'être*. The case of the Shia Hazara community in Afghanistan provides a good case to understand these limitations.

After the Taliban came into power again, it did meet with Shia Hazara leaders, notables, and tribal figures.¹ Part of the purpose of these initial meetings was to assuage community concerns over past massacres from the late 1990s, as well as to seek closer relations with Shia Iran next door. These meetings continue to this day, yet the community as a whole is underrepresented in the Taliban's government leadership structure. The ethnoreligious composition of the Shia Hazara population in Afghanistan is somewhere between 7-15%,² yet they only make up 0.7% of leadership positions within the Islamic Emirate.³

Therefore, while there are not direct targeted attacks like there may have been in the late 1990s, there is structural discrimination that happens against this minority to this day.⁴ This includes the Taliban's inability to stop members of the Islamic State's Khorasan Province (ISKP) from going after one of their main targets in Afghanistan, the Shia Hazara community.⁵ It is worth pointing out that although there are other Islamic State provinces on the EPC list, it would be worthwhile to include ISKP as well, due to its targeting of Shia Hazaras as well as Christians in Pakistan.

Returning to the Taliban's Islamic Emirate, it has also used legal maneuvering to seize land and homes from the Shia Hazaras in places like Ghazni province for allegedly having invalid documents.⁶ There have also been arbitrary arrests of Shia Hazara women and girls for wearing what has been described as "bad hijabs,"⁷ as well as cases where the Taliban has diverted humanitarian aid from

¹ Margherita Stancati and Ehsanullah Amiri, "Taliban Reach Out to Shiite Hazara Minority, Seeking Unity and Iran Ties," *Wall Street Journal*, September 2, 2021, <https://www.wsj.com/articles/taliban-reach-out-to-shiite-hazara-minority-seeking-unity-and-iran-ties-11630599286>.

² See <https://www.cia.gov/the-world-factbook/countries/afghanistan>.

³ "Taliban Leadership Tracker Demographics," Middle East Institute, <https://talibantracker.mei.edu/english/taliban/demographics>.

⁴ Tawab Danish, "Hazaras and Shias: Violence, Discrimination, and Exclusion Under the Taliban," *Jurist*, May 14, 2024, <https://www.jurist.org/commentary/2024/05/hazaras-and-shias-violence-discrimination-and-exclusion-under-taliban>.

⁵ Fereshta Abbasi, "Attacks Target Afghanistan's Hazaras," Human Rights Watch, May 3, 2024, <https://www.hrw.org/news/2024/05/03/attacks-target-afghanistans-hazaras>.

⁶ Mohammad, "Land Seizure Allegations: Taliban Declare Hazara Neighborhood Property Documents Invalid in Ghazni Province," *Hasht e Subh*, June 9, 2024, <https://8am.media/eng/land-seizure-allegations-taliban-declare-hazara-neighborhood-property-documents-invalid-in-ghazni-province>.

⁷ Zahra Nader and Fereshta Ghani, "'I was arrested for the crime of being a Hazara and a woman': The Taliban's 'bad hijab' campaign targets Hazara women," *Zan Times*, January 22, 2024, <https://zan-times.com/2024/01/22/i-was-arrested-for-the-crime-of-being-a-hazara-and-a-woman-the-talibans-bad-hijab-campaign-targets-hazara-women>.

the Shia Hazara community.⁸ In addition, there have been reports since mid-2023 that the Taliban has prevented Shia Hazaras from celebrating important religious festivals, restricted the teaching of Shia jurisprudence in universities, and allegedly banned marriages between Shia and Sunnis in northeastern Badakhshan province.⁹ As a consequence of these human rights and religious freedom violations, many Shia Hazaras have been displaced or forced to flee Afghanistan for their own safety and future.

Due to the short nature of these testimonies, this section on the Taliban has flagged only the issue of Shia Hazaras. There could be more discussion of violations against other social groups, such as irreligious individuals living in a theocratic system.

