

## 3.5 Mission Reviews

# Afghanistan

Few political missions have come under such intense scrutiny as the UN Assistance Mission in Afghanistan (UNAMA). The overall international strategy in Afghanistan has been the topic of increasingly heated debate in the last two years, and UNAMA's relationships with the Afghan government and its opponents have both been questioned. With little clarity over the medium and long-term future of US and NATO forces in the country, UNAMA's own future cannot be completely certain. However, over the last year, the UN has made efforts to reconfigure and revitalize the nine-year old mission.

UNAMA's ability to monitor and affect Afghan affairs is complicated by a deteriorating security situation. By January 2010, security incidents were 40 per cent higher than the previous year. While the majority of the incidents occurred in the south and east of the country, the insurgency has managed to spread its activities into areas previously considered stable. The brunt of the conflict has been borne by the civilian population, with a total of 2,412 civilian deaths recorded in 2009<sup>1</sup> and 1,271 recorded in the first six months of 2010.<sup>2</sup> The deterioration in the security environment has also resulted in reduced freedom of movement for civil servants and UN officials.

The rising violence did not stop presidential elections in 2009. The polls proved extremely controversial, but President Hamid Karzai ultimately secured a second term. In January 2010, the British government hosted an international conference on Afghanistan with the participation of over 70 states and organizations. The resulting communiqué highlighted the "goals of greater Afghan



UN Photo/Fardin Waezi

Opening of a new provincial office in Sar-i-Pul province, 9 May 2009.

Leadership, increased Regional Cooperation and more effective International Partnership.”<sup>3</sup> The participants foresaw a gradual transfer of responsibilities from international agencies and forces to the Afghan government, although they reaffirmed that UNAMA remained “the primary international organization for coordinating international support” in the meantime.

At the end of 2009, the Special Representative of the Secretary-General, Kai Eide, announced his intention to leave his post in early 2010. Prior to the London conference, Ban Ki-moon announced that Staffan de Mistura, the former head of the UN Assistance Mission in Iraq (see p. 83) would replace Eide. De Mistura has been responsible for

## UN Assistance Mission in Afghanistan (UNAMA)

<b>Authorization and Start Date</b>	28 March 2002 (UNSC Res. 1401)
<b>SRSG</b>	Staffan de Mistura (Sweden)
<b>Deputy SRSG</b>	Martin Kobler (Germany) and Robert Watkins (Canada)
<b>Budget</b>	\$241.9 million (1 January 2010-31 December 2010)
<b>Strength as of early 2010</b>	International Civilian: 338 Local Civilian: 1,336 Military Experts on Mission: 16 UN Volunteers: 43

*For detailed mission information see p. 177*

## EUSR for Afghanistan (EUSRA)

<b>Authorization Date</b>	10 December 2001 (2001/875/CFSP)
<b>Start Date</b>	December 2001
<b>Head of Mission</b>	Vygaudas Ušackas (Lithuania)
<b>Budget</b>	\$3.3 million (1 April 2010-31 August 2010)

reorienting UNAMA to support the focus on transferring responsibilities to the Afghans.

## BACKGROUND

Following the fall of the Taliban regime, a number of prominent Afghan leaders came together under UN auspices in Bonn, Germany, in December 2001. Their goal was to establish a permanent Afghan government. The Bonn Agreement established a transitional government led by Hamid Karzai, and prescribed the drafting of a new constitution and the holding of elections. In March 2002, the Security Council established UNAMA to support the political objectives of the Bonn Agreement, coordinate humanitarian relief, recovery and reconstruction activities and mediate disputes.

The 2004 presidential elections saw Karzai democratically elected as president of Afghanistan. Eleven months later, in September 2005, a new Parliament and Provincial Councils were elected. This marked the end of the transitional administration

and the conclusion of the Bonn Process. The UN Security Council and the new Afghan government agreed on various sectors that would shape a new mandate for UNAMA and guide its various activities. Its mandated tasks have evolved over the course of the post-Bonn period and today include cooperation with the International Security Assistance Force (ISAF), political outreach throughout the country and promoting regional cooperation to help stabilize Afghanistan. The mission is also mandated to provide good offices in support of Afghan-led reconciliation programs and support efforts to improve governance and the rule of law. Coordinating humanitarian aid and monitoring human rights remain priorities, as is supporting the electoral process through the Independent Election Commission of Afghanistan. UNAMA's mandate is renewed annually in March.

