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Afghanistan and United Nations: On a Slender Thread with Taliban



Colonel V Vidyashankar is a Senior Fellow at CLAWS. An alumnus of the Indian Military Academy, the Infantry Officer was commissioned in Madras Regiment and commanded an Assam Rifles Battalion. He has varied experience of operational deployment and combat in Op Vijay, Op Rakshak, Op Meghdoot, and Op Hifazat. He has attended the Higher Command Course and has been an instructor at the Indian Military Academy as well as Army War College. The officer has represented India in an UN Peacekeeping Mission at Congo (MONUC) and has also headed the Centre For United Nations Peacekeeping (CUNPK), New Delhi.

Introduction

Post the US President's announcement about the withdrawal of US troops from the Islamic Republic of Afghanistan by 11 September 2021 (revised from earlier agreement with Taliban to withdraw by 01 May 2021), the fall of Kabul to the Taliban offensive on 15 August 2021 signified the catapult of the elected Afghanistan Government. With no democratically elected leadership available, the power vacuum was swiftly occupied by the Taliban as they reached the Presidential Palace in Kabul.

The United Nations (UN) has, on a temporary basis, relocated some staff from its United Nations Assistance Mission in Afghanistan

Key Points

- Afghanistan faces a monumental crisis with the resurgence of Taliban control in 2021.
- The sensational resurgence of Taliban has forced the existing UN political mission— UNAMA— to move its staff to Kazakhstan temporarily.
- Taliban leadership is on UN sanctions list while Taliban is under economic sanctions of international community.
- Protection of Civilians including status of women and girls, is a prime issue under the Taliban.
- UN needs to urgently address issues of legitimacy, sanctions and security of Afghanistan and its people under the Taliban.



(UNAMA) to Almaty, Kazakhstan, from where they will provide close support to the UN work in Afghanistan. As per the authorities, this measure is intended to enable the UN to keep delivering vital assistance to the people of Afghanistan with minimal disruption while, at the same time, reducing life risk of UN personnel; personnel will return to Afghanistan as conditions permit.¹

Afghanistan and United Nations

It will be pertinent to understand briefly the history of Afghanistan's independent status and its entry into UN. Afghanistan Independence Day is celebrated on 19 August to commemorate the Anglo-Afghan Treaty of 1919 consequent to the end of the Third Anglo-Afghan War in 1919 and relinquishment of British control in the country. The Kingdom of Afghanistan was a constitutional monarchy in Southern and Central Asia, that was established in 1926 as a successor state to the Emirate of Afghanistan. It was proclaimed by its first king, Amanullah Khan. The monarchy ended in the 1973 Afghan coup d'état.² On 19 November 1946, the Kingdom of Afghanistan formally became member of the UN. Incidentally, it has never been elected as a non-permanent member of the United Nations Security Council (UNSC) ever since.

Events leading to UNSMA in 1993

Afghanistan's historical timeline in the 20th Century has been fraught with episodes of conflicts, monarchy, inter-tribal clashes, invasion by the erstwhile USSR and civil war involving a communist phase. The UN first took cognisance of the developing situation in Afghanistan after the Soviet (USSR) invasion to support the Afghan Communist Government against the anti-communist guerrillas which subsequently led to a fourteen year long war from 1978-1992.

On 14 January 1980, the Security Council held the Sixth Emergency Special Session and passed its resolution No ES-6/2³ pertaining to the situation in Afghanistan and its implications for international peace and security. Noting with profound concern, the large outflow of refugees from Afghanistan, it recognised the urgent need for termination of foreign armed intervention in Afghanistan so as to enable its people to determine their own destiny without outside interference or coercion.



