

26. The situation in Afghanistan

Decision of 7 April 2000 (4125th meeting): statement by the President

At its 4124th meeting, on 7 April 2000, the Security Council included in its agenda the report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security dated 10 March 2000.¹ In his report, the Secretary-General noted that although recent fighting between the United Front and the Taliban had been confined to specific areas of the country, the apparent targeting of civilians and their assets had worsened the living conditions of the Afghan population. He observed that not only was the fighting likely to continue, but that a major offensive was being prepared for the spring, suggesting that military supplies continued to be received from neighbouring countries. In view of these circumstances, the Secretary-General had asked his Personal Representative to concentrate his efforts to persuade the parties to enter into a process of dialogue aimed at a stable and verifiable ceasefire. He indicated that, if coordinated and pursued in an altruistic spirit, the peace initiatives of non-combatant Afghans such as the Rome and Cyprus processes might prove to be a useful complement to the overall efforts to bring about a negotiated settlement.

At the same meeting, the President (Canada) drew the attention of the Council to a letter dated 4 April 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999),² and to copies of the report of the United Nations Interagency Gender Mission to Afghanistan, which had been conducted from 12 to 24 November 1997.³ The Council then heard briefings by the Officer-in-Charge of the Asia and the Pacific Division of the Department of Political Affairs, on the political, military, humanitarian and human rights situations, as well as by the Assistant Secretary-General and Special

Adviser on Gender Issues and Advancement of Women, on the situation of women and girls in Afghanistan. Statements were made by most Council members as well as by the representative of Afghanistan.⁴

The Officer-in-Charge of the Asia and the Pacific Division of the Department of Political Affairs noted the positive political developments, such as the talks between the Taliban and the United Front sponsored by the Organization of the Islamic Conference, the initiatives of non-combatant Afghan groups and the activities of the “six plus two” group.⁵ He stated, however, that it was not possible to be optimistic about an early ceasefire between the warring factions, let alone negotiations leading to the formation of a broad-based government, as demanded by the Council. On the military front, he drew the Council’s attention to the possible start of a major spring offensive, as there was “every indication” that preparations for organized, large-scale offensives were now under way on both sides. At this juncture, he recalled the repeated assessment of the Secretary-General that external interference was one of the biggest impediments to peace, as it provided the essential means for the continuous civil war in Afghanistan. He expressed concern with the “reported involvement of non-Afghan fighters in the conflict, mainly on the side of the Taliban”. Such reports, he said, indicated that in some cases non-Afghan fighters were openly recruited through religious schools in Pakistan and sent into Afghanistan by convoys of buses and trucks.⁶

Several delegations blamed the Taliban for violating the Council’s resolutions and escalating the tension, and called on the group to halt preparations for the resumption of a large-scale offensive and begin serious talks with other Afghan parties. All speakers reiterated the need for the warring factions to seek a political settlement, which remained the only realistic way toward sustainable peace and stability in the

¹ S/2000/205, submitted in response to requests by the Council for regular information on the main developments in Afghanistan, including those in the humanitarian and human rights fields.

² S/2000/282, transmitting a list of 50 States which had responded to paragraph 10 of resolution 1267 (1999), in which all States were requested to report to the Committee within 30 days of the coming into force of the measures imposed by the resolution.

³ Not issued as a document of the Council.

⁴ The representative of Tunisia did not make a statement.

⁵ S/PV.4124, pp. 3-6. The “six plus two” group comprises Afghanistan’s neighbours (China, the Islamic Republic of Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan) and the Russian Federation and the United States.

⁶ S/PV.4124, pp. 3-4.

country. They remained concerned about the suffering of the Afghan people, particularly women and girls.

The representative of Argentina explained the work of the Committee established pursuant to resolution 1267 (1999) and its latest report.⁷ The representatives of the Russian Federation, France and the United Kingdom expressed concern with the increase in outside interference in the conflict, particularly by the direct involvement in fighting on the Taliban side of thousands of foreign fighters.⁸ The representative of the United States called on the Taliban to comply with the demand of resolution 1267 (1999) that Osama bin Laden be turned over to authorities in a country where he would be brought to justice, warning that so long as he enjoyed safe haven in Afghanistan the international community was at risk.⁹ In this context, the representative of the Russian Federation stated that the failure to turn over Bin Laden offered serious ground for considering the possibility of tightening the sanctions regime against the Taliban.¹⁰ The representative of Canada was disturbed by the Taliban's "systematic pattern of violation of human rights of half the population — women and girls — a violation which the Taliban misrepresents as having a religious foundation".¹¹

The representative of Afghanistan noted the involvement of mercenary combatants in Afghanistan that had come from religious schools in Pakistan. He maintained that, in Pakistan, Afghanistan affairs remained in the hands of the army, especially the military intelligence agency, the Inter-Services Intelligence. He stated that Pakistan was still hoping for a military solution in Afghanistan, which was why it was providing the Taliban with logistical support, including arms and ammunition. He also stressed that the "military regime" continued to use extremist religious groups for its "political purposes in the region and beyond". He expressed the readiness of the Islamic State of Afghanistan to agree to a cessation of armed conflict and expected the resolution of the Afghan problem to be based on the establishment of a

representative, broad-based Government which represented all the major ethnic groups.¹²

At the end of the meeting, the Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women responded to questions and comments posed by the previous speakers, including those on the participation of women in civil society, projects that had involved men and women in decision-making, electoral education, and the rights of women and girls. While acknowledging that further progress could be made with continued international pressure on the Afghan parties, she stressed the need for a "political settlement that [was] firmly grounded in human rights and gender".¹³

At its 4125th meeting, on 7 April 2000, the Council again included in its agenda the report of the Secretary-General of 10 March 2000.¹⁴ At the same meeting, the President made a statement on behalf of the Council,¹⁵ by which the Council, *inter alia*:

Expressed its deep concern at the reports that both parties to the conflict were preparing for renewed large-scale fighting, and recalled its repeated demands that the Afghan parties cease fighting;

Recalled its demand that the parties, in particular the Taliban, resume negotiations under United Nations auspices without delay and preconditions in full compliance with the relevant resolutions of the General Assembly and the Council;

Strongly condemned the Taliban for the repeated forced entries on 26, 27 and 29 March 2000 by its armed groups into, and searches of, the United Nations premises in Kandahar and for the intimidation of United Nations personnel;

Stressed its grave concern at the human rights situation in Afghanistan, which was unacceptable;

Called upon all States to take resolute measures to prohibit their military personnel from planning and participating in combat operations in Afghanistan;

Welcomed the appointment of a new Personal Representative of the Secretary-General and the activities of the United Nations Special Mission to Afghanistan to facilitate a political process aimed at achieving a lasting political settlement to the conflict and supported the phased deployment of the Civil Affairs Unit of the Mission inside Afghanistan, as the security conditions permit;

⁷ *Ibid.*, pp. 6-9. For more information on the Committee, see chapter V.

⁸ S/PV.4124, p. 9 (Russian Federation); p. 10 (France); and p. 17 (United Kingdom).

⁹ *Ibid.*, pp. 11-13.

¹⁰ *Ibid.*, p. 9.

¹¹ *Ibid.*, p. 23.

¹² *Ibid.*, pp. 24-25.

¹³ *Ibid.*, pp. 25-28.

¹⁴ S/2000/205.

¹⁵ S/PRST/2000/12.

Stressed the need for prompt and effective implementation by all Member States of the measures imposed by its resolution 1267 (1999).

Decision of 19 December 2000 (4251st meeting): resolution 1333 (2000)

At its 4251st meeting,¹⁶ on 19 December 2000, the Council heard statements by the representatives of Canada, China, France, Malaysia, the Netherlands, the Russian Federation, Ukraine, the United Kingdom and the United States, as well as by the representative of Afghanistan.¹⁷ The President drew attention to a draft resolution submitted by India, Kyrgyzstan, the Russian Federation, Tajikistan and the United States of America.¹⁸

At the outset, the representative of Afghanistan noted that, in response to the fact that the “Pakistan/Taliban/Bin Laden alliance” had categorically refused to put an end to the training and haven it provided to international terrorists, the Council was considering the imposition of new measures. However, he noted with concern that the draft resolution was silent on “Pakistan’s well-known aggression in Afghanistan” and only addressed the terrorism originating from the part of Afghan territory that was under military occupation by the “Pakistan/Taliban/Bin Laden alliance”. He maintained that the Council should address the problem of Afghanistan in its entirety. He declared that the acts of Pakistan constituted flagrant violations of the Charter, and that the Council needed to immediately be seized of the question of armed aggression against Afghanistan, which fell under Chapter VII, Articles 39 to 42. He also argued that the Pakistani intelligence agency needed to be recognized as a criminal organization responsible for the war of aggression, for crimes against humanity and for war crimes. Finally, he demanded that the Council appoint a commission of inquiry to investigate the issue of military aggression in Afghanistan and present its conclusions to the Council.¹⁹

¹⁶ For more information on the discussion at this meeting, see chap. XI, part I, sect. B, with regard to Article 39 of the Charter; and part III, sect. B, with regard to Article 41.

¹⁷ The representatives of India, Kyrgyzstan and Tajikistan were invited to participate but did not make statements.

¹⁸ S/2000/1202.

¹⁹ S/PV.4251, pp. 2-4.

The representative of Malaysia stated that his delegation had difficulty in supporting the additional measures being contemplated against the Taliban on both procedural and substantive grounds. He noted that resolution 1267 (1999) had tasked the Afghan sanctions committee to undertake periodic impact assessments of the sanctions²⁰ and maintained that only through such assessments would the Council be able to evaluate the effectiveness of the sanctions and their effects on the population of Afghanistan. Regrettably, no such periodic assessments had been carried out and, instead, only a joint impact assessment had been made by the “two most interested members of the Council”, which did not satisfy, procedurally or substantively, the specific requirements of resolution 1267 (1999). He asserted that the high levels of vulnerability of the people of Afghanistan were likely to exacerbate the impact of what would otherwise be fairly insignificant effects of the sanctions regime. The additional measures might also lead to the deterioration of the humanitarian operational environment in the Taliban-controlled areas, especially if the Taliban were to withhold cooperation with international humanitarian agencies. He noted that his delegation was concerned at the negative impact of such measures on the peace process. The one-sided arms embargo on the Taliban was a measure that compromised the “essential neutrality of the Council”. Under those circumstances, he noted that his delegation would abstain in the voting.²¹

The representatives of France and the Ukraine expressed satisfaction with the fact that the sanctions were established for a limited time period, although they were renewable; and with the fact that there was provision for an exception for flights organized by humanitarian organizations that were duly registered.²²

The representatives of the United Kingdom and the United States stressed the need for additional targeted sanctions against the Taliban in the light of its continued support for international terrorism and its refusal to hand over Osama bin Laden. They also stressed that the sanctions were carefully targeted to ensure that the measures would not have an adverse impact on ordinary Afghans.²³ While supporting the

²⁰ Resolution 1267 (1999), para. 6 (c).

²¹ S/PV.4251, pp. 4-5.