UNAMA is headquartered at two main locations in Kabul and as an integrated mission has two substantive pillars under the overall leadership of the SRSG. Pillar I focuses on political activities and is headed by the Deputy SRSG and Pillar II works on reconstruction, relief and development issues and is headed by another Deputy SRSG who also functions as the Resident Coordinator and Resident Humanitarian Coordinator. UNAMA has eight regional offices in Kandahar, Gardez (Paktia), Jalalabad (Nangahar), Herat, Mazar-i Sharif (Balkh), Kunduz, Kabul and Bamiyan as well as 15 provincial offices. UNAMA also has liaison offices in Tehran, Islamabad and Ashgabat. A back office for administrative tasks is being established in Kuwait.

Despite UNAMA's integrated structure and coordination role there are few practical examples of broad based institutional cooperation. In addition, coordination of priorities between UNAMA's headquarters and its liaison and regional offices pose challenges as priorities and needs among the offices may differ significantly. Communication and coordination within the mission itself is sometimes problematic, as a top-level split over the conduct of the 2009 Afghan elections made clear (see "electoral politics" below).

UNAMA's mandate was revised in March 2010 to reflect the conclusions of the London conference. SRSG de Mistura has aimed to streamline the mission's activities, arguing that "we cannot cover everything, and if we did, we would not be able to make a difference."<sup>4</sup> His focus is on the "3+1

## Security Council Sanctions Committees and Panels of Experts

Sanctions Committees and Panels of Experts are part of the UN budgetary category “Special Political Missions,” which covers a broad range of missions that in their functions go beyond the purely political. Because Sanctions Committees and Panels of Experts are distinctly different from the other types of missions that fall under this category, this volume does not include information on all Committees or Panels. Instead, it provides information only on those entities that work closely with a political mission covered in this volume.<sup>1</sup>

Sanctions are one tool available to the UN Security Council under Chapter VII of the UN Charter that the Council can enforce against states or other entities that threaten international peace and security. During the years of the Cold War the Security Council rarely made use of this tool, imposing sanctions only twice, once on Rhodesia in 1966 and then on South Africa a decade later. However, the end of this era brought about a steep increase in the Council’s use of sanctions and initiated a debate on their effectiveness that still lingers today.

The 1990 comprehensive economic sanctions against Iraq that included a ban on all trade with Iraq as well as an embargo on its oil exports were particularly scrutinized and became the focal point for intensified assessment of sanctions regimes as a whole. The restriction of the flow of goods into the country had devastating effects on the population while leaving the regime largely untouched, clearly missing the purpose of the sanctions. One outcome of the debates around the Iraq sanctions was that the Council moved from comprehensive to “targeted” sanctions, which limit embargoes to specific commodities and natural resources, such as arms and diamonds, as well as travel bans, freezing of assets or diplomatic restrictions, with the intention of confining the effects to regime leaders or culpable entities.

As the sanctions regimes increased in numbers and complexity, so too did the need to adequately monitor their implementation and compliance. In order to oversee implementation of its sanctions, the Security Council established so-called Sanctions Committees, composed of representatives of the Council. The Sanctions Committees are tasked to monitor developments related to the sanction regimes and make recommendations to the Council on how to counter sanction violations or on listing or delisting specific commodities or persons on sanction lists.

