Aid Diversion in Afghanistan: Is it time for a candid conversation?

Ashley Jackson

AID DIVERSION IN AFGHANISTAN: Is it time for a candid conversation?

Afghanistan Analysts Network
Economy, Development, Environment
September 2023
Diversion of aid in Afghanistan is in the news again, this time with allegations by the United States Special Inspector General for Afghanistan Reconstruction (SIGAR), John Sopko, that the Islamic Emirate or its officials are diverting humanitarian aid. Language in a draft US appropriations bill would prohibit any US assistance going “directly or indirectly” to the Taliban, something which Sopko has warned could have “serious” consequences for aid organisations. The Emirate has denied the allegations. Guest author Ashley Jackson* has been looking into the Taliban’s actual influence over aid, hearing from aid workers on the ground about their experiences and delving into the role of both donors and the Emirate in its delivery. She asks if aid diversion is any worse – or better – than the historical ‘norm’ in Afghanistan and suggests that, whatever its level, there is a need for a candid dialogue that would lead to practical and ethical steps to ensure aid reaches those most in need.

* Ashley Jackson is co-director of the Centre on Armed Groups and author of ‘Negotiating Survival: Civilian-Insurgent Relations under the Taliban’, Hurst & Co, 2021.
INTRODUCTION

Leading the allegations that the Taliban are capturing aid to benefit themselves has been John Sopko. In his July 2023 quarterly report (see here), he said that SIGAR “received numerous allegations of Taliban diversion and inadequate protection of humanitarian assistance programmes.” Scattered reports about government intimidation and interference have emerged in the international media (see this NPR report and this RFE report). Speaking at an event in London in late July, Sopko cited some of these same concerns, although he gave very few details. He said a proposed law, which would soon be put to a vote by the US Congress, would stop any US aid going “directly or indirectly” to the Taliban:

*Recently proposed Congressional legislation may have the effect of prohibiting indirect assistance to the Taliban in addition to the existing ban on direct assistance to the Taliban. How that would affect ongoing humanitarian assistance is unclear, but it shows Congress’ continued concern with doing anything that might legitimize or otherwise assist Taliban rule (see the full transcript of Sopko’s remarks at King’s College here).*

The proposed US law reflects a dilemma felt by many donor governments. They are struggling to justify to domestic constituencies their continuing to send aid to Afghanistan, when it is run by an increasingly repressive government, which is apparently exerting ever more control over aid delivery. However, given the scale of the economic and humanitarian crisis, they cannot cut aid entirely, even if they fear their aid also benefits the Taliban.

---

1 Sopko’s office said the draft law he was referring to was [HR 4665, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024](https://www.govinfo.gov/content/pkg/CONGRESSTEXT-2023-126/pdf/CONGRESSTEXT-2023-126.pdf), which states:

*None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Afghanistan may be made available for: (a) assistance to the Taliban; or (b) a United States contribution to a multi-donor trust fund for Afghanistan unless the Secretary of State certifies and reports to the appropriate congressional committees that such contributions will not benefit the Taliban, directly or indirectly (Section 7044(a)(1)).*

As noted in the accompanying House Report ([H Rpt 118-146](https://www.govinfo.gov/content/pkg/CONGRESSTEXT-2023-126/pdf/CONGRESSTEXT-2023-126.pdf)), the language in the budget request for Afghanistan is the same as it was in the budgetary requests made before the Taliban takeover, which it said “does not reflect the cruel reality of the present situation in Afghanistan.” In this light, the report stressed, the subsection quoted will prohibit “funds appropriated by this Act and prior Acts from being made available for assistance for the Taliban” (see page 109 of the report).

The Bill has passed the House Committee on Appropriations but will need a full Congressional vote (Senate and House) as part of the vote on the package of spending bills for fiscal year 2024.
Sopko has told AAN that, at the request of the chair of the US House of Representatives Foreign Affairs Committee, SIGAR was now working to “determine whether, and how much, U.S. aid to the Afghan people has fallen into the hands of the Taliban since they took over the country in August 2021.” He said they were “pursuing three areas of enquiry: the use of appropriated funds to directly benefit the Taliban; the purchase, transfer, conversion, and use of U.S. currency for activities in Afghanistan; and oversight of public international organizations receiving U.S. funds in Afghanistan.”

This is a serious issue that could result in a further reduction of aid to Afghans. Part of the aim of this report, therefore, is to provide some context for assessing donors’ concerns because, while accusations of widespread diversion of aid are increasingly common, detailed evidence is harder to come by. Moreover, rarely is there any questioning of whether the situation is any worse than the historical norm in Afghanistan.
Aid Diversion in Afghanistan: Is it time for a candid conversation?

The Afghan government, for its part, denies any role in diverting or interfering in humanitarian aid. “The Islamic Emirate of Afghanistan does not interfere in the affairs of any institution to disrupt their work,” spokesman Zabiullah Mujahed told Tolo News in early September (see here), adding, “We and our military are obliged to ensure their security.”

This report investigates aid diversion in Afghanistan, specifically examining:

- How aid diversion is defined, and how it is distinct from both corruption and the indirect benefits that aid brings to any government, including the Islamic Emirate of Afghanistan (IEA);
- The historical context of aid diversion in Afghanistan, beginning with the eras of the anti-Soviet jihad and subsequent civil war of the 1980s and early 1990s, through the first Islamic Emirate and the Islamic Republic, including the Taleban’s manipulation of aid during the insurgency;
- The dynamics of the aid industry since Taleban returned to power in August 2021, including the scope and patterns of aid diversion under the IEA; and
- The responses of aid workers and donors to IEA attempts to control or divert aid.

The report concludes by exploring what might be done differently to mitigate any harm to Afghans in need of assistance. This work draws on more than a dozen interviews with donors, aid workers and IEA officials and the author’s previous work on the political economy of aid in Afghanistan (including research conducted for this recent report).

WHAT IS AID DIVERSION?

