



Security Council

Seventy-sixth year

8941st meeting

Wednesday, 22 December 2021, 9 a.m.

New York

Provisional

<i>President:</i>	Mr. Abarry	(Niger)
 <i>Members:</i>		
	China	Mr. Zhang Jun
	Estonia	Mr. Lipand
	France	Mrs. Gasri
	India	Mr. Tirumurti
	Ireland	Ms. Byrne Nason
	Kenya	Mr. Abbas
	Mexico	Mr. Ochoa Martínez
	Norway	Ms. Syed
	Russian Federation	Ms. Evstigneeva
	Saint Vincent and the Grenadines	Ms. Mark
	Tunisia	Mr. Ladeb
	United Kingdom of Great Britain and Northern Ireland	Dame Barbara Woodward
	United States of America	Mr. DeLaurentis
	Viet Nam	Mr. Pham

Agenda

Threats to international peace and security caused by terrorist acts

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The meeting was called to order at 9.05 a.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2021/1080, which contains the text of a draft resolution submitted by the United States of America.

The Council is ready to proceed to the vote on the draft resolution before it.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. DeLaurentis (United States of America): The Security Council has a critical role to play in helping to address the suffering of the Afghan people and provide reassurance to United Nations and non-governmental organization implementers who are working hard to tackle the worsening humanitarian crisis in Afghanistan. An estimated 24 million vulnerable Afghans are facing increasing food insecurity, in particular with the onset of winter. This is unfortunately not a new situation for the people of Afghanistan, but their suffering is even more acute this year, and the humanitarian community believes that they will require ongoing assistance.

The United States appreciates the dialogue with Member States, the Office for the Coordination of Humanitarian Affairs, UNICEF, the International Committee of the Red Cross and a wide range of other aid organizations on the importance of, and challenges associated with, delivering critical humanitarian assistance to the people of Afghanistan since 15 August 2021. That is a dialogue that we hope will continue.

We fully understand that some donors, aid organizations and financial institutions are still hesitant to deliver humanitarian assistance and undertake other activities to meet basic human needs in Afghanistan due to the risks associated with providing direct or indirect benefits to United Nations-listed individuals who now control certain ministries. They have rightly assessed that the provision of such assistance could run afoul of United Nations sanctions against members of the Taliban and associated persons and entities.

Through the draft resolution we have proposed today (S/2021/1080), the Security Council can decide to exempt humanitarian assistance to enable more life-saving aid and other activities to meet the basic human needs of the people of Afghanistan. Specifically, the draft resolution provides an exemption from the Security Council assets freeze against listed members of the Taliban and associated entities, solely for the provision of humanitarian assistance and other activities that support basic human needs in Afghanistan, which the Council will review in one year. We should be clear that this humanitarian exception is to facilitate aid to the people of Afghanistan, but it is not a blank check for any organization to disregard its international obligations.

Because of the uncertainty in Afghanistan, the draft resolution also requests the Emergency Relief Coordinator to periodically brief the security Council on the delivery of such assistance, including any obstacles. Specifically, the text requests the Emergency Relief Coordinator to brief the Council on humanitarian assistance-related payments to designated parties, any diversion of funds by the same and any other obstacles to the provision of that critically important assistance. That will be critically important as the Council continuously assesses whether modifications are necessary, including when the Security Council reviews the adopted resolution next December.

We hope everyone on the Council will support the draft resolution, and through it the people of Afghanistan. We have done our best to take into account the varying views expressed by members of the security Council during the course of negotiations. We are confident that the draft resolution will enable the delivery of humanitarian assistance and other assistance to meet basic human needs in Afghanistan, where sanctions remain a critical component of the international community's efforts to address the ongoing challenges to security and stability. We ask that members vote to support it.

The President (*spoke in French*): I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

China, Estonia, France, India, Ireland, Kenya, Mexico, Niger, Norway, Russian Federation, Saint Vincent and the Grenadines, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President (*spoke in French*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2615 (2021).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. DeLaurentis (United States of America): The United States welcomes the adoption of resolution 2615 (2021), which will enable the international community to move forward with a broad range of critical humanitarian assistance and other activities to meet basic human needs of the Afghan people. This carve-out covers urgently needed humanitarian assistance and other activities that support basic human needs in Afghanistan, such as those that primarily benefit poor or at-risk populations, or otherwise relieve human suffering, including activities related to shelter and settlement assistance, food security, education, livelihood support, energy, water, sanitation, health, including assistance related to the coronavirus disease, nutrition and hygiene among, others. The carve-out for humanitarian assistance and other activities that support basic human needs provided by the resolution is intended to cover the activities contemplated in the United Nations transitional engagement framework for Afghanistan.

