



EFSAS ARTICLE

No. 5 | May 2022

Future of State institutions in Afghanistan:

**An interview with Mr. Mahmoud Saikal, former
Afghan Diplomat to the UN**

Future of State institutions in Afghanistan: An interview with Mr. Mahmoud Saikal, former Afghan Diplomat to the UN

The chaos that ensued post US troops withdrawal and subsequent Taliban takeover of Afghanistan in August 2021, has plunged the country to a record low vis-à-vis the functioning of virtually every sector of its society. While in the first days of gaining control, the extremist group boldly made claims of having changed its ways and become a protector of fundamental rights including those of women and the free press, 9 months on, the human rights situation in the country is more dismal than ever. The imposed international sanctions have furthered crumbled the health, private and industrial sectors, contributing to the deepening political and socio-economic instability of the country. According to the United Nations (UN) Transitional Engagement Framework (TEF) for Afghanistan, as much as 97% of the population might fall into poverty (2022).

In an interview with Mr. Mahmoud Saikal, EFSAS examines the future development of Afghanistan's State institutions post-Taliban takeover, assessing their fragility and means of operation under the group's regime. Mr. Saikal is currently an Adjunct Professor at the University of Canberra and Chair of Kabul Association of Integrity. He has been instrumental in expanding the State institutions of Afghanistan in different fields. In the field of foreign relations and diplomacy, in 2005-2006 as Deputy Foreign Affairs Minister, he established the International Cooperation Division at deputy ministerial level. Prior to that, between 1994 and 2005, as Honorary Consul and later as Ambassador, he established the first Afghan Consulate and later the first Afghan Embassy in Canberra, Australia. In the field of urban development, he established the Dehsabz City Development Authority (DCDA) in 2008, currently known as Capital Region Independent Development Authority (CRIDA). In the administrative field, in 2015, he helped establish the new Chief Executive Office of Afghanistan. In the field of social development, he established the Kabul Association of Integrity (KAI) in 2019. From October 2015 to February 2019, Mr. Saikal served as the Permanent Representative of the Islamic Republic of Afghanistan to the United Nations and under his leadership, Afghanistan won its first seat at the Human Rights Council (2018-2020) and became a member of the Economic and Social Council (2016-2018).

Subsequently, he chaired the UN General Assembly Third Committee 73rd Session.

To begin with, Mr. Saikal said that while considering the future development of Afghanistan's institutions, one needs to examine at least six distinct elements. Namely, what services they offer, policies and strategies, administrative structure, human resources, physical premises of the institutions and the budget. The emphasis on that comes from the fact that before the 15th August 2021, Afghanistan has been heavily involved in rebuilding these institutions. The first Taliban regime collapsed in December 2001 and the common people inherited virtually a country without institutions. Lawlessness, lack of security forces and no budget meant that the people had to start from scratch, Saikal argued. The Bonn agreement was signed in December 2001, and installed an Interim authority, which was composed of an interim administration and independent commissions. However, due to the lack of facilities often these bodies had to share buildings. Mr. Saikal's example demonstrated the degree and significance of the financial costs related to rebuilding those institutions.

Mr. Saikal proceeded to explain how, based on the last 9 months of Taliban rule, there will be no referendum on the government system, no constitution, no elections, no elected bodies, and as a result, the ruling system will be some sort of religio-tribal-autocratic regime ruled by decrees issued by an invisible spiritual leader (it is still unknown whether this leader exists or not). Importantly, Mr. Saikal alluded that such decrees could also come from a foreign intelligence agency.

Mr. Saikal highlighted another important aspect on the institutional crafting of the Taliban, namely their abandonment of numerous State institutions from the previous structure – the Ministry of Women Affairs, the Independent Electoral Commission and the Independent Complaint Commission. Instead, the Taliban has brought back its own institutions – the so-called Ministry for Promotion of Virtue and Prevention of Vice, which was part of its previous government between 1996-2001. In addition to that, within the security structure the Taliban has introduced suicide brigades, where it has already started recruiting children. These ‘martyrdom’ brigades will be “*under the control of the ministry of defence*” and supposedly used only for “*special operations*” according to the words of Taliban spokesperson Zabihullah Mujahid (Hamourtziadou, 2022). This is particularly worrisome, signifying a new era of warfare.

