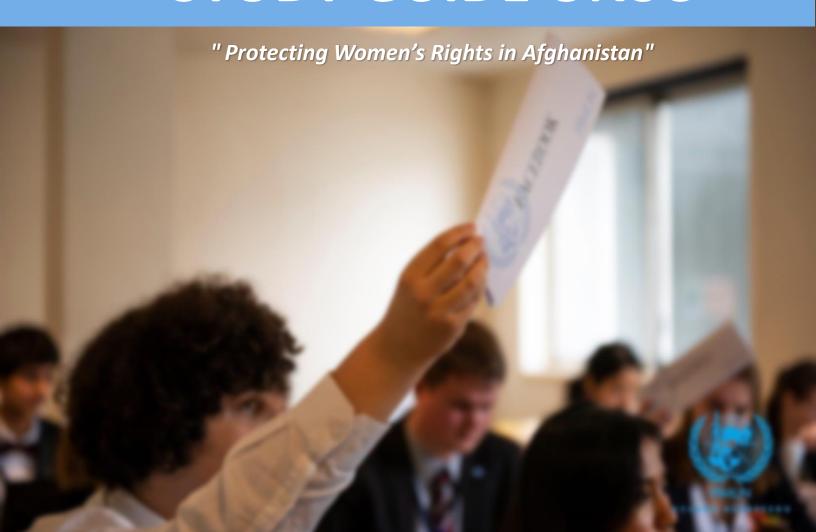


# STUDY GUIDE UNSC



#### UNSC: Protecting Women Rights In Afghanistan

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### INTRODUCTION TO THE CHAIRS

Hi, my name is Tara Shokouhzadeh, I am a Paris native and a student at the University Paris 1 Panthéon-Sorbonne in my last year of a bachelor in philosophy and sociology. I started MUNs as a delegate three years ago and have attended conferences around Europe and France. In 2021, I co-founded the Sorbonne's new MUN society, Sorbonne Model United Nation - SOMUN in which I have trained delegates and organised many events around diplomacy and International Relations. As a Parisian, I would be happy to help you find the best places to go out and have fun during your stay in our great city.

Hi, my name is Charvi Duggal, I am from India and a student of final year Law. I started my journey of MUNs 12 years ago with an experience of around 150 MUNs. I am currently the oldest active female chair in the Indian MUN circuit. I have received laurels through various international awards in this field at both national as well as international levels. I wish to pursue my career in International Law.

#### **Welcome Note:**

Model United Nations helps you to develop your public speaking skills, raise awareness towards global issues, you meet a lot of friends, thus, it helps you to grow contacts and last but not the least it helps you to it helps you to develop as a human being. Therefore, We would like to congratulate you for entering into the right platform for your growth. The chairs are expecting heated debates along with productive solutions for the problems that are to be discussed. We hope to see you on the day of the conference. Please note that while you are in the committee, you are world leaders, and we would emphasise upon your diplomacy. Preserving world peace, security and international cooperation has been an integral part of the formation of the United Nations itself. However, the present scenario needs future leaders to negotiate upon the issues of world importance. Model United Nations brings to you the platform wherein you research, understand, manipulate and negotiate. Through this conference, we hope that you develop as a "superhero" for humanity and a "saviour" of global crisis like threats of mass surveillance and lack of privacy. We promise a fruitful debate coming your way.

### INTRODUCTION TO THE COMMITTEE-UNSC

The United Nations Security Council has been mandated to uphold its primary responsibility for protection of International Peace and Security and collective security. Such has also been highlighted under Article 1 of the UN Charter. The Security Council is one of the six principal organs of the United Nations established as a result of the aftermath of World War II.

### Mandate

The Security Council has in its mandate to furnish matters pertaining to disarmament, peacekeeping missions, protection of human rights, political deliberations and humanitarian crises. Currently, the mandate of the United Nations Security Council has been modified, especially after inculcating 2030 Agenda of Sustainable Development (2030 Agenda) to discuss the parallel between sustainability, peace and security. The same has been discussed at the meeting on 17 November 2015 as the Security Council focused upon refining its goals post 2015 Sustainable Development Goals. United Nations Security Council mainly discusses issues relevant to sustainable development, protection of human rights and protection of civilians during conflict zones, prevention of conflict and prevail peace through protecting humanitarian rights. Security Council decisions are obligatory in nature as Article 25 of the United Nations Charter gives power to the Security Council to draft binding resolutions which becomes a requisite to be necessarily followed by all the member states or concerned member states. The Council's position may be addressed by the President of the Security Council through Press Release to address essential concerns and recommend possible solutions concerning the current situation or crisis.

<sup>&</sup>lt;sup>1</sup> Council on Foreign Relations, CFR Backgrounders: The UN Security Council, 2015; Encyclopaedia Britannica, United Nations Security Council, 2014.

<sup>&</sup>lt;sup>2</sup> UN General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1), 2015; UN DPA, Politically Speaking, Sustaining peace, Conflict Prevention, Human Rights and Sustainable Development High on Agenda for New Security Council Members, 2018.

<sup>&</sup>lt;sup>3</sup> Lebada, UN Security Council Discusses Links with 2030 Agenda, SDG Knowledge Hub, 2015.

<sup>&</sup>lt;sup>4</sup> UN DPA, Politically Speaking, Sustaining Peace, Conflict Prevention, Human Rights and Sustainable Development High on Agenda for New Security Council Members, 2018.

<sup>&</sup>lt;sup>5</sup> UN Security Council, What is the Security Council? 2018; Charter of the United Nations, 1945, Art. 25.

<sup>&</sup>lt;sup>6</sup> NGO Working Group on Women, Peace and Security, Mapping Women, Peace and Security in the United Nations Security Council: Report of the NGOWG Monthly Action Points, 2009-2010, 2010, p. 11. 
<sup>7</sup> ibid. p.15.

