



Security Council

Fifty-seventh year

Provisional

4664th meeting

Friday, 13 December 2002, 10 a.m.

New York

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| <i>President:</i> | Mr. Valdivieso | (Colombia) |
| <i>Members:</i> | Bulgaria | Mr. Tafrov |
| | Cameroon | Mr. Tidjani |
| | China | Mr. Jiang Jiang |
| | France | Mr. De la Sablière |
| | Guinea | Mr. Boubacar Diallo |
| | Ireland | Mr. Ryan |
| | Mauritius | Mrs. Napaul |
| | Mexico | Mr. Aguilar Zinser |
| | Norway | Mr. Strømmen |
| | Russian Federation | Mr. Konuzin |
| | Singapore | Mr. Mahbubani |
| | Syrian Arab Republic | Mr. Wehbe |
| | United Kingdom of Great Britain and Northern Ireland | Sir Jeremy Greenstock |
| | United States of America | Mr. Cunningham |

Agenda

The situation in Afghanistan.

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The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Afghanistan in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Farhâdi (Afghanistan) took a seat at the Council table.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

I now give the floor to Mr. Annabi.

Mr. Annabi: As members of the Council will recall, Mr. Lakhdar Brahimi, the Special Representative of the Secretary-General, last briefed the Council on 30 October. I am pleased to have this opportunity to provide an update on the main developments since that date.

On 2 December, the main participants in the Bonn Conference reconvened there to review the progress made so far and to reaffirm their commitment to the peace process in Afghanistan. Mr. Brahimi, who attended the meeting, has asked me to express his gratitude to the Government of Germany for organizing that anniversary conference. The participants rightly took note of the many achievements of the past year.

Looking ahead, however, they identified a number of specific challenges. These include the importance of building a national army and national police that are effective and ethnically balanced; the need to intensify efforts to combat the production and trafficking of drugs; the need to develop a culture of respect for human rights and the national mechanisms to monitor and investigate violations; the need to continue efforts to create a legal and institutional framework conducive to national development; the need for the international community to strengthen Afghan ownership of the reconstruction and development process and to endorse the use of the budget as a central tool of policy-making; the need for the Afghan Government and the international community to consult to establish clear benchmarks and time lines to ensure the full implementation of the Bonn Agreement; and the importance of the preparation of a new constitution and the preparation for free and fair elections, scheduled to be held by June 2004.

Finally, I am pleased to inform the Council that, as discussed at the Bonn meeting, Afghanistan and its neighbouring States have agreed to sign, on 22 December in Kabul, an agreement on good-neighbourly relations, mutual cooperation and non-interference in their respective internal affairs. This is, of course, a very welcome signal of commitment on the part of the States concerned to ensuring that relations between Afghanistan and its neighbours will contribute to regional stability and development.

As this summary indicates, many challenges remain, but with the continued commitment of the international community progress towards these goals is achievable. One clear example of this has been the recent significant decisions taken on the creation of a new national Afghan army. In accordance with the agreements reached by the various factions participating in the national Defence Commission last month, President Karzai signed a decree on 1 December establishing an Afghan national army of

70,000 of all ranks that is foreseen to be unified, under civilian control and staffed on the principles of merit and ethnic balance. The main elements of that decree are included in a fact sheet which, I believe, was distributed to members of the Council yesterday and we, of course, have the full text of the decree available to those members of the Council who may not have seen it.

Having said that, the realization of an effective national army requires unity among all international actors. It is essential that the international community provide both political and financial support to the reform of the security sector, which is vital to the peace process. For this purpose, a letter will shortly be forwarded by the Special Representative to prospective donor countries seeking contributions to the United Nations-administered Trust Fund.

In the absence of an effective national force, the lack of security across the country remains a major concern. In Kabul, during the reporting period there was an increase in the number of armed robberies, car thefts and murders. At the end of November, six rockets were fired into the city; fortunately, there were no casualties, but these events have unsettled the city's population.