The resolution also includes important reporting requirements for humanitarian assistance providers and for periodic updates by the Emergency Relief Coordinator to be provided to the security Council. It is essential for the Security Council to receive regular updates on the implementation of the resolution. Such information is critical to enabling sufficient oversight to ensure that assistance is reaching the intended beneficiaries by mitigating diversion. The reporting requirements will also ensure any future adjustments to the carve-out are based on realities on the ground.

The Security Council calls on humanitarian assistance providers and those undertaking activities to meet basic human needs to employ risk management and due diligence processes and to make all reasonable efforts to ensure that assistance is not diverted to United Nations-listed individuals or otherwise misused or misappropriated. The adoption of the resolution highlights how United Nations sanctions regimes can be flexible and adjusted to address urgent issues, such as humanitarian crises, while remaining viable tools to address threats to international security.

We believe the role of the United Nations in coordinating humanitarian operations in Afghanistan is more critical than ever. The United States will continue to do its part to support the Afghan people, while also holding the Taliban accountable for following through on its commitments.

Ms. Byrne Nason (Ireland): We welcome this morning's adoption of resolution 2615 (2021), which provides a much-needed and unequivocal exemption to the sanctions imposed under the resolution 1988 (2011) Taliban sanctions regime. It provides clarity and will facilitate and accelerate the provision of vital life-saving and life-sustaining humanitarian assistance into Afghanistan.

The dire humanitarian need in Afghanistan has been the shared focus of the Security Council for some months. We have been repeatedly warned of the magnitude and gravity of the humanitarian crisis by Special Representative of the Secretary-General Lyons, by United Nations agencies and, most importantly, by the people of Afghanistan. They have been clear that winter has arrived and millions are now facing acute hunger. Women-led households have been particularly impacted, and children are facing malnutrition and starvation.

While the Taliban continues to bear the primary responsibility for the conditions facing the people of Afghanistan, the international community and the Council had to take action in the face of one of the world's worst humanitarian crises. Today the Council has stepped up and finally delivered on our obligation to facilitate the urgent and very necessary humanitarian response. The next step is to ensure that humanitarian assistance, which is now required at unprecedented levels, be delivered to every person in need. We reiterate our call — clearly stated in the resolution — that all actors must ensure full, safe and unhindered access to all humanitarian workers regardless of gender.

In welcoming the adoption of this text this morning, Ireland remains clear-eyed as to what must yet be done. We recognize that this text could — and should — be stronger in acknowledging and addressing the plight of women and girls in Afghanistan. We know, from the first-hand testimonies of Afghan women, that they have been disproportionately affected by the economic and humanitarian crises and face greater barriers to obtaining food and accessing health-care services. Their burdens and the risks they take to raise

their voices will remain Ireland's focus as the Council continues to respond to the situation in Afghanistan.

I want to be clear that, in our view, the one-year timeline for the review of the humanitarian exemption is not intended in any way as one year of license to the Taliban, and neither is this one year when we will not insist that they be held to account. Their actions to date have shown open disregard for the norms and values we uphold, in particular in relation to human rights and gender equality. This exemption is to immediately provide support to the people of Afghanistan, who are in dire need — nothing more. We will continue to consider our next steps in the light of the ongoing needs of the Afghan people. And we will remain vigilant in relation to the actions, not the words, of the Taliban.

Mr. Zhang Jun (China) (*spoke in Chinese*): The current situation in Afghanistan is at a critical stage, facing multiple, arduous and complex challenges. The most urgent task is to help Afghanistan mitigate the humanitarian crisis as soon as possible and to stabilize and restore its economy.

As a friendly neighbour of Afghanistan, China has always been highly concerned about its well-being and has been working actively to help the Afghan people. We also commend and appreciate the work done by the United Nations and the various humanitarian agencies. China has stressed time and again that it supports the United Nations in playing a greater coordinating role and calls on all international partners to increase aid to Afghanistan.

