Rockwell MUN 2024
UNSC - Background Guide

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Letter from the Executive Board

Dear Delegates,

We are very pleased to welcome you to the simulation of the **United Nations Security Council at Rockwell MUN 2024.** This Background Guide will serve as a major resource for participants in gaining an understanding of the agenda item alongside the general expectations of the dais concerning discussion and debate.

Model United Nations is generally recognized as a competitive environment, but we find it to be the perfect environment for learning. It's an experience that cannot be recreated outside of the same setting. A classroom learning experience truly falters when contrasted to that of a Model UN committee hall. Keeping this in mind, the Presidency highly encourages all participants to make the most out of their experience at the conference.

Do not restrict yourselves from learning, and be open to learning new things from an environment that you may commonly associate with a lively and fun time. We highly encourage you to give this simulation your best shot, and we promise that you will not walk away without learning a thing or two.

This Background Guide is only intended to assist you in gaining an understanding of the concept associated with the agenda conveyed to you. We only intend to provide you with enough information to commence your own analysis of the topic at hand, from your country or portfolio's perspective.

Please do not hesitate to contact the Executive Board members for this simulation if you need any help before, during or after the conference. We look forward to exciting debate and enthusiastic participation from all of you!

Best regards,

D. Sai Srikar
President

Ayush Mantri
Vice-President

What is a 'Double Delegation'?

By now you may have realized that you've been paired with another delegate to represent the same portfolio in this simulation of the Security Council. If any of you have read the Charter of the United Nations, you might be wondering why this decision was made in contrast to Article 23(3), which states that each member of the Security Council will have one representative.

The answer to that question is quite simply our requirement to submit a country matrix with thirty separate portfolios. Instead of going the open-door debate route, we opted to have a closed-door meeting of the Security Council to reduce any confusion that may arise from a delegate of 'Special Representative of the UNAMA' participating in proceedings and also to facilitate the draft resolution process.

Explaining the contradiction to Article 23(3), the Executive Board would like to inform you that all double delegations are meant to act as one during proceedings. You will be graded as one as well. You must be complementary to one another, not substitutes. This ties in to the 'in-room' and 'out-room' element that will become quite important in the latter half of our proceedings.

For now, here's what you need to know:

When you've been allotted a double delegation, you must be able to divide responsibilities, play off each other's strengths, and also hide each other's weaknesses. You must attempt to portray yourselves as equals before everyone else. One delegate being more active or involved than another creates a negative impression on your delegation as a whole.

We'd mentioned 'in-room' and 'out-room' earlier. What do these terms mean? This is essentially where your division of responsibilities mainly occurs. The 'in-room' delegate

will focus on what's going on inside the council room. They will participate actively in formal debate by making and listening to speeches, be it the general speaker's list or a moderated caucus. The 'out-room' delegate tends to take charge of handling lobbying and bloc formation. Towards the end of the proceedings, they'll be involved in drafting as well.

This division can be made on the basis of who's a better public speaker, who's the stronger writer, who possesses more personable and friendly qualities, etc. However, this setup is not strict whatsoever, so if you feel that both delegates in your double delegation possess the same qualities, you can switch roles at certain junctures.

We understand that double delegating is a fairly new concept for you unless you've done it before. Feel free to email or text us with any queries about it and we'll be happy to respond. As for the absence of Afghanistan in the country matrix, keep reading to find out why :)

Research, Foreign Policy & Foreign Relations

Understanding Foreign Policy

Foreign policy refers to the objectives and strategies that define how a nation interacts with others, as well as its stance on global issues. In the context of the UNSC, foreign policy becomes even more critical as it directly influences debates, negotiations, and the drafting of resolutions on pressing international security matters. Representing your country's foreign policy effectively is essential for ensuring that your arguments align with your nation's goals and interests. You must ensure that your speeches, justifications, and voting decisions remain consistent with your country's stated or inferred foreign policy. For instance, a country's stance on military intervention, sanctions, or peacekeeping operations will heavily depend on its geopolitical objectives and alliances.

To represent your country authentically, you need to conduct thorough research. Some reliable ways to understand foreign policy include:

1. **UNSC Records:** Review meeting transcripts and resolutions from prior UNSC sessions where your country addressed the issue at hand.
2. **Official Speeches and Statements:** Analyze press releases, policy documents, and public statements issued by your country's Ministry of Foreign Affairs, Presidency or equivalent.
3. **Diplomatic History:** Examine your country's historical approach to the issue. Is it typically in favour of multilateral solutions, unilateral actions, or neutrality?

Understanding Foreign Relations

Foreign relations differ from foreign policy in that they focus on a country's diplomatic ties with other nations. While foreign policy sets the objectives, foreign relations determine the tools available to achieve them.

Questions to ask yourself:

- Are there treaties, military pacts, or trade agreements between your country and others?
- Has your country had conflicts or partnerships with others in the past that could affect dynamics during proceedings?
- Does your country possess diplomatic ties, such as the presence of embassies or trade dependencies, with another country you're examining?

While foreign policy typically guides your stance, foreign relations help you gather allies and strategize your performance during the conference.

Guidelines for Evidence and Credible Sources

There may be times in Model UN when the dais asks you to substantiate your statements by presenting your source. Although there is no restriction on what sources you can use to craft your statement, as that isn't something that we can control, there are a few limitations on what sources you can use to substantiate something you've said, when requested to do so. The following are considered viable sources by this particular panel:

1. **United Nations Documents:** Reports, findings, and resolutions issued by the UNSC or other UN bodies are considered highly credible.
2. **Multilateral Organizations:** Publications by organizations like NATO (North Atlantic Treaty Organization), ASEAN, BRICS, or the African Union.
3. **Government Reports:** Official publications from state-operated agencies or foreign ministries, though they may be contested by another representative.
4. **Reputable News Agencies:** Reports from Reuters are widely recognized for their reliability and will be accepted as a reliable source of proof in certain circumstances.
5. **State-Operated News Agencies:** Reports from state-owned agencies like Russia's RIA Novosti or China's Xinhua News Agency can be used to support or counter claims, but other countries in the council may dispute their validity once again.

6. **NGOs Affiliated with UN Bodies:** Reports from NGOs (Non-Governmental Organizations) working with UNESCO, UNICEF, or other UN-affiliated organizations.

Important Note: If you've already used sources such as Wikipedia to guide some of your research, do not worry. That's entirely fine. As long as the same information you've sourced from there is available on one of the sources we've mentioned, you're good to go.

The Security Council - An Introduction

The Security Council, the United Nations' principal crisis-management body, is empowered to impose binding obligations on the 193 UN member states to maintain peace. The Security Council's five permanent and ten elected members meet regularly to assess threats to international security, including civil wars, natural disasters, arms proliferation, and terrorism.

The Security Council has five permanent members—the United States, China, France, Russia, and the United Kingdom—collectively known as the P5. Any one of them can veto a resolution. The Security Council's ten elected members, who serve two-year, non-consecutive terms, are not afforded veto power.

The Security Council's presidency rotates on a monthly basis, ensuring some agenda-setting influence for its ten non-permanent members, which are elected by a two-thirds vote of the UN General Assembly. The main criterion for eligibility is contribution "to the maintenance of international peace and security," often defined by financial or troop contributions to peacekeeping operations or leadership on matters of regional security likely to appear before the Security Council.

A secondary consideration, "equitable geographical distribution," gave rise to the regional groups used since 1965 in elections: the African Group has three seats; the Asia-Pacific Group, two; the Eastern European Group, one; the Latin American and Caribbean Group, two; and the Western European and Others Groups (WEOG), two. Each has its own electoral norms. An Arab seat alternates between the African and Asian blocs by informal agreement. Turkey and Israel, who've never served on the Security Council, caucus with WEOG.

Subsidiary organs that support the Security Council's mission include ad hoc committees on sanctions, counterterrorism, and nuclear, biological, and chemical

weapons, as well as the international criminal tribunals for Rwanda and the former Yugoslavia. Within the UN Secretariat, the Department of Peacekeeping Operations and the Department of Operational Support manage field operations. The Peacebuilding Commission, established in 2005 as a repository of institutional memory and best practices, serves an advisory role.

The Security Council aims to peacefully resolve international disputes in accordance with Chapter VI of the UN Charter, which authorizes the Security Council to call on parties to seek solutions via negotiation, arbitration, or other peaceful means. Failing that, Chapter VII empowers the Security Council to take more assertive actions, such as imposing sanctions or authorizing the use of force "to maintain or restore international peace and security."

Peacekeeping missions are the most visible face of the United Nations' conflict-management work; as of 2024, the Security Council oversees eleven operations across three continents, involving a total of more than ninety-seven thousand uniformed personnel.

The sanctions provisions in Article 41 of the UN Charter, dormant during much of the Cold War, have become one of the Security Council's most frequently employed tools. As of September 2024, there are fifteen Security Council sanctions regimes, listing more than eight hundred individuals and entities, in place.

So-called "smart" sanctions emerged in the mid-1990s as an alternative to what then UN Secretary-General Kofi Annan called the "blunt instrument" employed in Iraq following the Gulf War. These sanctions target discrete economic and political matters and specific individuals deemed threats to international security. Arms embargoes, travel bans, asset freezes, and import/export bans on individual goods—rather than comprehensive embargoes—are now the norm.