²² *Ibid.*, p. 6 (France); and p. 7 (Ukraine).

²³ *Ibid.*, p. 6 (United Kingdom); and pp. 7-8 (United States).

draft resolution, the representatives of the Netherlands and Canada called on the Council to continue to weigh the possible humanitarian impacts of its sanctions against the Council's wider political objectives.²⁴

The draft resolution was put to the vote and adopted, by 13 votes in favour, with 2 abstentions (China, Malaysia), as resolution 1333 (2000), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided that all States should (a) prevent the direct or indirect supply, sale and transfer to the territory of Afghanistan under Taliban control as designated by the Committee established pursuant to resolution 1267 (1999) of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned; (b) prevent the direct or indirect sale, supply and transfer to the territory of Afghanistan under Taliban control of technical advice, assistance, or training related to the military activities of the armed personnel under the control of the Taliban; (c) withdraw any of their officials, agents, advisers, and military personnel employed by contract or other arrangement present in Afghanistan to advise the Taliban on military or related security matters, and urged other nationals in this context to leave the country;

Requested the Secretary-General, in consultation with the Committee: (a) to appoint a committee of experts to make recommendations to the Council within 60 days of the adoption of the resolution regarding how the arms embargo and the closure of terrorist training camps can be monitored; (b) to consult with relevant Member States to put into effect the measures imposed by the resolution and resolution 1267 (1999) and report the results of such consultations to the Council; (c) to report on the implementation of the existing measures; (d) to review the humanitarian implications of the measures imposed by the resolution and resolution 1267 (1999), and to report back to the Council within 90 days of the adoption of the resolution with an assessment and recommendations, to report at regular intervals thereafter on any humanitarian implications and to present a comprehensive report on this issue and any recommendations no later than 30 days prior to the expiration of those measures.

Speaking after the vote, the representative of China maintained that the direct impact of the current sanctions on the humanitarian situation in Afghanistan was obvious, and that a new round of sanctions would undoubtedly make the situation even worse. Noting that the belligerent parties in Afghanistan were prepared to resume peace talks, a new round of

²⁴ *Ibid.*, pp. 5-6 (Netherlands); and p. 9 (Canada).

sanctions and a unilateral arms embargo would have a negative impact on the peace process.²⁵

The representative of the Russian Federation responded to the arguments made that the arms embargo was one-sided by saying that the one-sided nature of the embargo was fully justified. He noted that the Taliban had continued to bank on military means to resolve the Afghan problem, and had used their territory for the protection of terrorists. Therefore the weapons that ended up in the hands of the Taliban were not just used for the civil war, but also in order to support international terrorism. On arguments that the resolution might have a negative impact on the peace process, he stated that despite the many promises the Taliban had made to begin the negotiating process, they continued to refuse to respond to the numerous appeals regarding the proposed agenda for a political dialogue. Thus they were continuing to boycott the political process. Finally, regarding the humanitarian implications of the sanctions, he noted that the resolution contained all the necessary humanitarian exemptions and were targeted. As for fears that the Taliban might expel humanitarian personnel, he stressed that if the Council took such threats into account, its members would be the "direct victims of blackmail".²⁶

**Decision of 30 July 2001 (4352nd meeting):
resolution 1363 (2001)**

At its 4325th meeting,²⁷ on 5 June 2001, the Council included in its agenda a letter dated 21 May 2001 from the Secretary-General addressed to the President of the Security Council,²⁸ enclosing the report of the Committee of Experts appointed pursuant to resolution 1333 (2000), regarding monitoring of the arms embargo against the Taliban and the closure of terrorist training camps in the Taliban-held areas of Afghanistan. The Committee recommended that the arms embargo and the closure of training camps be monitored by making use of the mechanisms which each of the neighbours of Afghanistan had in place and by enhancing those countries' efforts with the establishment of sanctions enforcement support teams

²⁵ S/PV.4251, pp. 8-9.

²⁶ *Ibid.*, pp. 9-10.

²⁷ For more information on the discussion at this meeting, see chap. XI, part III, sect. B, with regard to Article 41 of the Charter.

²⁸ S/2001/511.

in each country. Those teams would form the basis of a United Nations office for sanctions monitoring and coordination. The office would support the work of the teams in the field, as well as task the teams to verify and report to the Committee established pursuant to resolution 1267 (1999) on allegations of sanctions-busting and progress being made to improve the effectiveness of their border control and counter-terrorism services.

At the meeting, the Council heard a briefing by the Chairman of the Committee of Experts. In addition to all members of the Council, statements were made by the representatives of Afghanistan, the Islamic Republic of Iran, Pakistan and Uzbekistan.

The Chairman of the Committee of Experts explained the recommendations contained in the report of the Committee on ways to monitor the arms embargo against the Taliban and the closure of terrorist training camps in the Taliban-held areas, and urged the Council to take a decision on those recommendations as expeditiously as possible. He agreed with the view expressed in the report that the participation and commitment of Afghanistan's neighbouring countries were essential to the efficacy of the sanctions.²⁹

Many speakers supported the recommendations of the Committee, in particular the establishment of an office for sanctions monitoring and coordination and sanctions enforcement support teams, and reiterated that the Taliban must comply with the Council's demands, as stipulated in resolution 1333 (2000). A number of speakers stressed that the Council needed to take care not to institute measures that would impede the ability of humanitarian agencies to bring aid and relief to the Afghan population.

Several speakers also stressed the importance of carefully considering and respecting the opinions of the neighbouring countries before arriving at a decision.³⁰

The representative of China stressed the importance of the monitoring mechanism receiving sufficient resources. Noting that the report made certain allegations without specifying its sources, he stressed that "allegations should not be used to prove a point" and that great efforts needed to be made in that

regard.³¹ The representative of the Russian Federation noted with concern that the Taliban had not taken the "least step" to extradite Osama bin Laden or to close those terrorist training camps. He stressed that initially the work of the monitoring mechanism needed to focus on the key requirements of ensuring compliance with the arms embargo and closing the terrorist training camps, and that other recommendations, including those expanding the list of embargoed goods, could be considered at subsequent stages. He stressed that most serious attention should be given to retaining the targeted nature of the sanctions.³² Similarly, the representative of the United States demanded that the Taliban cease their support for terrorism and expressed his delegation's support for the conclusion of the Committee of Experts that the proposed monitoring mechanism should augment the ability and efforts of the States neighbouring Afghanistan to enforce the Council's resolutions.³³ The representative of Afghanistan argued that the Council should determine the extent of Pakistan's "aggression" in Afghanistan and decide the measures to be taken to maintain peace and security, and demanded that all foreign fighters leave his country immediately.³⁴

The representative of the Islamic Republic of Iran welcomed the report of the Committee which exposed, to a great extent, the ways in which the Taliban procured military means, financed their military machine and organized unlawful activities, including turning their territory into a safe haven for terrorists. He noted that the report also dismissed the claim that the Taliban military machine survived on former stocks.³⁵ On the other hand, the representative of Pakistan categorically rejected "some baseless allegations" contained in the report, and reiterated that Pakistan was adhering to the Council's resolutions on Afghanistan "even though we are not in favour of sanctions as a matter of principle". He stressed the need to engage the Taliban by bringing them back from the "position of insulation and intransigence". He also argued that a "one-sided" arms embargo was not the solution, and recommended that the Council impose a comprehensive arms embargo, under Chapter VII, on

²⁹ S/PV.4325, pp. 3-4.

³⁰ Ibid., p. 5 (China); p. 6 (Tunisia); p. 7 (Russian Federation); and p. 14 (Singapore).

³¹ Ibid., p. 5.

³² Ibid., pp. 6-7.

³³ Ibid., pp. 7-8.

³⁴ Ibid., pp. 15-18.

³⁵ S/PV.4325 (Resumption 1), pp. 2-3.

all parties, which would give both sides the same incentive to return to the negotiating table.³⁶

At the end of the meeting, the Chairman of the Committee of Experts responded to questions and comments raised by the previous speakers, including the need to consult the neighbouring countries, concern about the inclusion of military-use fuels, and the location of the monitoring support teams.³⁷

At its 4352nd meeting, on 30 July 2001, the Council again included the above-mentioned letter in its agenda. The President (China) drew the attention of the Council to a draft resolution submitted by Colombia;³⁸ it was adopted unanimously and without debate as resolution 1363 (2001), by which the Council, acting under Chapter VII of the Charter, inter alia:

Requested the Secretary-General to establish within 30 days a mechanism: (a) to monitor the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000); (b) to offer assistance to States bordering Afghanistan under Taliban control to increase their capacity regarding sanctions implementation; and (c) to collate, assess, verify, report and make recommendations on information regarding violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000);

Decided that the monitoring mechanism should be composed of (a) a Monitoring Group in New York of up to five members; and (b) a sanctions enforcement support team of up to 15 experts; requested the Monitoring Group to report to the Committee established pursuant to resolution 1267 (1999) and also requested the Committee to report to the Council at regular intervals on the implementation of the resolution;

Requested the Secretary-General to support the work of the monitoring mechanism and to establish a United Nations trust fund for this purpose; and further requested the Secretary-General to keep the Committee informed of the financial arrangements supporting the mechanism.

**Decision of 14 November 2001
(4415th meeting): resolution 1378 (2001)**

At its 4414th meeting,³⁹ on 13 November 2001, the Council heard briefings by the Secretary-General and the Special Representative of the Secretary-

General for Afghanistan. In addition to Council members, statements were made by the representatives of Afghanistan, Argentina, Australia, Belgium, Canada, Egypt, Germany, India, Indonesia, the Islamic Republic of Iran, Italy, Japan, Kazakhstan, Malaysia, Mexico, the Netherlands, New Zealand, Pakistan, the Republic of Korea, Tajikistan and Uzbekistan.

The Secretary-General noted that the attacks of 11 September 2001 and the consequent military action in Afghanistan had created a new environment, which presented daunting challenges as well as new opportunities, and stressed the need to focus on the challenge “in a post-Taliban period” so as to avoid a political and security vacuum. He stressed that there was now “a real opportunity to create the sort of broad-based, fully representative government” which the United Nations had long been trying to help the Afghan people achieve. However, that would require the end of interference in the affairs of Afghanistan by neighbouring countries.⁴⁰

The Special Representative of the Secretary-General for Afghanistan underlined the urgent need to help establish a representative government which enjoyed internal and external legitimacy, and maintained that it was essential to bring together the various Afghan initiatives into a single process. Based on the ideas discussed widely by the Afghans themselves in various forums, he suggested that the approach might follow a five-step sequence. First, the United Nations would convene a meeting, at a venue to be determined, of representatives of the Northern Alliance and existing processes to agree on a framework for the process of political transition. Second, the meeting would suggest concrete steps for the convening of a provisional council. Third, the provisional council would propose the composition of a transitional administration and a programme of action for the period of political transition. Fourth, an emergency Loya Jirga would be convened to approve the transitional administration, and to authorize it to prepare a constitution. Finally, the transitional phase would result in the convening of a second Loya Jirga to approve the constitution and create the Government of Afghanistan. However, he noted the need for the introduction of a robust security force, able to deter and if possible defeat challenges to its authority. There were three options for such a force: an all-Afghan

³⁶ Ibid., pp. 4-7.