In the years that followed, post the withdrawal of USSR from Afghanistan, deeply concerned about the massive destruction of properties and the serious damage to the economic and social infrastructure of Afghanistan caused by the fourteen year old war, the UN called for an emergency international assistance for the reconstruction of 'war stricken' Afghanistan vide its resolution No 47/119⁴ dated 02 April 1992. Further, during its 86th plenary session, on 21 December 1993 the UN vide its resolution No 48/ 208⁵ requested the Secretary General to dispatch to Afghanistan, a UN Special Mission to discuss the prevailing situation with a broad spectrum of leaders of Afghanistan, and soliciting their views as to how the UN can best assist Afghanistan in facilitating national rapprochement and reconstruction, and thereafter submit its findings, conclusions and recommendations to the Secretary General for appropriate action. The United Nations Special Mission to Afghanistan (UNSMA) was therefore established by United Nations Secretary-General and commenced its work on 27 March 1994.⁶ It would be pertinent to understand that the UNSMA was not a full-fledged mission and was just bearing a foothold in the Afghanistan crisis. It was a political mission which tried to open dialogue between the UN and the stakeholders. The aim of the paper is to trace the start of UN relationship with Afghanistan and highlight as to how this relationship might change due to the recent takeover of Afghanistan by Taliban.

The Taliban in Afghanistan

The Taliban emerged as a force for social order in 1994 in the southern Afghan province of Kandahar and quickly subdued the local warlords who controlled the south of the country. By late 1996, popular support for the Taliban among Afghanistan's southern Pashtun ethnic group, as well as assistance from conservative Islamic elements abroad, had enabled the faction to seize the capital— Kabul, and gain effective control of the country.⁷ The ascension to power by Taliban, on promises of peace was a key milestone as a precursor to the changing dynamics in Afghanistan.

Most Afghans, exhausted by years of drought, famine and war, initially approved of the Taliban for upholding traditional Islamic values. The Taliban, on its part, outlawed the cultivation of poppies for opium trade, controlled the increasing crime rate, and curtailed the right of education and employment of women; they were required to be fully veiled and were not allowed to step outside alone. Islamic law was enforced via public executions and amputations. The period during 1995-1999 witnessed continuing drought which devastated farms and made many rural areas uninhabitable. Coupled with a very strict Taliban regime, more than a million Afghans reportedly fled to neighbouring Pakistan, where they reportedly languished in squalid refugee camps.⁸

Later, the entry of Osama Bin Laden and the Al-Qaeda into Afghanistan placed the Taliban in 'bad books' of the international community. The United States indicted Osama Bin Laden's Al-Qaeda after the bombing of US Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania for its conspiracy to kill American nationals outside United States on 07 August 1998. Under increasing pressure, in June 1998, Mullah Omar agreed with Saudi intelligence chief Prince Turki Al Faisal to turn Osama Bin Laden over to the kingdom; but he reversed himself when the United States retaliated for the August 1998 bombings by launching cruise missiles into eastern Afghanistan. The 1998 bombings also led to the first imposition of sanctions against the Taliban. The United States imposed sanctions by executive order in July 1999, and sanctions by the UNSC followed in October 1999. These resolutions cited the Taliban's harbouring of Bin Laden and support for terrorism; a little over a year later, in December 2000, a resolution also added the drug trade to the rationales.⁹

In the year 2001, following Taliban leader Mullah Omar's edict of 26 February 2001, calling for the destruction of all statues and non-Islamic shrines in Afghanistan, and thereafter, the deliberate destruction of the relics and monuments which belonged to the common heritage of humankind, including the world's tallest standing Buddha statues in Bamiyan, the events succeeding it provoked an international outcry. The General Assembly, in its UN resolution A/55/PV.94¹⁰ of 09 March 2001, echoed by the Security Council, expressed its repudiation of the edict and urged the Taliban to review it and stop its implementation. Further sanctions were imposed by the international community, in addition to the earlier sanctions, vide S/RES/1333 (2000)¹¹ involving air embargo, financial embargo to include freezing the funds of Osama Bin Laden and associates, arms embargo over the territory of Afghanistan controlled by the Taliban and embargo on acetic anhydride chemical. The Taliban in retaliation threatened and subsequently forced the closure of UNSMA in May 2001.