We recently learned that, due to the existing international sanctions, some international humanitarian aid agencies are not sure if they will be able to continue to provide humanitarian assistance to Afghanistan in the new circumstances. We find such concerns warranted, because humanitarian assistance should have no strings attached to it and should not be politicized in any circumstances. The sanctions imposed by the Security Council target only certain individuals and entities, not the Afghan people at large. Nevertheless, as long as the appropriate actions of the Security Council help to clarify doubts and facilitate the delivery of humanitarian assistance to Afghanistan in a timely, smooth and unfettered manner, China will certainly consider them favourably.

However, it bares highlighting that the original draft text deviated from the right track. Not only did it not facilitate the delivery of humanitarian assistance

to Afghanistan, but it also added to the obstacles. Resolution 2615 (2021) posits that of all aid activities, only those carried out within a certain period of time do not violate Security Council sanctions. It also sets up an onerous reporting mechanism for humanitarian aid agencies and incorporates many other irrelevant provisions that may restrict economic cooperation with Afghanistan.

We believe that any action of the Security Council should genuinely promote and facilitate humanitarian assistance to Afghanistan, instead of setting arbitrary restrictions and conditions. In particular, the resolution stipulates that humanitarian assistance to Afghanistan will not violate the relevant Security Council resolutions only if it falls within the time limit set by the Security Council. This is a most problematic position from the legal, political and logical point of view.

China is convinced that humanitarian assistance to Afghanistan should stay committed to the right track and direction. To that end, China was constructively involved in the consultations by putting forward specific amendments. We are very pleased that the final text incorporates the views of the Chinese side and clarifies some key issues. The resolution expresses appreciation for the efforts of the international community to provide humanitarian assistance to the Afghan people since 15 August. It explicitly states that its intention is to provide clarity to ensure the continued provision of assistance in the future, that humanitarian assistance and other activities that support basic humanitarian needs in Afghanistan are not in violation of the sanctions resolutions of the Council, and that all related financial activities and the provision of goods and services are permitted. We trust that with the adoption of the resolution, the confusion surrounding humanitarian assistance to Afghanistan and the obstacles to its continued delivery will be cleared up once and for all.

To borrow an analogy, the resolution only fixes a blocked faucet, but if the pipeline is to be filled with water, responsibility-sharing on the part of the international community is still needed. The United Nations appeal for humanitarian assistance to Afghanistan for next year has reached a historical high of \$4.5 billion dollars, but there is great uncertainty about its materialization. We call on the international community, especially major donor countries, to step up assistance by actively providing financial support. The countries that caused the current dilemma in

Afghanistan are more obliged than others to take the lead and assume the primary responsibilities.

Moreover, compared with the humanitarian crisis, the economic crisis facing Afghanistan is a more fundamental problem. At present, Afghanistan's economy is seriously short of liquidity and on the verge of collapse. In such circumstances, unilateral sanctions — especially the freezing of overseas assets — have become a bottleneck problem that cannot be ignored. The countries concerned cannot continue to freeze substantial Afghan overseas assets while claiming to promote humanitarian aid to Afghanistan. We call once again for the unfreezing of Afghanistan's overseas assets as soon as possible. Those assets should be returned to their real owners and cannot be used as a bargaining chip for threat or coercion.

Humanitarian assistance should be used only to address urgent needs, whereas helping Afghanistan to revitalize its economy and development is the fundamental solution. The international community should maintain contact and actively guide the Afghan Taliban, help the interim Afghan Government structures to maintain the normal operation of its agencies, maintain security and stability, and promote economic and social recovery and reconstruction. In the face of fundamental changes in Afghanistan's domestic situation, the Council should seriously reconsider the existing sanctions regime against the Afghan Taliban so as to prevent any negative impact on Afghanistan's economic and social development.

As a friendly neighbour and sincere friend of Afghanistan, China has been providing support, within its capacities, for Afghanistan's peaceful reconstruction and economic development. China's assistance in terms of food, livelihoods, medical care and other overwintering materials and coronavirus disease vaccines is being continuously transported to Afghanistan. Furthermore, China has effectively helped the Afghan people by expanding bilateral trade. Over the past two months, thousands of tons of Afghan pine nuts have been marketed to China through a pine nut air corridor, generating more than \$16 million for the Afghan people. Going forward, China will continue to promote the export of Afghan agricultural products, such as saffron, to China and play a greater role in helping Afghanistan's economic reconstruction through concrete action.

With respect to advancing peace and development in Afghanistan and providing assistance to the Afghan

people, what we need is leadership and guidance in action rather than in words.

Mr. Tirumurti (India): India supported the adoption of resolution 2615 (2021) to grant exemption from sanctions for humanitarian assistance to Afghanistan, and I would like to submit our explanation of vote.