³⁷ Ibid., pp. 7-9.

³⁸ S/2001/741.

³⁹ For more information on the discussion at this meeting, see chap. XI, part I, sect. B, with regard to Article 39 of the Charter; part IV, sect. B, with regard to Article 42; and part IX, sect. B, with regard to Article 51.

⁴⁰ S/PV.4414, pp. 2-3.

force; a multinational force or a United Nations peacekeeping force. He did not recommend a United Nations peacekeeping force, and while the all-Afghan force was the preferred option it was unlikely to be able to be constituted in the near term. Therefore, serious consideration needed to be given to the deployment of a multinational force. He urged the international community to show the patience and determination required to see this process through to its full conclusion.⁴¹

Speakers expressed their support for the efforts of the Secretary-General and the Special Representative to put in place a United Nations-initiated peace process aimed at establishing a representative government, and agreed on the urgent need to proceed with that peace process in order to avoid political and security vacuum following the military action launched against the Taliban. They called for urgent humanitarian assistance to alleviate the suffering of the Afghan people before the arrival of winter. Many speakers stressed the importance of cooperation with the neighbours of Afghanistan and the contributions of the “six plus two” group and regional organizations. Several delegations stressed the importance of eliminating Al-Qaida and fighting international terrorism.

The representative of the United Kingdom stated that the news from that morning of the retreat of the Taliban from the capital, Kabul, was justification itself for the “military strategy which ha[d] been pursued.” He urged the United Nations to get its presence on the ground in Kabul as soon as possible to provide the eyes and ears of the international community and to start the process of creating a civil administration.⁴² Similarly, the representative of France agreed that the United Nations needed to move as quickly as possible into Kabul and other liberated cities as security conditions allowed.⁴³ The representative of Norway noted that the Taliban’s refusal to comply with Security Council resolutions, even after it had become clear that terrorists based and trained in Afghanistan were behind the attacks of 11 September, had left no alternative but to use military force in accordance with the right to self-defence.⁴⁴ The representative of Italy echoed this noting that the military actions, which were fully legitimate under the Charter and relevant Security

Council resolutions, were targeted at bringing to justice the perpetrators of the terrorist attacks and eradicating the Al-Qaida network and those who harboured and provided assistance to terrorists.⁴⁵

In the light of the “collapse of the Taliban in much of Afghanistan”, the representative of the United States stressed the need to support the Special Representative in his urgent efforts to bring together, as soon as possible, Afghans to form an interim authority in the liberated areas. He also called for an international presence to be established as soon as possible and for restraint on the part of the Afghan liberation forces.⁴⁶ The representative of the Russian Federation emphasized that the Taliban had no place in the future power structures in Afghanistan, but added that a “clear distinction” needed to be drawn between the Taliban on the one hand and the Pashtuns and the traditional Afghan clergy on the other.⁴⁷

The representative of Pakistan agreed on the need to avoid a political vacuum following the withdrawal of the Taliban from Kabul, and noted with concern that despite restrictions, over 80,000 new Afghan refugees had crossed into Pakistan in the past two months. He stressed that unless the United States was able to put together a political dispensation which was representative of all segments of the Afghan population, conflict and turmoil would continue to afflict the country. He maintained that a multinational force needed to be created to provide security with the coalition providing back-up support.⁴⁸ The representative of the Islamic Republic of Iran, noting that in response to terrorist threats, a military operation had been staged, stressed that military actions were not the solution and that the Afghan people needed to be offered other alternatives. He maintained that, in the light of the “liberation” of Kabul and other provinces, the time had come to advance with vigour the process of forming a broad-based government, with the United Nations taking a central role.⁴⁹ The representative of Malaysia noted that while the use of military force was “a legitimate course of action as an act of self-defence”, it was not the only course of action, or the most effective or politically wise one. He expressed concern at the “high margin of targeting error” in the

⁴¹ Ibid., pp. 3-8.

⁴² Ibid., pp. 8-10.

⁴³ Ibid., p. 20.

⁴⁴ Ibid., p. 13.

⁴⁵ S/PV.4414 (Resumption 1), p. 8.

⁴⁶ S/PV.4414, pp. 20-21.

⁴⁷ Ibid., pp. 23-25.

⁴⁸ S/PV.4411 (Resumption 1), pp. 5-7.

⁴⁹ Ibid., pp. 8-10.

military campaign, which had led to the “reportedly high death toll among civilians”. He therefore appealed for an end to the bombing so as to spare the people of Afghanistan further hardship and to allow them to return to their homes for the winter season and Ramadan.⁵⁰ The representative of Afghanistan confirmed that the forces of the Islamic State of Afghanistan had entered into Kabul to meet the “pressing needs and expectations of the people” and to fill the political and administrative vacuum created by the hasty flight of the Taliban. He reaffirmed his delegation’s full support for the United Nations effort to establish a multi-ethnic, broad-based government. He called for an end to both direct and indirect foreign intervention in Afghanistan.⁵¹

At the 4415th meeting, on 14 November 2001, the President (Jamaica) drew the attention of the Council to a draft resolution;⁵² it was adopted unanimously and without debate as resolution 1378 (2001), by which the Council, *inter alia*:

Expressed its strong support for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which should be broad-based, multi-ethnic and fully representative of all the Afghan people and committed to peace with Afghanistan’s neighbours, should respect the human rights of all Afghan people, regardless of gender, ethnicity or religion, should respect Afghanistan’s international obligations, including by cooperating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan, and should facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced persons, when the situation permitted;

Affirmed that the United Nations should play a central role in supporting the efforts of the Afghan people to establish urgently such a new and transitional administration leading to the formation of a new government.

**Decision of 6 December 2001 (4434th meeting):
resolution 1383 (2001)**

At its 4434th meeting, on 6 December 2001, the Council included in its agenda a letter dated 5 December 2001 from the Secretary-General addressed to the President of the Security Council,⁵³ transmitting the text of the Agreement on Provisional

Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions signed in Bonn by the delegations participating in the United Nations talks on Afghanistan.

At the meeting, the President (Mali) drew the attention of the Council to a draft resolution;⁵⁴ it was adopted unanimously and without debate as resolution 1383 (2001), by which the Council, *inter alia*:

Endorsed the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions as reported in the letter from the Secretary-General’s dated 5 December 2001;

Called on all Afghan groups to implement that Agreement in full, in particular through full cooperation with the Interim Authority which was due to take office on 22 December 2001;

Reaffirmed its full support for the Special Representative of the Secretary-General and endorsed the missions entrusted to him in annex II to the above-mentioned Agreement;

Declared its willingness to take further action, on the basis of a report by the Secretary-General, to support the interim institutions established by the above-mentioned Agreement and, in due course, to support the implementation of the Agreement and its annexes.

**Decision of 20 December 2001 (4443rd
meeting): resolution 1386 (2001)**

At the 4443rd meeting, on 20 December 2001, the President informed the Council that he had reviewed a letter from the representative of Afghanistan, in which he requested to be invited to participate in the discussion of the item on the Council’s agenda. In acceding to that request, the President stated that the Council recalled that the Interim Authority in Afghanistan would be established on 22 December 2001 and, according to paragraph 3 of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, the Interim Authority would occupy the seat of Afghanistan at the United Nations and the specialized agencies. The President drew the Council’s attention to a letter dated 19 December 2001 from the representative of Afghanistan,⁵⁵ informing the Council that, taking into account all relevant considerations, an international security force could be deployed under Chapter VI or

⁵⁰ *Ibid.*, p. 20.

⁵¹ *Ibid.*, pp. 28-30.

⁵² S/2001/1075.

⁵³ S/2001/1154.

⁵⁴ S/2001/1153.

⁵⁵ S/2001/1223.

VII of the Charter, and to a letter of the same date from the representative of the United Kingdom,⁵⁶ informing the Secretary-General that the United Kingdom was willing to become the initial lead nation for the International Security Assistance Force (ISAF) for Kabul and its surrounding area under the terms of annex I to the Bonn Agreement.

At the same meeting, the President drew the attention of the Council to a draft resolution;⁵⁷ it was adopted unanimously and without debate as resolution 1386 (2001), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Authorized the establishment for six months of the International Security Assistance Force to assist the Afghan Interim Authority;

Called upon Member States to contribute personnel, equipment and other resources;

Authorized the Member States participating in the Force to take all necessary measures to fulfil its mandate;

Called upon the Force to work in close consultation with the Interim Authority as well as the Special Representative of the Secretary-General;

Called on all Afghans to cooperate with the Force and all relevant organizations and welcomed their commitment to ensure the security of United Nations personnel;

Requested the Secretary-General to establish a trust fund and encourages Member States to contribute to such fund;

Requested the leadership of the Force to provide periodic reports on progress towards the implementation of its mandate.

Decision of 15 January 2002 (4449th meeting): resolution 1388 (2002)

At the 4449th meeting, on 15 January 2002, the President (Mauritius) drew the attention of the Council to a draft resolution;⁵⁸ it was adopted unanimously and without debate as resolution 1388 (2002), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided that the provisions of paragraphs 4 (a) and (b) of resolution 1267 (1999) did not apply to the Ariana Afghan Airlines aircraft or its funds and other financial resources; and decided to terminate the measure provided for by paragraph 8 (b) of resolution 1333 (2000).

⁵⁶ S/2001/1217.

⁵⁷ S/2001/1228.

⁵⁸ S/2002/54.

Decision of 16 January 2002 (4452nd meeting): resolution 1390 (2002)

At the 4452nd meeting, on 16 January 2002, the President drew the attention of the Council to a draft resolution;⁵⁹ it was adopted unanimously and without debate as resolution 1390 (2002), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to continue the measures imposed by paragraph 8 (c) of resolution 1333 (2000) and to terminate those in paragraph 4 (a) of resolution 1267 (1999); decided that all States should take the following measures with respect to Osama bin Laden, Al-Qaida members, the Taliban and other individuals, groups, undertakings and entities associated with them: (a) freeze their funds and other financial assets or economic resources; (b) prevent the entry into or the transit through their territories of those individuals; (c) prevent the direct or indirect supply, sale and transfer from their territories to those individuals of arms and related materiel of all types or technical advice, assistance, or training related to military activities; decided to review these measures in 12 months;

Requested the Committee to undertake the following tasks: (a) to update regularly the list of the aforementioned individuals; (b) to seek from all States information regarding the action taken by them to implement effectively the measures referred to in paragraph 2 of the resolution; (c) to make periodic reports on information submitted to the Committee regarding the implementation of the resolution; (d) to promulgate expeditiously such guidelines and criteria to facilitate the implementation of the measures referred to in paragraph 2; (e) to make information it considered relevant publicly available through appropriate media; (f) to cooperate with other Security Council committees;

Requested all States to report to the Committee in 90 days on steps taken to implement the resolution; requested the Secretary-General to assign the Monitoring Group, whose mandate would expire on 19 January 2002, to monitor, for 12 months, the implementation of the measures imposed by the resolution and to report to the Committee by 31 March 2002 and thereafter every four months.