The European Union defines aid diversion as:

[Aid taken, stolen or damaged by any governmental or local authority, armed group or any other similar actor. Such act is to be considered diverted aid even if the aid is re-distributed to other people in need other than the intended beneficiary group.

Diversion, writes the EU, includes bribes and kickbacks, theft, disruption or delays in delivery, or demands that the aid goes to any other group or population
than those intended by the aid provider. This report takes a broader view of aid diversion, arguing that it cannot be understood in isolation from the political, economic and historical factors and patterns that drive it. It also seeks to differentiate between different kinds of diversion and the particular factors that drive them. Some instances might be structural, effectively baked into everyday aid practices, while others might occur on an ad hoc basis, often at the community or local levels. Hyper-local factors shape how aid is negotiated and delivered, and this is particularly true under the current government in Afghanistan, where the pressures aid workers face may differ dramatically from one village to the next. By contrast, more structural aid diversion often arises from the overarching politicisation of aid. Aid is always politicised in some way, but the nature of this politicisation shapes patterns of diversion, how it is perceived and how much of it will be tolerated by donors and aid organisations. After 2001, one donor representative admitted telling a partner aid organisation that they could “look the other way on” 10 to 15 per cent “seepage” if it meant programmes to support state-building could be delivered quickly. Today, that sort of deliberate turning of a blind eye by a donor would be unthinkable.

Is diversion just another, perhaps gentler or more palatable, name for corruption? Not quite. This report distinguishes between aid diversion, which is not always malicious or self-serving, and broader corruption, defined as the abuse of power for personal gain. Governments may try to divert aid for political reasons, and communities may disagree with how aid agencies have distributed aid and seek to seize or subvert it. Both are diversion, but not (necessarily) corruption. In other words, some forms of diversion can be considered corruption, while others are less clear-cut.

Another distinction drawn in this report is between aid diversion, as defined above, and how aid can indirectly benefit a government. Indirect benefits may arise when aid frees up resources for other tasks (for example, aid supporting basic services could allow more spending on the military), or by supporting the macro-economy by stimulating demand or supporting the currency, or if a government is able to claim credit for services that are funded by foreign aid. This is not aid diversion but is part of the debate on the amount and nature of aid given to Afghanistan under the Islamic Emirate. These three categories – diversion, corruption and indirect benefit – are often confused or conflated in the current debate over aid to Afghanistan.
To seek to understand how politics and context affect aid diversion and how it is perceived, the next section of this report explores aid diversion since 1979 and the USSR invasion.

A BRIEF HISTORY OF AID DIVERSION IN AFGHANISTAN

During the civil war and refugee crisis triggered by the 1979 Soviet occupation, aid operations were effectively two-fold: firstly, the response to the refugee influx into Pakistan and Iran (with Western aid focussed largely on helping those in Pakistan) and secondly, cross-border aid from Pakistan into Afghanistan. Both strands were overtly politicised, with high levels of aid diversion and manipulation. This was aid in the context of the Cold War and US understanding of its strategic needs. Aid “became inextricably linked with US covert operations,” wrote Antonio Donini, “and, to a lesser extent, of other Western governments to provide military assistance to the mujahidin.” He and Alessandro Monsutti have also described how, within Pakistan, the government effectively controlled much of the response to the Afghan refugee crisis, with the explicit aim of strengthening the mujahedin factions:

*To receive assistance, refugees had to be affiliated with one of the resistance political parties. UNHCR failed in attempts to enumerate refugees and ensure that individual families received direct assistance. UN workers had to accept that more or less legitimate tribal leaders acted as the conduits for food aid. These leaders controlled the food distributions and siphoned off a portion to feed mujahideen combatants sheltering in the camps. Beneficiary lists were inflated and one person might control several hundred ration books. Working in tandem with Pakistani camp managers, these leaders and their political patrons developed an effective system for creaming off international assistance. Given the Cold War context and the presence of the Red Army in*
Aid Diversion in Afghanistan: Is it time for a candid conversation?

Afghanistan, donors, NGOs and even the UN had taken sides and were not too concerned with the diversion of aid by the anti-Soviet factions.³

Afghan refugees could only get a ration card and aid if they registered with a faction recognised by Pakistan, and so the power, influence and apparent support base of the seven Sunni Muslim mujahedin factions which Pakistan chose to recognise were hugely bolstered. Islamabad, then ruled by Islamist general Zia ul-Haq, favoured the more radical Islamist factions within those seven, helping them grow in power. Other forms of resistance organisation, including the more secular, were squeezed out. The decision to allow a politicised diversion of aid has had an enduring effect on Afghan politics.⁴


⁴ Western countries’ decision to channel military support via Pakistan, giving them ‘effective deniability,’ gave ul-Haq an even stronger means of influencing who became powerful in the Afghan resistance.
Scholar Helga Baitenmann has also detailed how aid in the camps openly went to mujahedin fighters coming and going from the frontlines. UNHCR was aware of this, she writes, but did not interfere due to pressure from the US (the largest donor to its Pakistan operations). Meanwhile, access to women and children, comprising some 75 per cent of refugees in the camps, was severely restricted.

Cross-border aid and aid work in non-government-controlled areas at this time typically relied on cutting deals with the patchwork of mujahedin commanders across the country. Most cross-border NGOs were more political than those working in the camps, often explicitly supporting particular anti-communist forces. NGO funding became a core revenue stream for key commanders such as Ahmad Shah Massud of Jamiat-e Islami, who established the Shura-ye Nizar network in the northeast. Aid was also frequently stolen by rival commanders or siphoned off by other means. According to Baitenmann, 60 to 80 per cent of aid reaching their intended beneficiaries was viewed as a good result. Losses were covered up. Aid workers were also occasionally held hostage for aid.