### **Structure**

The United Nations Security Council consists of 15 members. out of these 5 are permanent members, they are also known as "Veto Owners" or "P5 Nations". These permanent members are: USA, France, China, Russia and UK. Alongside these 5 member states, there are 10 non-permanent member states appointed for the tenure of 2 years by the United Nations General Assembly. 8 These nations represent their region and foreign policies exhibiting leadership at an international platform. The presidency of the Security Council is held by each member for one month in alphabetical order. 10 The Security Council can be convened anytime by the president at the request of the member states. Consequently, the president also holds the power to call upon member states for a meeting in an urgent crisis, emergency or dispute situation. 11 The member states could extend an invitation to the observer nations who are not allowed to vote<sup>12</sup> but could submit their proposals or draft resolutions<sup>13</sup>. The observers are also welcomed to apprise the council regarding any contemporary issue ongoing in their territory. The United Nations Security Council has established various subsidiary bodies under Article 29 of the UN Charter comprising: the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, sanctions committees, and ad hoc committees, such as the Ad Hoc Sub-Committee on Namibia, etc. 14 The Security Council is also responsible for supervision of the Peacebuilding Commission (PBC). Each nation is granted one vote, and it requires a special majority (2/3) to pass a resolution. However, if any P5 nation says no, the resolution won't pass, this is known as exercise of "Veto Power".

### **Functions and Powers**

Knowing the functions and powers are extremely important to know what and in which manner could the Security Council perform in order to drive the required possible solution which must also be considered while delegates write their draft resolution. The powers and functions of

<sup>&</sup>lt;sup>8</sup> UN Security Council, Current members, 2022.

<sup>&</sup>lt;sup>9</sup> Bourantonis, The History and Politics of UN Security Council Reform, 2005, p. 6.

<sup>&</sup>lt;sup>10</sup> UN Security Council, Provisional Rules of Procedure of the Security Council (S/96/Rev.7), 1982.

<sup>&</sup>lt;sup>11</sup> UN Security Council, Repertoire of the practice of the Security Council, 2017.

<sup>&</sup>lt;sup>12</sup> Charter of the United Nations, 1945, Art. 31

<sup>&</sup>lt;sup>13</sup> UN Security Council, Provisional Rules of Procedure of the Security Council (S/96/Rev.7), 1982.

<sup>&</sup>lt;sup>14</sup> UN Security Council, Structure, 2022

UNSC are mentioned in Chapter V, VI, VII, VIII and XII of the UN Charter. These could be understood as follows;

Submit a special annual report to UNGA for	UNSC could investigate any issue which
consideration to maintain international peace	might endanger maintenance of international
and security. (Art. 24)	peace and security. (Art. 34)
	UNSC shall determine and make
	recommendations for threat to peace, breach
	of peace and act of aggression. (Art.39)
UNSC could call upon the parties to settle	UNSC would also ensure the adherence to
disputes amicably through alternative dispute	such measures. (Art. 41) without the use of
mechanisms, the procedure for such	arms but would include complete or partial
adjustments could also be provided by UNSC.	interruption of economic relations and of rail,
(Art. 33 & 36(1)) The case could again be	sea, air, postal, telegraphic, radio, and other
referred to UNSC and if the dispute still	means of communication, and the severance
persists, the parties could settle as it may be	of diplomatic relations. (Art. 41) In case of
considered appropriate. (Art. 37)	further failure UNSC could take actions such
	as demonstrations, blockade, and other
	operations by air, sea, or land forces of
	Members of the United Nations. (Art. 42)
UNSC may deliberate upon any dispute	UNSC could refer legal disputes to the
occurring, and has been reported by member	International Court of Justice. (Art. 36)
or non-member nations. (Art. 35)	
Member states of the UN could facilitate	UNSC is responsible for formulating, with the
UNSC with special agreement or agreements,	assistance of the Military Staff Committee
armed forces, assistance, and facilities,	referred to in Article 47, plans to be submitted
including right of passage, necessary for the	to the Members of the United Nations for the
purpose of maintaining international peace	establishment of a system for the regulation of
and security. (Art. 43)	armaments. (Art.26)
	Member states could assist UNSC for
	employment of contingents of that Member's

UNSC could make recommendations for	armed forces in case of necessity of use of
pacific settlement by itself or by regional	force (Art. 44). UNSC could also take
agencies of dispute in case alternative dispute	Military Measures and application of Armed
settlement or legal settlement is not available.	Forces with assistance from the Military Staff
(Art. 38 & 52)	Committee. (Art. 45,46 & 47)
UNSC could utilise regional arrangements or	UNSC shall approve the terms of Trusteeship
agencies for their enforcement and ascertain	agreements and assist the Trusteeship
information in such regards to maintain	Council, in return the Trusteeship Council
international peace and security. (Art 53 &	would undertake its obligation towards
54)	UNSC. (Art. 83 & 84)

### INTRODUCTION TO THE TOPIC

In April 2021, United States President Joe Biden announced the end of the war and the removal of American troops placed in Afghanistan which started in May of 2021. The Taliban then started to move towards Kabul, capturing key cities around Afghanistan like Zaranj, Kandahar, Herat.

On the 15 of August 2021, the Afghan Government fell after Taliban forces entered Kabul, and returned to power twenty years after their own fall. This sudden change of political situation in Afghanistan created a chaos that materialised at Kabul's Hamid Karzai International Airport, where thousands of Afghans, foreign nationals and diplomats rushed in order to be evacuated with the help of soldiers from the international coalition that were still present.

This unstable situation put half of the Afghan population in need of humanitarian assistance. The UN proceeded to relocate most of its activity to Almaty, Kazakhstan. At that point, the future of women rights under Taliban governance became unsure and unstable. Its leaders assured that woman will have rights "within the framework of Sharia law" and that "no discrimination and violence will be committed against women". Nevertheless, this statement can today be questioned by the course events that unfolded these past months. Firstly, they removed every poster ad where a woman was present in the picture. Secondly, in a statement made on the 19th of September of 2021 the Taliban mayor of Kabul stated that "the women working for the municipality will be replaced by men". Thirdly, Ahmadullah Wasiq, deputy-chief of the Taliban cultural commission stated that women will not be allowed to engage in any sport activity.