JNIM and IS-Sahel

Moving to the Sahel, it is worth briefly addressing the increasing plight of Christians in the wake of both JNIM and IS-Sahel's growing insurgencies across the region. While these groups are rivals and have fought each other over the years, their views of Christians retain the same foundation: namely, Christians must convert to Islam, and if they refuse and do not accept paying the *jizya* (a tax historically levied on non-Muslims living under Muslim authority), then it is necessary to fight and subdue them.

Jihadist attacks against Christians in Africa have primarily taken place in locales where Muslims are not the majority or have a population on par, such as IS attacks against Christian populations in Nigeria, the Democratic Republic of Congo, and Mozambique. As JNIM and IS-Sahel have expanded beyond their original bases in Mali and, to a lesser extent, Niger, where pretty much everyone is Muslim (~98-99%), they have encountered more Christian civilians elsewhere—in particular in Burkina Faso (26% Christian), but also through their slowly built-up cross-border attacks in Benin (52% Christian), Togo (48% Christian), Cote D'Ivoire (40% Christian), and Ghana (71% Christian). For instance, in the first half of 2024, IS-Sahel killed only four Christians in Mali.¹⁰ This is in contrast to increased reports of near-constant massacres in Burkina Faso.¹¹ According to testimony from a survivor of an IS-Sahel attack against Christians in the Burkinabe town of Essakane, "They had warned the Christians in the area to either convert or leave the area, failing which they would kill them."¹² It also is confirmed and shown in propaganda where they execute Christian civilians and burn their villages.

As these two groups reach more of the littoral West African nations beyond the core Sahel, these types of attacks and massacres will likely continue due to the religious demographic differences and greater percentage of Christian populations. This is especially the case when looking at the trajectory

⁸ Maisam Iltaf, "Taliban's Disruption of Aid Programs Push Hazaras To the Brink," *Kabul Now*, September 24, 2023, <https://web.archive.org/web/20241114142405/https://kabulnow.com/2023/09/talibans-disruption-of-aid-programs-push-hazaras-to-the-brink>.

⁹ Abubakar Siddique and Mansoor Khosrow, "Afghanistan's Shi'ite Minority Suffers 'Systematic Discrimination' Under Taliban Rule," Radio Free Europe/Radio Liberty, July 17, 2023, <https://www.rferl.org/a/afghanistan-taliban-shiite-persecution-discrimination/32507042.html>.

¹⁰ Matt Schierer, "A Snapshot Of The Islamic State's Persecution Of African Christians: 698 Christians In The DRC, Mozambique, Nigeria, Cameroon, And Mali Killed In First Half Of 2024," MEMRI, July 1, 2024, <https://www.memri.org/jttm/snapshot-islamic-states-persecution-african-christians-698-christians-drc-mozambique-nigeria>.

¹¹ "Burkina Faso: Islamist Armed Groups Terrorize Civilians," Human Rights Watch, September 18, 2024, <https://www.hrw.org/news/2024/09/18/burkina-faso-islamist-armed-groups-terrorize-civilians>.

¹² *Ibid.*

of violence over the past four years, which has quadrupled since a series of coups occurred in Mali, Burkina Faso, and Niger. All three countries subsequently chose to partner with Russia's Wagner Group/Africa Corps to fight JNIM and IS-Sahel, yet they have been far less effective than the French forces previously on the ground (who were not perfect but operated much less poorly than Russia's forces).

Policy Challenges and Limitations

As a consequence of challenges to the American-led world order in recent years, there are limitations on what Washington can actually do in the Sahel and Afghanistan from a policy perspective. Adversarial actors are in control of the space, whether the Taliban's Islamic Emirate in Afghanistan or Russia taking charge of counterterrorism duties with countries in the Sahel. Therefore, due to the United States being more or less unable to deploy traditional countering violent extremism (CVE) programming or support to local civil society actors in the same way as other countries, the U.S. government needs to be nimble and show some level of patience. It is also important to distinguish the Taliban and JNIM's interest in engagement versus the Islamic State. While both the Taliban and JNIM are extreme in their own right, they both want to develop some level of legitimacy within the international community or with governments in their own regions.