Deliberations of 30 January 2002 to 13 March 2002 (4461st, 4469th, 4479th and 4490th meetings)

At its 4461st meeting, on 30 January 2002, at which no statements were made, the Council heard a briefing from Mr. Hamid Karzai, Chairman of the Interim Administration of Afghanistan. The Chairman reassured the Council that the Interim Administration would strive to build a government that responded to

⁵⁹ S/2002/72.

the wishes of the people and behaved as a responsible member of the international community. He stated that a Loya Jirga, or grand national assembly, would be held by 22 June 2002 to select a head of State and a transitional government, which would prepare a new constitution for ratification by a constitutional Loya Jirga to be held later. Underlining the importance of security, he hoped that the Council would authorize an extension and expansion of the mandate of ISAF beyond Kabul.⁶⁰ Speaking on behalf of the members of the Council, the President welcomed Mr. Karzai and his delegation to the Council and reaffirmed its commitment to supporting the Interim Authority and the transitional process.⁶¹

At its 4469th meeting, on 6 February 2002, at which no statements were made, the Council heard briefings by the Secretary-General and the Special Representative of the Secretary-General for Afghanistan. The Secretary-General briefed the Council on his visits to Japan, Pakistan, Afghanistan, the Islamic Republic of Iran and Qatar, including his participation in the International Conference on Reconstruction Assistance to Afghanistan held in Tokyo.⁶² On Afghanistan, he underlined the importance of security, without which reconstruction would not be possible and donors would not be able to disburse the money they had so generously pledged in Tokyo. The Special Representative reported that, since the transfer of power on 22 December, progress had been made in establishing the Interim Administration as the central government in Afghanistan as well as in preparing for the emergency Loya Jirga in five months. Despite many obstacles, most ministries were starting to carry out their responsibilities, and salaries for their civil servants had been paid for the first time for many years. On security, the Special Representative underlined that peace in Afghanistan was still fragile and called for urgent consideration by the Council to expand ISAF to the rest of the country. On the structure of the further mission, he stated that it would be an integrated mission with a “light footprint”, keeping the international United Nations presence to the minimum required, while Afghans were given as much of a role as possible.⁶³

⁶⁰ S/PV.4461, pp. 2-3.

⁶¹ *Ibid.*, pp. 3-4.

⁶² S/PV.4469, pp. 2-3.

⁶³ *Ibid.*, pp. 3-6.

At its 4479th and 4490th meetings, on 27 February and 13 March 2002, respectively, at which no statements were made, the Council heard briefings by the Under-Secretary-General for Political Affairs, on the “rudiments of the political order emerging in Afghanistan”, including the initial activities of the Special Independent Commission for the Convening of the Emergency Loya Jirga as well as the establishment of the judicial and human rights commissions. On security, he noted with concern that ISAF remained limited to Kabul, while the main threats to the Interim Authority emanated from the provinces. He thus alerted the Council to a “continuing danger” that the existing security apparatus, both Afghan and international, did not adequately address the security threats that were currently discernible, and warned that the manner in which it was addressed might well determine in the very near future whether or not the Bonn process succeeded. He reported some progress achieved in the areas of the training of a new national army, the establishment of a new police, disarmament, and the promotion of education and human rights. However, he voiced concern at the “festering tensions beneath the surface”, with the power of armed groups growing and disarmament programmes in some areas amounting to “commanders disarming their enemies and rearming themselves”. Finally, he noted that the United Nations system was putting the final touches on its plan for the new mission, which would be called the United Nations Assistance Mission in Afghanistan.⁶⁴

**Decision of 28 March 2002 (4501st meeting):
resolution 1401 (2002)**

On 18 March 2002, the Secretary-General submitted a report on the situation in Afghanistan and its implications for international peace and security.⁶⁵ In his report, the Secretary-General observed that in less than three months the Interim Administration had established sufficient international credibility and legitimacy that donors, United Nations agencies and non-governmental organizations were following its lead in helping provide assistance, restoring basic services around the country and formulating a national development framework. A critical turning point in the

⁶⁴ S/PV.4479, pp. 2-5; and S/PV.4490, pp. 2-5.

⁶⁵ S/2002/278, submitted pursuant to resolution 1383 (2001) and as a follow-up to the letter from the Secretary-General to the President of the Security Council dated 5 December 2001 (S/2001/1154).

peace process would be the convening of the emergency Loya Jirga, which had to occur before 22 June 2002, according to the provisions of the Bonn Agreement. He maintained that if the emergency Loya Jirga could be successfully convened as scheduled, and if the Transitional Administration selected by the Loya Jirga could be peacefully installed and domestically accepted thereafter, then the risk of a resumption of war should be greatly reduced. However, security remained the essential requirement for the protection of the peace process. In that context, he noted that the Chairman of the Interim Administration had repeatedly called for the expansion of ISAF to other parts of the country. Afghans were confident that such a geographic expansion to a number of major urban centres would significantly minimize the likelihood of large-scale hostilities erupting again between existing armed factions. Regarding the proposed United Nations mission in Afghanistan, he stated that it was intended to ensure that all forms of United Nations assistance, political, human rights and rule of law, gender, relief, recovery and reconstruction, were channelled towards supporting the implementation of the peace process by the Afghan people.

At its 4497th meeting, on 26 March 2002, the Council heard a briefing by the Deputy Secretary-General and a statement by the Assistant Secretary-General for Political Affairs. In addition to Council members, statements were made by the representatives of Afghanistan, Australia, Bangladesh, Canada, India, the Islamic Republic of Iran, Japan, Kazakhstan, New Zealand, Pakistan, Spain (on behalf of the European Union⁶⁶), Tajikistan and Turkey.

The President (Norway) drew the attention of the Council to the report of the Secretary-General of 18 March 2002.⁶⁵ He also drew the attention of the Council to a letter dated 14 March 2002 from the representative of the United Kingdom addressed to the President of the Council⁶⁷ and to a letter from the representatives of Afghanistan and the Russian Federation.⁶⁸

⁶⁶ Bulgaria, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

⁶⁷ S/2002/274, transmitting a report on the activities of the International Security Assistance Force in Afghanistan.

⁶⁸ S/2002/283, transmitting the text of a joint Russian-Afghan statement of 12 March 2002.

The Deputy Secretary-General updated the Council on new developments since the issuance of the Secretary-General's report, including the progress made by the Special Commission for the Convening of the Emergency Loya Jirga and the establishment of a working group on the demobilization and reintegration of ex-combatants. She then explained the envisaged structure of the new mission, which was to be composed of two pillars: pillar I for political affairs and pillar II for relief, recovery and reconstruction activities. She said that the mission, which was an "imaginative and constructive response" to the operational challenges on the ground, would have a light expatriate footprint with the aim of ensuring that Afghans took the lead in the post-conflict recovery phase and that the foreign aid pledged actually went to the Afghans.⁶⁹

Speakers expressed unanimous support for the establishment of the United Nations Assistance Mission in Afghanistan (UNAMA), with a light expatriate footprint and heavy reliance on the Afghans. They reaffirmed their commitment to supporting the political transition of Afghanistan as well as the country's recovery, reconstruction and development, including the promotion of human rights and gender equality. They also agreed on the need for continued, long-term commitment by the United Nations to ensure that Afghanistan remained firmly on the path to peace and reconciliation. Many speakers stressed the importance of the rapid development of a unified Afghan police force and army in order to provide security throughout the country.

Several speakers spoke in support of the proposal to expand ISAF beyond the area of Kabul to provide security until the Afghan army could be effectively deployed.⁷⁰

The representative of France noted that the major contributors to ISAF were not in favour of expanding the force beyond Kabul, as it might necessitate it to be involved in settling conflicts, which fell under the purview of Afghan authority.⁷¹ Similarly, the representative of the United States stated that, given the present security situation and the range and variety

⁶⁹ S/PV.4497, pp. 2-6.

⁷⁰ *Ibid.*, p. 7 (Colombia); p. 10 (Syrian Arab Republic); p. 14 (China); p. 15 (Cameroon); p. 23 (Mauritius); p. 31 (Japan); and p. 33 (India).

⁷¹ *Ibid.*, pp. 6-7.

of assistance already available or under way, this delegation did not see the need to expand the area of activity of ISAF.⁷² The representative of Bulgaria noted that a careful approach was necessary with regard to the territorial expansion of ISAF beyond Kabul, and that such expansion needed to take place in tandem with the process of establishing an Afghan national army and police force.⁷³ On the other hand, despite the reservations expressed by some delegations, the representative of the United Kingdom accepted the importance of spreading the ISAF effect outside Kabul, as the future stability and reconstruction of Afghanistan and the return of refugees would depend on adequate security.⁷⁴ The representative of the Russian Federation noted with concern the remnants of the Taliban and Al-Qaida, especially the presence of a “large number of foreign mercenaries, including Chechens”, among those terrorist groups. Regarding ISAF, he maintained that if its mandate needed to be prolonged or expanded, the Council needed to be willing to consider doing so, bearing in mind the requests of the acting authorities in Afghanistan.⁷⁵ The representative of Pakistan, noting that the Bonn Agreement stipulated the establishment of a United Nations-mandated force for the maintenance of security in Kabul and other areas of the country, stressed that the size and scope of ISAF needed to be expanded and extended to all of the country, especially the major urban centres. ISAF, in the absence of a proper Afghan security force, was the only option, and restricting it to Kabul would defeat the very purpose for which it was established.⁷⁶ The representative of Australia stated that while, the idea of expanding and extending ISAF was “to be encouraged”, planning had to be based on realistic expectations.⁷⁷

The representative of Spain stated that the European Union supported the proposed mandate of UNAMA, which provided for an integrated structure under the authority of the Special Representative of the Secretary-General, and appealed for a strong and effective coordination in the field.⁷⁸ The representative of Canada believed that the preparations for the emergency Loya Jirga in June would be the key to

installing a broadly representative government and urged the Special Commission to ensure that the preparations for the Loya Jirga remained equitable and transparent.⁷⁹ The representative of the Islamic Republic of Iran stated that, while his delegation understood that an appropriate dose of international assistance was necessary to help maintain peace on the ground, it was in the interest of lasting peace in Afghanistan that, given the sensitivities of the Afghans, it was in the interest of lasting peace that the foreign presence in that country remain as minimal and as brief as possible.⁸⁰ The representative of New Zealand expressed hope that in the event that decision was made to extend the mandate of ISAF beyond Kabul, additional countries would join in the security operation. The representative of Afghanistan expressed appreciation to the efforts of the United Nations and reiterated that the Interim Administration remained committed to the implementation of the Bonn Agreement. With regard to the extension of ISAF beyond the capital, his delegation considered it imperative that the views of the Interim Administration be sought.⁸¹

On behalf of the Secretary-General, the Assistant Secretary-General for Political Affairs expressed gratitude for the support by delegations for the mandate and structure of the envisaged integrated mission in Afghanistan, whose central idea was to have a coherent mission structure in which all aspects were carefully integrated with each other.⁸² Underlining the importance of security, he “wholeheartedly” agreed with the United Kingdom’s call for an expansion of the ISAF effect beyond Kabul, and stated that he looked forward to further suggestions and specific ideas in this regard.