In the North, a formal commitment signed by General Dostum and General Atta to refrain from violence has so far resulted in a reduction in the number of incidents of factional fighting. The West, however, has again seen heavy fighting between forces belonging to the Governor of Herat, Ismael Khan and a local Pashtun leader, Amanullah Khan. Many casualties were reported on both sides. A delegation from the Government managed to negotiate a ceasefire on 3 December, but the situation is still very fragile. Fighting has broken out between the two sides several times this year and the bitter rivalry between Ismael Khan and Amanullah Khan does not bode well for long-term peace in that area.

In Kandahar, tribal rivalries, which have been simmering since the fall of the Taliban last year, came to a head when forces belonging to Governor Gul Agha, from the Barakzay tribe, sought to disarm police under the command of General Akram, from the Alokozai tribe. Three people were killed and several others injured. The dispute over responsibility for security and law and order in the city remains unresolved.

In the Southern province of Uruzgan, several prominent Taliban leaders were recently arrested by the local intelligence agency and accused of seeking to revitalize the Taliban movement. The matter is being investigated by the local authorities. United Nations premises were damaged for the fourth time this year when two grenades were thrown into the compound of the office of the United Nations Assistance Mission in Afghanistan (UNAMA) in Gardez. Fortunately, no one was injured. However, international staff and some national staff who do not live in the area had to be temporarily withdrawn to Kabul. This office, located in a critical Pashtun area, has now reopened following the end of Ramadan.

During the reporting period, President Karzai issued a decree to dismiss 20 civil servants, including in the provincial Governments, for corruption or abuse of office. While this important signal of the central Government's intent to reinforce its authority and inculcate good practices throughout the civil service was warmly received by the public, its full implementation has proved difficult. Corruption remains a significant problem, which will require not only time and dedicated leadership before it can be solved, but also economic progress and an improvement in living standards.

A key part of the Government's strategy to assert its authority depends on its ability to raise domestic revenue. The President's decree on corruption also addressed the need for public income to be transferred from the provinces to the national treasury and for customs houses to be reformed. Until now, the central Government has had limited success in gaining control over these important resources.

The commander of the coalition forces in Afghanistan recently briefed UNAMA on plans to deploy teams — referred to as joint regional teams — outside Kabul. The teams would comprise 50 to 70 officers and would work with central and local Government and international actors to assist in various aspects of the reconstruction and recovery process. Mr. Brahimi has indicated that UNAMA would certainly cooperate and coordinate with the teams. It is UNAMA's understanding that the function of the teams will be adjusted in the light of experience on the ground. UNAMA will, of course, report further on its cooperation with the teams as their role in the reconstruction and recovery process is refined.

With respect to the implementation of the Bonn Agreement, members of the Council may recall that the first Judicial Commission was dissolved by President Karzai amid concerns that its membership was not sufficiently independent. A new Judicial Commission was formed on 2 November 2002, comprising nine members, one of whom is a woman. To broaden its representation, the President recently added two members: a second woman and a man from an ethnic minority. Since its inauguration, on 28 November, the new Commission has embarked on its substantive work, and it is now preparing to participate in a pledging conference on the justice sector, which is being organized by the Italian Government in Rome, on 19 and 20 December.

The nine-member Constitutional Drafting Commission was formally inaugurated by the former King, Mohammad Zaher Shah, on 3 November. The members of the Commission, chaired by Vice-President Shahrani, are mostly legal scholars and jurists from a variety of ethnic and regional backgrounds and include two women. The Commission has established three subcommittees, for writing, researching and drafting the constitution.

In preparing the new constitution, the Commission will be guided by the 1964 Constitution, by Islamic principles and by international standards, as well as by Afghan legal traditions. The Commission considers the involvement of Afghan society to be crucial for the quality and the acceptance of the draft constitution as well as for furthering national reconciliation. The United Nations is supporting the work of the Commission by assisting in the establishment of its secretariat.

