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# Prioritization and Sequencing of Security Council Mandates: The Case of UNAMA

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## STIMSON

On February 14, 2023, the International Peace Institute (IPI), the Stimson Center, and Security Council Report organized a workshop to discuss the mandate and political strategy of the United Nations Assistance Mission in Afghanistan (UNAMA). This discussion was part of a series of workshops that examine how the activities included in peace operations' mandates can be better prioritized, sequenced, and grounded in a political strategy. This is the first year in which the series is examining the mandate of UNAMA. The meeting note was drafted collaboratively by IPI, the Stimson Center, and Security Council Report. It summarizes the main points raised in the discussion under the Chatham House rule of non-attribution and does not necessarily represent the views of all participants. The project is funded with the support of the German Federal Foreign Office and the Swiss Federal Department of Foreign Affairs.

## Introduction

The UN Security Council is expected to renew the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) in March 2023.<sup>1</sup> The upcoming mandate renewal negotiations will unfold amid a worsening economic and humanitarian crisis in Afghanistan. Security Council members remain divided over what the appropriate level of political engagement between the UN and de facto authorities should be, especially at a time when the Taliban have been further restricting the rights of Afghan women and girls. Questions surrounding political engagement, sanctions, risk management and aid diversion, development assistance, the threat of terrorism, and ongoing human rights violations all impact the latest conversations around Afghanistan and UNAMA's role in the country.

In this context, the International Peace Institute (IPI), the Stimson Center, and Security Council Report co-hosted a roundtable discussion on February 14, 2023, to discuss UNAMA's mandate renewal. This roundtable offered a platform for member states, UN officials, civil society stakeholders, and independent experts to share their assessments of the situation in Afghanistan in a frank and collaborative manner. The discussion was intended to help the Security Council make more informed decisions on the prioritization and sequencing of UNAMA's mandate, as well as the mission's strategic orientation and actions on the ground.

Participants largely agreed that UNAMA's mandated priorities are still relevant to the UN's overall engagement in the country, even amid a deteriorating situation on the ground. They also agreed that the current mandate text includes strong substantive language on political engagement, human rights, and gender and that it provides UNAMA with enough flexibility to prioritize its work based on evolving conditions on the ground.

The following issues are likely to shape the council's negotiations on UNAMA's mandate renewal:

- Balancing between supporting UNAMA's quiet diplomacy and encouraging its public advocacy across multiple mandate areas, considering the restrictive domestic context;
- Reinforcing UNAMA's role in coordinating and facilitating humanitarian assistance with UN and non-UN partners during a period of protracted crises;

<sup>1</sup> UN Security Council Resolution 2626 (March 17, 2022), UN Doc. S/RES/2626.

- Supporting regional and international engagement on Afghanistan, including UNAMA's potential role in facilitating dialogue with the de facto authorities;
- Ensuring the safety of UN personnel and their interlocutors while still implementing the mission's mandate; and
- Sustaining the substantive progress achieved through negotiations on Resolution 2626 (2022) while considering whether there is a need to adapt the mandate to the latest developments in the country.

## Political Engagement

Participants acknowledged the tensions that UNAMA faces in executing the political and governance-related components of its mandate. The restrictive environment imposed by the Taliban, compounded by the additional international sanctions placed on the Taliban regime for taking power by force, makes it difficult for UNAMA to work toward an end state of UN political engagement in Afghanistan. Workshop participants discussed UNAMA's perceived effectiveness in balancing between implementing parts of its mandate related to political dialogue while taking principled positions against the policies of the de facto authorities and human rights violations.