When the Taleban rose to power in the 1990s, the dynamics of aid shifted. More than self-enrichment, they sought control, partly driven by concerns over ‘immorality’ and suspicion of aid workers. Antonio Donini recalled in an interview with the author that their attitude seemed to be: “Help us on our terms or not at all, and then God will provide for us.” Aid workers faced requests that often seemed to be driven by ideology and a stated desire to create a pure Islamic society (as with the current banning of female aid workers). At the same time, officials sometimes used aid as a bargaining chip; for example, one aid worker recounted that permission to work in Hazarajat might only be granted if an organisation also agreed to work in Taleban constituencies like Helmand or Kandahar.

Aid workers described to the author a kind of duality to interactions with the Taleban. On the one hand, many described them as often intransigent, convinced they occupied the moral high ground, and reliant on coercion to impose their rules upon the population. On the other hand, many of the same people insisted that they could often negotiate with or, at least, have a frank, somewhat respectful conversation with some commanders. Despite Taleban claims of moral purity, they said there was always some degree of diversion. However, there were also ways to push back. One aid worker recounted how they discovered that Taleban

---

5 Baitenmann, Helga (1990) NGOs and the Afghan war: The politicisation of humanitarian aid, Third World Quarterly, 12:1, p76.
commanders were skimming food from distributions. The organisation then shifted to providing cooked meals to ensure they reached the children they were intended for. In other such instances, when confronted with allegations of corruption, some said local officials conceded that such things took place but made excuses (for example, the country was still at war and this could not be avoided). It is also worth emphasising that the first Emirate’s systems of government were nowhere near as structured and sophisticated as they are today, nor were they as concerned with controlling and monitoring aid. Their main focus was the war against the Northern Alliance.

After 2001, when aid money flooded Afghanistan after the fall of the first Emirate, corruption quickly flourished. This resulted from several misguided donor actions: disbursing far more aid than Afghanistan could absorb, setting unrealistic objectives for what that aid could achieve and failing to put adequate safeguards and oversight measures in place. Western governments and their militaries empowered obviously corrupt figures right up until the fall of the Republic and refused to acknowledge the scale of corruption until it was too late to do much about it. Lack of appropriate oversight furthered corrupt and criminal practices at both the macro and micro levels. By one estimate (see this Washington Post article), some 40 per cent of aid flowed to criminals, corrupt Afghan officials or the insurgency. Moreover, a significant percentage of aid did not even enter the Afghan economy but was spent on foreign consultants and overheads – what is often called ‘boomerang aid’. Diversion and corruption were built into the post-2001 state-building project.

At the community level, aid workers confronted a reality where almost everything was based on transactional relationships. While certain dynamics may have been familiar from previous eras, the amount of aid was far greater, magnifying the scale of diversion. They reported how government officials or local powerholders would pressure them to hire specific individuals or work with certain suppliers, change project locations or activities, and provide kickbacks. The Republic, of course, had at its own disposal a vast array of government development programmes and technical assistance initiatives to which officials, MPs, ministers and army officers could lobby for their people to be hired – a patronage resource that no longer exists. Aid, focused on state-building and supporting the government, unwittingly fed into corrupt and nepotistic practices.
In some instances, the damage wrought by nepotistic and diversionary practices could be contained. In others, it had terrible consequences for Afghans. For example, the contracting process for the Basic Package of Health Services delivered by NGOs was notoriously corrupt, leading to substandard health services (see [this](https://www.washingtonpost.com) Washington Post article). Falsified statistics and corruption were endemic in the education sector (see [this](http://www.aan.com) AAN report and [this](https://www.prlog.org) independent corruption assessment of the Afghan Ministry of Education). By one estimate, one in every dozen schools in Republic-era Afghanistan was a ghost school – a school the government claimed was open and for which it received funding, but actually did not exist.

To be clear, the scale and breadth of aid diversion, fraud and corruption under the Republic was far greater than it is under the current Afghan government. But these Republic-era practices likely still influence how some forms of aid are delivered today. After all, many current staff in ministries and aid organisations also worked under the Republic government when corruption was the status quo.
During this period, the Taleban insurgency also sought to control and reap benefits from aid work, although the scale of their diversion was tiny compared to the officials of the Republic. While the insurgency initially targeted aid workers as complicit, “tools of the infidels” the Taleban were fighting, they gradually shifted their stance (the change can be seen in their Codes of Conduct issued in 2006, 2009 and 2009, as detailed in this AAN report and translations of the codes). In some instances, the Taleban sought to claim credit for aid projects, as commanders often used them to try to bolster their legitimacy. (Whether this strategy was effective is debatable; most Afghans likely understood it was foreign donors, not the Taleban or the government, providing this aid.) Taleban efforts to regulate aid only gradually grew more consistent over time. In 2012, the movement began claiming they taxed projects and registered organisations to work in areas under their control or influence (see this ODI report). Yet, this did not really start to happen at scale until around 2017-18, when it gained greater territorial control and a better ability to collect tax overall (see this USIP report and this Transparency International report).

The Taleban had a long-standing rule, in theory if not always in practice, that purely humanitarian (or ‘public welfare’) aid was exempt from Taleban taxes. The rest was subject to 10-15 per cent tax, which was negotiable in practice. Infrastructure and construction were most likely to be taxed, while avoiding taxes on health and education projects was more possible. In some instances, Taleban officials had comprehensive knowledge of the details of all major NGO contracts, which enabled them to make specific demands (and suggests a level of infiltration) (see this 2020 report published by ODI). Nevertheless, many aid organisations could negotiate their way out of these demands, arguing that their actions were humanitarian or that their donors would shut down their projects if they paid. It is, however, difficult to tell how many organisations paid taxes and on what. Few aid workers would talk openly about these issues, even within their own organisations (see this earlier report by the author). Afghan aid workers in a given province or district might simply deal with tax demands as best they could without informing higher-ups.

The silence was driven both by individual fears (of being fired or worse) as much as organisational consequences (such as reputational damage, funding cuts and potential criminal action for paying off ‘terrorists’). The Taleban often told aid workers that other aid agencies paid taxes and so should they. The culture of silence made it difficult to know if this was true or just a savvy Taleban tactic. The silence limited collective bargaining, which would have been more effective than
negotiating independently and in secret, and also left donors in the dark about mounting demands. It also drove competition over access and resources. In some cases, aid actors pre-emptively offered payments to the Taliban to increase their access. This, predictably, only heightened Taliban expectations and subsequent demands (see this Institute of Development Studies report).