As members of the Council are aware, the Bonn Agreement calls for elections to be held by June 2004. There are a number of structural issues to solve in order for that complex process to be successfully completed in time. In particular, there are no formal electoral institutions, and there is no law regulating the activities of political parties. UNAMA is therefore exploring, with the Government, the prospect of establishing an electoral commission to define the basic rules and procedures of the electoral process. UNAMA, in close coordination with the Electoral Assistance Division of the United Nations, has met with various interlocutors to ascertain their views on various possible approaches to conducting the elections

and to stress the need to start the necessary preparations soon.

If it is established, the Afghan electoral body is expected to undertake consultations with political organizations regarding the decisions to be taken on electoral registration, the electoral calendar and the organization of electoral teams throughout the country. If the elections are to be held by June 2004, the Afghan electoral body will need to be established by early next year.

The Afghan Independent Human Rights Commission has been steadily developing its methods and practices in a joint project — involving UNAMA, the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights — that is being implemented in order to support the Commission in its work. The Commission held two workshops in November, with the first on human rights and the media and the second on human rights in constitutions. Modes of cooperation between the Independent Human Rights Commission and UNAMA on human rights investigations are also being further elaborated. The Commission is currently receiving capacity-building assistance from UNAMA and the Office of the High Commissioner for Human Rights in the field of the processing of petitions and complaints.

UNAMA and the Independent Human Rights Commission have jointly looked into the recent demonstrations by students at Kabul University. Those demonstrations, as members will recall, led to clashes with the police in which two students were killed and at least 15 were wounded. Poor living conditions at the university were the apparent source of discontent, though it was also alleged that that discontent had been manipulated and exacerbated by political groups. Investigations are still under way, but a preliminary analysis points towards excessive use of force by the Afghan police. Following the incident, President Karzai immediately established a commission of inquiry.

The Council is also aware of another human rights issue that UNAMA is following: that of the mass graves at Dasht-i-Layli. UNAMA has been investigating reports of alleged serious abuses — including harassment, arbitrary detention, torture and extrajudicial execution — against Afghans who are believed to be in possession of information relating to

the circumstances surrounding the Dasht-i-Leily grave site. Recently, in cooperation with the Independent Human Rights Commission, a UNAMA team met with General Dostum, visited the intelligence detention centre in Shiberghan and obtained the release of two inmates who were being held without charge, apparently because they were witnesses to the events that had taken place at Dasht-i-Leily. A forensic specialist arrived recently to assess technical, financial and security requirements for a full-scale forensic investigation.

The main patterns of reported human rights abuses continue to be intimidation and violence by regional and local commanders against civilians, intimidation and violence against women and persecution of minority groups. UNAMA has verified a number of serious human rights violations. In the north, as I just mentioned, UNAMA has been investigating the alleged intimidation of witnesses and is interceding with the authorities to ensure respect for human rights. UNAMA also recently looked into the situation of discrimination against the Gujurs, an ethnic minority of about 100,000 people who live in the three north-eastern provinces of Takhar, Baghlan and Badakshan and who have been persecuted by local commanders. To help to deal with the problem, UNAMA assisted in the establishment of a local commission, with Government, military and local participation, to address those violations and to take corrective action on complaints.

In Wardak province, UNAMA teams have investigated the recent rocket attacks on four schools for girls that took place near Kabul in late October. Prior to the attacks, teachers had reported that some of their female students had been threatened on their way to school by unknown armed men. Leaflets had been circulated condemning education for girls. Preliminary elements of UNAMA's inquiry point to the possibility that local officials may have been involved in those events.