US Invasion of Afghanistan

Post the 9/11 attack in US, on 07 October 2001, the US Military, with British support, began a bombing campaign against Taliban forces, and officially launched 'Operation Enduring Freedom'. Canada, Australia, Germany, and France pledged further support. The war's early phase mainly involved US air strikes on Al-Qaeda and Taliban forces that was achieved by a partnership of about one thousand US Special Forces, the Northern Alliance, and ethnic Pashtun anti-Taliban forces.¹² On 14 November 2001, the UNSC passed Resolution 1378¹³, condemning the Taliban for allowing Afghanistan to be used as a base for the export of terror by the Al-Qaeda network and other terrorist groups and for providing safe haven to



Osama Bin Laden, Al-Qaeda and others associated with them. Subsequent to the launch of Op Enduring Freedom, the Taliban's rule came to an end when the Northern Alliance moved into Kabul 'unopposed' on 13 November 2001.

UNAMA: Special Political Mission

On 05 December 2001, the UNSC vide resolution No S/2001/1154¹⁴, placed on record the Bonn Agreement which was the "Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government institutions". This, subsequently, also paved way for the establishment of a United Nations Special Political Mission named United Nations Assistance Mission in Afghanistan (UNAMA) to assist the state and the people of Afghanistan in laying the foundations for sustainable peace and development. UNAMA was established on 28 March 2002 by UNSC Resolution welcoming the establishment of the Afghan interim authority on 22 December 2001 and looking forward to the evolution of the process set out in the Bonn Agreement. Its original mandate was to support the implementation of the Bonn Agreement. Reviewed annually, this mandate has been altered over time to reflect the needs of the country. UNAMA's current mandate comprises the following priorities¹⁵:-

- The provision of good offices.
- Support for the organisation of future elections.
- Strengthening capacity of the protection and promotion of human rights including the protection of children affected by armed conflict and prevention of child recruitment.
- Support for gender equality and women and girl's empowerment.
- The coordination and facilitation of humanitarian assistance and support for Afghanistan's development and governance priorities, including the rule of law, transitional justice as an essential component of the ongoing peace process, budget execution and the fight against corruption throughout the country.

The UNAMA is headed by Ms. Deborah Lyons, Secretary-General's Special Representative. Post the Taliban takeover, unanimously adopting resolution 2596 (2021), the 15-member UNSC decided to extend the Mission's mandate till 17 March 2022. The Security Council also recognised that the renewed mandate of UNAMA is in support of Afghanistan's full assumption of leadership and ownership in the security, governance and development areas, consistent with the Transformation Decade (2015–2024) and with the understandings reached between Afghanistan and the international community in the international

conferences in Kabul (2010), London (2010 and 2014), Bonn (2011), Tokyo (2012), and Brussels (2016), and the NATO Summits held in Lisbon (2010), Chicago (2012), Wales (2014), Warsaw (2016), Brussels (2017), Kabul (2018) and Geneva (2018 & 2020).¹⁶ The UN currently have 26 Country Teams belonging to various funds and programmes in Afghanistan with the sole exception of UNAMA Country Team being relocated to Almaty, Kazakhstan after Taliban entered Kabul on 15 August 2021.