At its 4501st meeting, on 28 March 2002, the Council included in its agenda the report of the Secretary-General dated 18 March 2002.⁸³ The President then drew the attention of the Council to a draft resolution;⁸⁴ it was adopted unanimously and without debate as resolution 1401 (2002), by which the Council, *inter alia*:

⁷² *Ibid.*, pp. 8-9.

⁷³ *Ibid.*, p. 16.

⁷⁴ *Ibid.*, pp. 16-17.

⁷⁵ *Ibid.*, pp. 20-21.

⁷⁶ *Ibid.*, p. 29.

⁷⁷ *Ibid.*, p. 32.

⁷⁸ *Ibid.*, pp. 25-27.

⁷⁹ S/PV.4497 (Resumption 1), pp. 2-3.

⁸⁰ *Ibid.*, p. 8.

⁸¹ *Ibid.*, pp. 11-12.

⁸² *Ibid.*, pp. 12-13.

⁸³ S/2002/278; see also footnote 65.

⁸⁴ S/2002/320.

Endorsed the establishment, for an initial period of 12 months from the date of adoption of the resolution, of the United Nations Assistance Mission in Afghanistan, with the mandate and structure laid out in the report of the Secretary-General of 18 March 2002;

Stressed that the provision of focused recovery and reconstruction assistance could greatly assist in implementation of the Bonn Agreement;

Urged bilateral and multilateral donors, in particular through Afghanistan Support Group and the Implementation Group, to coordinate closely with the Special Representative of the Secretary-General, the Afghan Interim Administration and its successors;

Stressed also that recovery and reconstruction assistance ought to be provided and implemented effectively, where local authorities contributed to maintenance of a secure environment and demonstrated respect for human rights; and called upon all Afghan parties to cooperate with the Mission in the implementation of its mandate and to ensure security and freedom of movement of its staff throughout the country.

Deliberations of 25 April 2002 (4521st meeting)

At its 4521st meeting, on 25 April 2002, at which no statements were made, the Council heard a briefing by the Vice-Chairman of the Interim Administration of Afghanistan and Minister for Women as well as a briefing by the Under-Secretary-General for Political Affairs.

While reporting “great progress” made in the political transition, the Vice-Chairman of the Interim Administration of Afghanistan and Minister for Women called for the immediate expansion of ISAF and requested the leaders of all nations to consider carefully their responsibilities and to weigh the political and economic costs of expanding the force against the “great risk” of not taking action and not strengthening security. “Let us not leave the job of restoring peace in Afghanistan half finished”, she stated, reiterating that the international community must renew its commitment to come together collectively and decisively to root out the elements of instability and give sustained support to rebuilding peace in Afghanistan.⁸⁵ The Under-Secretary-General for Political Affairs reported that preparations for the emergency Loya Jirga, to be held in June 2002 under the Bonn Agreement, were on track with the first phase of selecting representatives already under way, and he remained hopeful that the Loya Jirga would be held on

⁸⁵ S/PV.4521, pp. 2-3.

schedule and would lead to a smooth transition to the next phase of the Bonn process. On the areas of recovery and development, he reported that UNAMA was leading efforts to design and implement a series of integrated area development programmes in ten priority regions of the country. However, he warned that the security remained a major challenge in many parts of the country and substantial financial assistance was going to be required, and appealed to the international community to speed up the delivery of its assistance and to broaden its scope to include still unmet needs related to security.⁸⁶

Decision of 23 May 2002 (4541st meeting): resolution 1413 (2002)

At its 4541st meeting, on 23 May 2002, the Council heard a briefing by the Under-Secretary-General for Political Affairs. In addition to Council members, statements were made by the representatives of Afghanistan, Canada, India, the Islamic Republic of Iran, Japan, New Zealand, Pakistan, Spain (on behalf of the European Union⁸⁷) and Turkey.

The Under-Secretary-General for Political Affairs stressed that the emergency Loya Jirga, which was to be held in less than three weeks, constituted a pivotal test for the Bonn process. UNAMA had been focusing most of its resources on ensuring that the Loya Jirga was held on time and under as free and fair conditions as circumstances allowed. Phase I of the Loya Jirga process required holding of about 380 district assemblies, which would select electoral colleges of between 20 to 60 members. In phase II, those colleges would elect by secret ballot representatives to the Loya Jirga. In phase III, the emergency Loya Jirga would be held with about 1,000 elected representatives and 500 selected representatives. He stated that phase I, which had been completed in 300 of 380 districts, had so far not been perfect but had, nevertheless, been better than expected in many ways. He believed that the process thus far had demonstrated the capacity for reconciliation and compromise among Afghans, as they realized the importance of not losing this opportunity for peace and reconstruction. He noted with concern

⁸⁶ *Ibid.*, pp. 3-6.

⁸⁷ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

that the security situation in Afghanistan, in particular outside Kabul, remained a major concern.⁸⁸

Most speakers welcomed the progress made in preparing for the emergency Loya Jirga, which was the key to the successful implementation of the Bonn process, and reaffirmed their support for the leading role of the United Nations in implementing the process. They agreed on the urgent need to train a new national army and police force in order to restore and maintain security throughout the country. Several delegations welcomed the willingness of Turkey to take over the command of ISAF from the United Kingdom on 20 June, and stated that his country would be responsible for training two battalions of a new Afghan army.

The representative of the United States reported that his country's efforts to train the Afghan army were well under way, with 140 Special Forces troops arriving in Afghanistan at the end of April. He believed that the United States and coalition efforts to address the security imperatives beyond Kabul had been successful to date and that they continued to envision potential security concerns outside Kabul being addressed as necessary by the forces of the coalition and Operation Enduring Freedom.⁸⁹

The representative of the Russian Federation reiterated the need to exclude the Taliban and their followers from participation in the future organs of State power.⁹⁰

The representative of Singapore cautioned that the successful convening of the Loya Jirga itself would not guarantee the long-term stability in the country, as much more needed to be done in areas relating to humanitarian relief, recovery and reconstruction as well as to the security situation.⁹¹ The representative of the Islamic Republic of Iran believed that while the security situation remained fragile and unpredictable, the presence of foreign forces in Afghanistan should remain as minimal and as brief as possible "in the light of Afghan sensitivities and past experience".⁹²

The representative of Afghanistan expressed the belief that the establishment of the new Afghan

security force, the details of which had been explained at Geneva by the Afghan Interim Minister for Foreign Affairs, could greatly contribute to security and stability throughout the country.⁹³ The representative of Turkey reaffirmed his country's determination to take over the command of ISAF, with the understanding that the mandate and the areas of operation of the multinational force would be maintained as stipulated by resolution 1386 (2001).⁹⁴

The President (Singapore) drew the attention of the Council to a draft resolution;⁹⁵ it was adopted unanimously as resolution 1413 (2002), by which the Council, acting under Chapter VII of the Charter, inter alia:

Decided to extend the authorization, for a period of six months beyond 20 June 2002, of the International Security Assistance Force, as defined in resolution 1386 (2001);

Authorized Member States participating in the Force to take all necessary measures to fulfil the mandate of the Force;

Called upon Member States to contribute personnel, equipment and other resources to the Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001).

**Decision of 26 June 2002 (4560th meeting):
resolution 1419 (2002)**

At its 4557th meeting,⁹⁶ on 21 June 2002, the Council heard a briefing by the Under-Secretary-General for Political Affairs, who reported on the successful convening of the emergency Loya Jirga on 11 June with the participation of 1,656 voting delegates from all over the country and abroad. On 13 June, the Loya Jirga elected Mr. Hamid Karzai as the Head of State, who would announce the final composition of the Cabinet within a few days. He urged other Afghan leaders to support the Transitional Authority, as there should always be another future occasion to compete for power. He stated that a vast amount of work lay ahead for each ministry, and hoped that the Cabinet would focus on its administrative and governance functions. He noted that there had been a deterioration of the security situation in some parts of Afghanistan and urged the international community to assist the

⁸⁸ S/PV.4541, pp. 2-4.

⁸⁹ *Ibid.*, pp. 8-9.

⁹⁰ *Ibid.*, p. 12.

⁹¹ *Ibid.*, p. 19.

⁹² *Ibid.*, p. 27.

⁹³ *Ibid.*, pp. 29-30.

⁹⁴ *Ibid.*, p. 30.

⁹⁵ S/2002/569.

⁹⁶ The representative of Afghanistan was invited to participate but did not make a statement.

Government of Afghanistan in bringing its authority to bear on insecure areas of the country. He stated that, given the importance of peace and security in the transitional period, the contributing nations to ISAF and the Council might wish again to consider the possibility of a limited expansion of ISAF to areas outside Kabul, particularly those where there was a clear pattern of emerging insecurity that, if left to evolve without countervailing pressure, could seriously threaten the further implementation of the Bonn process. He concluded by urging the international community to continue to assist the Afghans and the United Nations in meeting the new challenges in the implementation of the process.⁹⁷

At the 4560th meeting, on 26 June 2002, the representative of Afghanistan was invited to participate. The President (Syrian Arab Republic) drew the attention of the Council to a draft resolution;⁹⁸ it was adopted unanimously and without debate as resolution 1419 (2002), by which the Council, inter alia:

Reiterated its strong support for the Transitional Authority in the full implementation of the Bonn Agreement, including the establishment of a constitutional commission, and in strengthening the central government, building a national army and police force, implementing demobilization/reintegration activities and improving the security situation throughout Afghanistan, combating illicit drug trafficking, ensuring respect for human rights, implementing judicial sector reform, establishing the basis for a sound economy and reconstructing productive capacity and infrastructure;

Urged the Transitional Authority to build on efforts of the Interim Administration to eradicate the annual poppy crop;

Urged also the Transitional Authority to build further on efforts of the Interim Administration to promote the welfare and interests of Afghan women and children and to provide education to boys and girls;

Stressed once again the importance of continued international support to complete the process according to the Bonn Agreement;

Decided to remain actively seized of the matter.

Deliberations of 19 July to 30 October 2002 (4579th, 4611th and 4638th meetings)

At its 4579th meeting, on 19 July 2002, the Council included in its agenda the report of the

⁹⁷ S/PV.4557, pp. 2-5.

⁹⁸ S/2002/703.

Secretary-General on the situation in Afghanistan and its implications for international peace and security.⁹⁹ In his report, the Secretary-General described the progress in implementing the Bonn Agreement, including the successful conclusion of the emergency Loya Jirga held from 11 to 19 June 2002. Despite some imperfections in the nomination and selection of delegates and incidents of intimidation during the assembly, he considered that it was noteworthy that such an enormous logistical undertaking was carried out within a very tight schedule and accomplished the tasks of electing the Head of State and approving the structures and appointment of the Transitional Authority. He stated that the main tasks ahead would be the establishment of a constitutional commission for the drafting of a new constitution; the convening, within 18 months, of a Constitutional Loya Jirga; and preparations for general elections. He observed that in the absence of a functional national army and an ISAF presence outside of Kabul, the climate of insecurity would be difficult to eliminate. Therefore, he continued to strongly advocate a limited expansion of ISAF beyond Kabul.