Some participants called for Security Council members to embrace a flexible and realistic understanding of how UNAMA implements these parts of its mandate, including through regular engagement with the de facto authorities. Drawing on its eleven field offices across the country, UNAMA remains politically engaged with all relevant Afghan political actors through quiet diplomacy at the national, provincial, and district levels.<sup>2</sup> Some participants alluded to the deputy secretary-general's characterization of UN strategy as a push-and-pull approach whereby UNAMA leverages the provision of humanitarian support to build trust with the de facto authorities in the hope of achieving commitments for more inclusive governance and reduced restrictions on the Afghan

population.<sup>3</sup>

Some participants questioned the sustainability of this strategy given the absence of meaningful concessions to date from the de facto authorities. Others argued that the Security Council should continue to give UNAMA time and space to implement this part of its mandate, given the slow-moving nature of such political endeavors. Further restricting the mission's level of engagement with the de facto authorities would arguably hamstring UNAMA's political engagement and functionally limit its role solely to enabling humanitarian assistance. Others questioned the extent to which UNAMA can promote inclusive governance given the significant recalibration of Afghan state institutions following the Taliban's takeover, as well as the lack of a written constitution.<sup>4</sup> They argued that engaging with the de facto authorities runs the risk of crystallizing their *modus operandi* and legitimizing their claim to international recognition.

As part of these discussions on UNAMA's political engagement, several participants warned that the mission should not compromise on values and principles to achieve practical gains; they advocated for the mission to unequivocally defend human rights, particularly those of women and girls, as part of its overall political strategy. They emphasized that women's rights are foundational to the UN's political engagement and that treating them as a competing priority only weakens the UN's overall approach. Some participants encouraged UNAMA to anchor its political engagement in the needs and perspectives of Afghan women—including those inside the country—especially as Afghan civilians hold high expectations for UNAMA's impact in this area.

## Monitoring of and Reporting on Human Rights, with a Focus on Gender

Participants stressed the importance of the council maintaining UNAMA's strong mandate language on protecting and promoting human rights, parti-

<sup>2</sup> See: UN Doc. S/RES/2626, para. 5(c).

<sup>3</sup> Amina Mohammed, press conference upon her return from Afghanistan, New York, January 25, 2023, available at <https://www.un.org/sg/en/content/dsg/press-encounter/2023-01-25/deputy-secretary-general-amina-mohammed%E2%80%99s-press-conference-upon-her-return-afghanistan>.

<sup>4</sup> Andrew Watkins, "One Year Later: Taliban Reprise Repressive Rule, but Struggle to Build a State," United States Institute of Peace, August 17, 2022.

cularly given the deteriorating situation for women and girls in the country.<sup>5</sup> In addition to human rights monitoring and reporting, the current mandate has strong language on the meaningful participation of women, gender mainstreaming across all areas of mandate implementation, and support to women's and girls' empowerment—provisions that are all the more important following the Taliban's recent bans on women's and girls' participation in public life.<sup>6</sup> Recognizing the hard-fought gains in incorporating this language during the most recent mandate renewal, some cautioned council members against reopening negotiations on these issues out of fear of potential backsliding on these issues.

Considering that a majority of participants viewed the mandate language as sufficient, most of the discussion focused on ways UNAMA could strengthen implementation of its human rights mandate. First, the mission could expand its role in facilitating subnational dialogue between different communities and the de facto authorities, making sure to include women representatives. Since the Taliban's takeover, UNAMA has maintained open lines of communication with local authorities to allow for the delivery of humanitarian aid and to implement parts of its mandate, including its provisions on human rights and gender. This engagement has allowed UNAMA to develop geographically specific approaches to its work that correspond with variances in how national decrees have been enforced (including restrictions on women's and girls' rights). Participants encouraged UNAMA to continue using these geographically specific approaches to inform its overall approach in order to take advantage of potential opportunities for improving living conditions for as many people as possible.

Second, UNAMA could use its comparative advantage in monitoring and reporting on

violations of human rights and humanitarian laws, when applicable.<sup>7</sup> UNAMA is the only institution present in the country currently capable of systematically documenting and reporting on violations across the human rights spectrum. The de facto authorities dissolved the Afghanistan Independent Human Rights Commission in May 2022, which had been the primary national institution with a mandate to monitor and document violations of international human rights and humanitarian law.<sup>8</sup> Civil society groups and human rights defenders were also forced to cease their activities in most provinces for fear of reprisal.