Figure 1: UNAMA Mission in Afghanistan



Source: <https://unama.unmissions.org/un-country-team>, accessed on 07 Oct 2021

Challenges for UN in Today's Afghanistan

The UNAMA could function with relative ease during the period of democracy in Afghanistan that is 2002 – 2021, wherein it focused on its mission statement —“A stable and prosperous Afghanistan that lives at peace with itself and its neighbours, where the Afghan peoples’ human rights are upheld and basic services are available to all”¹⁷. The Afghan Government, aided by interventions of US and its allies, provided a stable platform for the political mission to pursue its objectives. Therefore, the withdrawal of the US and its allies from Afghanistan coupled with the meteoric resurgence of Taliban has thrown in new challenges:-



Taliban on United Nations Sanction List

In her speech to the Security Council on 09 September 2021, Ms. Deborah Lyons, raised a pertinent issue on the interim government formed by Taliban wherein she stated that “Of the 33 names presented, many are on the United Nations sanctions list, including the Prime Minister, the two Deputy Prime Ministers, and the Foreign Minister.”¹⁸ How does the UN engage sanctioned individuals or deal with the sanctioned lists? How will the legitimacy of sanctions be impacted if the sanctions are to be removed in future and the individuals do not stop the activities for which they were sanctioned? This is the moot issue to start with.

Taliban's World View

When the Taliban first emerged as a distinct group, they did not articulate any position on international issues and were not thinking about international recognition. In January 1997, four months after the Taliban captured Kabul, Mullah Wakil Ahmad Mutawakkil, who was then Mullah Omar's spokesman and who later became the Foreign Minister, led a delegation to the UN in New York for want of a seat for Afghanistan in the General Assembly. They did not realise that the UN Secretary- General is not the emir of the United Nations and that he would be bound by the decision of the General Assembly on this question.¹⁹

The slapping of sanctions against them by US in 1999 forced the Taliban to face the harsh reality wherein their economy suffered. The suppression of women and destruction of all statues and non-Islamic shrines further alienated them from the international community. This time around, the Taliban quickly seemed to have realised that its goal of 'gaining legitimacy in the form of sanctions relief, international recognition and assistance from wealthy countries'²⁰ is crucial for its survival. The urgency shown in its attempt, within a month of taking over Kabul in August 2021 to address the General Assembly seems to indicate its growing awareness and posturing for legitimacy.

Taliban's representation in the United Nations

During the 76th United Nations General Assembly (UNGA) session, that was held from 21 to 27 September 2021, the UN Secretary- General received a letter from Taliban's "Islamic Emirate of Afghanistan", a formal request to participate in this year's UNGA and to inform the world body that it had nominated Suhail Shaheen, its Dohabased spokesman, as its new Ambassador to the UN. In the 76th General Assembly proceedings, both Afghanistan and

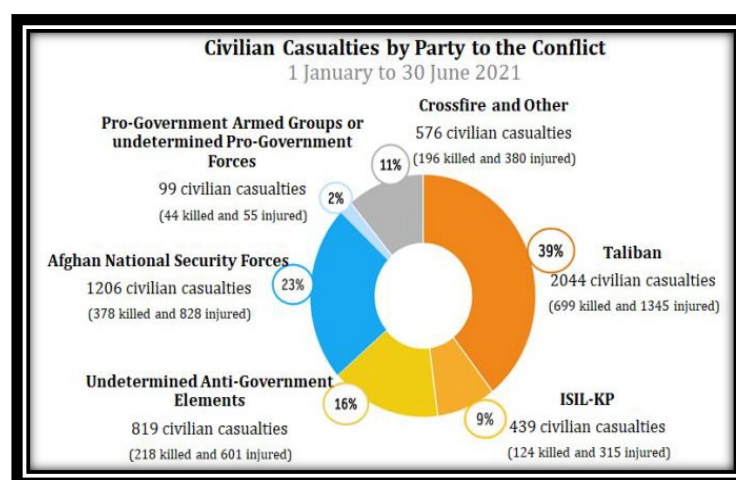
Myanmar's representatives were not allowed to deliver their speech, as in both the cases, the elected government was overthrown and replaced by an 'unelected ruling regime'.

The nine member UN Credentials Committee is expected to meet in November 2021, together with the General Assembly President to decide as to who should sit on Kabul's seat in the world body.²¹ This is a delicate issue and would shape the world body's view of Taliban. On one hand, it would indicate the "fate accompli" situation of accepting the overthrowing of an elected government. On the other hand, any recognition of the Taliban's ruling government could tacitly 'morph into a yardstick' for other despots to overthrow elected functioning governments.