### A Condensed History of Women's Rights in Afghanistan

During the Durrani Empire (1747-1823) and the early Barakzai dynasty Afghan women customarily lived under gender segregation imposed by customs. While this was the case in all Afghanistan, the customs differed somewhat between regions and ethnic groups. Some Rulers of Afghanistan have attempted to increase women's freedom. For the most part, these attempts were unsuccessful. However, there were a few leaders who were able to make some significant, if temporary, changes in the 20th century. The first of them was King Amanullah, who ruled from 1919 to 1929 and made some of the more noteworthy changes in an attempt to unify as well as

modernise the country. He promoted freedom for women in the public sphere. King Amanullah stressed the importance of female education. Along with encouraging families to send their daughters to school, he promoted the unveiling of women and persuaded them to adopt a more western style of dress code. In 1921, he created a law that abolished forced marriage, child marriage, and bride price, and put restrictions on polygamy. His successor, however, reinstated the veil and repelled the reforms in women's rights, reinforcing gender segregation. <sup>15</sup>

After the Second World War modernization reforms were put in place by the government. In 1946 the government-supported Women's Welfare Association (WWA) was founded with Queen Humaira Begum as patron, giving school classes for girls and vocational classes to women, and from 1950 to 1951 women students were accepted at the Kabul University. The 1964 Constitution of Afghanistan granted women equal rights including universal suffrage and the right to run for office. In the 1980s to 1990s, the communist government's ideological enforcement of female emancipation in the rural areas took the form of literacy campaigns for women and compulsory schooling for girls, which was met with resistance in the Pashtun tribal areas. The Communists abolished patriarchal customs still prevalent in rural areas and raised the age of consent to marriage for girls to sixteen. In rural Afghanistan, gender segregation was a strong part of local culture. To attend school girls would have to leave home, and school was therefore seen as a deeply dishonourable thing. <sup>16</sup>

Under the Taliban regime in the 1990s, there was again a setback in women's rights. Girls' access to education after the age of eight was outlawed, women were forbidden from working, women were forced to cover their entire bodies when in public, including their faces; they were forbidden from seeking treatment from a male doctor unless accompanied by a male family member, they were forbidden from speaking loudly in public, they were banned from working in radios, and it was illegal to display any images of women, either in the public or even at home.

In 2001, when the Taliban were defeated, women had better access to education in urban areas, they had returned to work, and some Afghan women had been politically outspoken and active in their nation's government. A Ministry of Women's Affairs was created and women had

<sup>&</sup>lt;sup>15</sup> A brief history of human rights accessed at <a href="https://www.dw.com/en/a-brief-history-of-afghan-womens-rights/a-0449450">https://www.dw.com/en/a-brief-history-of-afghan-womens-rights/a-0449450</a>

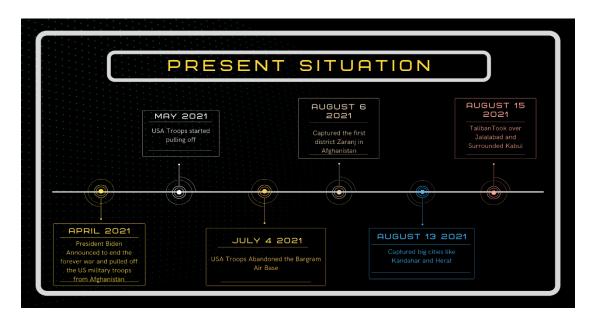
<sup>&</sup>lt;sup>16</sup>A History of Women in Afghanistan accessed at https://vc.bridgew.edu/cgi/viewcontent.cgi?article=1577&context=jiws

been appointed to high government posts. They had the right to vote, and women had been elected as representatives to the Loya Jirga, Afghanistan's Grand Council.<sup>17</sup>

### **Current Situation**

Since the Taliban got back at the helm in Afghanistan in August 2021, they have been enforcing Sharia Law. In spite of trying to rebrand as more moderate, the group has imposed many government restrictions that diminish the liberties that Afghan women have won throughout history and in the past two decades. Established in 2001, the Women's Affairs Ministry was abolished by the Taliban in September. Its office now houses the Propagation of Virtue and the Prevention of Vice Ministry. Girls were banned from attending secondary school, women were unable to continue work, and violence against women is on the rise. The regime has banned women from showing their faces on all kinds of media, including advertisements and television; schools have been closed down for girls, and women are not permitted to move outside their homes without a male consort.<sup>18</sup>

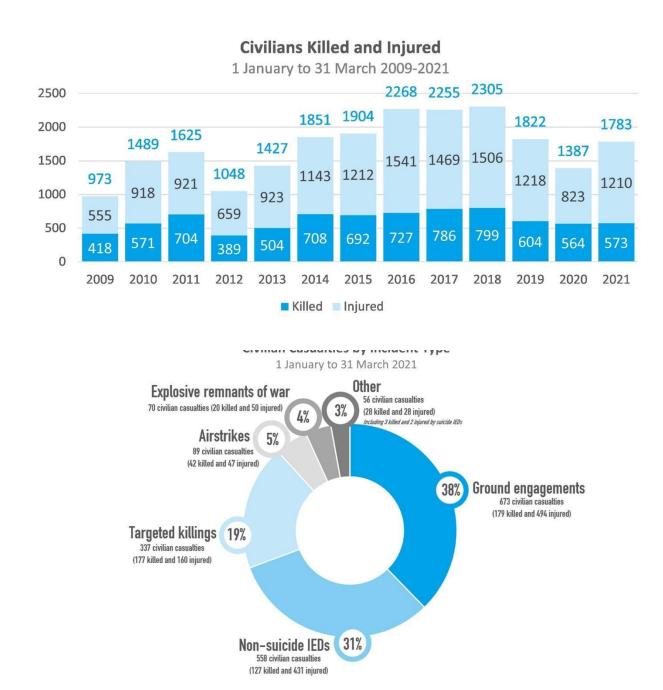
The timeline of the important incident explaining Taliban's annexation of Afghanistan could be described with the help of the following figure;



<sup>&</sup>lt;sup>17</sup> Women in Afghanistan: the back story accessed at https://www.amnesty.org.uk/womens-rights-afghanistan-history

<sup>&</sup>lt;sup>18</sup> A brief history of human rights accessed at <a href="https://www.dw.com/en/a-brief-history-of-afghan-womens-rights/a-60449450">https://www.dw.com/en/a-brief-history-of-afghan-womens-rights/a-60449450</a>

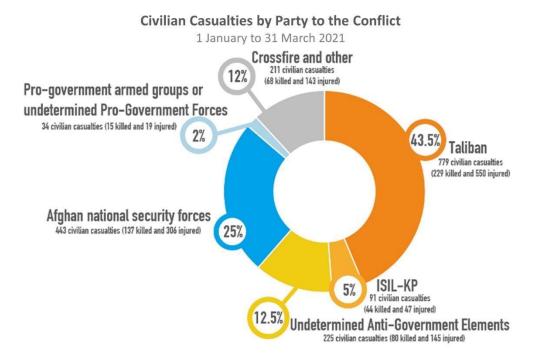
The casualties of the given incident affecting civilians and territorial integrity; sovereignty of the nations could be discussed with the help of following figures given below<sup>19</sup>;



 $^{19}$  UNAMA. (2021, mars). AFGHANISTAN PROTECTION OF CIVILIANS IN ARMED CONFLICT FIRST QUARTER UPDATE : 1 JANUARY TO 31 MARCH 2021. pl

(Source: UNAMA)<sup>20</sup>

Depicted here, UNAMA's report on civilian casualties by incident type and weaponry used to the Taliban's' return to power.