In this context, participants emphasized that UNAMA's visibility and presence across its eleven field offices send valuable symbolic support to communities. Some expressed their desire to see UNAMA more publicly condemn the de facto authorities for their violations of human rights, particularly those of women and girls, stressing Afghans' high expectations for the mission. While participants understood calls for UNAMA to advertise its work publicly, especially on the promotion of gender equality and human rights, they acknowledged the importance of keeping specific initiatives discreet to avoid jeopardizing opportunities for future engagement or potentially endangering individuals involved in such initiatives.

## Humanitarian Assistance

Participants underscored the complexity of UNAMA implementing its mandate across a country beset by famine conditions, economic decline, entrenched poverty, and brutal climate conditions.<sup>9</sup> Although more than 28 million civilians require urgent humanitarian assistance, \$1.09 billion of the \$4.4 billion requested in Afghanistan's 2022 Humanitarian Response Plan

5 UNAMA is mandated to engage with all stakeholders "in the protection and promotion of the human rights of all Afghans, monitor, report and advocate with regard to the situation for civilians, the prevention and elimination of violence, including a survivor-centred approach to preventing and responding to sexual and gender-based violence, the prevention of torture, monitoring of places of detention and the promotion of the rights of detainees, as well as monitor and report on civil, political, social, economic and cultural rights." See: UN Doc. S/RES/2626, para. 5(e).

6 Security Council Report, "Afghanistan: Closed Consultations," January 27, 2023.

7 Humanitarian law only applies to the parts of Afghanistan where there is an armed conflict between the Taliban and the Islamic State. See: Geneva Academy Rule of Law in Armed Conflicts (RULAC), "Non-International Armed Conflicts in Afghanistan," available at <https://www.rulac.org/browse/conflicts/non-international-armed-conflicts-in-afghanistan#collapse4accord>.

8 Office of the UN High Commissioner for Human Rights (OHCHR), "Comment by Michelle Bachelet, UN High Commissioner for Human Rights, on the Dissolution of Afghanistan's Independent Human Rights Commission," press release, May 19, 2022.

9 UN Office for the Coordination of Humanitarian Affairs (OCHA), "Women's Participation in Aid Delivery Must Continue: Statement by Inter-Agency Standing Committee Principals on Afghanistan," December 28, 2022.

remain unmet (24.5 percent of the total).<sup>10</sup> Against this backdrop, participants affirmed that the provision and coordination of humanitarian assistance should remain an important priority for UNAMA.<sup>11</sup> Mitigating the far-reaching implications of the Taliban's recent ban on women working for national and international NGOs is a key challenge at a moment when the country is facing a large-scale humanitarian crisis.<sup>12</sup> The ban forced more than 150 NGOs and aid organizations to halt all or some of their operations and significantly undermined the UN's aid delivery programs.<sup>13</sup>

Leveraging its presence on the ground and its relationship with the de facto authorities, UNAMA can continue engaging national and subnational stakeholders, civil society organizations, international NGOs, and donors to support the delivery of humanitarian assistance.<sup>14</sup> In his recent visit to Afghanistan, Under-Secretary-General for Humanitarian Affairs Martin Griffiths negotiated with the Taliban for the introduction of additional exemptions to the recent ban on female aid workers, allowing some women to operate in the education and health sectors.<sup>15</sup> Similarly, the UN regularly engages with the de facto authorities to resolve issues delaying and impeding aid delivery, such as access and freedom of movement restrictions they have imposed on humanitarian organizations.<sup>16</sup>

## Operational Constraints

Participants raised several operational and financial constraints that UNAMA and UN entities currently grapple with and that impact mandate implementation, including the unintended

consequences of international sanctions.<sup>17</sup> UNAMA, along with many humanitarian organizations operating in Afghanistan, is reporting delays and denials in transferring funds into the country. The formal banking system continues to block transfers due to de-risking practices, which has restricted payment channels and caused breakdowns in supply chains.<sup>18</sup> Many organizations also cite the lack of available cash in-country as a programmatic impediment.