Taliban taxation became increasingly formalised and open from mid-2020 onwards. On 23 July 2020, the Taliban issued a letter requesting all NGOs to register with them, the implication being that ‘registration’ included a discussion of how much tax they would be paying. A high-ranking Taliban official in the current government openly contacted NGO country directors via Twitter and email to demand taxes, which could be negotiated at in-person meetings in the Gulf. Various meetings were convened in Doha with the Taliban political office, United Nations and NGO representatives to discuss these demands. For some aid programmes, paying taxes became gradually embedded within standard practice. For example, village elders recounted how they had a ‘system’ worked
out to ensure that the National Solidarity Programme could function with Taleban approval: elders negotiated a standard cut of the community grant given to the Community Development Council (of which they were members), and when each instalment of that grant arrived, the Taleban would come to collect their share. Yet even as the Taleban’s ability to collect taxes extended well into areas widely considered to be under government control, patterns and demands tended to vary (see AAN’s reporting here and here).

It is safe to assume that the insurgency’s capture of aid was never at the levels seen by armed actors in Ethiopia, South Sudan or Somalia. It is hard to get exact numbers of diversion anywhere, given that such practices are often denied, and any estimates are shaky at best, but existing reporting (and the author’s own work on armed groups) in these and other contexts gives an anecdotal basis for comparison of practices and their prevalence (for reference, see this PeaceRep report, this Guardian report, this UN Monitoring Group report, this Devex report, as well as this and this New Humanitarian reports). Part of the reason that diversion was likely lower in comparison is that the Taleban’s anti-corruption rhetoric, their desire to present themselves as the legitimate government and their desire to strictly control the behaviour of the rank and file (somewhat) guarded against such behaviour, although extortion still occasionally happened. Moreover, many aid agencies used the threat of withdrawal or other tactics to sidestep tax demands. The Taleban, aware that communities would be upset if aid was withdrawn, typically did not push aid organisations to the point of leaving. Ultimately, taxation of aid per se was not necessarily a significant income stream for the insurgency, as their taxation system extended to nearly every sector of the economy, from telecommunications companies and traders to smallholder farmers.

Indeed, some NGOs never paid taxes to the insurgency. However, they often had to relent in other areas, such as allowing the Taleban to vet their staff or influence their activities. Some of these demands may have been relatively minor, such as putting up a curtain between male and female workers or allowing the Taleban to ensure no ‘government spies’ were among aid agency staff. Other demands, however, such as changing programme locations or hiring Taleban fighters, were more problematic (see this ODI report). Still, the longer-term impact of these non-monetary requests was profound. They allowed local Taleban factions to directly influence and benefit from aid interventions – something which they now seem to expect. Writ large, taxes and non-monetary demands were not about money or
personal benefit so much as they were about projecting power and entrenching Taleban control. It also foretold what kinds of expectations and demands the insurgency would have when they came to power.

**AID DIVERSION – AND INDIRECT BENEFITS OF AID – UNDER THE IEA: WHAT DO WE ACTUALLY KNOW?**

Since the Taleban takeover, donors and aid organisations have gone to great pains to insist that no aid is being diverted to or otherwise directly benefits the Taleban movement or its government. Partly, this has to do with the political unpalatability of supporting the Taleban and partly to do with sanctions. And yet the idea that a government, in any country, could be completely cut off from the benefits of aid is profoundly unrealistic. Moreover, in public and media discourse, the issue of aid diversion – the apparent capture of aid for unintended purposes – is muddled in with the politicisation of aid as a whole. It is important to distinguish overt attempts to divert aid from the indirect benefits aid brings to the IEA.

The current government benefits from aid operations in several ways. When used to fund essential services like healthcare and education, it frees up government money for other things. It might allow Taleban officials to be seen as providing things for the population’s needs, and they may try to claim credit for this to enhance their standing. Aid organisations pay some taxes and visa fees, just as they did under the Republic, generating revenue for the government.

---

6 The UN Security Council adopted Resolution 2615 in December 2021 which created an exemption to sanctions on Afghanistan covering humanitarian, and basic needs programming. The exemption allowed the provision of humanitarian aid to Afghanistan, then on the verge of economic collapse. The exemption covers the provision, payment and processing of funds and assets for humanitarian action and activities to meet basic human needs. Subsequently, in December 2022, the UN Security Council adopted Resolution 2664 providing a crosscutting humanitarian carve out to financial sanctions. The US Treasury has also issued various licenses and guidance documents to authorise banks and other entities to engage in humanitarian activities. Nevertheless, sanctions continue to impact humanitarian operations indirectly, limiting banking services and creating fear around contact with sanctioned government officials.
The most significant benefit, however, is the macroeconomic support that comes with large influxes of aid. The current aid operation mainly relies on cash shipments to a UN bank account in Afghanistan, averaging $40 million weekly as of January 2023. The amount of dollars imported is roughly equivalent to the Afghan central bank’s pre-2021 imports of cash dollars. This has allowed aid workers to carry on amid the economic collapse. At the same time, these regular cash shipments have curtailed inflation, provided stimulus, stabilised the currency, created demand, provided jobs and injected badly needed liquidity into the economy and stimulated it (see this USIP report and this World Bank report). It is thus difficult to disentangle the benefits to the state from those to civilians. While this macroeconomic support has benefitted the IEA, helping it to consolidate its rule, it has also hugely benefitted ordinary Afghans. It also reduces the need for aid, allowing Afghans access to a somewhat functioning (albeit fragile and aid-dependent) economy.