Under the United Nations Charter, the functions and powers of the Security Council are:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;
- to investigate any dispute or situation which might lead to international friction;
- to recommend methods of adjusting such disputes or the terms of settlement;
- to formulate plans for the establishment of a system to regulate armaments;
- to determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- to call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- to take military action against an aggressor;
- to recommend the admission of new Members;
- to exercise the trusteeship functions of the United Nations in "strategic areas";
- to recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Historical Timeline of Afghanistan

The land that is now Afghanistan has a long history of domination by foreign conquerors and strife among internally warring factions. At the gateway between Asia and Europe, this land was conquered by Darius I of Babylonia circa 500 B.C., and Alexander the Great of Macedonia in 329 B.C., among others.

Mahmud of Ghazni, an 11th-century conqueror whose empire stretched from Iran to India, is considered the greatest of Afghanistan's conquerors. Genghis Khan took over the territory in the 13th century, but it wasn't until the 1700s that the area was united as a single country. By 1870, after various Arab conquerors had invaded the area, Islam had taken root.

During the 19th century, Britain, looking to protect its Indian empire from Russia, attempted to annex Afghanistan, resulting in a series of British-Afghan Wars (1838-42, 1878-80, 1919-21). However, the British, beleaguered in the wake of World War I, were defeated in the Third British-Afghan War (1919-21), and Afghanistan became an independent nation. Concerned that Afghanistan had fallen behind the rest of the world, Amir Amanullah Khan began a rigorous campaign of socioeconomic reform.

Amir Amanullah Khan

In 1926 Amanullah declared Afghanistan a monarchy, rather than an emirate, and proclaimed himself king. He launched a series of modernisation plans and attempts to limit the power of the Loya Jirga, the National Council. Critics, frustrated by Amanullah's policies, took up arms in 1928 and by 1929, the King abdicated and left the country. Zahir Shah became king in 1933. The new king brought a semblance of stability to the country and he ruled for the next 40 years.

Mohammed Daoud Khan

In 1953, the pro-Soviet Gen. Mohammed Daoud Khan, cousin of the king, became prime minister and looked to the communist nation for economic and military assistance. He also introduced various social reforms, which included allowing women a more public presence. Soviet Premier Nikita Khrushchev agreed to help Afghanistan in 1956, and the two countries became close allies. As part of Daoud's reforms, women were allowed to attend university and enter the workforce.

The Afghan Communist Party was secretly formed in 1965. The group's principal leaders were Babrak Karmal and Nur Mohammad Taraki.

Khan overthrew the last king, Mohammed Zahir Shah, in a military coup in 1973. Khan's regime—the People's Democratic Party of Afghanistan, came to power. Khan abolished the monarchy and named himself president. The Republic of Afghanistan was established with firm ties to the USSR. From 1975 to 1977 Khan proposed a new constitution that granted women rights and worked to modernize the largely communist state. He also cracked down on opponents, forcing many suspected of not supporting Khan, out of the government.

In 1978, Khan was killed in a communist coup. Nur Mohammad Taraki, one of the founding members of the Afghan Communist Party, took control of the country as president, and Babrak Karmal was named deputy prime minister. They proclaimed independence from Soviet influence and declared their policies to be based on Islamic principles, Afghan nationalism and socioeconomic justice. Taraki signed a friendship treaty with the Soviet Union. However, a rivalry between Taraki and Hafizullah Amin, another influential communist leader, led to fighting between the two sides.

Despite Afghanistan's nominally communist leadership, Soviet leaders still couldn't relax. The new PDPA regime, divided and unstable, faced fierce cultural resistance from conservative and religious leaders, and opposition throughout much of the Afghan countryside to the communists' radical agrarian reforms. In the fall of 1979, revolutionary Hafizullah Amin orchestrated an internal PDPA coup that killed the party's first leader and ushered in his brief, but brutal reign. National unrest soared, and Moscow's hand-wringing intensified.


Hafizullah Amin

Afghanistan's chaos alarmed Soviet leadership primarily because it increased the odds that Afghan leaders might turn to the United States for help. Top Politburo members warned Brezhnev in late October 1979 that Amin sought to pursue a more "balanced policy" and that the United States was detecting "the possibility of a change in the political line of Afghanistan."

Only weeks later, KGB head Yuri Andropov joined the USSR's foreign minister Andrei Gromyko and its defence minister Dmitri Ustinov in sounding the alarm. They persuaded Brezhnev that even if the Americans weren't actively trying to undermine Soviet influence in Afghanistan, Amin's ruthless but unstable regime would create weaknesses the U.S. could later exploit. Moscow, they argued, would have to act.

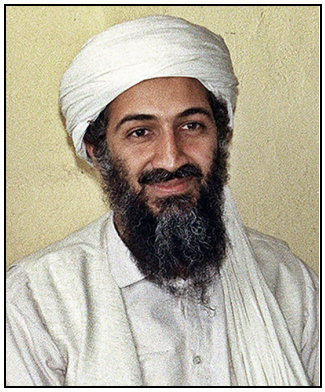
For context, a decade earlier, in 1968, Brezhnev introduced his new dogma: All socialist regimes had a responsibility to uphold others, using military force if necessary. The "Brezhnev doctrine" was a response to the "Prague Spring," a brief period of liberalization under the leadership of Czechoslovakia's new leader, Alexander Dubček. Even Dubček's modest steps away from hardcore communism offered reason enough for the Soviets to invade Czechoslovakia and abduct him.

By 1979, Afghanistan, a faltering, once-friendly regime, provided another chance for the USSR to militarily enforce the Brezhnev doctrine. Leaders understood that if they failed to take action, it could make people doubt the Soviet Union's commitment to supporting the other countries under its influence behind the "Iron Curtain," the symbolic and physical divide between the USSR and the rest of Europe after World War II.

Taraki was killed on Sept. 14, 1979, in a confrontation with Amin supporters. The USSR invaded Afghanistan on Dec. 24 to bolster the faltering communist regime. On Dec. 27, Amin and many of his followers were executed. Deputy Prime Minister Babrak Karmal became prime minister. Widespread opposition to Karmal and the Soviets spawned violent public demonstrations.

By early 1980, the Mujahideen rebels had united against Soviet invaders and the USSR-backed Afghan Army. In short order, nearly 100,000 Soviet soldiers took control of major cities and highways. The rebellion was swift and broad, and the Soviets dealt harshly with the Mujahideen rebels and those who supported them, levelling entire villages to deny safe havens to their enemy. Foreign support propped up the diverse group of rebels, pouring in from Iran, Pakistan, China, and the United States. In the brutal nine-year conflict, an estimated one million civilians were killed, as well as 90,000 Mujahideen fighters, 18,000 Afghan troops, and 14,500 Soviet soldiers.

Although he claimed to have travelled to Afghanistan immediately after the Soviet invasion, Saudi Islamist Osama bin Laden made his first documented trip to Afghanistan to aid anti-Soviet fighters in 1984. This marks the same year the United Nations began to investigate reported human rights violations in Afghanistan.



Osama bin Laden

In September 1988, Osama bin Laden and 15 other Islamists formed the group al-Qaeda, or "the base", to continue their jihad, or holy war, against the Soviets and others who they say oppose their goal of a pure nation governed by Islam. With their belief that the Soviet's faltering war in Afghanistan was directly attributable to their fighting, they claimed victory in their first battle but also began to shift their focus to America, saying the remaining superpower was the main obstacle to the establishment of a state based on Islam.

In 1989, the U.S., Pakistan, Afghanistan, and the Soviet Union signed peace accords in Geneva guaranteeing Afghan independence and the withdrawal of 100,000 Soviet troops. Following Soviet withdrawal, the Mujahideen continued their resistance against the Soviet-backed regime of communist president Dr. Mohammad Najibullah, who had been elected president of the puppet Soviet state in 1986. Afghan guerrillas named Sibhatullah Mojadidi as the head of their exiled government.

The Mujahideen and other rebel groups, with the aid of turncoat government troops, stormed the capital, Kabul, and ousted Najibullah from power in 1992. Ahmad Shah Masood, a legendary guerrilla leader, led the troops into the capital. The United Nations offered protection to Najibullah. The Mujahideen, a group already beginning to fracture as warlords fight over the future of Afghanistan, formed a largely Islamic state with Professor Burhannudin Rabbani as president.

The Taliban, a newly formed Islamic militia, rose to power in 1995 on promises of peace. Most Afghans, exhausted by years of drought, famine and war, approved of the Taliban for upholding traditional Islamic values. The Taliban outlawed the cultivation of poppies for the opium trade, cracked down on crime, and curtailed the education and employment of women. Women were required to be fully veiled and were not allowed outside alone. Islamic law was enforced via public executions and amputations. The United States refused to recognize the authority of the Taliban. The Taliban publicly executed Najibullah in 1997. Ethnic groups in the north, led by Masood's Northern Alliance, and those in the south, supported in part by Hamid Karzai, continued to fight against the Taliban for control of the country.