Protection of Civilians

While the Protection of Civilians is not explicitly worded in the UNAMA mandate, being only a political mission and not a peacekeeping mission, however the mission has strived to document and prepare regular reports aimed at minimising the impact of armed conflict on civilians. The UNAMA's mid-year report on "Protection of Civilians in Armed Conflict" covering the period from January to June 2021²² provides startling statistics. A glimpse of the civilian casualty data for the said duration reveals that 39% of civilian casualties were attributed to Taliban. The report documented 5,183 civilian casualties (1,659 killed and 3,524 injured). The total number of civilians killed and injured increased by 47 per cent compared with the first half of 2020, reversing the trend of the past four years of decreasing civilian casualties in the first six months of the year.

Figure 2: Civilian Casualties by Party to the Conflict



Source: https://unama.unmissions.org/sites/default/files/unama_poc_midyear_report_2021_26_july.pdf



Moreover, Afghans faced increased conflict amidst the third wave of COVID-19 pandemic and a government-declared drought, which resulted in the displacement of more than 200,000 Afghan civilians during the first six months of 2021.²³ The Protection of Civilian Concerns is a major issue amidst prevalent unstable volatile governance. It is always argued that the Protection of Civilians is the primary responsibility of every Government in place, however when it is unable to execute its responsibility or if the Government itself is the perpetrator of crimes against civilians, then the international community needs to intervene. The UN, by running a political mission only cannot address these concerns.

Taliban's policy on Women vis a vis United Nations WPS Agenda

When they were previously in power from 1996 to 2001, the Taliban banned education for women and girls and confined women to their homes unless a male family member was with them, denying them access to most jobs, or even freedom to leave their house for a walk.²⁴ During the period of 2002-2021, the Government of Afghanistan, in conjunction with UNAMA, had made efforts to make the agenda of women an inclusive one. To this extent, the Afghanistan's National Action Plan on UNSCR 1325 pertaining to Women, Peace and Security (WPS) was issued by the Afghanistan Ministry of Foreign Affairs in June 2015. In the weeks of taking over Kabul in 2021, although the Taliban have said that they will not prevent women from education or doing jobs, secondary education for girls and continued jobs for women have become a question mark within a month, mostly due to fears of retribution, despite some resistance at places. As per recent news reports, the Taliban Education Minister told a United Nations official who visited Kabul recently that they are working on "a framework" to allow all girls to continue their schooling beyond the sixth grade, which should be published "between a month and two".²⁵

As per the UNAMA's mid-year report covering the period from January to June 2021, women comprise 14 per cent of all civilian casualties during this period, with a total of 727 women casualties recorded (219 killed and 508 injured), an increase of 82 per cent when compared with the first six months of 2020.²⁶ All these happenings are a polar opposite to the United Nations WPS Agenda as included in the Secretary-Generals Action for Peacekeeping (A4P) initiative which seeks to promote women participation and integrating gender perspectives in all aspects of peace processes. It is not clear how Taliban would react or engage with women leaders from international community, given their myopic view of women's role in public life. The current Secretary -General's Special Representative for UNAMA being a woman, it remains to be seen how the Taliban engage with a woman heading the UNAMA mission.