Regardless of who provides basic services, access is indisputably positive for Afghans. We also know, through rigorous academic study and scholarship across multiple countries, that services do not necessarily bestow legitimacy on governments or other authorities (see, for example, this research). Afghans know who precisely is paying for the health system, and it has never been their government. The problem of the fungibility of aid money is less easily answered, that foreign funding for basic services frees up money for the IEA to deploy elsewhere. In early 2022, for example, when the IEA was struggling to pay government employees, the United Nations Children’s Fund (UNICEF), fearing the schooling system was in danger of collapse, used European Union funding to provide emergency payments to teachers. Subsequently, teachers were the one major body of workers who never received their missed salaries: the IEA appeared to consider the UNICEF payment as equivalent to what it would have paid the teachers. On a different scale, while state funding for aid-supported healthcare has been tiny, and was reduced by 11 per cent in 1401 compared to 1400, the IEA has reported increases in security service personnel (see this AAN report on IEA spending). That aid brings benefits to the government of a country is inevitable, but this is a different question from whether it or its officials are diverting aid.

---

7 The most recent figures available (see UNAMA, Cash Shipments to the UN in Afghanistan – Info Sheet, 9 January 2023).
Aid diversion is not about indirect benefits, but rather the obstruction of aid reaching those it is intended for. Here is where it gets complicated. Under international law, national governments have a right to control humanitarian aid. UN General Assembly Resolution 42/182 states that aid should be provided “with consent of the affected country” and “in principle on the basis of an appeal by the affected country.” This right of control is vague and contentious but allows national governments to deny aid workers access to areas within their territory and to regulate their work within it. Like many governments, the IEA has regulated how aid can be provided, but this assertion of basic sovereignty is complicated by the fact that it is not recognised. It is also complicated by the nature of the regulations. Some – such as the ban on female aid workers – are profoundly destructive, undermine equity for beneficiaries and harm female workers themselves (see this UN human rights report and this UNOCHA report). Other regulations are only marginally stricter than the rules under the Republic. The Emirate is, however, much more rigorous about enforcing them. Expecting aid organisations to bypass the authorities is unrealistic, but exactly what constitutes diversion is somewhat subjective. The fact that donors do not recognise the IEA means what would normally be considered the legitimate actions of a government – to tax, regulate and set policies on aid – may well be viewed as diversionary or otherwise suspect.

To understand what constitutes diversion, we must first lay out how the IEA seeks to control and influence aid. The most recent UN Security Council report documented 299 incidents of interference in the delivery of humanitarian aid – roughly three a day – between 6 February and 20 May 2023 (most, although not all, attributed to the government). Beyond the gender restrictions, the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) has alleged different types of interference and undue requests, including efforts to influence beneficiary selection, programme design, staff recruitment and bureaucratic access impediments (see this UNOCHA report, and also this Humanitarian Outcomes report). It describes actions at two main levels, the national level through various laws and policies and the local, encompassing various officials’ demands, personal views and individual interpretations of national directives.

**Structural attempts to control and influence aid**

While it is entirely reasonable for governments to want to have oversight of foreign aid, and indeed, oversight and transparency are major parts of the global aid
coordination agenda (eg the High-Level Forums on Aid Effectiveness and the Paris Declaration), many aid workers and donors argue that the measures undertaken by the Emirate are excessive or threaten humanitarian principles. In February 2022, the authorities released a plan to monitor and control the activities of NGOs, called the Procedure for Control and Regulation of the Activities of Domestic and International Organisations (‘organisations’ are how Afghans typically refer to NGOs). Some parts of the Procedure are consistent with the 2005 NGO law, while others threaten to contravene humanitarian principles (eg the authorities having the final say on assessment sites or beneficiaries). Whilst the Procedure was revised to address some of the aid community’s most serious concerns with it, worries about its content and enforcement persist.8

As was the case under the Republic, each aid project is required to have a memorandum of understanding (MOU) with the government.9 MOUs typically require engagement and negotiation with officials as they review all project activities. There are often delays in the government processing of MOUs (which also happened under the Republic and generally appears to be down to lack of capacity rather than malicious obstruction or them being an opportunity for demanding a bribe). Many donors initially objected to NGOs they supported signing MOUs with the Emirate but later relented, although some donors, such as USAID, insist on reviewing MOUs before they are signed.

In addition, the government has issued a dizzying array of directives affecting aid at the national and local levels. According to UNOCHA, it issued 173 national and local directives affecting aid delivery between December 2021 and June 2023, averaging just over two per week (see this UNOCHA access snapshot).

---

8 According to a comparison between the revised and original version of the document, the most substantial changes include: a change to the title from “Procedure on Control” to “Procedure on Coordination”; a change of requirement from “joint” to “coordinated” surveys and from requiring the “joint” organisation of surveys and project proposals to “consultation and coordination” on these activities and sharing “awarded proposals with the sectoral authority”; a shift from preferring the sectoral authority’s view where there is disagreement about joint survey locations to coordinated surveys in which, “all efforts will be made to resolve the disagreement through negotiations, thereafter the sectoral authority’s view is preferred”; and from sharing beneficiary lists to sharing “necessary information” regarding surveys; and several references requiring aid actors’ “transparency” have also been removed. Most felt that the changes were not significant or consequential and reported that local officials had often referred to the original document in interactions with aid actors.

9 This was not enforced immediately after the Taleban takeover, but MOUs were required under the 2005 NGO Law and under the first Emirate in the 1990s.
Informal and localised attempts to control and influence aid

Beyond these various directives and requirements, aid workers report more informal efforts to influence their work. These are the kinds of things – requests for handouts, demands for programme locations to be altered, attempts to meddle with hiring and beneficiary lists – that aid workers face the world over and are a rough continuation of Republic-era practices. Aid workers describe the requests as relentless, occurring daily or weekly. However, the intensity and nature of these pressures vary according to place and type of activity or programme. In some instances, local authorities’ demands go well beyond manipulating assistance for personal or political gain and point toward the IEA officials’ desire to firmly control aid activities. In some provinces, authorities – usually from the Directorate or Ministry of Economy, or other line ministries, but sometimes from security and intelligence actors – show up and demand extensive documentation (eg budgets, staff contracts, procurement documents). While many of these rules are a carry-on from those under the Republic, aid workers reported that the IEA is using them in more aggressive ways in an apparent attempt to bring NGOs and aid workers to heel.