The humanitarian situation in Afghanistan is dire. We have seen reports that suggest that over half the population is facing crisis or emergency levels of acute food insecurity. Humanitarian assistance is required urgently to meet the basic food needs of the people, and most of the country is falling below the poverty threshold. The winter is already upon us. It is important that assistance be scaled up urgently and that unhindered access be provided to the United Nations and other agencies.

In that context, India has supported the call of the international community that access to humanitarian assistance for Afghanistan should be direct and without any hindrance. Humanitarian assistance should be based on the principles of neutrality, impartiality and independence. The aid should be accessible to all and must be distributed in a non-discriminatory manner, irrespective of ethnicity, religion or political belief. In particular, assistance should reach the most vulnerable first, including women, children and minorities. The Council should also oversee its delivery and guard against the diversion of funds. That is essential since any diversion or misuse can be counterproductive. In that regard, we welcome the provision in the resolution that calls for a review of the implementation of the humanitarian carve-out after one year.

Over the past two decades, India has contributed significantly to the development of Afghanistan. We recently airlifted half a million doses of vaccines and 1.6 metric tons of life-saving medicines. We are also in the process of sending more medicines and food grains. India is ready to deliver urgent humanitarian aid — consisting of food grains and medicines — to the people of Afghanistan. We remain steadfast in our commitment to provide humanitarian assistance to the people of Afghanistan. We call on the international community and the countries of the region to come together and rise above partisan interests. As the largest regional development partner of Afghanistan, India is willing to coordinate with other stakeholders to work towards enabling the expeditious provision of much-needed assistance to the people of Afghanistan.

While the situation of Afghanistan is in flux, the expectations of the international community vis-à-vis the country were set out clearly in resolution 2593 (2021), which lays down the requirement in terms of the fight against terrorism, where it notes the commitment of the Taliban not to allow the use of Afghan soil for terrorism, including from terrorists and terrorist groups, as designated under resolution 1267 (1999). It also set forth the expectations of the international community with regard to an inclusive and representative political set-up, with the participation of diverse political and ethnic groups in the country, and the importance of upholding human rights, including those of women, children and minorities. Going forward, even as we cater to the immediate humanitarian needs of the people of Afghanistan, our approach to Afghanistan will be guided by the commitments expected from resolution 2593 (2021) and our long-standing friendship with the people of Afghanistan.

Mrs. Gasri (France) (*spoke in French*): France voted in favour of resolution 2615 (2021) because it seeks to respond to the needs of the Afghan population, which are immense. We are doing our part in the humanitarian response for Afghanistan, pledging €100 million at the Geneva Conference on Afghanistan. We will continue to be mobilized on the humanitarian front.

But the Security Council has a responsibility to ensure that humanitarian assistance will be delivered to all those in need in accordance with humanitarian principles and without any diversion towards the Taliban. We must also ensure that the Taliban will guarantee the security of humanitarian assistance and uphold their obligations under international humanitarian law and international human rights law, including with regard to women and girls.

The idea is not to restrict or condition humanitarian assistance, but rather to be sensible in the light of decades of armed combat and Taliban collusion with Al-Qaida. The Taliban must show their readiness to meet the expectations of the Security Council under resolution 2593 (2021). We cannot let them profit from the suffering of the people of Afghanistan.

That is why we believe that it was a mistake to remove the time limit for humanitarian exemptions in the text negotiated in full transparency among the members of the Security Council. We regret that important modifications such as these, on a subject under consideration for several weeks, were made at the last minute by the United States without any

consultation, and they were then presented as a cosmetic change. The provision for review of the resolution one year after adoption is critical, and the Security Council should review its decision on the basis of the situation on the ground.

Lastly, I want to clarify that this humanitarian exemption excludes development activities and covers only humanitarian assistance and other activities to meet basic human needs. The Taliban, who bear the responsibility for exacerbating the humanitarian situation and elevating the risk of economic collapse, should not benefit from direct financial support.

Ms. Evstigneeva (Russian Federation) (*spoke in Russian*): The Russian Federation supported resolution 2615 (2021), on providing humanitarian assistance to Afghanistan in the context of the sanctions regime of the Security Council Committee established pursuant to resolution 1988 (2011).