When it comes to the future of the State institutions of Afghanistan under Taliban rule as per the six outlined factors, Mr. Saikal argued that this very much depends on the direction

the country is taking. If the status quo remains unaltered, Afghanistan will be less institutionalized, more autocratic and authoritarian and as far as these aspects are concerned, the quality of services is foreseen to suffer severely. State policy and strategy will be weak and mainly serve the interests of the Taliban, their supporters and perhaps those of Pakistan as well. It will have an extremely hierarchical administrative structure. Given the lack of human resources due to the exodus of many well-educated and well-trained citizens and the refusal of some of those who stayed to work for the Taliban government, the deterioration will be visible on that front as well. Some positive news regarding the state of the physical institutions is that most of Kabul's governmental institutions survived the takeover, although some of those in the provinces were damaged and destroyed. And finally, when it comes to budgetary issues, the country is facing a lot of problems that are likely to remain. Mr. Saikal explained how the functioning of the institutions is heavily influenced by aid money; aid is channeled to the people who need it the most, and because of the Taliban's sanctions, special efforts are made to ensure that they are not recipients of aid money. As a result, State institutions that are now under Taliban control will suffer in the long-term, despite the international community's efforts to take over the health and education sectors.

When talking specifically on how the delivery of international aid will be reshaped given the current existing legal constraints, Mr. Saikal discussed the recently established TEF by the UN, which has called upon 8 billion dollars from the international community. 4.44 billion of that would be for life-saving humanitarian assistance, 3.42 billion for essential services that sustain basic human needs and 208 million for preserving social investments and community-level systems essential to meeting basic human needs (2022).

Mr. Saikal explained how while donors are placing conditions to ensure that the Taliban is not benefiting from the aid money, it is very difficult to maintain that given that the Taliban has control over the Ministries. He used the example of Sirajuddin Haqqani, who is sanctioned by the UN Security Council and is sought by the FBI, to demonstrate how if the international community decides to financially support Afghanistan's security sector, they are in fact assisting internationally designated terrorists. As a result, as Mr. Saikal noted, deciding where to draw the line between being able to sideline the Taliban and not being able to do so is difficult. An even more practical example, Mr. Saikal mentioned the food sector; When it comes to different programmes for the distribution of basic commodities, the Taliban tends to

work with the communities and assist them with distribution, after which it raises taxes on those communities, profiting indirectly from the aid money.

When asked about the future of the NGO sector, Mr. Saikal indicated that, although the Taliban had taken over the delivery of services, it still feels the pressure to allow those who were originally in charge to continue. Thus, the Taliban would work with the NGOs and let them have access to the concerned areas but will take the credit for it. Especially in remote areas, Saikal argued, people do not perceive the distinction between NGOs and authorities.

Mr. Saikal further brought the attention of the discussion to the establishment of the Afghanistan Inter-Ministerial Coordination Cell (AICC) in Pakistan, which is an authoritative Cell, similar to a mini-ministerial council, that has strong representation from various Pakistani governmental bodies and has been meeting frequently and working closely with the Taliban's caretaker government. Within the Cell, a host of power seats have been created and planning takes place. The Taliban caretaker government, as outlined by Saikal, lacks the capacity and resources to address the country's problems. Thus, these problems are being considered inside the Cell with the aim of establishing policies. And, of course, as Saikal remarked, they do it with Pakistan's best interests in mind, not Afghanistan's. It is not clear what the status of the Cell is after the recent change of government in Pakistan.

The Taliban has been a strategic asset of the Pakistan's military establishment for decades and now the latter believes the time has come to take full advantage while having the Taliban in power. That includes obtaining access to Central Asian markets, improving commerce and transportation, and ensuring that Pakistani tracks reach Uzbekistan and vice versa. As a result, the Cell's recent focus has been on trade and transit issues. Thus, they have taken some initiatives to improve those via the landport of Torkham. Another endeavor the Cell has been embarking on is the encouragement of international NGOs who have gotten an interest in Afghanistan to establish their head offices in Pakistan – the argument is that Pakistan would offer them security while they would be able to visit Afghanistan on a regular basis. By doing so Pakistan would like to benefit from the aid money as well. Not to mention the fact that all UN aircrafts travel from Islamabad to various locations of Afghanistan. It is uncertain if the UN is free to choose whichever parts of Afghanistan they want to visit; it is probable that Pakistani influence on where they could go and where not, exists.

Following the discussion on the NGO sector, Mr. Saikal deliberated upon the future of the private sector. As he described, the private sector is in need of security, functioning banking sector, energy (mainly electricity) and land, and it wants to ensure that its investments expand. In the case of Afghanistan, there are some situations where the private sector has the freedom to invest and get a good return, with the example of the food industry as one of the beneficial sectors. However, as far as other industries are concerned, the private sector is rethinking its position at the moment.