That said, within all of this, interviewees reported many grey areas. Specific requests to hire an individual were clearly about patronage, but general requests to hire people from the local district may have been more about job creation or certain norms. Some requests came not from ‘Taleban’ but from officials who had served under the Republic and continued in their posts under the IEA. Some aid workers distinguish between ‘Taleban’ and ‘former Republic officials’, arguing that the latter actively perpetuated corruption under the Republic and are driving certain restrictions on aid under the IEA. There are also instances where IEA government officials’ demands or restrictions may have a point. In several MOU negotiations, government officials have raised concerns that certain programmes or activities were unsustainable or inappropriate. The authorities often push aid organisations to work in areas they felt were underserved or neglected during the war (see this AAN report). However, in such a polarised environment, there is little room for nuance in discussions of Taleban motives and what compromises might or might not be ethical.

Aid organisations must often compromise, but that can also be a slippery slope. Once a precedent is set, walking things back or resisting other demands can be hard. Specific sectors or programmes are widely seen as having been staffed with
Taleban to gain access to areas under their control during the insurgency. That influence became impossible to reduce once the Taleban came to power. One aid worker counted it a success that they had managed to reduce the number of names officials added to food distribution lists from 400 or 500 to just 100 after the Taleban takeover.

Is it getting better or getting worse?

So how widespread is all of this ‘interference’, how much constitutes diversion and what impact is it having on civilians? Given the diversity of local dynamics, it is unhelpful to make generalisations, but we can identify several trends. The IEA wants to control aid. Their efforts to do so are intensifying and the room for negotiation is narrowing. One metric is that the pace of directives being issued that affect aid operations and access obstructions has increased over time. In the early months after the Taleban took power, aid workers described a possibility
for substantive dialogue with the authorities that they say no longer exists to the same extent. At the same time, donors are pressing aid organisations to adhere to higher (and unrealistic) standards. In short, aid actors are facing more intense pressures from both donors and the national authorities, constraining their room for manoeuvre.

However, the pressure to control aid is not always the same as diversion. When it comes to clear-cut diversion, certain provinces are markedly worse than others. In Daikundi and Ghor, for example, aid diversion is systematic or targeted in ways that suggest more harm than good is being done. Due to serious concerns about diversion, the UN Humanitarian Coordinator ordered the temporary shutdown of aid operations in both places over the past year. In Ghor, the situation is not so different from how it was during the Republic, when diversion, corruption and intimidation were common as well. Dynamics in Daikundi are more sensitive and few are willing to speak openly about what happened to cause the shutdown. But aid workers and beneficiaries in both provinces have strongly suggested that the de facto aid response – cutting off all programming – has inadvertently hurt the people who most need help, while doing little to stop what was driving diversionary and abusive practices. The shutdown of programming can be an essential lever in negotiations, but the terms upon which programmes are paused and could be resumed matter a great deal.

Certain kinds of aid are more vulnerable than others. Food or any other distribution comes with intense pressure. In several instances, aid workers detailed hundreds of names (in one case, thousands) being added by officials and elders to distribution lists. In two of these instances, third-party monitors interviewed were fully aware of what was happening but feared losing their jobs if they reported it. Many local aid workers assumed their supervisors knew precisely what was happening and just chose to do nothing about it. (See also this recent SIGAR audit of food aid to Afghanistan.) In some instances, targeting vulnerable groups (instead of just giving food to everyone via blanket distributions) has inadvertently created opportunities for abuses of power. That is not to say that it is impossible to distribute food and non-food supplies ethically. However, there is little incentive to report or disclose diversion within the current aid operation.

Community councils, effectively meant to give Afghans more voice in aid programmes, can also be problematic. For decades, some elders who have sat on these councils have acted as gatekeepers, colluding with government officials, and
also with the insurgency in areas where it was influential, to divert aid. Assessments as to who should be beneficiaries often resemble a competition, as everyone uses their connections to get on the list. This is a game that the Taliban did not invent but have now learnt. (It is also, again, not unique to Afghanistan.)

Still, current levels of aid diversion are perceptibly lower than the Republic era, partly because there is much less aid, and it is more tightly controlled. Corruption more generally is certainly lower, and Afghanistan’s score on the Transparency International Corruption Index has improved since the Taliban takeover (see their reporting here). It is also unfair to compare the two situations. The Republic aid ecosystem was built on graft, but officials generally played lip service to the international community’s priorities and norms. By contrast, the Emirate has an entrenched and open suspicion of aid actors, seeing them as morally and financially corrupt, which drives its attempts to regulate them (for more on this see the author’s recent co-authored report, ‘Taliban Perceptions of Aid: Conspiracy, corruption and miscommunication’). There is petty corruption, but at least up till now, it is not systemic. Also, unlike the Republic, the Emirate’s officials have a poor understanding of how the aid system works.

AID ORGANISATIONS AND DONORS – PART OF THE PROBLEM?

Some organisations are better able, or more motivated, to push back on government and communities’ attempts to control or divert aid (see this EU-funded report and this FCDO-funded report, and for a pre-2021 perspective, this USAID-funded report and this DFID-funded report). Much comes down to the individual agencies or aid workers involved. Sector-wide red lines or joint principles usually have little effect; aid organisations ultimately tend to go their own way. However, we know what incentivises organisations to resist or report diversion: reliable long-term funding helps aid workers take a firmer stand because they are less concerned about their jobs or their organisation’s survival; longer project timelines mean they can halt programming or adjust without worrying that the project will be unable to meet its objectives; training and strong organisational ethics tend to help; a direct relationship with the donor, so that a direct conversation between donor and
Aid Diversion in Afghanistan: Is it time for a candid conversation?

implementation can occur unimpeded and; a long-term track record of engaging with the Taleban in a structured and principled way.