Execution of Najibullah, 1997

Following al-Qaeda's bombings of two American embassies in Africa, President Clinton ordered cruise missile attacks against bin Laden's training camps in Afghanistan in 1998. The attacks missed the Saudi and other leaders of the terrorist group. By 2000, bin Laden was considered an international terrorist, widely believed to be hiding in Afghanistan, where he was cultivating thousands of followers in terrorist training camps. The United States demanded that bin Laden be extradited to stand trial for the embassy bombings. The Taliban declined to extradite him. The United Nations punished Afghanistan with sanctions restricting trade and economic development.

On Sept. 9, 2001, Masood, still the head of the Northern Alliance and the nation's top insurgent, was killed by assassins posing as journalists. On Sept. 11, 2001, hijackers

commandeered four commercial aeroplanes and crashed them into the World Trade Center Towers in New York, the Pentagon outside Washington, D.C., and a Pennsylvania field, killing thousands. Days later, U.S. officials say bin Laden, the Saudi exile believed to be hiding in Afghanistan, is the prime suspect in the attack.

Following unanswered demands that the Taliban turn over bin Laden, U.S. and British forces in October launched airstrikes against targets in Afghanistan. American warplanes started to bomb Taliban targets and bases reportedly belonging to the al-Qaeda network. The Taliban proclaimed they were ready for jihad.

After weeks of intense fighting with Taliban troops, the Northern Alliance entered Kabul in November. The retreating Taliban fled southward toward Kandahar. In December, Taliban fighters abandoned their final stronghold in Kandahar as the militia group's hold on Afghanistan continued to disintegrate. Two days later, Taliban leaders surrendered the group's final Afghan territory, the province of Zabul. The move led the Pakistan-based Afghan Islamic Press to declare that "the rule of the Taliban in Afghanistan has totally ended."

Hamid Karzai, a royalist and ethnic Pashtun, was sworn in as the leader of the interim government in Afghanistan. Karzai entered Afghanistan after living in exile for years in neighbouring Pakistan. At the U.N.-sponsored conference to determine an interim

Hamid Karzai

government, Karzai already had the support of the United States and by the end of the conference was elected leader of the six-month government.

In June 2002, the Loya Jirga, or grand council, elected U.S.-backed Hamid Karzai as interim leader. Karzai chose the members of his government who served until 2004 when the government was required to organize elections.

Amid increased violence, NATO took over security in Kabul in August 2003. The effort was the security organization's first-ever commitment outside of Europe.

The Loya Jirga in 2004 adopted a new constitution following input from nearly 500,000 Afghans, some of whom participated in public meetings in villages. The new constitution called for a president and two vice presidents, but the office of prime minister was removed at the last minute. The official languages, according to the constitution, were Pashto and Dari. Also, the new constitution called for equality for women.

Presidential elections were held in October 2004. More than 10.5 million Afghans registered to vote and choose among 18 presidential candidates, including interim leader Karzai. Karzai was elected with 55 per cent of the vote. In 2005, the nation held its first parliamentary elections in more than 30 years. The peaceful vote led to the parliament's first meeting in December 2005.

As fighting continued in 2006 between Taliban and al-Qaeda forces and the Afghan government, NATO extended its peacekeeping mission to include the southern regions of the country. After the forces took over from American-led troops, Taliban fighters launched a bloody wave of suicide attacks and raids against the international troops.

The Afghan government and NATO confirmed that Taliban commander Mullah Dadullah was killed during a U.S.-led operation in southern Afghanistan in 2007.

Mullah Dadullah

The international community pledged more than $15 billion in aid to Afghanistan at a donors' conference in Paris in 2008, while Afghan President Hamid Karzai promised to fight corruption in the government.

Donors' Conference
Paris, 2008

In 2009, President Barack Obama named Richard Holbrooke as a special envoy to Afghanistan and Pakistan. Mr. Obama announced a new strategy for the Afghanistan war that would dispatch more military and civilian trainers to the country, in addition to the 17,000 more combat troops he previously ordered. The strategy also included assistance to Pakistan in its fight against militants. U.S. forces overtook a compound in Abbottabad, Pakistan, and killed al-Qaeda leader Osama bin Laden on May 2 local time in 2011.

President Obama
National Address
11:35 p.m. (EDT)
May 1, 2011

President Hamid Karzai called for American forces to leave Afghan villages and pull back to their bases after a U.S. soldier killed 16 Afghan civilians inside their homes in 2012. By 2013, the Afghan army took over all military and security operations from NATO forces. In May 2014, Obama announced a timetable for significantly reducing U.S. troop sizes in Afghanistan by 2016.

Ashraf Ghani became president of Afghanistan in September 2014 after two rounds of voting, claims of election fraud and a power-sharing agreement with main rival Abdullah Abdullah. In December 2014, NATO officially ended its combat mission in Afghanistan. U.S.-led NATO troops remained to train and advise Afghan forces. In 2015, Obama abandoned plans to withdraw U.S. forces by the end of his presidency and maintained 5,500 troops in Afghanistan when he left office in 2017.

In Aug. 2017, Pres. Donald Trump committed to continued military involvement to prevent the emergence of "a vacuum for terrorists." In February 2019, the U.S. and Taliban signed an agreement on a peace deal that would serve as the preliminary terms for the U.S. withdrawal from the country by May 2021. Trump called off the peace talks after a U.S. soldier was killed in a Taliban attack.

In November 2020, the U.S. announced plans to cut U.S. troop size in half — down to 2,500 by January 2021 — days before Biden was inaugurated as President. In April

2021, Biden announced his aim to complete U.S. troop withdrawal by 9/11. On July 5, 2021, the U.S. left Bagram Airfield without telling the base's new Afghan commander.

On Aug. 10, 2021, the White House stated that a Taliban takeover "is not inevitable" following the U.S.' speedy withdrawal from the country. On Aug. 15, 2021, the Afghanistan government collapsed as the Taliban took over Kabul.

On Aug. 26, 2021, two suicide bombings occurred outside the Kabul airport as thousands of Afghans tried to flee the country following the Taliban's takeover. The bombings killed at least 169 Afghans and 13 U.S. troops. The extremist group ISIS-K, the affiliate of the terror group ISIS, which uses the "K" to reference an old name for Afghanistan, Khorasan, claimed responsibility for the explosions. That group first appeared in eastern Afghanistan in late 2014.

In a speech from the White House that evening, President Joe Biden did not reverse course on the Aug. 31 withdrawal date. In a speech, he vowed to retaliate against the perpetrators of the attack: "We will not forgive. We will not forget. We will hunt you down to make you pay." The U.S. transported a final contingent of troops from Kabul Airport on Aug. 30th, 2021. The Pentagon reported that some Americans were unable to leave and had to rely on "diplomatic channels" to exit the country.

The Islamic Emirate

A few weeks after Kabul fell to the Taliban, a spokesperson for the group stated that they had reestablished the Islamic Emirate as the country's political system, replacing the post-2001 Republic. They also declared that the head of the Afghan state would be the Amir ul-Muminin or Commander of the Faithful and that a caretaker government made up entirely of Taliban members, led by a prime minister, would manage the country's affairs.

The Emirate is a highly underspecified and under-theorized political system. The lack of interest in theorizing and defining the Emirate is a function of the Taliban's history. Since its inception, the Taliban has remained primarily focused on warfare. Internally, the distribution of power within the group has always been a delicate balance that has proven difficult to institutionalize. Externally, the Taliban's main supporters do not seem to demand a sophisticated argument in favour of the Emirate. To those willing to support the group, it seems to suffice that the Taliban are committed to making Shari'ah, as understood by the Taliban-affiliated Hanafi Ulema, the law of the land, and that alternative political systems are not sufficiently Islamic.

More importantly, support for the Taliban has always been driven more by practical considerations than theoretical ones. Nationally, the Taliban have championed disarming the warlords, establishing law and order, curbing corruption and ending the foreign occupation – all of which are popular. Locally, the Taliban have also been attuned to diverse local politics in different parts of the country and in co-opting varied local grievances to generate support in different locales across the country. Poor governance, divisive politics of the Republic and abuse by the foreign forces also made the Taliban's job much easier.

The Taliban never formalized their preferred political system – the Islamic Emirate. During the first Emirate (1996-2001), a council of Ulema gathered in Kabul to draft a

constitution that would formalize the Islamic Emirate. However, the first Emirate never adopted the draft.

After being ousted from power in 2005, the Taliban leadership in exile reportedly endorsed the draft prepared by the Ulema Council and released its text publicly. From a theoretical standpoint, the Taliban's draft constitution is unimpressive. It reproduces almost verbatim a previous draft constitution prepared by the short-lived Mujahideen government. The Mujahideen draft constitution itself infused the frame of an older Afghan constitution – the 1964 constitution – the last Afghan constitution with broad legitimacy, with the Muslim Brotherhood and Jamaat-e-Islami style Islamist ideology popular among the Mujahideen leadership.

The Taliban's draft diverged from the Mujahideen draft and Islamist ideology in one crucial aspect: the Mujahideen draft constitution envisioned a parliamentary form of government where the executive power is divided between a president and a prime minister and people elect members of parliament via general elections (Articles 8 and 46). The Taliban version rejected elections and vested power almost exclusively in the person of the Amir who would not only appoint the entire government and judiciary but also representatives from each province to a body that would assist in a limited form of legislation (Articles 46, 47, and 55). This limited form of legislation was meant to supplement the Hanafi jurisprudence of Islam which was deemed to be the supreme law of the land (Articles 5 and 6).