(Source: UNAMA)<sup>21</sup>

Depicted here, UNAMA's report on civilian casualties associated with each party of the conflict leading to the Taliban's return to power.

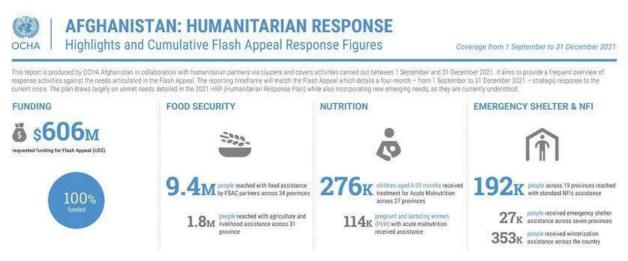
<sup>21</sup> Ibid p3.

11

<sup>&</sup>lt;sup>20</sup>Ibid. p2

### PROBLEM IDENTIFICATION

In the first Taliban news conference after they regained control of the capital, Kabul, the new regime's spokesperson, Zabiullah Mujahid sought to reassure women. "Our sisters, our men have the same rights". But soon measures were put in place proving the contrary and worrying the international community.



(Source: OCHA)<sup>22</sup>

Here is the United Nation Office for the Coordination of Human Affairs (OCHA) review of the humanitarian response given to Afghanistan from September 1<sup>st</sup> to December 31<sup>st</sup> of 2021, after the rise of the new Taliban regime.

### Right to Life

The right to life is a right that can be found in many countries or institutions' Declaration of Human Rights. In the Universal Declaration of Human Rights, adopted by the United Nations General Assembly 1948, has stated in article three:

Everyone has the right to life, liberty and security of a person.

<sup>&</sup>lt;sup>22</sup> Afghanistan: Humanitarian Response: Highlights and Cumulative Flash Appeal Response Figures (Coverage from 1 September to 31 December 2021) - Afghanistan. (2022, 12 janvier). ReliefWeb. https://reliefweb.int/report/afghanistan/afghanistan-humanitarian-response-highlights-and-cumulative-flash-appeal-0

This means that nobody, including Governments, can attempt to end your life. It also means that Governments should take appropriate measures to safeguard life, by making laws to protect a life is at risk.

The rights to freedom of association, peaceful assembly, and freedom of movement are guaranteed under the International Covenant on Civil and Political Rights (ICCPR) and the right to freedom of expression has been denied to women under the Taliban's regime.

Moreover, Afghan women are also subjected to summary physical punishment without the protections of a trial. Under international law, states are required to prosecute violations of bodily integrity, and act to protect women from gender-based violence and discrimination.

The ICCPR protects women from gender-based violence in its guarantees to the right to life the right not to be subject to torture or cruel, inhuman or degrading treatment or punishment (Article 7.), the right to liberty and security (Article 9.), and the right to equality before the law, including effective protection against discrimination on the ground of sex (Article 26).<sup>23</sup>

Also, the Afghan people have been often forced to leave their homes due to armed conflict, violence, or natural or human disasters, without crossing an international border becoming what is recognized as Internally displaced people (IDPs). At the end of 2020, there were 2.9 million Afghans already displaced across the country (7% of the population). By September 2021, this rose to 3.5 million (around 9%).<sup>24</sup>

Refugees are people who have fled violence, conflict or persecution and have crossed an international border. They are defined and protected by international law, unlike IDPs. UN has recorded Afghan refugees were 1.4 million in Pakistan, and 780,000 in Iran (totalling 2.2 million) and a further 2.6 million undocumented Afghans are estimated to live in Iran as of May 2021. They are concentrated mainly in Pakistan and Iran.

In December 2021, the UNHCR reported that Afghanistan's land borders with Iran and Pakistan were open "almost solely" to those who had the appropriate passports and visas and land borders with Tajikistan and Uzbekistan were "closed entirely" to Afghans. Since August 2021, the UNHCR has called for all borders to remain open to allow safe passage and movement.

Right to life includes the security of a person and can be considered directly linked to the right to health.

<sup>&</sup>lt;sup>23</sup> Human Rights Watch report <a href="https://www.hrw.org/reports/2001/afghan3/afgwrd1001-04.htm#P245\_35939">https://www.hrw.org/reports/2001/afghan3/afgwrd1001-04.htm#P245\_35939</a>

<sup>&</sup>lt;sup>24</sup> Afghanistan: Refugees and displaced people in 2021 <a href="https://commonslibrary.parliament.uk/research-briefings/cbp-9296/">https://commonslibrary.parliament.uk/research-briefings/cbp-9296/</a>

The Observer Research Foundation (ORF) has estimated through its report that eleven million people in Afghanistan are experiencing food insecurity, and 97 percent of the country's population are on the brink of universal poverty by mid-2022.

It is also important to bear in mind that the pandemic has taken a toll on Afghan society. The country has already seen three waves of COVID-19. It had conducted less than a million tests as of December 2021. The vaccination process, as of November 2021, recorded a total of 5.12 million doses that had been administered in Afghanistan. Only 8.67 percent of the population are fully vaccinated.

With rising malnourishment and interrupted humanitarian aid, the country's population is now more vulnerable to more waves of the virus.<sup>25</sup>

#### **Violence towards Women and Girls**

According to research from Amnesty International essential services for women and girl survivors of gender-based violence in Afghanistan have been shut down following the Taliban's rise to power. The Taliban closed shelters and released offenders from prison, including convicts of gender-based violence offences. Survivors, as well as shelter staff, lawyers, judges, government officials, and others involved in protective services, are now at risk of repercussions. According to Amnesty International "The system was far from perfect, but served thousands of women each year in Afghanistan, where nine out of 10 women experience at least one form of intimate partner violence in their lifetime, according to UNAMA." <sup>26</sup> The most common cases of gender-based violence involved beating, rape, other forms of physical and sexual violence, and forced marriage.