External influences over Afghanistan

According to Carter Boone, “There are several players, both internal and external, who are seeking to fill the void left by the Americans and their allies. Pakistan, India, Iran, Turkey, China and Russia seem poised to play the next ‘great game’ in the so-called ‘graveyard of empires’. Some of these states have vested interests in the stability of Afghanistan to ensure regional security and foster economic interests as well as mitigate the spread of extremism and narcotics flow from the state. Some actors stand to benefit from the current instability; supporting rival groups in hopes of enhancing influence and having the upper hand on geopolitical adversaries when the dust settles on the Afghan conflict”.²⁷ While a majority of nations have pulled out their embassies after the storming of the Taliban into Kabul, currently, important actors like Pakistan, Iran, China, Russia, Qatar and a few others still have their embassies functioning aiming to leverage the developing situation. In the past, United Nations’ policies in Afghanistan were shaped greatly by the influence of veto members like USSR and USA due to their physical footprints in the region. It now remains to be seen whether the UN policies can be easily influenced by other external actors. Moreover, the threat of resurgence of other terrorist groups in the region will also factor in United Nations mission in the region.

Arguments for a United Nations Peacekeeping (UNPK) Mission in Afghanistan

UNAMA, the United Nations political mission in Afghanistan was reasonably successful in its venture ever since 2002 as long as the US led NATO Forces and the Afghanistan National Army focused on the terror and security situation. With both of them exiting the emerging scenario, the security vacuum is left at the mercy of the Taliban who have just walked into the abandoned offices of a previously elected government. The Taliban, on its part appears to be more forthcoming to engage the international community now as it seems to realise the importance of lifting sanctions and getting legitimacy for its future role. Certain issues worth pondering are:

- The UNAMA with its country team temporarily shifted to Kazakhstan, is not likely to get the latitude it needs to invest in its efforts wholeheartedly in the Afghanistan situation. Any return back to Kabul may be contingent on how the international community addresses the legitimacy of Taliban and the sanctions that have been imposed on their leaders.



- Even if the UNAMA staff returns to Kabul, the security scenario will be at the mercy of the Taliban and could directly challenge the political mission. There would be a need for bolstering the UNAMA with peacekeepers on ground or evolve the mission to a full-fledged Peacekeeping Mission. Currently, the UNAMA mandate has been extended by six months till 17 March 2022, with the Security Council adopting Resolution 2596 (2021).²⁸
- The concerns for Protection of Civilians will be more than ever now, especially in the absence of an elected government, and will require a multi-dimensional peacekeeping effort. Such an effort would need to be sanctioned under Chapter VII mission i.e. enforcing peace to protect civilians. Alternatively, an observer mission could also be considered under Chapter VI, but may result being toothless if the Taliban is not cooperative in protecting the Afghan civilians. Either way, Taliban hold the cards for any future foreign intervention in Afghanistan. Hence, their consent is a prerequisite.
- Even if consent from Taliban is accorded for deploying, any peacekeeping effort involving boots on ground in Afghanistan could be open to targeting by terrorist groups like Al- Qaeda, Haqqani Network, ISIS-K, etc. Such terrorist groups are already under international sanctions and any engagement with them by the UN, as parties to the conflict in Afghanistan, could yield zero or negligible results.
- Given the religious sensitivities of the current Taliban regime, a peacekeeping mission comprising of troops from Muslim majority member nations, could also be considered. However, it remains to be seen if such nations are willing to spare troops for Afghanistan in the first place, given its history of violence and bloodshed with any foreign forces.

Conclusion

Afghanistan faces a perilous situation and its citizens are in the middle of a life changing crisis. The recent developments in Afghanistan have conveyed a sense of how fragile an elected government can be. It has emboldened the resurgent Taliban who will look for consolidating their rapid gains for a more secure future. The civilians, especially women and girls, would be subjected to deprivation of basic human rights and without an international intervention involving United Nations, the situation with Taliban 'hangs by a slender thread'. The key would be to engage the Taliban and use their need for legitimacy and removal of sanctions as leverage for future developments in the region.



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CENTRE FOR LAND WARFARE STUDIES (CLAWS)

RPSO Complex, Parade Road, Delhi Cantt, New Delhi 110010

Tel.: +91-11-25691308, Fax: +91-11-25692347, CLAWS Army No. 33098; Email: landwarfare@gmail.com

Website: www.claws.in