To the surprise of many, while re-establishing the Emirate in 2021, the Taliban did not adopt their draft constitution as the country's constitution. In a meeting with the Chinese Ambassador to Afghanistan, in what appears to have been an informal comment, the Taliban's caretaker minister of justice reportedly said that the Taliban had reinstated the 1964 constitution as the country's interim constitution, albeit only to the extent that its provisions do not violate Shari'ah. The 1964 constitution is an important milestone in Afghanistan's constitutional history. It gave effect to four decades of

intra-elite dialogue (since the country's first written constitution in 1923) about the structure and role of the Afghan state. However, the value of the Taliban's acting caretaker minister's statement is often exaggerated.

Practically, the Taliban have yet to reference or invoke the 1964 constitution in their conduct. Normatively, the 1964 constitution envisioned a constitutional monarchy with popular elections, whereas the Taliban have consistently rejected elections and maintained that the political system of the country will remain the Islamic Emirate. Since their return to power, important appointments and decrees in administrative, legislative and judicial areas have been issued by the authority of the Taliban's elusive Amir. The 1964 constitution formalized the separation of power and the popular legislature and included a bill of rights as the limits on the power of the state; whereas the Taliban have so far not shown any deference to separation of power, participatory governance (save for some low-level public liaison posts in Kabul) or the boundedness of the power of the state. The 1964 constitution formalized a government of laws. The 1964 constitution considered the state legislation to be the primary source of law in the country if it did not violate the basic principles of Islam and considered the Hanafi jurisprudence of Islam to be a supplementary source (Article 64(2)) whereas the Taliban maintain the reverse of this order.

In what constitutes the first attempt to theorize the Emirate, in April 2022, Abdul Hakim Haqqani, Taliban's acting Chief Justice released a book titled, Islamic Emirate and its Order [Al-Emirate Al-Islami'a wa Nezamaha]. The Taliban's current Amir has endorsed the book and has written an introduction to the book. The book differentiates between two types of state: a state whose aim is taxation and a state whose aim is guidance. The author describes the first type as a set of extractive institutions whose purpose is to enrich those who control these institutions. This type of state prioritizes political and material considerations over religious and ethical considerations, the author argues. The second type, a state whose aim is guidance, is focused on guiding people

towards Allah and enjoining good and prohibiting vice. The Islamic Emirate, the author proclaims, is of the second type.

Haqqani defines three constitutive elements of a state of guidance: 1) independent judiciary; 2) Islamic army; and 3) divine law. The author warns that "an Islamic state will not succeed without implementation of laws of Quran and Sunnah, in accordance to the understanding of the early generation of Muslims and Jurists (Mujahideen), and this was the aim of the Jihad of the Islamic Emirate of Afghanistan, and this too is the preference of people of Afghanistan..."

The author then goes on to produce a list of reasons why human-made laws are baseless. Haqqani, however, argues that the Islamic state should observe the nature and customs of the people too, as long as they do not contradict Shari'ah.

The Status of Shia Afghans under the Taliban

The 2004 constitution was the first Afghan constitution to recognise a limited role for Shi'a jurisprudence, that is, Ja'fari jurisprudence, in the legal sphere. This is despite the sizeable population of Shi'a Muslims in Afghanistan. On issues of different schools of Islamic jurisprudence (madhhab), the Taliban's acting Chief Justice, in his book, writes that the Islamic state should follow the madhhab, common to all or majority of the residents in the country. In Afghanistan, Haqqani argues, that is Hanafi jurisprudence.

Since their return to power, the Taliban's decision to elevate Hanafi jurisprudence to the status of state law and the exclusion of other accepted jurisprudential views within Islam, at least on one occasion, has clashed with the Shi'as jurisprudence. To increase government revenue, the Taliban government has levied a tithe tax on agricultural harvest (ushr) and is planning to collect almsgiving (zakat), by the Hanafi jurisprudence which diverges from the Shi'a jurisprudence. While the Council of Shi'a Ulema of

Afghanistan publicly pleaded that the Shi'as should be exempted from the obligation, given their jurisprudential differences, there is no indication that the Taliban authorities have made any religious accommodation for Shi'as so far.

There are also reports that the Taliban authorities have removed Jafari jurisprudence from the curriculum of universities in Bamiyan which is a Shia-majority province in Afghanistan.

The Taliban's Interim Government

The Taliban preserved the administrative scaffolding of the Republic with some exceptions. They replaced the Ministry of Women's Affairs with the infamous Ministry of Promotion of Virtue and Prevention of Vice and dissolved the electoral commissions. They also re-empowered certain ministries by reversing the Republic area decisions that had created several powerful agencies, directorates and committees independent of ministries.

In terms of staffing, at the national level, the Taliban seems to have kept most of the staff in technical ministries who remained in the country but have placed Taliban members in leadership roles. The security ministries were almost entirely purged from non-Talibs, on the other hand. In the ministries that dealt with issues considered sensitive by the Taliban, such as the Ministry of Education and Higher Education, it appears that the Taliban have replaced most of the staff with their members.

On the local level, hoping to cement their control over the country and generate employment for the now oversized fighting force, the Taliban appear to have replaced most of the staff in the local administration with Taliban members but have kept most teachers and professors. Most of the staffing decisions at the national and local levels were taken primarily based on proximity to the Taliban and not qualifications.

The Treatment of Legal Institutions

Under the 2004 constitution, the legislative power of the state was formerly vested in two houses of the national assembly (even though the president was given a large role in the legislative process and both Afghan presidents exceeded their expansive constitutional powers as well). The Taliban has formally dissolved both houses. The Amir has enacted important legislation via decrees while other matters were legislated via the cabinet and ministries in the form of cabinet resolutions or ministerial directives.

The Ministry of Promotion of Virtue and Prevention of Vice has possibly issued the highest number of directives. These directives often purport not to legislate but notify the public that the ministry intends to enforce certain provisions that it considers to be obligatory upon Afghans by virtue of being Muslims (or subjects of a Muslim state, in the case of non-Muslims) and the Hanafi jurisprudence of Islam being the supreme law of the land. Examples of these directives include the requirement to have beards and head coverings for male government employees and the requirement that women cover their faces and be accompanied by a male relative when they travel beyond a certain distance.

The Taliban have purged the judiciary from the appointees of the Republic era. In their place, the Taliban Amir has exclusively appointed individuals who bear the title of Akhund, Shaykh, Mufti and Mulavi. These titles are not standardized and they do not correspond to a fixed set of qualifications. However, these titles suggest that the person possesses knowledge of the prophetic tradition, the qualification to issue authoritative answers to questions of Islamic law or varied levels of madrasa education. While the intellectual pedigree of these appointees remains unknown, indicators suggest that all these appointees are trained in the Hanafi school of Islamic jurisprudence. Ending the pluralism of the Afghan judiciary, these appointments have purged from the judiciary those with modern legal education and training in Afghan state legislation.

The Taliban have also restructured the judiciary. Under the Taliban, each court (or division within a court) usually comprises a judge, a mufti and a clerk. The clerk attends to the administrative affairs of the court. The division of labour between the position of the judge and the mufti is less clear. The Taliban's enacted rules for the court state that muftis and other participants in the trial cannot pose questions to the claimant, defendant or witnesses and only the judge can do so (Article 18 citing Article 1801 of the Majjalah). This suggests a possible division of labour along factual and legal questions. This type of division would be in line with the history of the judiciary in Islam, particularly during the Ottoman Empire, where muftis articulated the law within a madhhab, and then a judge would determine the facts, choose between the varied opinions of muftis and apply the law as articulated by the preferred fatwa to the facts of the case in the form of a judgment. However, unlike the Ottoman judiciary, in the Taliban judiciary, the mufti is a government appointee and not an independent scholar. Moreover, unlike the Ottoman judiciary, the Taliban appoint judges exclusively from among the Hanafi Ulema.

In terms of substantive law, the Taliban Supreme Court has stated that the laws of the Republic are not to be relied upon in courts. There is a committee formed within the Afghanistan National Academy to review the entirety of the laws of Afghanistan for compliance with Shari'ah. In the meantime, the Taliban judiciary relies heavily on another product of the Ottoman Empire: Majjalah. This is a code-like compendium of Hanafi jurisprudence of Islam compiled by Hanafi jurists during the Ottoman Empire. Outside the judiciary, the Taliban have suspended the independent status of Afghanistan's Independent Bar Association and placed it under the control of the Ministry of Justice. Licensed defence attorneys are required to pass an oral test administered by the Ministry of Justice to keep their license.

Unlike their treatment of the judiciary, the Taliban have yet to dismiss the Republic-era prosecutors. In any case, under the Taliban so far, the formal criminal justice system only handles a small number of cases and punishing those accused of crimes in many cases

has been left to the Taliban's fighters and local commanders. The Taliban fighters have tended to punish those accused of a crime on the spot or after a brief on-site consideration. The punishment has ranged from public shaming to corporal punishment and, in serious cases, death. According to media reports, at least in one case, a Talib commander in a northern province of the country ordered and oversaw the stoning of two people accused of committing adultery.