#### **Right to Freedom of Movement**

Afghan women have been banned from travelling more than 72 kilometres (45 miles) without a male relative since December 26, 2021. The Taliban made it illegal for drivers to give rides to women travelling alone. This restriction has proven to be a new kind of danger for the

<sup>&</sup>lt;sup>25</sup>ORF special Report The crisis of insecurity in Afghanistan <a href="https://www.orfonline.org/research/the-crisis-of-food-insecurity-in-afghanistan/#:~:text=Nonetheless%2C%20many%20households%20in%20Afghanistan,four%20food%20groups%20or%20less).">https://www.orfonline.org/research/the-crisis-of-food-insecurity-in-afghanistan/#:~:text=Nonetheless%2C%20many%20households%20in%20Afghanistan,four%20food%20groups%20or%20less).</a>
<sup>26</sup> Amnesty International, Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover, December 6, 2021, accessed at <a href="https://www.amnesty.org/en/latest/news/2021/12/afghanistan-survivors-of-gender-based-violence-abandoned-following-taliban-takeover-new-research/">https://www.amnesty.org/en/latest/news/2011/2/afghanistan-survivors-of-gender-based-violence-abandoned-following-taliban-takeover-new-research/</a>

women of Afghanistan. It has prevented them from reaching their health appointments, escaping situations of domestic violence, and seeking employment. In a country where millions of Afghan women are widows, and thus the sole breadwinners for their children, this rule puts families' survival at jeopardy. Moreover, many women are either unmarried or have a husband or male relative working abroad or in a neighbouring town due to the job crisis, they can therefore not go out.

### **Right to Education**

The proportion of girls in primary schools in Afghanistan increased from less than 10% in 2003 to 33% in 2017, while their share in secondary schools was 39% in 2017, up from 6% in 2003.<sup>27</sup> When they seized back power in September 2021, the Taliban effectively prohibited girls from receiving education higher than primary school by keeping most secondary schools for teenage girls closed. The Taliban's education minister announced that gender segregation and Islamic dress code will be mandatory for universities. All female students, teachers and staff must wear an Islamic abaya robe and niqab that covers the hair, body and most of the face, according to the regulations issued by the Education Ministry.

Furthermore, the regime had promised the international community that schools would reopen for girls for the spring semester, however when the day came, the regime went back on its promise and kept the schools closed, stating a lack of uniform and female teachers. Girls' education has been a central condition of foreign aid and any future recognition of the Taliban. Under the Taliban's first rule, from 1996 to 2001, the group barred women and girls from school and most employment and the fear of it happening again rings true. In a press release made on the 28th of march, the security council affirmed that "The members of the Security Council stressed the importance of efforts by the international community to support Afghanistan, including on education, and highlighted the coordinating role of UNAMA in this regard." 28

### **Right to Employment**

World Bank, School enrollment, primary, female (% gross) – Afghanistan, September 2021, Accessed at: https://data.worldbank.org/indicator/SE.PRM.ENRR.FE?locations=AF

<sup>&</sup>lt;sup>28</sup>Security Council Press Statement on Afghanistan. (2022, 28 mars). UNAMA. <a href="https://unama.unmissions.org/security-council-press-statement-afghanistan-4">https://unama.unmissions.org/security-council-press-statement-afghanistan-4</a>

According to a 2019 study conducted by UN Women and Promundo, only 15% of Afghan men believe women should be allowed to work after marriage and two-thirds complained that Afghan women had "too many rights,".<sup>29</sup> In 2020, Women accounted for 20% of the country's workforce, and a growing number of them ran small businesses.<sup>30</sup> In early July, as the Taliban were seizing territory from the government forces across Afghanistan, the group stormed into bank offices in the southern city of Kandahar and ordered women working there to leave.

After taking full control of Afghanistan, the group continued to prohibit women from workplaces. In September, one of the Taliban's senior figures told the press that Afghan women should not work alongside men. That statement was followed by another decree issued by the interim mayor ordering female employees of Kabul's city government to stay home. There are no women working in the new government and about 200 female judges remain in Afghanistan, many of them in hiding because of the Taliban's threats on their lives, some have had their bank accounts frozen.<sup>31</sup> Most of them had presided over abuse cases and now fear for their lives. Only those working in primary education or health care were still able to work, and most are not being paid due to the financial crisis.

### **Rights to Press and Media**

In November, the Taliban banned women from appearing on TV shows and in movies and ordered female journalists and presenters to wear headscarves. According to a report released by Reporters Without Borders (RSF) in August, most female employees of media organisations stopped working after the Taliban takeover. The faces have been pasted over on advertisement posters in many parts of the capital, images of women have also been painted over. According to a Human Rights Watch study women are asked not to carry smartphones or devices with too many options, but only simple cell phones, which harms their access to information.<sup>32</sup>

<sup>&</sup>lt;sup>29</sup>Thomson Reuters, Afghan men oppose more women's rights; elders less hardline, January 29, 2019. Accessed at: <a href="https://www.reuters.com/article/us-afghanistan-women-equality/afghan-men-oppose-more-womens-rights-elders-less-hardline-idUSKCN1PN0TZ">https://www.reuters.com/article/us-afghanistan-women-equality/afghan-men-oppose-more-womens-rights-elders-less-hardline-idUSKCN1PN0TZ</a>

<sup>&</sup>lt;sup>30</sup> UNDP, Afghanistan Socio-Economic Outlook 2021-2022: Averting a Basic Needs Crisis, December 1, 2021. Accessed at: <a href="https://www.undp.org/publications/afghanistan-socio-economic-outlook-2021-2022-averting-basic-needs-crisis">https://www.undp.org/publications/afghanistan-socio-economic-outlook-2021-2022-averting-basic-needs-crisis</a>

<sup>&</sup>lt;sup>31</sup> The International Association of Women Judges.

<sup>&</sup>lt;sup>32</sup> "Restrictions on women's access to technology harm their access to information, including health information. "Women are asked to not carry smart phones," a health worker said. "They said women should keep simple Nokia phones that don't have many options." <a href="https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity">https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity</a>

### **PAST ACTIONS**

The role of UN in upholding international peace and security for the peace building process in Afghanistan can be traced from 1980 as it had already been explained in the section of "A Condensed History of Women Rights in Afghanistan" depicted as UNSC passed the resolution ES-6/1 in their emergency session.<sup>33</sup> The role of UNAMA has already been elaborated in the section of "Problem Identification", still the need to discuss 16 UN peacekeeping operations and one special political mission of the UNAMA, led by the Department of Peacekeeping Operations<sup>34</sup> seemed essential for understanding the aids available and better understand the possible solutions towards the issue in hand and build an efficient draft resolution at the end of the committee session.