In terms of security, the Taliban was responsible for the country's insecurity and instability in the first place, Saikal argued, and now that it has gained power, after a time of a lull, and given the horrific human rights violations that have ensued, the country starts seeing a political and combat resistance. Now that spring has arrived, Mr. Saikal stated, we have observed many groups defying the Taliban, indicating that insecurity is on the rise, owing to the Taliban's heavy handedness and very aggressive policies it has been pushing. As a result, an investor would be hesitant to invest in the country's future. In terms of energy those who establish businesses such as factories etc., would need electricity. Yet, for a long time Afghanistan has been experiencing electrical shortages, given that the Taliban used to even blow up power poles in the north. Currently, the country has been buying energy from Tajikistan, Uzbekistan, Turkmenistan, and Iran, yet it is unable to pay for the power it purchases. Thus, overall, Saikal concluded, on the small scale there are some private business investments but nothing too significant.

Mentioning the establishment of political and combat resistance, EFSAS asked Mr. Saikal's opinion on the development of any informal institutions as an opposition to the Taliban regime. Mr. Saikal argued that although the government, parliament and judiciary system of Afghanistan had all collapsed after 15 August, still, at the time of speaking, most of Afghanistan's embassies and consulates around the world do not maintain contact with the Taliban and continue to work for the greater interest of the Republic under the 2004 Constitution of Afghanistan. Yet, inside the country the Taliban has been establishing firm control over different parts of the State institutions. Having said that, 9 months later, there is still no legitimacy for the Taliban inside the country and internationally. Inside the country there is no proposal for legitimizing the regime as from the Taliban's viewpoint it is already legitimized. As Saikal explained, the Taliban sees no need for a referendum or elections or a

constitution. At international level, however, the legal status of Afghanistan has suffered a lot alongside with its representation on the international forum.

Although some elements within the previous government contemplated staying in power (in exile), there is a resistance due to issues such as corruption, electoral fraud, and poor voter turnout. As a result, constructing a new political system based on the previous administration is challenging. Mr. Saikal further reiterated that in the last 20 years, Afghanistan experienced polarizing policies, and domestic politics seemed to be scattered around; hence, there are no stable major political blocks with whom to negotiate or collaborate. Instead, he argued, efforts are currently underway to establish a new parallel structure to the Taliban. This structure would aim to convey the message that until and unless the Taliban agrees to come to the negotiating table in a genuine manner, the former will have no choice but to coordinate political, civil, and military efforts. Once that happens then both could be dissolved – the Taliban and its caretaker government and the opposition with its parallel political structure.

These opinions are also voiced by Amrullah Saleh, exiled leader of the Afghan resistance and former Vice-President of the previous government, who in an interview with *Foreign Policy* argued that the resistance against the Taliban is only gaining strength since more and more people are opening their eyes regarding the situation (O'Donnell, 2022).

When it comes to the international community's position, Saikal explained how Afghanistan is located in a region of the world where countries do not adhere to principles as strictly as they should, instead focusing on their own self-interest and pursuing friendships or fomenting animosity as they see fit. At a regional level, there is a possibility that some nations will get closer to the Taliban, which they have not done so far, but at the global level, there seems to be significant opposition to the Taliban. He went on to describe how, at the UN level, the General Assembly voted in December 2021 to defer the decision on Afghanistan's seat, which would most likely remain until the conclusion of the current session, which is in September 2022. From that it seems that the Taliban will not see any recognition from the UN soon. Also, Saikal continued, we have seen lately fresh efforts from parliaments of the world and governments to impose more sanctions on the Taliban. Just recently 50-60 members of the French parliament signed a petition asking the French government to lobby for more sanctions on the Taliban.

Similarly, we have seen other efforts around the world to tighten the noose on the Taliban rather than giving them concessions. Still, it all depends on what happens in the region and also around the world, Saikal argued. The war in Ukraine has opened a new door and that has some impact on the decisions of the regional countries and global powers. It was quite surprising that when the meeting in China took place on 31 March, it was paralleled by the Extended Troika meeting between China, Russia, the US, and Pakistan, which did not produce a joint statement, most likely because the US does not want to have a joint statement with Russia while the war in Ukraine is ongoing. As a result, this demonstrates how other issues are affecting Afghanistan. There are a number of tensions and rivalries in the area, including Pakistan-India, Iran-Saudi Arabia, Iran-US, and China-India, all of which have an influence on Afghanistan to some degree.