Current Security Trends

Intra-Taliban Fragmentation

Although the Taliban has historically faced challenges with internal cohesion, its war against foreign forces and their Afghan allies helped to keep the group relatively united for about 20 years. However, with the end of that war and the Taliban's return to power in August 2021, cracks began to appear almost immediately. Chasms within the group have been identified in four areas that are creating challenges for the Taliban's *de facto* administration, domestic policies, diplomatic relations with the rest of the world, and relationships with foreign terrorist organizations and violent extremist groups operating in Afghanistan. These are: (a) tribal fragmentation, (b) factional fragmentation, (c) ideological rifts, and (d) structural disintegration.

For a detailed discussion of each of these fragments, please refer to the following link: https://unicri.it/sites/default/files/2023-05/Afghanistan%E2%80%99s%20Security%20Landscape%20under%20the%20Taliban.pdf (Pg 16-18)

The various fragmentations within the Taliban clearly show that the movement is no longer a unitary actor, making it unable to pursue a unified course of action on any major issue. These divisions have transformed the previously relatively cohesive movement into a collection of competing groups with conflicting agendas, all vying for power and resources within their *de facto* administration.

The differences within the Taliban go beyond ideology and are rooted in Afghan history, social structures, and the pursuit of power. These divisions are rapidly widening and deepening, increasing the risk of violent conflict within the movement. The moderate Taliban, with whom the international community engaged in talks in Qatar, are too few to have a significant influence on the commitments made by the Taliban to the

international community on issues such as human rights and links to foreign terrorist groups and transnational criminal organizations.

As a result, the international community cannot rely on or trust the Taliban's pledges on these matters. The fragmentation within the Taliban movement is a significant issue that can contribute to the thriving of transnational terrorism and organized crime. This is because the lack of unity and effective command and control within the movement can make it difficult for the leadership to effectively enforce decisions and prevent lower-level factions from working with external groups. This is exemplified foremost by the Delgai commanders refusing the leadership's decision on integration within the official defence and security organizations.

Regional and Global Terrorist and Violent Extremist Groups

In addition to the Taliban, various non-Afghan terrorist and violent extremist groups have been operating in Afghanistan for the past two decades. The Taliban's takeover of power has provided these groups with opportunities to strengthen their forces, as well as plan and carry out campaigns of violence and extremism worldwide. These groups have connections to each other and maintain friendly relations with various factions within the Taliban. According to the most recent information gathered through on-the-ground sources, there are currently 14 active terrorist and violent extremist groups in Afghanistan, as listed by the UN.

For more information on the 14 groups, please refer to the following link: https://unicri.it/sites/default/files/2023-05/Afghanistan%E2%80%99s%20Security%20Landscape%20under%20the%20Taliban.pdf (Pg 20-26)

These terrorist and violent extremist groups are often interconnected through ideological, familial, and operational ties, with many of them linked to each other and

the Taliban. These interrelationships can provide mutual support and cooperation among the groups, enabling them to conduct their activities more effectively. For more information on the development of these ties, refer to this link (Pg 27-28).

Anti-Taliban Armed Resistance

Armed resistance against the Taliban is currently on the rise, although it is happening on a small scale and in a sporadic manner. At least 13 known armed groups have formed, with most claiming to be actively engaged in sporadic insurgent operations against the Taliban in various parts of the country. These groups are as follows:

(a) Resistance Movement for Justice (RMJ)
(b) National Resistance Front
(c) National Freedom Front (NFF)
(d) The Free Afghans Front (FAF)
(e) The Free Tigers of Turkistan (FTT)
(f) National Islamic Freedom Movement of Afghanistan (NIFMA)
(g) Freedom and Democracy Movement (FDM)
(h) The Supreme Resistance Council (SRC)
(i) People's Democratic Party of Afghanistan (PDPA)
(j) Western Nooristan Freedom Front (WNFF)
(k) The Freedom Uprising (FU)
(l) The Wolf Unit (WU)
(m) The Patriotic Front (PF)

Insurgencies often go through three phases, as first conceptualized by Mao Zedong in the 1950s and later elaborated upon by various scholars in the field. These are known as the political, guerrilla warfare, and conventional warfare phases. In the political phase, an insurgent group works within the population to gather followers, members, and local

support, and may also conduct political work outside the area of operation, including in foreign countries, to collect financial and logistical support needed for the insurgency.

In the guerrilla warfare phase, the insurgent uses various tactics of irregular warfare to attack its enemy while trying to evade retaliation by not holding ground and establishing a fixed address. As the insurgent group grows in size and strength, it may move into the third phase of conventional warfare, facing its enemy on the battlefield to defeat it and change the status quo. The Taliban went through these three phases during their 20-year fight against the Afghan Republic and its Western allies.

The current anti-Taliban insurgency appears to be in its early stages of political work. The groups mentioned above are small and sporadic, each trying to gather resources, attract membership, and establish a foothold. There is potential for them to grow and strengthen if the Taliban's exclusionary politics and extremist policies continue. Some of these groups may never succeed, while others may grow and become a formidable resistance force that could challenge the Taliban in various parts of the country. All of the ingredients for the emergence of a significant resistance force are present and it is only a matter of time before this potential becomes a reality.

Revenue Mechanisms

State-Level

At the state level, the Taliban currently generates revenue through two main channels: a) official government revenue collections, and (b) foreign assistance.

a. Official Government Revenues

The Ministry of Finance, the agency responsible for collecting, accumulating, and disbursing national revenues in Afghanistan, resumed operations shortly after the Taliban took power in 2021. Despite the contraction of legal economic activities, the departure of American and NATO forces and associated contracting companies, the suspension of most development projects, and other challenges that arose after the collapse of the Afghan Republic, the Ministry of Finance has reportedly collected a significant amount of revenue. The Finance Ministry categorizes its sources of revenue into three main groups: tax, customs, and non-tax.

These funds are deposited into the government's single account and budgeted for expenses by the Ministry of Finance. Whether the Taliban have been directly allocating these funds for goods or activities outside the formal government functions could not be corroborated. However, several of the individuals interviewed for this research alleged high levels of corruption in the Taliban's *de facto* administration, with a high possibility of the funds being used for their collective or individual purposes through corruption in the contracting process.

b. Foreign Assistance

The United Nations is currently the main source of foreign assistance to Afghanistan, delivered through its various agencies and other partners. The United Nations Development Program (UNDP) charges a 2.5 per cent fee for transporting the cash into Afghanistan, which is then stored in a Crown Agent's account at the Afghanistan International Bank (AIB) in Kabul. The UNDP then disburses the funds at its discretion, either in cash or in-kind transfers, to those in need.

In addition to providing humanitarian relief, this cash transfer helps to maintain the stability of the local currency, the Afghani (AFN), and prevent extreme inflation. Cash payments by the UN to families and individuals in need are also believed to be a major source of corruption exploited by the Taliban.

Group-Level

Unlike government revenue sources, data on the group-level revenue sources of the Taliban is not official and exact. Instead, information is primarily based on pre-existing knowledge of the topic, updated with insights and projections from experts with direct or indirect access to the current situation on the ground.

Group-level revenue sources primarily come from the illicit market but also include somewhat legalized streams such as private donations and ushr (alms) collection. On the illicit side, at least seven types of transnational organized criminal activities are known to operate in Afghanistan, providing significant funds to the Taliban and other terrorist and violent extremist groups. These include drug production and trafficking, illicit mining, human trafficking and migrant smuggling, arms smuggling, trafficking of cultural heritage, as well as flora and fauna crimes.

a. Drug Production and Trafficking

According to various sources, the drug industry in Afghanistan, including opium-related drugs (whose supply is approximately 80 percent of the world's consumption), cannabis, and methamphetamine, has seen significant growth since the Taliban's takeover.

While the Taliban initially vowed to ban opium cultivation, production, and trafficking to project a strong and responsible national government, they have taken no steps to hinder any aspect of the industry. This is likely due to the reliance of a large portion of the rural population and powerful warlords on the industry for livelihood, as well as the Taliban benefiting through taxation and direct engagement.