It is in the mandate of the UN for UNAMA's mission to ensure stability, security, peace and democracy in the face of aspirations of the Afghans. It is essential to recognize the importance of rule of law, development, assistance to civilians and provision of support to transition in Afghanistan.<sup>35</sup>

The United Nations Assistance Mission in Afghanistan (UNAMA) is a UN Special Political Mission that was put in place to assist the government and the people of Afghanistan. UNAMA was established on the 28th of March 2002 by the United Nations Security Council by Resolution 1401. The mandate of this mission is reviewed annually and has been modified over time to reflect the needs of the country and its people. On the 17th of September 2021 it was extended for six months by UN Security Council Resolution 2596 (2021). That extension is about to elapse soon, leaving the security council to decide on its future once again.

Amongst its many missions UNAMA deals with Human rights as a priority issue. UNAMA's Human Rights Unit, which is directly linked to the Office of the United Nations High Commissioner for Human Rights, "pursues an overall strategy to ensure the protection and promotion of human rights in Afghanistan or "human rights everywhere all the time for everyone" in support of all Afghan people".

<sup>&</sup>lt;sup>33</sup>General Assemblys 6th Emergency Session. Accessed from

http://daccessddsny.un.org/doc/RESOLUTION/GEN/NR0/209/43/IMG/NR020943.pdf?

<sup>&</sup>lt;sup>34</sup>Current Peace Keeping Operations, United Nations Peace Keeping. Accessed from http://www.un.org/en/peacekeeping/operations/current.shtml

<sup>&</sup>lt;sup>35</sup> Michelle Barsa, Finding a Role for the UN in Afghanistan, 27th March, 2012. Accessed from http://www.huffingtonpost.com/michelle-barsa/afghanistan-war-unama b 1383594.html

One of their focuses is the protection of women's rights throughout all of its main issues, like fighting violence against women and helping them find a place to participate in the public sphere, like political life and peace and reconciliation processes.<sup>36</sup>

Although the UN encourages non-violent methods to combat war crimes and crimes against humanity.<sup>37</sup>, it seemed as if the situation was now out of control giving power to the Taliban, now termed as the de-facto government of Afghanistan. To maintain peace, to protect and save the individuals is the core concern of UN, it has been previously stated by Kofi A. Annan (former UN Secretary General), *No shift in the way we think or act can be more critical than this:* we must put people at the centre of everything we do.

International community is in search of ways to eradicate armed conflicts, especially those of non-international character, including conflict management for peace building. Since the end of the cold war, the series of events as directed in the heading of "Introduction to the Topic" the nature of conflict has changed drastically. In order for prevention measures, the UN has deployed 115,000 uniformed and civilian personnel in conflict affected areas. Their maintenance cost is about \$7 billion per year. Although, the Brahimi Report is considered to be a turning point in reforms by UN since 2000 for addressing peacekeeping operations chaired by Mr. Lakhdar Brahimi in 2012. Further, Capstone doctrine, 2008 acknowledged that the UN had been working without clear guidance on peace keeping outlining the core functions and strategies for UN peacekeeping missions. Thereafter amendments to the Brahimi Report for improving UN peacekeeping.<sup>38</sup>

<sup>&</sup>lt;sup>36</sup> UNAMA's Human Right Mission <a href="https://unama.unmissions.org/human-rights">https://unama.unmissions.org/human-rights</a>

<sup>&</sup>lt;sup>37</sup> D Welch, The Art and Ethos of enduring peace Zine publication (2006) from <a href="http://www.tikkun.org/nextgen/the-art-and-ethos-of-endurinHuman Rights">http://www.tikkun.org/nextgen/the-art-and-ethos-of-endurinHuman Rights</a> | UNAMAg-peace

<sup>&</sup>lt;sup>38</sup> Afghanistan's Seventh Annual Peace Trek on International Day of Peace, United Nation Environment Programs (UNEP).

### **UN Accomplishments**

For Accomplishment of UNAMA Mission, it takes following tasks into consideration;

- 1. Former UN Secretary General, through UN's <u>efforts in countering terrorism</u>, Kofi A Annan on 1<sup>st</sup> October 2010 said, "as we summon the will and the resources needed to succeed in the struggle against terrorism, we must also care for all the victims of terrorism, whether they are direct targets or other populations who will be affected by our common effort. That is why I have launched an alert to donors about the potential need for much more generous humanitarian assistance to the people of Afghanistan."<sup>39</sup>
- 2. Through signing of <u>Bilateral Security Agreement (BSA)</u>, Afghan National Security Forces (ANSF) promised Afghans for protection against external forces but they lacked ammunition, arms, and latest technology, implying to extend the role by the international community through provision of international aid.
- 3. Alain Le-Roy, former Under-Secretary General for peacekeeping, while talking about UN Police (UNPOL) highlighting the <u>role of law and order</u> in Afghanistan once commented, "Without law and order there can be no peace, without peace there can be no law and order"<sup>40</sup>
- 4. The UN's role has been elaborated while mandating UNAMA to give advice to Afghan High Peace Council for an all-inclusive peace process ensuring peace in the security sphere. UNAMA can also play a key role in making the Afghans recognize the role of sub national leaders in enhancing their role in the arena of citizen friendly local governments.<sup>41</sup>
- 5. The withdrawal of foreign forces questioned the <u>survival of Afghan National Army</u> who end to neither be strong in efficiency nor in size. International support is essential at times where the state is dysfunctional and polity is fragmented; 350,000

Michelle Barsa, Finding a Role for the UN in Afghanistan, 27th March, 2012. Accessed from <a href="http://www.huffingtonpost.com/michelle-barsa/afghanistan-war-unama">http://www.huffingtonpost.com/michelle-barsa/afghanistan-war-unama</a> b 1383594.html

<sup>&</sup>lt;sup>40</sup> Vishal Chandra, The Unfinished War in Afghanistan (2001-2014). Institute for Defence Studies and Analysis. 2014. p. 302

<sup>&</sup>lt;sup>41</sup> Charles T. Hunt, UN Peace Operations and International Policing; Negotiating Complexity, assessing Impact and Learning to Learn. Routeldge. 2015. p. 1.