At the meeting, the Council heard a briefing by the Special Representative of the Secretary-General for Afghanistan, following which, in addition to all members of the Council, statements were made by the representatives of Afghanistan, Canada, Denmark (on behalf of the European Union¹⁰⁰), India, the Islamic Republic of Iran, Japan, Malaysia, Nepal, Pakistan, the Republic of Korea, Tajikistan, Turkey and Ukraine, as well as the representative of the Organization of the Islamic Conference.

The Special Representative stated that the peace process was so far on track and pointed to a few factors which gave cause for cautious optimism, including that the people were truly tired of fighting after 23 years of a long and bitter conflict and that all the deadlines set out in the process had been met on time. He noted that while the Loya Jirga was not designed to be a perfect democratic or representative process, it did incorporate significant and innovative democratic elements. On the question of security, he reiterated that the real key to

⁹⁹ S/2002/737, submitted pursuant to resolution 1401 (2002).

¹⁰⁰ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

the restoration of security lay in the creation of a national army and police force, along with a strong demobilization programme. Equally important would be the proposed reform of the National Directorate for Security, he said, maintaining that it was not acceptable to the people to feel threatened by the intelligence and other securities services in their country. Furthermore, he remained convinced that the expansion of ISAF would have an enormous impact on security and that it could be achieved with relatively few troops, at relatively little cost and with little danger to those troops. He stressed that the Transitional authority needed to also proceed quickly to establish a constitutional commission to undertake the sensitive task of drafting the country's new constitution. On the structure of UNAMA, he stated that the underlying philosophy of the Mission remained the same: on the one hand, integration, so that political activities were linked to and informed by those in the relief, recovery and reconstruction sectors, and linked as well to the four cross-cutting areas — that was, gender, human rights, the rule of law and demobilization. On the other hand, the Mission was to have a light expatriate footprint and strove to build Afghan capacities so that Afghans could take over as many of the functions that outsiders were not performing as soon as possible.¹⁰¹

Most speakers welcomed the progress made so far in implementing the Bonn process, in particular the successful convening of the emergency Loya Jirga, and reaffirmed their commitment to assisting the Transitional Authority in meeting further challenges and difficulties in the months to come. They expressed support for UNAMA, which would continue to play the leading role in helping the Transitional Authority to implement the process. A number of speakers also stressed the importance of combating drug production. Several speakers also stressed the need to strengthen security and stability throughout the country, facilitate return of refugees, ensure a minimum of economic and social developments, and strengthen popular participation in the context of the democratic transformation in the Afghan society.

The representative of the United States reaffirmed that the United States efforts in Afghanistan had continued to be centred on the conduct of the war on terror, with roughly 8,000 coalition troops focusing on destroying the remains of Al-Qaida. He maintained that

¹⁰¹ S/PV.4579, pp. 3-6.

the backbone of Afghanistan's security apparatus must ultimately be the Afghan national army, adding that more than 250 United States and French military trainers had been working closely with the Afghans to train the army.¹⁰²

The representative of the Russian Federation stated that as it did not seem possible to expand ISAF, it was necessary to speed up the establishment of an effective Afghan national army.¹⁰³ Similarly, the representative of the United Kingdom attached early and particular importance to progress on security sector reform, within the framework of a coherent overall strategy. He underlined the importance of ensuring consistency between the ongoing army training and the programmes for demobilization of private militias.¹⁰⁴

The representative of Afghanistan expressed appreciation for the international assistance in implementing the Bonn process, which could be considered a "paramount success of United Nations peacemaking efforts at the beginning of the twenty-first century". However, despite the series of positive developments, he acknowledged that much remained to be done. In order to establish its full authority throughout the country, he said, the Transitional Authority had made the formation of an ethnically and regionally balanced national army one of its main objectives.¹⁰⁵ The representatives of India and the Islamic Republic of Iran noted with concern that the continued regrouping of Al-Qaida and Taliban cadres along Afghanistan's southern and south-eastern borders heavily impinged on the security situation in Afghanistan as well as on the rest of the region.¹⁰⁶ The representative of Pakistan emphasized that despite casualties and some anticipated domestic difficulties, the Government of Pakistan had not flinched or faltered in supporting the campaign to root out Al-Qaida and other terrorist elements from Afghanistan and entire region.¹⁰⁷

At its 4611th meeting,¹⁰⁸ on 19 September 2002, the Council heard a briefing by the Special

¹⁰² *Ibid.*, pp. 10-11.

¹⁰³ *Ibid.*, p. 17.

¹⁰⁴ *Ibid.*, pp. 23-24.

¹⁰⁵ *Ibid.*, pp. 24-26.

¹⁰⁶ S/PV.4579 (Resumption 1), p. 9 (India); and p. 11 (Islamic Republic of Iran).

¹⁰⁷ *Ibid.*, p. 16.

¹⁰⁸ The representative of Afghanistan was invited to participate but did not make a statement.

Representative of the Secretary-General for Afghanistan. Explaining the developments since his last briefing, the Special Representative stated that Afghanistan had come a long way in its implementation of the Bonn process. He reported that the United Nations was committed to supporting the Transitional Authority in the development of the national development framework and the national budget in the coming months, and that UNAMA was working together with the authority to accelerate the development of the government, to decentralize assistance and develop subregional programmes tailored to the needs of individual provinces, and to develop a more integrated and cost-effective United Nations response. In the absence of the expansion of ISAF, which disappointed the people in Afghanistan and neighbouring countries, the Special Representative expressed hope that focused discussion would soon take place in Kabul on the issue of security, with the participation of Afghan authorities, the United Nations and key members of the international community. Before the end of the year, he said, Afghanistan should have a credible and achievable agenda to build a national army and a national police that would progressively take over from the present factional and de facto forces all over the country.¹⁰⁹

At its 4638th meeting,¹¹⁰ on 30 October 2002, the Council heard a briefing by the Special Representative of the Secretary-General for Afghanistan. The Special Representative noted with concern that security remained a priority for the people of Afghanistan, with sporadic fighting erupting from time to time, particularly in the north, the north-east and, to a lesser extent, the west. He noted that the Government did not yet have the means to deal in an effective manner with the underlying problems, and reiterated that there would be no long-term solution to the security problems unless and until a well-trained, well-equipped and regularly paid national police and a national army were in place. He reported that a drafting committee, which was to submit a draft new constitution by the end of 2003, had been formed and started its work, with UNAMA providing support as mandated by the Bonn Agreement. The Special Representative expressed concern that the human rights situation remained worrisome in many respects and cited as underlying causes the lack of security and the

weakness of the central government, warlordism, persistent factional conflicts and a dysfunctional justice system. He also reported that the Government had taken an important step to reform the country's finances through the introduction of a new currency, which was aimed to revitalize the financial and banking systems throughout the country and deprive other groups of their ability to print currency.¹¹¹

**Decision of 27 November 2002 (4651st meeting):
resolution 1444 (2002)**

At the 4651st meeting, on 27 November 2002, the representative of Afghanistan was invited to participate in the discussion. The President of the Council (China) drew the attention of the Council to a draft resolution.¹¹² The President also drew the attention of the Council to a letter dated 21 October 2002 from the representative of Turkey,¹¹³ as well as a letter dated 25 November 2002 from the Secretary-General to the President of the Security Council, transmitting a joint letter from the Ministers for Foreign Affairs of Germany and the Netherlands, in which the two Governments expressed their willingness to assume the lead nation status for ISAF for a period of six months following an extension of its mandate by the Council.¹¹⁴

The Council then, unanimously and without debate, adopted the draft resolution as resolution 1444 (2002), by which it, acting under Chapter VII of the Charter, inter alia:

Decided to extend the authorization, for a period of one year beyond 20 December 2002, of the Force, as defined in resolution 1386 (2001);

Authorized the Member States participating in the Force to take all necessary measures to fulfil the mandate of the Force;

Called upon Member States to contribute personnel, equipment and other resources to the Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

Requested the leadership of the Force to provide quarterly reports on implementation of its mandate, through the Secretary-General;

Decided to remain seized of the matter.

¹⁰⁹ S/PV.4611, pp. 2-5.

¹¹⁰ The representative of Afghanistan was invited to participate but did not make a statement.

¹¹¹ S/PV.4638, pp. 2-6.

¹¹² S/2002/1278.

¹¹³ S/2002/1196, transmitting the third report on the work of ISAF, covering the period from 1 to 30 September 2002.

¹¹⁴ S/2002/1296.

**Deliberations of 13 December 2002
(4664th meeting)**

At its 4664th meeting,¹¹⁵ on 13 December 2002, the Council heard a briefing by the Assistant Secretary-General for Peacekeeping Operations. The Assistant Secretary-General updated the Council on main developments in Afghanistan, including the holding of the anniversary meeting of the Bonn Conference in Germany on 2 December, which was to review the progress made so far and reaffirm their commitment to the peace process. The participants of the meeting had identified a number of specific challenges, such as the importance of building a national army and police that were effective and ethnically balanced and the need for the Government of Afghanistan and the international community to establish clear benchmarks and timelines to ensure the full implementation of the Bonn Agreement. He welcomed the agreement reached between Afghanistan and its neighbours to sign on good-neighbourly relations, mutual cooperation and non-interference in their respective internal affairs. He also stressed that a key part of the Government's strategy to assert its authority depended on its ability to raise domestic revenue, including transfer of public income from provinces to the national treasury and reform of Customs houses. He reported that a new judicial commission had been formed, and that the constitutional drafting committee, which had been inaugurated on 3 November 2002, would be guided by the 1964 Constitution in preparing the new constitution. He stated that while the progress made so far was "encouraging", the achievements so far and future progress depended on continued improvement in the security situation.¹¹⁶

**Decision of 24 December 2002 (4682nd
meeting): resolution 1453 (2002)**

At the 4682nd meeting, on 24 December 2002, the representative of Afghanistan was invited to participate in the discussion. The President drew the attention of the Council to the Kabul Declaration on Good-Neighbourly Relations.¹¹⁷

¹¹⁵ The representative of Afghanistan was invited to participate but did not make a statement.

¹¹⁶ S/PV.4664, pp. 2-6.

¹¹⁷ S/2002/1416, annex.

The President (Colombia) then drew the attention of the Council to a draft resolution;¹¹⁸ it was adopted unanimously and without debate as resolution 1453 (2002), by which the Council, *inter alia*:

Welcomed and endorsed the Kabul Declaration on Good-Neighbourly Relations signed by the Transitional Administration of Afghanistan and the Governments of States neighbouring Afghanistan in Kabul on 22 December 2002;

Called on all States to respect the Declaration and to support the implementation of its provisions;

Requested the Secretary-General to report to the Council as appropriate on the implementation of the Declaration, in the context of his regular reporting on Afghanistan, including information provided by the signatories.