In August 2010, for example, the Al-Qaida and Taliban Sanctions Committee completed a two-year review of 488 individuals and entities on the Committee’s sanction list. The Committee had been criticized for listing individuals who have since deceased or are wrongly listed. In an effort to create incentives for insurgents to join the government, Afghanistan too exerted pressure on the Committee to remove Taliban names from the list. Despite initial opposition by Russia, who is represented on the committee, 45 names were deleted from the list, including 10 Taliban and 35 Al-Qaida fighters as well as 14 further individuals and 21 firms or other organizations.<sup>2</sup>

In their work, Sanctions Committees are often supported by Panels of Experts<sup>3</sup> that operate independently from the UN Secretariat but are institutionally attached to the UN Department of Political Affairs, which primarily provides administrative support. These small teams of experts conduct in-depth investigations into cases of sanction violations and propose ways to combat them, which inform the Sanctions Committees’ reports to the Council. Increasingly, the Sanctions Committees and Expert Panels cooperate with field-based UN political or peacekeeping missions, who can provide them with analysis on specific situations or can engage in monitoring activities.<sup>4</sup>

Once sanctions are imposed, their proper implementation and compliance is essential in order for them to serve their purpose. Monitoring sanction regimes and investigating “sanction busting” activities therefore is crucial. However, Panels of Experts often face considerable obstacles to their work. Sanctions are most often imposed on countries or entities in countries that are in or emerging from conflict and are already plagued by severe governance and security failures. Weak institutional capacities, porous borders, and a lack of resources necessary for monitoring or enforcing sanctions pose considerable challenges to effective sanction implementation. In addition, there are concerns about a lack of involvement and ownership of non-Council members in processes relating to sanction regimes, which can lead to variability in sanction implementation. Indeed, while only the Security Council votes to implement sanctions, the entire UN membership is required to comply and to enforce them.<sup>5</sup> Lastly, Sanctions Committees and Expert Panels are formed on an ad-hoc basis with renewable mandates

### Security Council Sanctions Committees and Panels of Experts *(Continued)*

lasting for several months. The ad-hoc arrangement means that there is no institutional home that would allow for a permanent sanction monitoring presence and/or follow-up to situations after an expert panel concludes its work, further limiting the long-term impact of sanctions.

Sanctions Committees and Panels of Experts constitute an important mechanism in sanction implementation and monitoring. In their reports Panels of Experts often address a country's underlying socio-economic problems, calling attention to crucial governance deficits and recommending steps for the international community to address these issues. In addition, greater involvement of peace missions in the Expert Panels' work may lead to increased regional inter-mission cooperation on issues such as border security, thus strengthening UN field presences. However, there is a sense that the mechanism has not yet achieved its full peacebuilding impact, at least in part due to the difficult balance between the competing needs for increased institutional support and continuous independence.

- 1 For more information on all current Sanctions Committees, see "Security Council Sanctions Committees: An Overview," United Nations, <http://www.un.org/sc/committees/index.shtml>.
- 2 Louis Charbonneau, "UN panel finishes Taliban/al Qaeda blacklist review," Reuters, 2 August 2010, <http://www.alertnet.org/thenews/newsdesk/N02111225.htm>.
- 3 Sometimes also referred to as Monitoring Mechanisms or Groups of Experts.
- 4 For more detailed information on the work of Panels of Experts, see Katherine Andrews with Tobias C. Berkman "United Nations Mechanism for Combating Illegal Trade in Regions of Conflict," Stimson Backgrounder, The Henry L. Stimson Center, June 2005.
- 5 Stimson Backgrounder, p. 6.

priorities" of elections, internal political dialogue, regional dialogue and constructive engagement and greater aid coherence.

## SECURITY SITUATION

The determination of the Taliban insurgency was demonstrated by the brazen attack on a UN Guesthouse on 28 October 2009, which killed five UN staff and injured a number of others. To date, UNAMA's activities continue to be circumscribed by security concerns.

The United Nations Department of Safety and Security assesses roughly 94 districts out of almost 400 districts as very high risk and a further 81 districts as high risk. Access to outer areas has become increasingly difficult, compounded further by the insurgency's aggressive tactic to cut off major provincial centers. Consequently, areas that have a permissible security environment are increasingly inaccessible to the mission. In recognition of the changed security environment, the UN designated Afghanistan's southern region as a Phase 4 – Emergency Operations only. Practically this means that the maximum number of UN international

staff (from both UNAMA and the UN Country Team) permitted in the south-east region is 20 (17 in Kandahar and 3 in Uruzgan).