numbers of forces by no means are able to make the country stable. Thus, support from professional troops and material strength needs to be ethnically balanced.<sup>42</sup>

### Accomplishments as a result of UN and Afghanistan Collaboration

With the fall of Taliban on 6 September 2006, UN Secretary General drew attention towards the violent insurgencies and UN requirement of UN speedy response in such a situation.<sup>43</sup>

- 1. Resolution 1386 in accordance with Chapter VII of the UN Charter,
- 2. The Security Council passed the <u>Resolution 1386</u> on 20th December, 2001. As per this resolution, a peace keeping force was deployed, Afghans were ensured the right of freedom, and established the government in Afghanistan in reference to the Bonn Conference held on 5th December 2001.<sup>44</sup>
- 3. UN while passing the <u>Resolution 1833</u> on 22 September, 2008 extended the presence of ISAF in Afghanistan till 13th October 2009 and reaffirmed the UN commitment towards Afghanistan's sovereignty, territorial integrity, independence, and national unity.<sup>45</sup>
- 4. The <u>Partnership Agreement</u> was signed in 2012 between Afghanistan and US as promise from US to protect Afghanistan till 2024, however, the strategical change of policies have impacted the regional scenarios to deal with the threat of counter insurgency to a counter terrorism operation with limited military capabilities and infrastructure.
- 5. On 21st September 2015, <u>United Nations Environmental Program and Afghan National Environment Protection Agency (NEPA)</u> celebrated the 7th Annual Peace Trek which is being celebrated globally since the last seven years aiming to create awareness amongst public about those aspects which are generally comprised in

<sup>&</sup>lt;sup>42</sup> Michelle Barsa, Finding a Role for the UN in Afghanistan, 27th March, 2012. Accessed from <a href="http://www.huffingtonpost.com/michelle-barsa/afghanistan-war-unama">http://www.huffingtonpost.com/michelle-barsa/afghanistan-war-unama</a> b 1383594.html

 <sup>&</sup>lt;sup>43</sup> Vishal Chandra, The Unfinished War in Afghanistan (2001-2014). Institute for Defence Studies and Analysis. 2014. 302-303
 <sup>44</sup> Jean-Rodrigue Paré, Afghanistan; UN intervention. Political and Social Affairs Division-2007. Accessed from <a href="http://www.parl.gc.ca/Content/LOP/researchpublications/prb0726-e.htm">http://www.parl.gc.ca/Content/LOP/researchpublications/prb0726-e.htm</a>

Resolution 1386 (2001), UN security Council. 20th December 2001. Accessed from <a href="https://www.globalpolicy.org/images/pdfs/sc1386.pdf">https://www.globalpolicy.org/images/pdfs/sc1386.pdf</a>

civil society, and are related to importance of peace and environment protection in Afghanistan.<sup>46</sup>

### **Efforts Through Quadrilateral Coordination Group (QCG)**

A 4-member QCG was established to facilitate peace talks in relation to Afghanistan issue in December 2015<sup>47</sup>. It began in 2016 wherein Afghanistan and Taliban with the assistance from QCG came to negotiation. The meetings were held on January 11, 18 and February 06 and 23 developing talks regarding peace between Afghan Government and Taliban forces with the support of Afghan High Peace Council (HPC), such was hosted by Pakistan in Islamabad.<sup>48</sup>

The key Development to enhance Peace, Reintegration and Reconciliation were as follows;<sup>49</sup>

- 1. On 11 January 2016, the Quadrilateral Coordination Group (QCG) comprising Afghanistan, China, Pakistan and the United States initiated mutual efforts to facilitate an Afghan-led and Afghan-owned peace and reconciliation process to achieve peace and stability in Afghanistan.
- 2. On 21 September 2016 in New York, on the margins of the 71st UN General Assembly, India, Afghanistan and the United Sates held a round of trilateral consultations resulting in reaffirmed shared interests in advancing peace and security in the region, as well as countering terrorism.
- 3. On 22 September 2016, a peace agreement was signed between the Afghan Government and Hizb-e Islami Gulbuddin (HIG). On 6 November 2016, the Afghan government and the HIG Joint Executive Commission for the implementation of the peace agreement officially started its work.
- 4. On 20 November 2016, a HIG delegation met with President Ghani to discuss the release of refugees, prisoners, land distribution and repatriation. Two days later, a

<sup>&</sup>lt;sup>46</sup> Tim Fernholz, Dodging the Real Questions on Afghanistan. Global Policy Forum. December 2, 2009. Accessed from https://www.globalpolicy.org/us-military-expansion - and intervention/ afghanistan/48506.html

<sup>&</sup>lt;sup>47</sup> Robert Muggah, Reflecting on United nations-led Stabilisation: Late Peacekeeping, Early Peace Building or Something else? Page 56-70. In a book Edited by Robert Muggah, StabalizationsOpperations, Security and Development States of Fragility. Routledge, 2014.

<sup>&</sup>lt;sup>48</sup> MateenHaider, Afghan peace process best course of action in Pakistan's view: Aziz. DAWN. 13 November, 2015. Accessed from http://www.dawn.com/news/1219466.

<sup>&</sup>lt;sup>49</sup> Abdul Basit, Afghanistan's Last Chance for Peace, International The News, 19 January 2016. URL: http://www.thenews.com.pk/print/92121-Afghanistans-last-chance-for-peace Accessed on 28 January 2016.

- HIG delegation visited Pul-e-Charkhi prison in Kabul and met HIG prisoners. Joint Executive commission explained issues to implement the peace agreement.
- 5. There were four meetings convened by Pugwash in 2016 related to peace and security in Afghanistan; 23-24 January 2016 in Doha, Qatar on Peace and Security in Afghanistan; 5 September 2016 in Kabul, Afghanistan on moving towards peace in Afghanistan; 22 November 2016 in Islamabad, Pakistan on Pakistan-Afghan relations and; 13 December 2016 in Kabul, Afghanistan on peace in Afghanistan.