**Deliberations of 31 January to 24 February
2003 (4699th and 4711th meetings)**

At its 4699th meeting,¹¹⁹ on 31 January 2003, the Council heard a briefing by the Special Representative of the Secretary-General for Afghanistan. Looking back on the first year of the Bonn process, the Special Representative stated that the Afghanistan had made progress on many fronts, with major political milestones reached on time, including the holding of the emergency Loya Jirga and the establishment of the Transitional Administration led by President Karzai. However, he believed that the peace process needed to progress much further before it became irreversible, and that in 2003 the country would have to focus on three main areas: first, solidifying the key institutions of the State; second, pursuing national reconciliation; and thirdly, showing tangible results on reconstruction projects throughout the country. The Special Representative also updated the Council on the details of the security sector reform, including training of the new army and police force; demobilization of former combatants; judicial reform and the restoration of the rule of law; the drafting of a new constitution; preparations for national elections scheduled for June 2004; and protection of human rights.¹²⁰

At its 4711th meeting, on 24 February 2003, the Council heard briefings by the Under-Secretary-General for Peacekeeping Operations, the Ambassador of Japan in charge of Afghan aid coordination, and the

¹¹⁸ S/2002/1415.

¹¹⁹ The representative of Afghanistan was invited to participate but did not make a statement.

¹²⁰ S/PV.4699, pp. 2-6.

Special Representative of the Government of Germany for the training of the Afghan police force, following which statements were made by most Council members, as well as the representative of Afghanistan.¹²¹

The Under-Secretary-General for Peacekeeping Operations observed that while the Bonn process had so far successfully averted full-scale fighting between major factions, Afghans continued to suffer from the insecurity created by the conjunction of weak national institutions and strong local commanders. He noted that security sector reform was made all the more urgent by the complex political activities planned for the next 16 months, as the security sector must be able to provide minimal conditions of stability to ensure that the Constitutional Loya Jirga and the national elections were meaningful and credible. He argued that in the months ahead, the political underpinnings of security sector reform must be strengthened by the deeds and words of the Transitional Administration. He noted in this context that the police, army and intelligence services were “still viewed by too many Afghans as politically biased”. The chances of successfully reforming the security sector would be much enhanced if the statements of Afghan authorities on national reconciliation were demonstrably upheld.¹²²

The Ambassador of Japan in charge of Afghan aid coordination briefed the Council on the envisaged disarmament, demobilization and reintegration process. He reported that a solid foundation for the process was being laid and would soon commence. Nevertheless, he anticipated that disarmament, demobilization and reintegration in Afghanistan would be difficult in view of the heavy legacy of factional rivalries. The fact that a new national army must be built in parallel with disarmament, demobilization and reintegration added to the complexity of the undertaking. He stated that challenges to the process included the question of determining the number of soldiers to be released from armed formation, development of a mechanism for the collection of light and heavy weapons, and confidence-building among all parties. In view of the general elections scheduled for June 2004, he stated that once

it began, the disarmament process would take one year.¹²³

The Special Representative of the Government of Germany for the training of the Afghan police force reported that the reorganization of the police and the Ministry of the Interior was making good progress. Stressing that 2003 would be decisive, he expressed the hope that it would see the consolidation of work of the re-established central police institutions in Kabul; the further development of the training system and the inclusion in it of the country’s patrolmen; the build-up of a professional border police and, above all, the transfer of results achieved in Kabul to other parts of the country. He anticipated that the level of development and achievement would depend on positive developments in the general security situation and the participation of the international community.¹²⁴

All representatives expressed their appreciation for the briefings, and asked a number of technical questions related to the programmes they had described, including, *inter alia*, on the possibility of NATO involvement in the reconstruction of the interior ministry; what mechanisms had been envisaged to coordinate efforts to create a national police force with the establishment of provincial police forces; and whether the design of the disarmament, demobilization and reintegration process would include measures to curb the smuggling of arms outside of Afghanistan. The Ambassador of Japan in charge of Afghan aid coordination, the Under-Secretary-General for Peacekeeping Operations and the Special Representative of the Government of Germany for the training of the Afghan police force then responded to the questions and comments raised by the delegations.

**Decision of 28 March 2003 (4730th meeting):
resolution 1471 (2003)**

At its 4727th meeting,¹²⁵ on 27 March 2003, the Council included in its agenda the report of the Secretary-General on the situation in Afghanistan and

¹²¹ The representative of Germany did not make a statement.

¹²² S/PV.4711, pp. 3-6.

¹²³ *Ibid.*, pp. 6-8.

¹²⁴ *Ibid.*, pp. 9-11.

¹²⁵ At its 4712th meeting, held in private on 24 February 2003, the Council was briefed by the Special Representative of the Government of Germany for the training of the Afghan police force, with the participation of the Under-Secretary-General for Peacekeeping Operations.

its implications for international peace and security.¹²⁶ In his report, the Secretary-General described the ongoing implementation of the Bonn Agreement by the Afghan Transitional Administration, supported by UNAMA. He explained the key political processes to further the transition towards a multi-ethnic, gender-sensitive, and fully representative Government of Afghanistan, including the Afghan-led constitutional process and the preparation of national elections to be held in June 2004. He noted with concern that security remained the most serious challenge facing the peace process. Re-establishment of the rule of law, elimination of human rights abuses, reconstruction and political transformation were all impeded by the uncertain security situation. He also proposed adjustments to the UNAMA structure, including small additions to the military and police adviser's units, and the establishment of an electoral section headed by a senior expert and supported by an appropriately sized team.

At the meeting,¹²⁷ the Council heard a briefing by the Assistant Secretary-General for Peacekeeping Operations.

The Assistant Secretary-General for Peacekeeping Operations stated that UNAMA would continue to focus on assisting the Government of Afghanistan with consolidating its authority throughout the country and implement national policies that reached the entire nation. This effort would build upon progress made last year in establishing the essential structures of Government and in proving that these structures could work at a basic level. The Assistant Secretary-General stated that one of the most pressing challenges ahead for the Government of Afghanistan was to strengthen the links between Kabul and the provinces and to strengthen the capacity of the provincial and local governments themselves. For this to occur, however, security outside Kabul needed to significantly improve. He maintained that administrative development and security sector reform should be coupled with a political transformation process that ensured that the Government was representative and accountable to all segments of the population. In this regard, he stressed, the drafting and

approving of a new constitution and preparations for general elections in 2004 would be key tasks.¹²⁸

At its 4730th meeting, on 28 March 2003, the Council again included in its agenda the report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security.¹²⁶ The representative of Afghanistan was invited to participate.

The President drew the attention of the Council to a draft resolution;¹²⁹ it was adopted unanimously and without debate as resolution 1471 (2003), by which the Council, *inter alia*:

Decided to extend UNAMA for an additional period of 12 months from the date of adoption of the resolution;

Stressed that the continued provision of focused recovery and reconstruction assistance can contribute significantly to the implementation of the Bonn Agreement;

Stressed also that, while humanitarian assistance should be provided wherever there was a need, recovery or reconstruction assistance ought to be provided, through the Transitional Administration, and implemented effectively, where local authorities demonstrated a commitment to maintaining a secure environment, respecting human rights and countering narcotics;

Requested UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the Bonn Agreement and the National Human Rights Programme for Afghanistan, in order to support the protection and development of human rights in Afghanistan;

Requested the International Security Assistance Force, in implementing its mandate in accordance with resolution 1444 (2002), to continue to work in close consultation with the Secretary-General and his Special Representative.

Deliberations of 6 May 2003 (4750th meeting)

At the 4750th meeting, on 6 May 2003, the representative of Afghanistan was invited to participate. The Council then heard a briefing by the Special Representative of the Secretary-General for Afghanistan.

The Special Representative reported on the progress made by UNAMA in supporting the Transitional Administration, including the establishment of the Constitutional Commission and

¹²⁶ S/2003/333 submitted pursuant to resolution 1401 (2002).

¹²⁷ The representative of Afghanistan was invited to participate but did not make a statement.

¹²⁸ S/PV.4727, pp. 2-6.

¹²⁹ S/2003/380.

the Judicial Reform Commission and the activities of the Afghan Independent Human Rights Commission, as well as the creation of an electoral unit within UNAMA. However, despite such progress, he noted with concern that the security situation remained unstable and insufficient in much of Afghanistan and cast a long shadow over the whole peace process. Rivalries among factions and local commanders, impunity with regard to human rights violations and daily harassment of ordinary Afghan citizens by both commanders and local security forces were all too common. Furthermore, forces believed to be associated with the Taliban, with Al-Qaida and with Gulbuddin Hekmatyar had been stepping up operations against the coalition as well as against Afghan military and non-military targets in the south, south-east and the east of the country. He also stated that Afghanistan's neighbours played a crucial role in helping to ensure that the country's security was maintained, and pointed to "worrying reports" of hostile elements crossing into Afghanistan over the eastern and southern borders. While the focus for the first year had been on Kabul, he stressed that the rest of the country needed to experience increased security lest support for the Government and the Bonn process eroded dangerously. In view of this, he asked the Council once again to carefully consider what international measures were available to help ensure the security needed for the Bonn process to effectively process, adding that he still believed that expansion of ISAF beyond Kabul remained an option. He also thought that the provincial reconstruction teams deployed by the coalition could play an important part in addressing the problems of security.¹³⁰

**Decision of 17 June 2003 (4774th meeting):
statement by the President**

At its 4774th meeting,¹³¹ on 17 June 2003, the Council heard briefings by the Under-Secretary-General for Peacekeeping Operations and the Director General of the United Nations Office at Vienna and Executive Director of the United Nations Office on Drugs and Crime. In addition to Council members, statements were made by the representatives of Afghanistan, Colombia, Greece (on behalf of the

European Union¹³²), India, the Islamic Republic of Iran, Japan, Kazakhstan, New Zealand, Norway, the Philippines, the Republic of Korea, Tajikistan, Ukraine and Uzbekistan.

The Under-Secretary-General for Peacekeeping Operations welcomed the Council's focus on the problem of drugs, given the importance of the issue to the immediate and long-term stability of the country and the region. He reported on the positive developments over the past month, including President Karzai's action aimed at expanding his Government's authority in the provinces, the commencement of public consultations on the new Constitution, and planning for the electoral process which was in its final stage. However, he noted with concern that the security situation had remained a serious impediment to progress and was a major risk to the entire process. For instance, he pointed out that the majority of provincial authorities continued to act with an autonomy that denied the Transitional Administration the means to implement its national development plan. The overall human rights situation continued to be negatively affected by extortion by local commanders, arbitrary detentions and the general lack of the rule of law. This remained a source of instability and diminished the credibility of the Government. He reported that the Constitutional Commission had formally started public consultations on 6 June, with teams of three Commissioners leading the consultations with elders, local shuras and ordinary citizens in all 32 provinces as well as with the refugee community in the Islamic Republic of Iran and Pakistan.¹³³

The Executive Director of the United Nations Office on Drugs and Crime informed the Council to the forecast that, despite current counter-narcotics efforts, Afghanistan would continue to be the world's largest opium producer in the coming years. To rid the country of its dependence on illegal activities, he underlined the need to create ample and easily accessible opportunities for alternative, licit sources of income for Afghan farmers. This task, he stated, required much greater political, security and financial capital than was presently available to assist the rural areas affected by opium production and above all, to improve the ability

¹³⁰ S/PV.4750, pp. 2-8.