That is why it might be worthwhile to first reach out to the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, who engage non-state actors globally on various issues related to international law, human rights, and religious freedom.¹³ This past weekend, the Taliban's Afghan Red Crescent engaged with the Bill and Melinda Gates Foundation in Kabul, for example.¹⁴ Although such meetings are not geared toward dealing with religious minority rights, there is more room for potential longer-term, generational-type of engagement. Similarly, in a recent interview with France 24 journalist Wassim Nasr, senior JNIM leader Muhammad Kufa stated that it would be acceptable to have NGOs operate within JNIM's territory so long as their activities do not run afoul of their worldview.¹⁵ Again, not ideal, but a potential starting point.

Both these examples are in contradistinction to the Islamic State, which is uninterested in any dialogue at all and therefore offers no room for likely change in its behavior. Of course, I would be quite skeptical that one could convince the Taliban or JNIM about lightening their views on religious minorities too, but at least there is an avenue that is not wholly shut off unlike with the Islamic State.

It also makes sense from a policy perspective to engage those countries at the perimeter of the jihadist insurgencies in the Sahel, where it is not too late to potentially stem the tide of increasing cross-border violence. Therefore, it would be worthwhile for a team of specialists and experts from USCIRF, USAID, and the Global Engagement Center at the State Department to undermine the messaging and potential recruitment value that JNIM or IS-Sahel could pose to local Muslim minority communities in Benin, Togo, and Ghana, or to demographic parity in Cote D'Ivoire. These efforts could be conducted alongside partners abroad from Morocco to the United Arab Emirates, who can

¹³ "Why engage with non-state armed groups?," International Committee of the Red Cross, May 7, 2021, <https://www.icrc.org/en/document/why-engaging-non-state-armed-groups>.

¹⁴ "ARCS president Meets Asian head of Bill & Melinda Gates Foundation," Islamic Emirate of Afghanistan, November 18, 2024, <https://www.alemarahenglish.af/arcs-president-meets-asian-head-of-bill-melinda-gates-foundation>.

¹⁵ Jamaat Nusrat al-Islam wal-Muslimin, "Exclusive Press Interview With Shaykh Muhammad Kafa," al-Zalaqah Foundation For Media Production, October 22, 2024, <https://jihadology.net/2024/10/22/new-video-message-from-jamaat-nu%e1%b9%a3rat-al-islam-wa-l-muslimin-exclusive-press-interview-with-shaykh-mu%e1%b8%a5ammad-kufa>.

better prepare those governments for the confrontation ahead—not only at the information operations level, but also in terms of inculcating society through education and programmatic (e.g., Rabat could assist with religious issues, and Dubai with political issues). They could also hopefully safeguard the Christian populations, and make these societies more broadly resilient.

However, this will not be easy, and Washington should not be under any illusion that there are quick fixes. Many of the underlying issues of religious freedom in these societies will come down to local agency, not social engineering from the outside. The best chance for success lies with local actors who show good faith and truly want to degrade these groups' ability to advance their monopolizing view on religion and undermine multi-religious societies. The U.S. role should be to assist them or be a force multiplier as necessary, not to push something from the outside that will not work without local cultural knowledge and respect.

Either way, these two particular cases from Afghanistan and the Sahel highlight the complications that Washington will face going forward in an era when the United States is no longer the world's unipolar power. There will be even more constraints and limitations on what can be done even if smart-thinking, well-meaning individuals want to make the world a better place for more people to live in. This will be difficult because Washington is accustomed to being able to do many things all over the world, from the early 1990s up until the past five years or so. But when thinking through problem sets and issues such as EPCs, it needs to have greater awareness of how other global and regional actors fit into these local contexts, especially when they are adversarial in nature.