Afghan NGOs are at a clear disadvantage. They sit at the bottom of the aid industry food chain. Without direct donor funding or the core funds many international organisations have, national NGO survival depends on project funding. The sudden severing of longer-term development funds after August 2021 has had devastating consequences. Reliance on short-term project funding has perpetuated a vicious cycle of limited capacity and continual compromise. They are, without question, more vulnerable to political pressures and demands from UN agencies and international NGOs that rely on them to carry out projects. Taking a principled stand is far more challenging when the authorities can take away your license to operate on a whim, throw you in jail (or worse) and intimidate your colleagues and family.

Some aid practices unwittingly create opportunities for manipulation. Armed escorts are one example. Widely used by the UN under the Republic, the Emirate
Aid Diversion in Afghanistan: Is it time for a candid conversation?

has required the UN to continue using them. In some instances, armed escorts have engaged in protection racketeering, enabling the authorities to manipulate and forcibly subvert aid assessments and distributions. In one instance, armed escorts acting on behalf of the provincial governor coerced a UN agency into conducting an assessment in one district instead of another, potentially depriving the population in the originally selected district of aid. Moreover, the UN pays for these armed escorts, as it did under the Republic, providing income to the government. The UN also pays significant funds to the government to provide armed security for their compounds.

There are also some organisations that do not adhere to the principles they claim to espouse or compromise them in ways that have harmful effects. There have long been, and perhaps always will be, aid workers who simply believe you just have to ‘pay the ticket’. Paying off corrupt officials or conceding to certain demands, rather than taking a principled stand, is seen simply as the cost of
doing business. This tends to be justified with the argument that the aid that gets through ‘saves lives’. Others are engaged in a more prolonged cover-up of their own unethical practices. The author interviewed numerous aid workers who came into an already corrupted system and simply did not think there could be a different way of doing things.

Finally, part of the problem is with the global aid system. Corruption in aid globally is “endemic and widespread,” although the amount of aid lost is impossible to ascertain (see this ODI analysis). The system set up to administer and manage aid unwittingly supports and abets corruption and mismanagement, from modes of subcontracting to how programmes are funded and evaluated (see this article from the Core Humanitarian Standards website, this study of the humanitarian system, and this Tufts University report). The nature of power relations exacerbates things. In many countries, onion-like layers of subcontracting are not only inefficient but create perverse incentives to deliver at all costs (see this report). While the UN gets the lion’s share of funding in Afghanistan and elsewhere, just a few UN agencies deliver programming. They act as pass-throughs (or intermediaries) with little incentive to stop the flow of funding when problems arise. Their implementing partners (national and international NGOs) bear much of the pressure to divert projects or funds and can be easily replaced if they fail to deliver.

The short-term nature of humanitarian funding tends to make things worse. In 2022, in support of the annual Humanitarian Response Plan – which at USD 4.44 billion was the largest ever single country appeal – there was a sudden, sharp increase in humanitarian funding for Afghanistan, up to USD 3.31 billion from USD 2.07 billion in 2021, largely in response to a humanitarian appeal – then (see UNOCHA’s humanitarian funding tracker for 2021 and 2022).

This required organisations to rapidly scale up programming and expand their reach. Most major NGOs doubled or tripled the number of their staff, almost overnight. New staff were typically not trained or supported to deal with pressures from authorities and communities. As a rule of thumb, it usually takes a year or more to get a project up and running in new communities, where NGOs need to train staff, properly assess need, establish trust and make sure activities are running as they should. Aid organisations, working on six to twelve-month project timeframes, were pressured to do it in a matter of weeks or months. “The need is enormous and everyone is saying ‘take the money’, so it’s not easy to say no,” said one aid worker, “but how can you double your staff, add new districts and ensure
While the need for aid has not changed, funding is now drying up, meaning organisations are contracting just as quickly as they expanded. Both donors and aid organisations – always reluctant to say no to funding – should have understood the implications and risks of such a reckless approach.

Levels of diversion in Afghanistan today are certainly far less than under the Republic, and likely much lower than in other humanitarian emergencies such as Syria, Somalia, South Sudan, Ethiopia and elsewhere, where aid has been diverted on an industrial scale (see this Transparency International report as well as this one, this Human Rights Watch report, this UN Human Rights Council statement, this London School of Economics report, this UN statement, this New Humanitarian report as well as this one, and this Devex report). But even the present scale of diversion in Afghanistan requires a significant degree of collusion by those working in the aid industry, or at the very least, sticking one’s head in the sand. In other words, the aid system itself is a major part of the problem.

**CONCLUSION: NO SAFE SPACE TO DISCUSS THE PROBLEM OF AID DIVERSION**

Donor governments are hostage to conflicting political priorities. On the one hand, they want to isolate the Emirate in the hope it will either change its most reviled policies, such as restrictions on women, or collapse. On the other hand, they absolutely do not want Afghanistan to collapse because of the dire security and humanitarian implications. Also, at the same time, they want to reduce their funding to Afghanistan because of other demands, both at home and from other countries, and because of discouragement over helping a country run by such an antagonistic government (see AAN report on the Donors’ Dilemma).

One indirect result of this three-pronged contradiction is that there has been little meaningful engagement by foreign governments with the IEA on aid or other vital matters in general, driven by the fear that other governments will view them as being too close to the Taleban. However, without a working dialogue on aid, every hiccup or technical issue becomes a quasi-diplomatic incident. To try to deal with aid diversion, donors, UN agencies, and aid organisations would need to have a
conversation with the IEA about it and come up with a coordinated strategy to reduce interference. What happens at the moment – donors demanding that aid be delivered ethically and in line with their political preferences, without doing much, if anything, to support aid agencies to negotiate with the government – looks like an abdication of moral and fiscal responsibility. Unfortunately, Afghans ultimately suffer the consequences of such failures of leadership and accountability.