¹³¹ For more information on the discussion at this meeting, see chap. XI, part I, section B, with regard to Article 39 of the Charter.

¹³² Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

¹³³ S/PV.4774, pp. 3-6.

of the central Government to implement its opium production ban. He stated that it was essential to help farmers decide in favour of licit crops; to replace local narco-users with microcredit programmes; to provide jobs and education to women and children; to turn bazaars into modern trading places; and to neutralize warlords and their efforts to keep the drug trade alive. Moreover, he called on the international community to develop a comprehensive approach, including promotion of concrete measures against drug trafficking, stockpiling, clandestine laboratories and supply of precursors in Afghanistan and its neighbours.¹³⁴

Most representatives shared the concern about unabated production of opium in Afghanistan and welcomed the initiative of the Russian Federation in convening the meeting on this subject. They expressed support for the United Nations Office on Drugs and Crime, which needed to lead the international effort to counter production and trafficking of narcotics. To address the root causes of the drug problem, they agreed on the need to ensure security throughout the country and help strengthen the capacity of the Transitional Administration.

The representative of France reported that the representatives of 55 countries affected by the trafficking of opium and heroin produced in Afghanistan had met in Paris on 22 May and adopted a declaration, in which they agreed to coordinate their efforts in this regard.¹³⁵ The representative of the United Kingdom urged the Council to put its weight behind the implementation of the national drug control strategy adopted by the Transitional Administration.¹³⁶ The representative of Germany argued that the success of counter-narcotics efforts depended not only on credible enforcement measures but, at the same time, on the availability of alternative sources of livelihood.¹³⁷

The representative of the United States reaffirmed his Government's commitment to working with Pakistan and Afghanistan's Central Asian neighbours to strengthen legal and institutional capacities to confront the drug trafficking that posed as much of a threat to

their own integrity as it did to that of Afghanistan.¹³⁸ The representative of Pakistan noted with concern that, before the conflict had begun in Afghanistan, the number of drug addicts in Pakistan had been negligible, while there were now nearly 3.5 million of them.¹³⁹

The representative of the Russian Federation noted that, being located on the historic crossroads of world trade routes, his country had now become a transit bridge for smuggling Afghan drugs. He called for an effective and comprehensive strategy of international action, whereby internal Afghan measures were organically supplemented by efforts around and beyond Afghanistan.¹⁴⁰

The representative of Afghanistan reported that his Government had adopted the Afghan national drug control strategy, which encompassed programmes for alternative livelihoods, the enhancement of the capacity of law enforcement agencies and the improvement of national legislation.¹⁴¹

The representative of Kazakhstan stressed the importance of the Kabul Declaration of Good-Neighbourly Relations signed in 2002 by Afghanistan and its six neighbouring countries, wherein the seven signatories reaffirmed their determination to defeat terrorism, extremism and drug trafficking.¹⁴² The representative of the Islamic Republic of Iran maintained that insecurity and drug trafficking in Afghanistan were mutually reinforcing, and both contributed in turn to terrorism and other forms of transitional crime. The recognition of this, he said, should compel Governments to begin revamping their strategy for the war on both terrorism and drug trafficking.¹⁴³

At the meeting, the President (Russian Federation) made a statement on behalf of the Council,¹⁴⁴ by which the Council, *inter alia*:

Stressed that security remained a serious challenge facing Afghanistan;

¹³⁴ *Ibid.*, pp. 6-8.

¹³⁵ *Ibid.*, p. 9.

¹³⁶ *Ibid.*, p. 17.

¹³⁷ *Ibid.*, p. 20.

¹³⁸ *Ibid.*, pp. 20-21.

¹³⁹ *Ibid.*, p. 24.

¹⁴⁰ *Ibid.*, p. 26.

¹⁴¹ *Ibid.*, pp. 28-30.

¹⁴² S/PV.4774 (Resumption 1), pp. 2-3.

¹⁴³ *Ibid.*, pp. 5-7.

¹⁴⁴ S/PRST/2003/7.

Stressed that security would be enhanced by continued coordinated efforts to combat the production of illicit drugs in Afghanistan;

Stressed the need to promote the effective realization of anti-drug projects for Afghanistan;

Urged the international community, in collaboration with the Office on Drugs and Crime and in accordance with the drugs strategy of the Afghan Transitional Administration, to provide assistance to the Administration;

Urged the international community, in collaboration with UNAMA and the Office on Drugs and Crime, to encourage cooperation among affected countries assisting the flow of information between and among security and law enforcement agencies, combating groups involved in illicit drug trafficking, carrying out interdiction activities, encouraging demand reduction and coordinating information and intelligence to maximize effectiveness of all measures taken in Afghanistan and beyond its borders.

Decision of 13 October 2003 (4840th meeting): resolution 1510 (2003)

At its 4840th meeting, on 13 October 2003, the Council included in its agenda a letter dated 7 October 2003 from the Secretary-General addressed to the President of the Security Council.¹⁴⁵ The President (United States) drew the attention of the Council to a letter dated 10 October 2003 from the Minister for Foreign Affairs of Afghanistan.¹⁴⁶

The President then drew the attention of the Council to a draft resolution;¹⁴⁷ it was adopted unanimously as resolution 1510 (2003), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Authorized expansion of the mandate of the International Security Assistance Force to support the Afghan Transitional

Authority in the maintenance of security in areas outside of Kabul;

Decided to extend the authorization of the Force, as defined in resolution 1386 (2001) and the present resolution for a period of 12 months;

Authorized the Member States participating in the Force to take all necessary measures to fulfil its mandate;

Requested the leadership of the Force to provide quarterly reports on implementation of its mandate, through the Secretary-General;

Decided to remain seized of the matter.

Speaking after the adoption of the resolution, the representative of France stated that he considered that the extension of the ISAF mandate did not entail a commitment of its forces outside Kabul and that France did not plan to involve itself in missions beyond those that it was currently fulfilling. He noted that the resolution authorized ISAF to protect international civil personnel involved, in particular, in reconstruction efforts and humanitarian assistance. He understood in this context that the protection provided by ISAF related “above all to the civilian personnel of the provincial reconstruction teams”.¹⁴⁸

Deliberations of 24 October 2003 (4848th meeting)

At its 4848th meeting,¹⁴⁹ on 24 October 2003, the Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations. The Under-Secretary-General stated that the past few weeks were a reminder that, as the final and most important stages of the peace process moved ahead, many of the fundamental and structural causes of insecurity remained unsolved. While sporadic tribal and inter-factional conflicts contributed to insecurity, he said that the primary sources of insecurity remained the risk of terrorist attacks and continued and sizeable cross-border infiltration by suspected Taliban, Al-Qaida and Hezb-i-Islami elements. Attacks against Government, military and humanitarian personnel were steadily increasing, seriously limiting the ability to effectively conduct reconstruction and to support political activities. He reported some progress in addressing the causes of insecurity, including reform of the senior level of the Ministry of Defence which was a

¹⁴⁵ S/2003/970, transmitting letters dated 2 and 6 October 2003 from the Secretary-General of the North Atlantic Treaty Organization (NATO). The letter of 2 October enclosed the text of the NATO long-term strategy in its ISAF role in Afghanistan, and the letter of 6 October enclosed preliminary decisions of the North Atlantic Council on a possible expansion of the ISAF mission.

¹⁴⁶ Subsequently circulated by a letter dated 13 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/986). In its letter, the Government of Afghanistan requested the Council to consider expanding the mandate of ISAF in Afghanistan, as proposed by the Secretary-General of NATO in his letters dated 2 and 6 October 2003.

¹⁴⁷ S/2003/984.

¹⁴⁸ S/PV.4840, pp. 2-3.

¹⁴⁹ The representative of Afghanistan was invited to participate in the meeting but did not make a statement.

step in the right direction to permit the pilot disarmament, demobilization and reintegration programme to proceed in Kunduz.

The Under-Secretary-General noted that President Karzai had postponed the Constitutional Loya Jirga until the end of Ramadan, between the end of November and early December. The revised schedule, which was still within the timetable set by Bonn, had provided the Constitutional Commission with more time for finalizing the draft constitution. Five hundred delegates would participate in the Constitutional Loya Jirga, of whom 344 would be elected on a provincial basis by the district representatives of the emergency Loya Jirga of 2002, who made up the electorate that would vote for the elected Constitutional Loya Jirga delegates. The registration of that electorate had begun in all provinces. The Constitutional Loya Jirga would adopt a new constitution, which would provide the basis for national elections. He said that the legal and institutional structures necessary for the national elections were gradually being put in place, including the deployment of the voter registration teams. He reiterated that the success of the disarmament,

demobilization and reintegration process and the electoral registration exercise would be dependent upon sufficient improvement in security conditions to allow deployment of staff beyond major urban centres. "Indeed, if it were held today, the electoral process would not succeed", he warned, adding that some 60 per cent of the south and some 20 per cent of the south-east and east were at any one time not freely accessible. In this context, he welcomed the unanimous adoption by the Council of a resolution approving expansion of ISAF beyond Kabul. He stressed that, as the Bonn process entered its final stage, the Government of Afghanistan and the international community would embark upon their most challenging and far-reaching political undertakings. There were still significant obstacles standing in the way, not least the lack of security. Maintaining the forward momentum would require the determination of the Afghan people and the will of the international community. He said that the expansion of security assistance provided a critical element of this equation.¹⁵⁰

¹⁵⁰ S/PV.4848, pp. 2-6.

27. Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council

Deliberations of 21 November 2002 to 15 December 2003 (4647th, 4728th, 4805th and 4881st meetings)

At its 4647th meeting, on 21 November 2002, the Security Council heard a briefing by the Under-Secretary-General for Political Affairs on the activities of the Political Office in Bougainville, Papua New Guinea, following which, in addition to all members of the Council, statements were made by the representatives of Australia, Fiji,¹ New Zealand and Papua New Guinea.

In his briefing, the Under-Secretary-General reported that there had been delays in the completion of stage II of the weapons disposal plan, which had been scheduled to be implemented by September 2002. As a result of the slowed momentum, the Under-

Secretary-General noted that the entire peace process had come under some strain. He explained that the reasons for the setbacks had been twofold: first, the refusal by some ex-combatants to participate in the weapons disposal process due to problems related to the disbursement of funds for reintegration and rehabilitation and the erroneous perception that ex-combatants would be paid for turning in their weapons; and secondly, the impact of a deliberate campaign of misrepresentation regarding the peace process carried out by followers of Mr. Francis Ona, the main Bougainvillian leader who had remained outside of the peace process. Despite those developments, the Under-Secretary-General expressed encouragement at the results of a meeting of the Peace Process Consultative Committee on 30 October 2002, chaired by the United Nations Political Office in Bougainville (UNPOB), at which a decision had been taken by former combatants to complete stage II of the

¹ On behalf of the Pacific Islands Forum.