Efforts to disrupt the industry would anger large numbers of the population, offend powerful warlords and tribal leaders, and undercut major support for the Taliban's *de facto* administration. In addition, the Taliban have banked on the opium industry for decades, by taxing farmers, processors, and traffickers, as well as engaging in the business directly.

b. Illicit Mining

Afghanistan is thought to have approximately $2 trillion worth of minerals that have yet to be fully exploited. Most of the country's extractive industry has traditionally operated with limited regulation, and many mining operations are artisanal. The Taliban have utilized illicit mining as a main source of income for years, often joining forces with local warlords and strongmen, and taxing the producers and smugglers.

c. Flora Crimes

Illicit logging in Afghanistan has reached alarming levels and destroyed roughly 50 percent of the country's forests. This illegal activity generates significant revenue for various actors, including criminals, warlords, terrorist and extremist groups, and the Taliban. The Haqqani Network, Taliban, ISIL-K, TTP, and other groups with less clear leadership are known to profit heavily from the industry.

d. Human Trafficking

Human trafficking is a major concern in Afghanistan, with the country serving as a source, transit route, and destination for this illegal activity. While internal trafficking is the most common form, transnational trafficking also occurs on a significant scale. The main destinations for transnational trafficking are the Gulf states, Iran, Pakistan and Turkey. The purposes of trafficking vary, including labour and sexual exploitation, forced begging, forced marriage, drug smuggling, organ donation, and soldiering.

e. Migrant Smuggling

Migrant smuggling is a major issue in Afghanistan, particularly after the recent collapse of the Afghan Republic and the resulting security, political, and economic consequences. Large numbers of people are seeking to leave Afghanistan due to insecurity, political and ethnic discrimination by the Taliban, and a lack of economic opportunities. The long history of cross-border population movements and narcotics smuggling has fostered networks that specialize in the cross-border trafficking of various goods. Many such networks are involved in the movement of people, engaging both in human trafficking and smuggling.

f. Arms Smuggling

In recent years, the diversion of weapons provided by the US and NATO to Afghan National Defence and Security Forces has resulted in access to Western weapons by both insurgents and terrorists, as well as their smuggling out of Afghanistan. The collapse of the Afghan Republic and the departure of American and NATO forces left a surplus of weapons, ammunition, and military hardware in the hands of the Taliban, terrorist and extremist groups, as well as criminal groups.

g. Fauna Crimes

Afghanistan is known to be home to around 150 at-risk animal species, including the snow leopard and Asiatic cheetah. The snow leopard, in particular, is critically endangered and frequently hunted for its valuable hide, which fetches a high price on the black market. In the past, politicians in Afghanistan reportedly facilitated hunting trips for wealthy or influential individuals from the Gulf countries, who use falcons to hunt rare and endangered species.

h. Illicit Trafficking of Cultural Heritage

The illicit trafficking of cultural artefacts, especially the illegal trade of antiquities through the smuggling networks used for opium and heroin trafficking to reach Western markets, is a potentially profitable business and revenue source for the Taliban. Areas around the Bamiyan cliff where the empty niches of the Buddha statues are located have suffered looting and illegal excavations that threaten the annihilation of the site. The Shahr-i Ghulghulah citadel, located in the centre of the Bamiyan Valley, has suffered similar illegal excavations, some over three meters deep.

Individual-Level

The Taliban movement is characterized by a hierarchical structure with individuals at various ranks and levels exercising significant autonomy and authority in their actions. Historically, low to mid-level commanders received strategic guidance from the leadership but had the freedom to recruit, generate resources, and make operational decisions locally. This culture persists, with Taliban commanders generally following guidance from the leadership while independently making decisions within their jurisdictions. This includes generating revenue at the individual level, both for personal enrichment and to support the livelihoods of their soldiers. This revenue generation occurs through at least four means:

a. Confiscations

It is reported that Taliban commanders have been confiscating a range of assets, including land, properties, vehicles, weapons, equipment, and cash, from both former politicians and government officials, as well as businesspeople and private citizens. In cases where the assets have significant value, a portion or all of them may be reported and transferred to the Taliban movement, contributing to the group's overall revenue. However, reportedly in most cases, these confiscated assets are retained by individual Taliban commanders, who may use them, rent them, or sell them in the market.

b. Extortion

The Taliban have been known to extort payments in cash or in kind from non-governmental organizations (NGOs), businesses, wealthy individuals, and villagers. This practice, often referred to as "protection money," has been widespread throughout Afghanistan and continues to this day. The largest sums are reportedly demanded from NGOs and businesses, while wealthy individuals,

particularly those who have not traditionally supported the Taliban, are targeted under the guise of "helping the mujahideen." In some parts of the country, such as Badakhshan, Taliban commanders reportedly force villagers to provide food for their soldiers. If these payments are not made, the Taliban may prevent NGOs and businesses from carrying out their normal activities.

c. Kidnapping for Ransom

Kidnapping for ransom has been a common method of revenue generation for Taliban commanders and other terrorist and violent extremist groups such as ISIL-K and the TTP for many years. This practice continues, with reports of children or young males from wealthy families being kidnapped and released in exchange for ransom. This is particularly prevalent in the western provinces of Herat and Farah, as well as various locations in the north, including Kabul.

d. Bribery

The level of corruption, particularly in receiving bribes by Taliban officials in their *de facto* government is reported to be very high. As a former Afghan government official who still works in the Taliban's administration said: "On the one hand, you have Taliban individuals who have now tasted luxury and have become extremely greedy. On the other hand, there is no systematic oversight of anything in the government where Taliban officials enjoy almost unrestricted authority. Put these two together, and you can imagine the levels of bribery!" Another former government official from the Ministry of Interior Affairs who still works in Kabul expressed a similar sentiment: "The Taliban officials are basically asking us on ways they could make money ... nothing can really happen without a bribe." One way that Taliban officials have been known to spend their illicit wealth is through the practice of polygamy, with many Taliban members reportedly marrying multiple wives.

Funds Moving Mechanisms

With no official banking system in operation due to financial sanctions against the Taliban, it is unclear how funds are transferred into, within, and out of Afghanistan. However, there is general knowledge about the schemes and trends involved in this process, which are briefly outlined below:

a. **Hawala:** The Hawala system is a widely used, informal value transfer system that operates through a network of Hawaladars in various jurisdictions. It allows fast and efficient transfers of funds by giving money to one member of the network in one location with the intended beneficiary immediately receiving it from another member in a different location using a passcode. Hawala is believed to be the main mechanism for the transfer of funds into, within, and out of Afghanistan. According to the Financial Action Task Force (FATF), the hawala system serves 50 to 90 per cent of all financial transactions, depending on the province, with Kabul's main hawala market loan volume being roughly double that of commercial banking. Taliban's actions to regulate and centralize the revenue collection on cross-border trade and dismantle the network of roadside checkpoints that collected rents for powerbrokers in the provinces are directly related to their interest in controlling the hawala system, and by extension to control the cash flow linked to drug trafficking and their reluctance to enforce a regulation for this informal money exchange market.

b. **Cash Couriers:** Individuals, groups, and organizations transport cash, particularly US dollars, from one jurisdiction to another. Methods to carry cash included hidden compartments in vehicles and suitcases of cash flown through airlines, particularly Ariana Afghan Airlines. Given the large amount of cash accumulated in Afghanistan due to financial sanctions, experts suggest that cash couriers are now a major method of funds transfer.

c. **Trade-based Money Laundering:** The basic scheme in trade-based money laundering involves either over-invoicing or under-invoicing, depending on the direction in which funds are moved by companies either owned or linked to extremist or criminal organizations. In Afghanistan, this method is being used through the trade of low-grade commodities to and from Central Asia, China, Pakistan, Iran, Turkey, and the UAE.

Impact of the Sanctions

The ongoing imposition of economic prohibitions and financial sanctions against the Taliban is intended to curtail their access to financial resources and restrict their ability to transfer funds. However, although these measures are deemed "targeted," they have had a significantly detrimental effect on the Afghan economy and society. As a result, Afghanistan has become a largely isolated economy, struggling to import essential goods and maintain its modest export levels. Consequently, these sanctions have led to a substantial decline in legal economic activity, depriving millions of people of their livelihoods and forcing some to turn to illicit markets for survival.

Furthermore, the ban on trading in US dollars and the exclusion of Afghan banks from the SWIFT messaging system have effectively severed the country from the global financial network. In response, Afghans have increasingly relied on informal and predominantly illicit channels for financial transactions. These methods are also exploited by the Taliban and other terrorist and violent extremist groups, allowing them to evade the reach of these sanctions.

The Head of the United Nations Assistance Mission in Afghanistan (UNAMA) cautioned the Security Council in a meeting that the country is "ruptured from the international community", with many Taliban *de facto* ministers under sanctions and

travel bans. Afghanistan's Central Bank assets are frozen, limiting the development potential of the private sector, and the *de facto* authorities have no representation in multilateral institutions, she added.

"The delegation from Kabul heard loud and clear the international community's concerns and were given a chance to respond," she said. In many ways, the *de facto* authorities are correct that their achievements have been underappreciated and that ongoing international restrictions on Afghanistan have made governance more difficult, she added.

In the same meeting, the Russian Federation's delegate warned that the Western approach of pinning all responsibility on the Taliban is "a road to nowhere", noting that, despite unprecedented unilateral sanctions and predictions from Western countries following the Taliban's rise to power, Afghanistan has managed to avoid a civil war and "has not turned into a black hole". Commending the Taliban's efforts to "focus on strengthening regional cooperation and rebuilding social economic capacity", he stressed the need for "patient dialogue without any blackmail or pressure".

On that note, China's diplomat asked the Council to reactivate "the package of exceptions" to the travel ban on the interim Government members and adjust the 1988 sanctions regime. With 24 million people in need of humanitarian assistance, he urged relevant States "to immediately end illegal unilateral sanctions and respect Afghanistan's indigenous right to development".

Human Rights in Afghanistan

Afghanistan as a State remains bound by the international human rights obligations stemming from the treaties to which it is a party. The *de facto* authorities have a responsibility to uphold these obligations by respecting, protecting and fulfilling human rights in Afghanistan. This includes respecting human rights and responding to violations, but also protecting against violations by third parties and creating an environment where human rights are respected. At a fundamental level, this obligation requires institutions that protect human rights and the rule of law; laws and policies that promote – rather than curtail – the enjoyment of human rights; and positive measures to prevent human rights violations and hold perpetrators accountable.