We note that agreeing on this resolution was not an easy process. In the course of working on the text, we were guided by a single goal — to help the Afghan people to receive immediate humanitarian assistance, which is essential to preventing disaster in the country. Our premise was that the text of the document should be brief, but its contents should be pithy. Most important — and this is ultimately spelled out in the resolution — providing humanitarian assistance is not a violation of the 1988 sanctions regime. Humanitarian agents and donors can continue to provide assistance without fearing restrictions, and humanitarian assistance can flow through all channels to Afghanistan. For us, that was obvious even before. However, even a shadow of a doubt could have led to limiting the volume of assistance and to additional suffering for the people of Afghanistan.

We expect that the adopted resolution will make it possible to significantly increase the volume of humanitarian assistance, with the participation of the United Nations humanitarian agencies, donors and regional organizations, as well as on a bilateral level. That assistance must be provided to Afghans quickly and without any kind of precondition. We are glad that the new authorities understand the importance of this work and have demonstrated their readiness to cooperate in order to provide assistance more expeditiously to all those in need, especially women and children, who find themselves literally on the brink.

We are convinced that, in the long term, without unfreezing Afghanistan's assets, it will not be able to overcome the current crisis. For the past 20 years, the country has been completely dependent on international financial assistance and was ultimately unable to get back on its feet. Doctors, teachers and other workers need money. Banks too need money. Lack of liquidity in banks has led to a paralysis of the economy.

We call on the United States and other Western donors to return funds to Afghanistan. Any further delay risks additional destabilization, more victims, an increase in migration terrorist activity and drug production. The Russian Federation continues to support the people of Afghanistan — not through words alone, but also through actions. In the current reporting period, we sent our second aircraft with humanitarian assistance to Afghanistan. A third is being readied. At the same time, we understand that humanitarian aid should not be used by those linked to terrorists or by terrorist groups themselves, as designated in the sanctions list of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), concerning the Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities.

Mr. Lipand (Estonia): Estonia welcomes the adoption today of resolution 2615 (2021), on Afghanistan. We firmly believe that it is the obligation of the Security Council to respond to the needs of the people of Afghanistan, which are increasingly grave and urgent, and the requests of the humanitarian community that is active there.

By adopting this resolution, the Council has emphasized its expectation that the Taliban will respect and uphold the norms and standards of international law, including international human rights law, and constitutional protections for the rights of all persons in Afghanistan, particularly women, girls and minorities. The Council has stressed that the accrual of any benefits to individuals or entities designated by the Security Council Committee established pursuant to resolution 1988 (2011), whether as a result of direct provision or diversion, must be avoided. The mechanisms therein are established just for that — to guarantee that any exemptions would not benefit those under sanctions but would instead help aid reach those most in need, namely, the Afghan people.

Estonia's elected membership and penholdership in the Council is ending shortly. However, our long-

term priority of supporting the people of Afghanistan will continue also after our duties in the Council have ended.

Dame Barbara Woodward (United Kingdom): The United Kingdom welcomes the adoption of today's resolution, which creates a humanitarian exception to enable the delivery of desperately needed aid into Afghanistan (resolution 2615 (2021)).

Afghanistan is facing the world's largest food-security crisis. Over 20 million people, half the population, are in need of urgent assistance. Donors and the public have responded generously. The United Kingdom has doubled aid for Afghanistan this financial year to £286 million. We welcome the global effort to finance the United Nations flash appeal and, most recently, the decision by members of the Organization of Islamic Cooperation to step up their efforts.

At the same time, we have a shared responsibility to put in place the means to deliver aid efficiently and effectively where it is most needed. This resolution will help save lives by ensuring that the sanctions regime established under resolution 1988 (2011) poses no obstacle to the provision of humanitarian assistance and other activities that support basic human needs in Afghanistan. This directly responds to what the humanitarian community told us they needed.

We must ensure that the Council continues to strike a balance between enabling life-saving aid and minimizing the risk of accrual of any benefits to individuals or entities designated on the 1988 sanctions list. The Security Council will review after a year.

We welcome the assurances given by the Taliban to allow humanitarian access and their commitment not to tax aid. That is vital to ensure as many Afghans as possible are able to benefit from assistance, including the most vulnerable, such as women, girls and members of minorities.

Finally, I want to pay tribute to all those across the United Nations family, including the United Nations Emergency Relief Coordinator and his team, the Special Representative of the Secretary General and her team and the countless humanitarian actors in Afghanistan and outside for all that they are doing to scale up the response. I would like to express our solidarity with the Afghan people at this time of extreme hardship.

The meeting rose at 9.45 a.m.