In response, the UN and UNAMA have facilitated and distributed imported cash to nineteen UN agencies and programs, as well as fifteen NGOs operating in the country. Internationally, UNAMA has been advocating for the US Treasury Department to unfreeze the assets of Afghanistan's central bank to relieve pressure on the Afghan economy, increase liquid cash in-country, and release funds to pay the salaries of public sector employees.<sup>19</sup> UNAMA's efforts to coordinate robust temporary solutions with the broader UN system, such as the Humanitarian Exchange Facility, have faced resistance from the de facto authorities.<sup>20</sup>

Important security and safety considerations also impact the scope of engagement that UNAMA is willing and able to pursue. The mission remains concerned about the risk of repercussions facing Afghans cooperating with the UN, notably the UN's own national staff. Concern for the safety of its national staff and local partners has compelled UNAMA to prioritize discreet modes of engagement, despite some requests for more visible reporting and condemning of Taliban human rights abuses. The Security Council should also carefully consider the risks and reprisals UN national staff and local partners may face for

10 OCHA Financial Tracking Service, "Afghanistan Humanitarian Response Plan 2022," available at <https://fts.unocha.org/appeals/1100/summary>.

11 UN Doc. S/RES/2626, paras. 5(a) and 5(b).

12 UN Development Programme (UNDP), "One Year in Review: Afghanistan since August 2021, a Socio-Economic Snapshot," October 5, 2022.

13 Patrick Wintour, "Afghan Aid at Risk from Taliban Ban on Women, Warns United Nations," *The Guardian*, January 6, 2023.

14 UN Doc. S/RES/2626 (2022), para. 5(a).

15 Existing exemptions to the ban targeted the education and health sector. See: Griffiths et al., remarks at a press briefing on their visit to Afghanistan, January 30, 2023, available at <https://www.unocha.org/story/afghanistan-%E2%80%9Cwe-need-see-women-aid-workers-back-work%E2%80%9D>.

16 Martin Griffiths, "Briefing of the Emergency Relief Coordinator to the Security Council on the Humanitarian Situation in Afghanistan," New York, June 23, 2022.

17 The UN Security Council adopted Resolution 2615 to create a humanitarian exception for the 1988 Taliban sanctions regime, affirming that humanitarian assistance and other activities that support basic human needs in Afghanistan are not a violation of the asset freeze against listed individuals and entities associated with the Taliban. See: Agathe Sarfati, "While Afghans Wait, States and Banks Decrypt the Humanitarian Exception in the Taliban Sanctions Regime," *IPI Global Observatory*, April 14, 2022.

18 Griffiths, "Briefing of the Emergency Relief Coordinator"; Martin Griffiths, "Statement for the Security Council Briefing on the Humanitarian Situation in Afghanistan," New York, December 20, 2022.

19 Shakiba Mashayekhi, "The Limits of the UN Assistance Mission in Afghanistan under Taliban Rule," Stimson Center, October 6, 2022.



engaging with the UN.

Finally, participants suggested that UNAMA work with member states on the General Assembly's Fifth Committee to expand the mission's budget in the coming year in order to give UNAMA sufficient operational flexibility to implement the full spectrum of its mandated activities. Specifically, participants underlined the mission's need for increased funding and resources to monitor human rights and establish its Risk Mitigation Unit.