Before the Taliban takeover on 15 August 2021, Afghanistan faced significant human rights challenges. Women and girls who had experienced crimes of violence faced significant barriers to accessing justice; allegations of torture and ill-treatment and violations of procedural rights in places of detention were high; civilians suffered decades of harm as a result of protracted armed conflict, with limited efforts towards accountability and reparations; and human rights defenders and media workers were the targets of violence. There were, however, significant steps taken by the Government of the former Islamic Republic of Afghanistan aimed at the protection and promotion of human rights.

Among these were the 2004 Constitution, which enshrined a bill of rights, a commitment to uphold the international human rights treaties and conventions to which Afghanistan is a State party and the establishment of the Afghanistan Independent Human Rights Commission. Other measures included: the creation of a Ministry of Women's Affairs, the introduction of the 2009 Elimination of Violence Against Women (EVAW) Law, the adoption and steps towards implementation of a National Policy on Civilian Casualty Prevention and Mitigation, and the establishment, in February 2018, of an International Crimes Directorate within the Attorney-General's Office.

Under Taliban rule, key institutions such as the Afghanistan Independent Human Rights Commission, the Afghanistan Independent Bar Association, EVAW prosecution offices and courts and the former Attorney-General's Office have been successively abolished.

Humanitarian and Economic Situation

Following the Taliban takeover, the economy went into freefall due to the disruption to markets, financial and trade mechanisms, the freezing of US$9.5 billion in central bank reserves, loans and the sudden suspension of direct development aid to Afghanistan. In 2023, 28.3 million people – two-thirds of Afghanistan's population – need urgent humanitarian assistance, and despite the dire situation, the Humanitarian Response Plan for 2023 received only 9 per cent of the total required funding as of 2 June 2023.

The restrictions imposed on women and girls' rights to work, education and freedom of movement by the *de facto* authorities have compounded existing pressures and created new ones. The United Nations Development Programme has estimated a $1 billion reduction in GDP as a result of the *de facto* authorities' decisions to curb women's access to work, noting that this can have a broader impact on poverty and humanitarian needs countrywide. The bans on women working for international and national NGOs and the United Nations have adversely affected the ability of Afghan women to participate in the humanitarian response, jeopardizing the ability of humanitarian assistance to effectively reach women and girls. While humanitarian actors have strived to continue their work and negotiate exemptions and local authorizations, the overall environment remains extremely challenging.

Policies Affecting the Enjoyment of Human Rights

Decrees and edicts announced throughout the period compounded previously introduced restrictions on the human rights and fundamental freedoms of Afghan women and girls across all areas of life, notably:

- On 23 March 2022, despite public pronouncements to the contrary, the *de facto* Ministry of Education announced that girls' secondary schools, which had been closed since the Taliban takeover, would remain closed pending the development of a plan for their reopening, in line with Sharia and Afghan tradition and culture.

- On 7 May 2022, the *de facto* MPVPV introduced a regulation which rendered the observance of the hijab mandatory for women in public places. The regulation established a set of disciplinary actions applicable to the male relatives of women deemed non-compliant, involving a warning for a first instance of non-compliance, followed by the imprisonment of the male relative and possible prosecution in court for further infractions. The regulation further recommended that the "best form of observance of the Sharia *hijab*" was for women to avoid leaving the house unless necessary.

- On 10 November 2022, the *de facto* MPVPV announced that women were prohibited from the use of parks, gyms and public baths, with the Spokesperson for the *de facto* MPVPV stating that the prohibition was necessary due to the "violation of rules" regarding segregation between men and women and observance of *hijab*.

- On 20 December 2022, the *de facto* Ministry of Higher Education suspended higher education for female students until further notice.

- On 24 December 2022, the *de facto* Ministry of Economy issued an order prohibiting Afghan female staff from working for domestic and international NGOs. On 4 April 2023, this prohibition was extended to include Afghan female

staff working for the United Nations, communicated verbally to the United Nations by the *de facto* MOFA.

- On 26 June 2023, the *de facto* MPVPV issued a letter ordering all women's beauty salons to close by 25 July 2023. The spokesperson for the *de facto* Ministry stated that the ban was necessary because beauty salons offer services forbidden by Islam and cause economic hardship for groom's families during wedding festivities.

In addition to the restrictions imposed by the policies themselves, their implementation has involved further violations of human rights. Instances of women being harassed or beaten at checkpoints for failures to observe Islamic *hijab*, as interpreted by the *de facto* authorities, or ordered to return home from the market because they were shopping without a *mahram* are frequently documented.

For information on the curtailment of freedom of opinion and expression, regulation of daily and cultural life, violations of the rights to life, liberty and security of the person, and accountability in Afghanistan, please refer to the following report:

https://documents.un.org/doc/undoc/gen/g23/183/44/pdf/g2318344.pdf

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The Doha Meeting on Afghanistan

The third edition of the United Nations (UN)-led international conference in Doha on Afghanistan, was held on June 30th and July 1st, 2024. The Taliban's participation, with the Islamic Emirate of Afghanistan (IEA), represented by a five-member delegation, along with the Special Envoys from 25 countries and some international organizations and the absence of women and other civil society groups was a major breakaway from the past iterations of the conference. While the Taliban were not invited to the first edition and refused to attend the second meeting held in February, this time their participation was secured by granting them some concessions.

In February, the Taliban put forth two demands to participate in the second edition of the Doha conference-—that they be treated as the sole representative of Afghanistan i.e. women and civil society groups should not be allowed to be a part of the gathering and that a meeting between the regime's leadership and senior UN officials should be facilitated. At that time, the UN Secretary-General, while rejecting these demands, classified them as akin to recognition. This time around, women and civil society groups were barred from the main conference and were invited only for a separate gathering after the formal conclusion of the Doha conference. The UN Secretary-General also skipped participation, with the Deputy Secretary-General holding the fort, thus removing the possibility of a meeting between the Taliban and the UN Secretary-General.

Before the beginning of the conference, the group also pitched for a transfer of Afghanistan's seat in the UN to the IEA and asked the UN to stop the process of appointment of a UN Special Representative for Afghanistan. In terms of deciding what should be a part of the conference's agenda, the group wanted the focus to be on the country's economic situation, narcotics, and how to navigate the threat posed by armed groups like the ISK-P with the Taliban being given some space to coordinate the final agenda. Thus, issues related to women's rights, inclusive governance, Taliban's ties

to other terror groups like Al Qaeda were not put on the agenda. The official agenda had just two issues—economic progress and counter-narcotics. The UN Deputy Secretary-General justified the absence of women by stating that the conference wasn't an 'intra-Afghan' exercise and so didn't require the participation of all stakeholders. This enabled the Taliban to get a seat at the table.

The Emirate was represented by their spokesperson, Zabihullah Mujahid, who outlined their policy priorities and listed their demands for the international community. Relegating the criticism of their policies as a difference in perception between how countries view the world, the spokesperson stated their three demands—removal of the sanctions on the country's banking sector, unfreezing of the Central Bank reserves and provision of alternate sources of livelihood for the Afghan farmers against the backdrop of the ban on poppy cultivation. After the conclusion of the meeting, the Taliban expressed satisfaction at their message being successfully relayed to all the participating countries with 'most countries' agreeing to cooperate in these areas and 'pledging' that the banking and economic restrictions would be lifted. The latter claims were rejected by the UN, which stated that no such commitments were made or could be made by the UN and that the participation of the group in no way means that they are on track for recognition. At the end of the conference, there was only an agreement to form two working groups on the private sector and counter-narcotics.

Even without any concrete commitments, for the Taliban, as they head into their fourth year in power, the conference allowed them to position themselves as the sole representative of Afghanistan and to only broach topics that they were comfortable with discussing with the international community. They saw their participation as a testament to the success of their continued push for constructive engagement, compelling the international community to move away from ineffective 'pressure tactics' to a results-oriented approach. They detailed their work on banning poppy cultivation, which according to their official media garnered praise from the international community; and they reduced the question of the rights and freedom of

women to a 'policy difference' that was Afghanistan's internal issue and thus shouldn't be taken up at the meeting. The appointment of a Special Envoy, which was the central demand in the previous conference, was also basically shelved, with no update on the Taliban's position.

As we have seen in the past three years, regional countries have intensified their engagement with the group because of both strategic security and economic considerations. This engagement, while seen as necessary because of the resurgence of terrorism in Afghanistan, has placed the regime in a position of power, giving them legitimacy and leverage to seek concessions from the international community. In the current scenario where the cleavages between West China and Russia have increased, Afghanistan has inadvertently become one of the theatres where this rivalry is replicated at a micro level. Even as the US has reduced its involvement in the region, the actions of both China and Russia are aimed at countering its presence. China has increased its economic investments in the country and has accredited a Taliban diplomat whereas Russia recently expressed its desire to remove the Taliban from its list of terrorist groups. Both Moscow and Beijing have stressed accepting the political reality of the country and dealing with the Taliban without any pressure.

At the conference, the group had 24 sideline meetings with the representatives of Russia, China, India, Iran, Japan, and the US. With the US envoy, the discussion focused on the release of two prisoners for which a quid pro quo was proposed by the IEA. Meetings in a quadrilateral format were also held with Uzbekistan, Pakistan, Qatar and Afghanistan discussing the developments in the Trans-Himalayan Railway. The Taliban highlighted how other countries should also engage with the group in a way similar to the regional countries for their 'mutual bilateral benefits.'