Aid workers complain that donors have responded to fears that aid is being diverted by demanding aid agencies provide more reporting and substantiation to prove that they can continue to deliver without aid benefitting the Taleban. One country director estimated that 80 per cent of her time was devoted to either dealing with IEA demands or dealing with donor demands for reassurance that her organisation could deliver despite IEA pressure. As if wilfully blind to the severity of pressures and restrictions, donors have sought continual reassurance that their aid dollars can somehow magically sidestep Taleban pressure and evade their restrictions (especially concerning employing and reaching women).
Operating within these constraints and contradictions, individual aid organisations have responded in a range of ways. Some organisations have stuck to their principles, compromising only when they felt they had to and managing to carry on with their ethics broadly intact. Most have fared less well. Part of the problem is that most engagement with the current government is done bilaterally and usually only after problems arise. There is little genuine collective action, and this allows the Taleban to play agencies off against one another. The NGO-coordinating body, ACBAR, and UNOCHA have helped organisations collectively negotiate with the government but have often run up against the lack of transparency and fear that keeps these issues in the dark.

Another problem is that navigating aid dynamics requires extensive engagement with both the authorities and communities and an understanding of the actors that agencies are dealing with – which the aid community is still struggling to come to terms with, even two years after the Taleban takeover. And even then, negotiations with the Emirate usually entail compromise. Amid heightened pressure from donors, increasing Taleban interference and fear of funding cuts, many frontline aid workers often conceal the extent of manipulation and diversion because they think it is more important to keep programmes running. Humanitarian actors might argue that the humanitarian imperative – the right to receive assistance when needed and the right to provide it – obligates them to compromise on other principles to ensure Afghans receive aid and protection. Adhering to the humanitarian imperative, however, demands that aid workers distinguish between what is immediately lifesaving and what is not. For example, malnourished children will likely soon die if their therapeutic feeding programmes are halted, but other activities – such as education and even some types of food distribution and medical care – will not result in imminent or likely death. Yet aid organisations in Afghanistan are often reluctant to prioritise activities that are actually critical over those which are not (see this Humanitarian Outcomes report).

Certain practices, such as paying the Taleban for security or how food aid is given and to whom, need a serious rethink. The UN, which manages the bulk of the aid effort, owes Afghans far greater transparency. Yet some UN agencies are staunchly resistant to criticism and impervious to calls for greater accountability, including how much of the funding they receive for Afghanistan pays for headquarters or other administration costs. There is a pervasive fear among aid workers that talking frankly about the problems will lead to or be used to justify aid cuts. Many
feel caught between trying to do the right thing and fear of bringing harm to the very Afghans they are trying to help. This perpetuates and justifies aid corruption, with far-reaching deleterious consequences, and although few aid workers see it that way, is a profoundly self-serving logic. The reality is that aid is already declining, with the current aid appeal for Afghanistan only 27 per cent funded (as of this writing, see here), and there may be little that aid organisations can do to influence hyper-political funding decisions.

The humanitarian ethos may also be part of the problem. Humanitarianism is cloaked in a certain kind of moralism, making it difficult to admit failings and limitations. This creates a yawning chasm between what humanitarianism claims to be and the realities it confronts in places like Afghanistan. Making matters worse, donors and aid organisations consistently insist that humanitarian aid can achieve far more than it can.

Meanwhile, watchdogs and journalists tend to take a ‘gotcha’ approach, as though aid diversion was an outrageous abnormality rather than, for Afghanistan at least, normal. Indeed, diversion is undoubtedly less now than it was under the Republic, not only less as an absolute figure because aid is so much less, but also less as a percentage. Media and politicians sensationalise aid diversion and use these claims to bash the Taleban, playing to domestic constituencies who do not understand why their governments give any aid to Afghanistan and the ‘terrorists’ who run it. This makes aid workers even more reticent to confront these issues transparently. There is no safe space in which to have a sensible discussion about these issues and the way they are treated tends to be hysterical rather than practical.

Aid diversion happens everywhere, and it tends to happen a lot in places like Afghanistan. The protracted reliance on humanitarian assistance in chronic conflicts and as a response to pariah states such as the IEA tends to skew incentives, perpetuating corruption and diversion – especially where aid forms a major part of the economy. However, that is no excuse not to do what one can to prevent it and address the most severe harm this does to Afghans. A more ethical approach might begin by identifying what kinds of diversion are most widespread and damaging to Afghans. Perhaps not everything can be addressed in the current political climate, but those that can should be prioritised. Many things could be done to weaken the drivers and close off opportunities for diversion. Unfortunately, the UN is unlikely to undertake this and NGOs cannot be expected to do so either. Donors should
intervene but all too often revert to check-box approaches and unconvincing ‘zero tolerance’ rhetoric.

To be clear, sending planeloads of cash – an estimated $2 billion to date – in off-budget, largely uncoordinated aid that is funneled to the UN and then through multiple layers of subcontracting before reaching Afghans is a recipe for diversion. It is unsustainable and ill-advised to continue relying on short-term humanitarian aid without devoting longer-term aid to addressing the root causes of humanitarian needs. There are alternatives. Longer-term funding and giving money directly to implementers are important, although the rigidity of donor systems tends to make this difficult. Donor engagement with the IEA on these issues is badly needed, but bilateral donors are reticent to stick their necks out and actually lead on any such engagement. Better coordinated aid would also help, perhaps in the form of an overarching multilateral trust fund, to act as an intermediary to handle and monitor spending. (That said, several trust funds are already in operation, all limited in their ability to fulfil these objectives by donor politics.) The point is that there are various technical and political solutions to the issue of aid diversion, but it is unclear when and indeed if the will to implement them might materialise.

A strategic rethink would be required to reduce the incentives and opportunities for diversion and give aid organisations greater bargaining power. To fulfil their ethical and legal obligations, donors and multilateral institutions would have to engage with the nitty-gritty of what is going on. Diversion should not be an excuse to cut aid, nor should it be portrayed as one. Rather, it is a clear signal that aid organisations and their donors need to work more intelligently and more strategically. Finally, the Emirate is both part of the problem and potentially part of the solution. The failure engage with it on this will ultimately result in poorer outcomes for Afghans in desperate need of assistance.