Last but not least, one of the major concerns which remains regarding the future of the State institutions under Taliban rule is the place of women in them. On the question, Mr. Saikal argued that as of now the Taliban has permitted girls to attend universities, so at least in the short term, we will see some university graduates working in the limited fields that are open to them, such as education and health. However, the host of other sectors are still closed for women. Yet, even in the sectors they are allowed to enter they could work only in very low-ranking jobs, thus lacking any key decision-making position. That being said, if the closure of high schools continues, it means that very soon there will be young girls with no education at all. And as Saikal emphasized, even though young girls are now allowed to attend primary schools, the Taliban is the one working on the curriculum. Hence, one is getting to school, second is getting quality education. The Taliban is most likely now working on modifying the curriculum, and as Saikal pointed out, we have already seen elementary school graduates emerging with swords in their hands, ready to fight.

As Mr. Saikal concluded, as far as women are concerned, there is some hope in the short term but with more time passing there will be less and less opportunities for them to be involved in the workforce. Unless the situation changes and enough civic and political pressure is applied to the Taliban to bring it to the negotiating table, the plight of women will only worsen.

The closure of secondary educational institutions to girls, is in contradiction with an earlier directive issued by the Taliban, showcasing how the extremist group continues renegading on its promises and the world should stop treating it with naivety. The sheer

hypocrisy of the Taliban is further mirrored in the practice of members of its ranks sending their daughters to study in schools abroad, while repressing girls at home (Wallen, 2022). According to a report by the *Afghanistan Analysts Network* (2022), some Taliban leaders have sent their daughters to Qatari and Pakistani educational institutions where apart from religious education they also acquire modern education, unlike their peers in Afghanistan.

A research brief issued by *Amnesty International* (2021) further delves into the rise of incidents against women and despite reassurances that its policies have changed since its rule in 1996-2001, women still face violence in the hands of the Taliban. The report also highlights the reprisals, intimidation and violent attacks against civil servants from the former government, journalists and human rights defenders on behalf of the Taliban.

To conclude, the interview with Mr. Mahmoud Saikal sought to shed light on Afghanistan's post-Taliban state institutions, assessing their vulnerability and means of functioning under the terrorist group's control. According to him, with very small exceptions, the large portion of institutions will be unable to function effectively and provide the necessary services to the population. The humanitarian situation is deteriorating by the day, and the bleak projection is that until and unless under coordinated diplomatic, political, civil and military pressure, the Taliban decide to come with genuine intentions to the negotiating table, this trajectory will continue unaffected.

References:

Afghanistan Analyst Network (2022) *Taliban sends daughters to school despite closing classrooms for other female students*. Available at: <https://www.afghanistanalysts.org/en/aan-in-the-media/taliban-sends-daughters-to-school-despite-closingclassrooms-for-other-female-students/>

Amnesty International (2021) *THE FATE OF THOUSANDS HANGING IN THE BALANCE: AFGHANISTAN'S FALL INTO THE HANDS OF THE TALIBAN*. Available at: <https://www.amnesty.org/en/documents/asa11/4727/2021/en/>

Hamourziadou, L. (2022) *Afghanistan: Taliban plans for suicide brigade reveal changing nature of warfare in 21st century*. Available at: <https://theconversation.com/afghanistantaliban-plans-for-suicide-brigade-reveal-changing-nature-of-warfare-in-21st-century-174829>

O'Donnell, L. (2022) *Former Afghan VP: 'We Will Resist Until Our Aim Is Achieved'*. Available at: <https://foreignpolicy.com/2022/02/10/afghanistan-taliban-resistance-amrullahsaleh/>

UN TEF (2022) *UNITED NATIONS TRANSITIONAL ENGAGEMENT FRAMEWORK (TEF) FOR AFGHANISTAN*. Available at: <https://afghanistan.un.org/en/169578-united-nationstransitional-engagement-framework-tef-afghanistan>

Wallen, J. (2022) *Taliban sends daughters to school despite closing classrooms for other female students*. Available at: <https://www.telegraph.co.uk/global-health/terror-andsecurity/taliban-sends-daughters-school-despite-closing-classrooms-female/>

**EFSAS**

EUROPEAN FOUNDATION FOR
SOUTH ASIAN STUDIES
EXCELLENCE, GENUINENESS & AUTHENTICITY