Despite a generally good working relationship between the International Security Assistance Force (ISAF) and UNAMA, the increased presence of international military forces and the inherent risk of greater civilian casualties have created tensions between the two actors. In principle, ISAF seeks UNAMA's political advice about the conduct of military operations but in reality, with a variety of military operations ongoing and the limited coverage of UNAMA's field presence, this is often not the case. It is to UNAMA's credit that due to its leadership and outspoken stance on civilian casualties in 2008 and 2009, ISAF reassessed the use of air assets during operations, which has led to a reduction in the number of civilian fatalities.

While engaging closely with the military forces under ISAF, UNAMA is also mandated to execute its political role, to coordinate the facilitation of the delivery of humanitarian aid and to monitor and coordinate human rights protection. UNAMA is therefore caught in the conflicting role of being an impartial political mission and a coordinator that is asked to engage directly with military actors. While

the population does not link UNAMA to military operations, actions that affect large parts of the population strengthen sentiment against the presence of foreigners in general.

## ELECTORAL POLITICS, 2009-2010

In 2009, the greatest political challenge to UNAMA and other international actors arose from presidential and provincial council elections, conducted in Afghanistan in August. Despite Taliban threats, millions of Afghans cast their votes, although the turnout remained well below 2004 levels. Following serious allegations of widespread fraud, Afghanistan's Election Commission ordered a run-off election after an investigation invalidated votes from all major candidates – among them nearly one million pro-Karzai votes from the south. Political crisis was averted just days before the scheduled vote, when Karzai's top rival withdrew.

Prior to the polls, UNAMA was particularly engaged in mediation and political outreach. The mission conducted political dialogue with members of the senior leadership of the Afghan government and other interlocutors to build a position of trust. These efforts were traditionally based largely on principles of humanitarian access and revolved around events such as the 21 September polio vaccination drive. On the regional and provincial level the mission is engaged routinely with political outreach and engagement of local communities. Examples of these activities include tribal conflict resolution over resources and dispute resolution. UNAMA played an important role in supporting the electoral process in both the run-up to and the aftermath of the 20 August presidential elections. This was overshadowed by disagreement between SRSG Kai Eide and his political deputy, DSRSG Peter Galbraith over how to deal with widespread electoral fraud charges. In an open letter, written in October 2009, Galbraith charged that Eide had effectively taken the side of Karzai at critical junctures in the campaign, suppressed or played down credible reports of widespread fraud and precluded UN staff members from intervening to prevent it. Eide responded that he had always acknowledged the electoral fraud that took place, but that it was the role of Afghanistan's electoral institutions to determine the extent of fraud and provide remedies,



UN Photo/Eric Kanastien

UNAMA's SRSG Staffan de Mistura greets an Afghan deminer during the observation of the International Mine Awareness and Assistance in Mine Action Day, 3 April 2010.

not the role of the UN. In the end, the five-person Electoral Complaints Commission, which included three international experts appointed by Eide, ordered an audit of suspicious votes that led to the removal of more than a million votes from the final count.

This dispute, which became very public and quite bitter, resulted in the UN Secretary-General withdrawing DSRSG Galbraith from service and offering a public comment of support to SRSG Eide. The accompanying media debate divided the mission, with several staff loyal to Galbraith handing in resignations in protest. Nonetheless, UNAMA's political engagement helped to deter Karzai and his rival Abdullah Abdullah from escalating their differences to the point where Afghanistan's post-Bonn political system collapsed.

The confrontation within UNAMA highlighted a further tension in its mandate. The SRSG is tasked with promoting a more united political voice and coherent support on behalf of the international community to the Afghan government. In this regard, Kai Eide succeeded markedly during his tenure in becoming the main interlocutor between the government and the international community. However, it is often far from straightforward for the SRSG to manage a relationship with the senior political leadership while maintaining an impartial role in political events. Some critics charged that Eide put too much emphasis on establishing a close relationship with Karzai – a move that proponents defended as necessary due to a lack of institutional structures in Afghanistan, but that led to perceptions of partiality during the electoral process.