## International and Regional Engagement

Participants agreed on UNAMA's potential to serve as an intermediary between the international community and the de facto authorities. Currently, council members hold divergent views on appropriate responses to the de facto authorities' restrictions on women and girls and the extent to which UNAMA should embrace the advocacy component of its human rights monitoring and reporting mandate. Although council members could not agree on a formal outcome document on Afghanistan in January 2023 due to these divisions over potential responses, the president of the council did send a confidential letter to the secretary-general to convey a shared sense of concern for these restrictions.<sup>21</sup>

One potential pathway for expanding political engagement in Afghanistan is through improved alignment between the UN and regional partners. Countries in the region and Muslim-majority countries, including the United Arab Emirates, Saudi Arabia, Qatar, Turkey, Pakistan, and Uzbekistan, could leverage their influence with the de facto authorities in pursuit of clearly defined political goals. In a recent joint statement, China

and Iran also "called on the Afghan rulers to form an inclusive government in which all ethnic groups and political groups actually participate, and cancel all discriminatory measures against women, ethnic minorities and other religions."<sup>22</sup> Participants emphasized that UNAMA should continue implementing its mandate on regional coordination to coalesce support for its engagement in the country. They welcomed the recent visit of UN Deputy Secretary-General Amina Mohammed, UN Women Executive Director Sima Sami Bahous, and Assistant Secretary-General Mohamed Khaled Khiari to Afghanistan in this regard.<sup>23</sup>

Participants identified the Organisation of Islamic Cooperation's (OIC) recent engagement on Afghanistan as an example of the potential impact of enhanced regional engagement. The fifty-seven member states of the OIC convened an emergency meeting on January 11, 2023, and issued a communiqué harshly criticizing the bans on women attending university and working for NGOs.<sup>24</sup> The OIC recently announced its intention to send a follow-up delegation of Islamic scholars to Afghanistan "to continue the dialogue with the de facto authority on its measures depriving Afghan girls and women of their basic rights to education, employment and social justice, as these rights constitute a top priority for the Islamic world."<sup>25</sup> These initiatives may present UNAMA with an avenue to amplify regional coordination and leverage complementary regional efforts.

## Conclusion

UNAMA continues to play an important role in Afghanistan, and its engagement with all relevant stakeholders at the national and subnational levels, including civil society organizations, international NGOs, and the de facto authorities, will only become more important as the international

21 Security Council Report, "Afghanistan: Closed Consultations."

22 "China, Iran Call on Afghanistan to End Restrictions on Women," *AP News*, February 16, 2023.

23 Ibid. The visit of senior UN officials to Afghanistan was part of a broader series of meetings that included high-level consultations on Afghanistan with the leadership of the Organisation of Islamic Cooperation (OIC), the Islamic Development Bank, groups of Afghan women in Ankara and Islamabad, and ambassadors and special envoys to Afghanistan based in Doha. UNAMA, "High-Level UN Delegation Led by the Deputy Secretary-General Calls on Afghanistan's De Facto Taliban Authorities to Reverse Course on Recent Decrees Limiting Women's and Girl's Rights, Says Afghans Must Not Be Abandoned," press release, January 20, 2023.

24 Organisation of Islamic Cooperation (OIC), "Final Communiqué of the Extraordinary Meeting of the Executive Committee on 'the Recent Developments and the Humanitarian Situation in Afghanistan,'" January 11, 2023.

25 OIC, "Secretary-General at the OIC Extraordinary Meeting: We Seek to Send a Second Team of Ulama to Afghanistan to Continue Dialogue on the Decision Depriving Afghan Women of Education and Employment," January 11, 2023.

community attempts to coordinate responses to worsening humanitarian and human rights conditions. UNAMA's efforts to implement its mandate in the past year have been dramatically challenged by a variety of factors, including the absence of meaningful concessions from the de facto authorities on a wide range of issues, particularly inclusive governance and respect for human rights.

Participants agreed that UNAMA's priorities remain valid and help position the international community's support to the Afghan people.

Furthermore, UNAMA has a critical role to play in advocating for and supporting efforts to uphold women's rights in light of the ongoing restrictions and regressions taking place. Nonetheless, they agreed that the upcoming year is pivotal in assessing the extent to which UNAMA can make progress in nudging the de facto authorities toward reform and respect for international standards. This will require UNAMA to balance between quiet diplomacy and public advocacy across multiple mandate areas. It will also require unified political support from the international community across all areas of UNAMA's mandate.



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