As indicated by Mr. Brahimi in his last briefing to the Council, UNAMA's relief, recovery and reconstruction pillar has been focusing on the issue of winter preparedness. The Ministry of Rural Rehabilitation and Development has established a winter task force, bringing together the Government, United Nations agencies, bilateral agencies and non-governmental organizations. The goal of the task force is to ensure that the provision of assistance to some 2.2

million highly vulnerable Afghans is effectively coordinated. This vulnerable population, mainly living in the north and the west, and in the central highlands, has been receiving emergency food aid and assistance for shelter during the difficult winter months. Some 44,000 metric tons of food, accounting for about 95 per cent of winter needs, have been pre-positioned throughout the country. The remaining 5 per cent will be distributed to the regions before the end of December. Emergency repairs are also ongoing to keep the Salang tunnel open during the winter season. This is critical in ensuring that the northern and southern parts of Afghanistan remain linked by road and that assistance can be delivered. Donors have made generous contributions to agencies to ensure funding for most of the needs.

While these preparations are ongoing, we recognize the need for continuous monitoring of the scope of winter requirements. The recent death of 10 children at an internally displaced persons camp at Spin Boldak due to a sudden severe drop in temperature tragically illustrates the need for constant vigilance. In that particular case, the Office of the United Nations High Commissioner for Refugees and the Afghan Government are sending additional blankets, clothing, stoves and fuel to the camps at Spin Boldak. More broadly, the United Nations is reviewing its winter preparations in response to reports from a number of provinces that the onset of winter is generating greater than expected demand for winter support.

As was reported in October, the Government's National Development Budget constitutes an important framework for the prioritization of international assistance to Afghanistan. Building on this, the Government and the United Nations family have agreed on joint programme reviews to determine performance indicators and goals to be achieved in order to meet national priorities. An inter-ministerial commission, including the Ministries of Finance, Planning and Reconstruction, as well as relevant line ministries and UNAMA, has reviewed progress achieved in 2002 by United Nations agencies and the strategic priorities for 2003. These meetings were a good example of how the United Nations and the Government can develop innovative ways to ensure that their efforts are mutually supportive.

A similar review process has led to the completion of the 2003 United Nations Transitional Assistance Programme for Afghanistan for the period January 2003 to March 2004. The progress reflects an agreed view of the Afghan Government and the United Nations assistance agencies on the latter's role in responding to national priorities over the next 15 months. The programme goes beyond humanitarian priorities to address underlying causes of the crisis — poverty, debt, environmental degradation and insecurity — as well as urgent recovery and reconstruction priorities. A key objective of the programme is to strengthen the Transitional Administration's capacity to direct the recovery effort at the national and provincial levels. The 2003 programme seeks \$815 million, covering the period January 2003 to March 2004, of which \$67.5 million is for refugee programmes in Pakistan, Iran and Central Asia. It will be officially launched at the Afghanistan Support Group meeting scheduled to be held in Oslo on 17 and 18 December 2002.

The Government of Afghanistan has continued to implement its crucial currency exchange operation. Although the pace of exchange has been quite high, an estimated 50 per cent of old bank notes remain in circulation. In some provinces, the supply of new afghanis could not be replenished due to logistical difficulties. In other areas, money traders reportedly hoarded the new currency or refused to accept denominations of the old currency. The Government has extended the deadline for exchange until 2 January

2003 to allow the public sufficient time to convert their old afghanis.

In conclusion, I would like to say that the progress that I have reported today is encouraging. It continues to demonstrate the robustness of the Bonn process. At the same time, what has been achieved — and more important, what remains to be achieved — depends on continued improvements in the security situation. The extension of the authority of the central Government, the ability to deliver humanitarian and reconstruction assistance and the protection of human rights are contingent upon a secure environment throughout the country. One year after the Bonn Agreement, the Afghan people and the international community have much to be proud of. But as the Secretary-General and Mr. Brahimi have consistently stated, we have not reached a point where the international community can afford to lapse into a state of complacency.

The President (*spoke in Spanish*): I thank Mr. Annabi for his very useful briefing with respect to this agenda item.

In accordance with the understanding reached in the Council's prior consultations, I invite Council members to hold informal consultations to continue our discussion of the item, following the adjournment of this meeting.

The meeting was adjourned at 10.50 a.m.