Shortly after Staffan de Mistura took office, another election-related row threatened to sour UNAMA-government relations. With parliamentary elections slated for September 2010, President Karzai declared in February that he would appoint all the members of the Electoral Complaints Commission for the new polls. This was a challenge to the UN, which, as noted, had previously appointed foreign experts to act as three of the Commission's five members. Under pressure from the US and other donors, and having accused the international community of electoral fraud in the previous year's election, Karzai eventually backed down and agreed to the UN appointing two foreign commissioners. Meanwhile, the SRSG has warned that the polls may be threatened by serious violence.

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## DIALOGUES AND SANCTIONS

In line with second of the "3+1" priorities, de Mistura met with a delegation from Hizb-i-Islami, an anti-government militant group, in March 2010. The group, led by Gulbuddin Hekmatyar, had previously offered the government a fifteen-point peace plan – although the very first point, the withdrawal of all foreign forces within six months, ensured that it had little chance of success. No further meetings with the group have been reported.

In early June, President Karzai convened a Consultative Peace Jirga, involving some 1,600 delegates to discuss Afghanistan's future. UNAMA was not involved in devising this event, but both Ban Ki-moon and SRSG de Mistura publicly praised the initiative and UNAMA provided some logistical support.

Both in speaking to the press after the Peace Jirga and in briefing the Security Council at the end of June, the SRSG linked the internal dialogue to the issue of targeted UN sanctions against individual Afghan leaders. UNAMA has an informal relationship with the UN Security Council Al-Qaida and Taliban Sanctions Committee that was established by Resolution 1267 on 15 October 1999. The 1267 list, as it is referred to, has been renewed, broadened and strengthened each year since its inception so that now the sanctions measures also apply to designated individuals and entities associated with Al-Qaida, Osama bin Laden and/or the Taliban. Practically

for UNAMA, there has been little formal engagement on the issue by the mission's leadership, but on the working level, UNAMA's political officers have cooperated with the Committee. The nature of this cooperation has been largely information sharing in an effort to improve the quality of the list and ensure the information on the list is more accurate, as well as acting as a liaison, when necessary, between the Committee and the Afghan government entities responsible for providing information to the Committee for the purpose of delisting them. This collaboration has increased knowledge of the actual identities of those listed while also reducing the possibility of individuals with the same names being targeted due to a mistaken identity. In July 2010, the Committee completed a two-year review of 488 individuals and entities on the 1267 list. In all, the Committee removed 45 names from the list, including 10 Taliban and 35 Al-Qaida fighters as well as 14 further individuals and 21 firms or other organizations. Remaining on the list are 311 entities associated with Al-Qaida and 132 associated with the Taliban.<sup>5</sup>

In addition to actions intended to promote internal dialogue, UNAMA has also pursued the third of the "3+1" priorities, regional dialogue. In the first half of the year, the SRSG visited both Iran and Pakistan. In June 2010, Security Council ambassadors visited Afghanistan on the initiative of Turkey, then holding the Council's rotating presidency. On their way back to New York they convened for a discussion of peacekeeping in Istanbul – de Mistura attended this and met with Turkish officials on Afghan issues.

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## AID COHERENCE

On the "+1" of the "3+1" priorities, aid coherence, UNAMA does not aim to direct multilateral and bilateral aid, but to minimize duplication. In the first half of 2010, the mission concluded that the level of duplication was relatively low, but that more aid needed to go to directly support the Afghan authorities. De Mistura has emphasized the role of the Joint Coordination and Monitoring Board (JCMB), a 28-member committee of donors launched in 2006 and co-chaired by the UN and Afghan government.

## The EU

In 2001, the European Union created the post of Special Representative (EUSR) for Afghanistan. The EUSR is based in Kabul, with a broad focus on monitoring and reporting on human rights, political, constitutional and security developments. At first, coordination between the EUSR and the European Commission's office in Kabul (responsible for aid) was very low, although it gradually increased over time. The EUSR in 2009 was a former Italian Ambassador to Afghanistan, Ettore Francesco Sequi.