## Essentials of Security Council Resolution 2615 (2021) (S/RES/2615 (2021)<sup>50</sup> Security Council at its 8941st meeting proposes;

- Humanitarian assistance and other activities that support basic human needs in Afghanistan such as funds, financial assets, economic resources, goods and services, delivery and other economic development provisions and use reasonable efforts to minimise the accrual of any benefits, whether as a result of direct provision or diversion, to individuals or entities designated on the 1988 Sanctions List.
- 2. Emergency Relief Coordinator to brief the Security Council every six months from the adoption of this resolution based on the delivery of humanitarian assistance in Afghanistan, in case of any obstacles to the provision of such assistance requests relevant providers to assist the Emergency Relief Coordinator in the preparation of such briefings by providing information within 60 days.
- 3. All parties in all circumstances to respect the human rights of all individuals, including vulnerable groups such as women, children, and persons belonging to minorities, and comply with their applicable obligations under international humanitarian law, including those related to the protection of civilians, including humanitarian personnel, and those related to the protection of medical personnel and humanitarian personnel exclusively engaged in medical duties, and demands all parties allow full, safe, and unhindered humanitarian access for the personnel

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<sup>&</sup>lt;sup>50</sup> Security Council at its 8941st Meeting

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of United Nations humanitarian agencies and other humanitarian actors regardless of gender.

### **POSSIBLE SOLUTIONS**

Quest for power and autonomy resulted in the destructive phase of internal discord revolving around religious, ideological and ethnic groups making peace negotiation rather a complex process. Peace negotiation in Afghanistan is complex and there are several actors and stakeholders involved in it or influencing it.

### **Afghan Identity**

Taliban tried to make Afghanistan peaceful, stable, and create a national unity. But, the conversation with ethnic groups seemed to be disturbed and abusive although later all the ethnic minorities were unified to fight against them. Whether the effort of the international community to rebuild the country will be able to deal with the question of regional interests and identity or not, is still an important question. For the sake of achieving stability and peace in Afghanistan, the role of the UN is very important. After the signing of BSA and withdrawal of NATO forces, there is again resurgence of direct violence in Afghanistan as it was witnessed when Taliban took over Kunduz or the current invasion that happened on 15 August 2021.

### **National Sovereignty**

The Security Council has been envisaged with the power of maintaining international peace and security and protecting members from surrendering their national interests, sovereignty and integrity.

The historical facts depict the need to uphold international human rights law, international humanitarian law as well as strengthening collective security mechanisms. The need of the hour is for international cooperation to prevent war crimes, crimes against humanity and armed conflicts, while upholding their obligation of respect towards National Sovereignty.

### **Human Rights**

One of the main goals of this committee on this particular topic is making sure that the Human Rights and Women Rights are upheld as many countries have stated that it was the main issue they would verify before accepting to send any help towards the country.

### **UNAMA**

The United Nations Assistance Mission In Afghanistan is about to expire again, an important question in this debate is understanding where it has succeeded and where it has failed, but most importantly decide whether it has any use moving forward.

### **BLOC POSITIONS**

### Willing to engage

- → China has held multinational meetings and provided \$31m in emergency aid to Afghanistan.
- → Russian Foreign Minister Sergei Lavrov emphasised that "forming a really inclusive government fully reflecting the interests of not only all ethnic groups but all political forces of the country" is necessary to achieve a stable peace in Afghanistan, he has commended the Taliban for their efforts to stabilise the situation in the country and ensure the operation of state structures.
- → Norway: hosted a three day talk with the Taliban's, not recognizing but seen has a first step towards the de facto Afghan government, to prevent a humanitarian crisis.
- → Indian officials in Qatar met with the Taliban representatives on August 31, 2021, during the meeting, India underlined its security concerns on terrorism and reportedly received Taliban's assurances. India has sent trucks by way of Pakistan with humanitarian aid including some 50,000 tons of wheat.
- → United Arab Emirate officials have held a series of discussions with the Talibans in recent weeks to discuss operating the Kabul airport that serves as Afghanistan's main air link to the world.
- → Pakistan is an old supporter of the Afghan Talibans and celebrated their rise to power, however their common work with western countries has kept them from officially recognizing the regime.
- → Iran is not ready now to recognize the Taliban regime, asking for more inclusiveness in the government has a main issue. Have received the Taliban for talks and are hosting refugees.
- → Turkey is proposing the international community to form a group under the G20 in order to discuss with the new regime to ensure stability and security.
- → Norway has held talks in Oslo with the regime to resolve the human rights crisis.

  They are however not in the process of recognising them.

→ France has stated that there would not be any recognition on their parts however they have met with the regime to facilitate operations. They have joined Qatar in December of 2021 in a joint humanitarian aid. France has denounced in March of 2022, the closing of school to girls.

### Not engaging

- → Brazil is working with Afghanistan's neighbouring countries to help refugees out of the country and is granting humanitarian visas to Afghan's that are fleeing.
- → Gabon is part of the Security Council and participated in the resolutions asking for Human Rights and delivering humanitarian aid.
- → The UK is not engaging as of now with the Taliban regime, however they have pledged £100m in emergency funds to Afghanistan.
- → The USA has left the country in a haste after a 20-year war in Afghanistan, leaving informants and supporters behind. They have participated in the Security Council resolution and send aid through UNAMA. They have, as of February 2022, seized 7 billion dollars from the Afghan Central Bank that were located in the US. The government has stated that this money would be used for the families of victims of 9/11 and for humanitarian aid in Afghanistan. They have not engaged with the new regime. Hazaras, Uzbeks, and Tajiks started reclaiming their stake, their territories, and their power sharing in Afghanistan. In the aftermath of the 9/11 episode and resultant GWOT.
- → Israel: helping refugees by dedicating half a million dollars to Afghan refugees.

### Afghanistan

The government of Afghanistan is in dire need of humanitarian aid. The Taliban government essentially wants recognition from the international community. As of now, no country has officially recognised the Taliban led government. Taliban has the right to legislate within the territory of Afghanistan and holds authority as a de-facto government in Afghanistan.

### **QARMAs**

- 1. Does the Taliban Regime uphold women, refugee and children rights and what does that imply for the international communities' relation with the country?
- 2. Do Human Rights violations still persist in Afghanistan and, how can the Member States make sure to include the respect of these rights while drafting their proposal to avert economic collapse?
- 3. Does the UNSC Mandate and existing International Humanitarian Law hinders the peace process in the situation of Afghanistan? What are the ways of promoting international cooperation in that context?
- 4. Does the principle of national sovereignty, territorial integrity, and non-interference in the domestic affairs of Afghanistan prevent the international order of any action or encourage the Taliban authoritarian regimes?
- 5. What would be the geostrategic gain of the international community for recognising Taliban governance as de jure government? And does the unity of UNSC member states and involvement of international communities strengthen or worsen the situation of non-international armed conflict?

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