Sequi was replaced in April 2010 by Vygaudas Ušackas of Lithuania, who is double-hatted, functioning as the head of the Delegation of the European Union and as well as EUSR. Given that the European Commission is one of the largest donors providing official development and humanitarian assistance to Afghanistan, it is likely that the position of EUSR will become considerably more influential in the future than it has been hitherto.

In addition to its civilian presence, the EU also has a Police Mission in Afghanistan (EUPOL). Launched in 2007, the mission has suffered from poor staffing and has failed to play a serious role in the security sector reform process. The EUSR is only responsible for giving the mission political guidance, as it has its own reporting line to Brussels.

Meeting on 8 July 2010, the JCMB agreed to ambitious targets for expanding the size of the Afghan army by 30% and the police by 20% by the end of October 2011. It also touched on job creation, boosting government service delivery and regional economic ties. On 20 July, the UN co-chaired a conference in Kabul addressed by Ban Ki-moon, US Secretary of State Hillary Clinton and other foreign dignitaries. The government laid out an economic plan that reflected the JCMB's previous discussions of development needs.

## CONCLUSION

While UNAMA receives more public attention than most political missions, its performance has been overshadowed by debates within NATO – and, to an even greater degree, in the US – about the future strategy for Afghanistan. At the time of writing, the US “surge” in the country is ongoing – its implications for UNAMA remain uncertain.

External factors aside, recruitment and retention remain possibly the largest obstacle in terms of UNAMA's ability to implement its mandate. In July 2008, as part of a vision for an expanded role of the mission and its broader field presence, a near doubling of the mission's budget

and staffing was approved. However, in light of the security environment, especially the targeting of the UN Guesthouse in Kabul and the killing of 5 employees, recruiting and retaining staff has been a constant challenge and the mission has a current vacancy rate of 40%. Most dramatically, the staffing difficulties were demonstrated by the vacated Deputy SRSG political affairs post that was only filled with a permanent candidate in mid March 2010, leaving UNAMA's political section without leadership for six months. Aside from quantity, the availability of qualified staff is also an issue. Although UNAMA is mandated to lead donor coordination efforts, there is a lack of sufficiently qualified staff. The mission also competes for candidates with the UN Development Programme, which is sometimes perceived as a more attractive option.

The most important factor in deciding UNAMA's future will, however, be whether the Afghan government, the US and other powers concerned with Afghanistan settle on a durable political strategy for stabilizing the country – something force cannot achieve alone – and whether UNAMA is permitted to play a lead role in implementing such a plan. Without such a strategy, a decade of support to Afghanistan will go to waste.

**NOTES**

- 1 UNAMA, “Annual Report on Protection of Civilians in Armed Conflict, 2009,” January 2010.
- 2 UNAMA, “Afghan Civilian Casualties Rise 31 Per Cent in First 6 Months of 2010,” 10 August 2010, <http://unama.unmissions.org/Default.aspx?tabid=1741&ctl=Details&mid=1882&ItemID=9955>.
- 3 “Communiqué of ‘Afghanistan: The London Conference,’” 20 January 2010, [http://www.isaf.nato.int/images/stories/File/factsheets/Documents\\_Communique%20of%20London%20Conference%20on%20Afghanistan.pdf](http://www.isaf.nato.int/images/stories/File/factsheets/Documents_Communique%20of%20London%20Conference%20on%20Afghanistan.pdf).
- 4 United Nations, “SRSG Staffan de Mistura Briefing to Security Council,” 30 June 2010, <http://unama.unmissions.org/Default.aspx?tabid=1747&ctl=Details&mid=1958&ItemID=9477>.
- 5 Security Council, “Security Council Al-Qaida and Taliban Sanctions Committee Concludes Review of Its Consolidated List, Pursuant to Resolution 1822 (2008),” 2 August 2010, <http://www.un.org/News/Press/docs/2010/sc9999.doc.htm>.