The UN in Afghanistan

The UN Country Team

The UNCT constitutes the development pillar of the UNAMA. Partly due to the continued large inflow of international assistance, the Afghanistan economy has stabilized and inflation has been brought under control. Additionally, exports have begun to increase, corruption has reduced, and there is a gradual restoration of confidence in the financial sector. These offer a glimmer of hope, but without sustainable and inclusive growth that creates decent livelihoods for men and women, there will continue to be a high level of dependence on humanitarian assistance.

The UN and its agencies, including UNDP, are working together to address the urgent needs of the Afghan people and support their basic human rights. The United Nations Strategic Framework for Afghanistan 2023-2025 outlines three priorities: sustained essential services, economic opportunities and resilient livelihoods, social cohesion, inclusion, gender equality, human rights, and the rule of law.

UNDP Afghanistan's Transitional Country Programme Strategy aligns with this framework and adopts a community-centred recovery approach that focuses on stimulating the local economy, enhancing disaster and climate resilience, sustaining essential services, and fostering inclusive community engagement. To support joint programming, UNDP established a Special Trust Fund for Afghanistan (currently led by the Office of the UN Resident Coordinator), which serves as an interagency mechanism for coordination, collaboration and funding joint projects.

There are currently 23 UN agencies, funds and programmes in the UN Country Team, of which 20 are located in Afghanistan. For the full list of UN agencies operating in Afghanistan, refer to the following link:
https://afghanistan.un.org/en/about/un-entities-in-country

The UNAMA and its Mandate

UNAMA's original mandate, laid out in UN Security Council Resolution 1401 (March 2002) was to support the implementation of the Bonn Agreement (December 2001). This mandate has changed over time to reflect the needs of the country and was last extended on 15 March 2024, by UN Security Council Resolution 2727 (2024).

Resolution 2727 stresses the important role that the United Nations will continue to play in promoting peace and stability in Afghanistan. The United Nations has been involved in the region since 1946 when Afghanistan joined the United Nations as a member state of the Organization.

Previous UN Security resolutions defining UNAMA's mandate are: 1662 (2006), 1746 (2007), 1806 (2008), 1868 (2009), 1917 (2010), 1974 (2011), 2041 (2012), 2096 (2013), 2145 (2014), 2210 (2015), 2274 (2016), 2344 (2017), 2405 (2018), 2460 (2019), 2489 (2019), 2543 (2020), 2596 (2021), 2626 (2022), 2678 (2023), 2679 (2023).

Its current mandate tasks UNAMA with the promotion and support of humanitarian assistance in line with humanitarian principles, human rights, equality for women and girls, inclusive governance, resilience, and economic stability, and using its good offices for principled and constructive engagement with all national, regional and global stakeholders in the pursuit of Afghanistan's peace and stability.

Resolution 2727 (2024)

> 2. *Welcomes* UNAMA's ongoing efforts in the implementation of its mandated tasks and priorities;
>
> 3. *Decides* to extend until 17 March 2025 the mandate of UNAMA, as defined in resolution 2626 (2022);
>
> 4. *Stresses* the critical importance of a continued presence of UNAMA and other United Nations Agencies, Funds and Programmes across Afghanistan, and *calls upon* all relevant Afghan political actors and stakeholders, including relevant authorities as needed, as well as international actors to coordinate with UNAMA in the implementation of its mandate and to ensure the safety, security and freedom of movement of United Nations and associated personnel throughout the country;

At the forefront of UNAMA's work is the provision of outreach and 'good offices' – which involves high-level mediation and is sometimes described as preventive diplomacy or conflict prevention.

Outreach and good offices involve facilitating dialogue between all relevant Afghan political actors and stakeholders, the region and the wider international community, with a focus on promoting inclusive, representative, participatory and responsive governance at the national and sub-national levels, without any discrimination based on gender, religion or ethnicity, with full, equal and meaningful participation of women, minorities, youth and persons with disabilities.

The Mission further provides advice on inclusive national and local consultative mechanisms, as well as confidence-building measures, capacity-building, conflict management and reconciliation.

UNAMA's Human Rights Service, which also represents the Office of the UN High Commissioner for Human Rights, leads the Mission's work in monitoring, reporting and advocating on the human rights situation in Afghanistan as mandated by the UN Security Council, and in particular UN Security Council Resolution 2678 of 16 March 2023.

The Mission's human rights strategy is implemented through on-the-ground targeted research, monitoring, documentation, reporting, advocacy and engagement with all key interlocutors, including relevant duty bearers in Afghanistan. Based on this work, UNAMA calls for all human rights violations to be investigated, for those responsible to be held accountable, and for victims to access justice; without these measures impunity prevails, and human rights violations continue. It calls for equality and non-discrimination, with all (women, men, girls and boys) who live in Afghanistan being considered integral to society. Their rights must be fully respected, promoted and protected in all spheres of daily and public life.

UNAMA's Human Rights work focuses on:

- **Protection of Civilians** - undertakes independent and impartial monitoring, documentation and reporting of harm caused to the population due to an incident, including during at times of armed clashes and armed conflict, and advocates for the protection of civilians at all times.
- **Right to Life, Liberty & Physical Integrity** - documents and reports on violations of international human rights law, including arbitrary arrests and detentions, torture and ill-treatment, cruel, inhuman and degrading punishments, as well as enforced disappearances and extrajudicial killings.
- **Women's Rights, including the Elimination of Violence against Women and Girls** – focuses on monitoring and reporting on aspects of women's rights across the priority areas of UNAMA's human rights work and on the elimination of violence against women and girls in coordination with relevant UN agencies; its documenting and reporting inform efforts to advance gender equality and rights of Afghan women and girls.
- **Detainees' Rights** – engages with detention authorities pursued at the national and sub-national levels, advocates for the improvement of detention conditions, the prevention of torture and ill-treatment, monitors places of detention as well as promotes of the rights of detainees (including the respect of procedural safeguards), and documents human rights violations in detention contexts.
- **Fundamental Freedoms** – monitors and reports on fundamental freedoms (including expression, opinion, peaceful assembly and association) as well as Media freedom, which are key for the development of a country, allowing access to information, meaningful debate and benefiting those who govern to understand and respond to issues facing the population. It follows the situation for human rights defenders, journalists and media workers, as well as ethnic and religious communities. It advocates for an independent national human rights institution, in line with Paris Principles, with a broad mandate to protect and promote all human rights in Afghanistan.
- **Children and Armed Conflict** – monitors grave child rights violations as per the relevant Security Council Resolutions. UNAMA contributes to the UN-led Country Task Force on Monitoring and Reporting with the aim to promote accountability and protection of children given the disproportionate impact of war on children.

UNAMA released its first report on the human rights situation in Afghanistan since the Taliban takeover in August 2021. The report, Human Rights in Afghanistan: 15 August 2021 – 15 June 2022, summarises UNAMA's findings with regard to the protection of civilians, extrajudicial killings, torture and ill-treatment, arbitrary arrests and detentions, the rights of women and girls in Afghanistan, fundamental freedoms and the situation in places of detention. The report also contains recommendations to both the *de facto* authorities and the international community.

Expectations and Conclusion

We hope that you've read through this Background Guide in its entirety and haven't skipped to this part. We'll be writing this section assuming you've read through the Guide. If your question about Afghanistan's presence in the Council still persists, we'll be answering it now.

Afghanistan's seat at the United Nations is currently occupied by Naseer Ahmad Faiq, a diplomat appointed by a government that no longer exists. He had declared that he no longer represents the old government, which has never officially abdicated, and that he does not represent the Islamic Emirate of Afghanistan either, but only the "oppressed groups in Afghanistan".

Faiq can, nevertheless, still attend UN meetings as Afghanistan's representative in the current General Assembly. He also attended an spoke at the 26 September, 2023 UNSC meeting, where the Secretary General's Special Representative for Afghanistan briefed the council on the situation in Afghanistan.

The UN Credentials Committee will likely maintain its previous course over the question of who should occupy Afghanistan's UN seat and, as it has done since 2021, defer the decision for another year. Slow and cumbersome procedures at the UNGA and its Credentials Committee give the Emirate's leadership time to consider whether it wants to shift on what appear to be the preconditions (even if the UN does not call them that) for recognition and for gaining the UN seat.

Rule 37 of the Security Council's Provisional Rules of Procedure reads as follows: *"Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are especially affected, or when a Member*

brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter."

As per this rule, the Presidency, which is us for the duration of this conference, may invite the representative of Afghanistan to participate in proceedings. However, we'd considered the extensive confusion a participant may face when allotted this portfolio and the inaccuracies that will arise out of such an envoy being represented, so we have opted to limit this simulation's attendees to the Council's current membership.

For more information on the "credentialing dispute", feel free to read through this article.

Moving on, we'd like to highlight our primary expectations from participants.
One benefit of discussing Security Council agendas in Model UN is the ease with which records and information can be found. This agenda in particular, the situation in Afghanistan, has been discussed in Security Council meetings numerous times, and several resolutions have been adopted during these meetings as well.

We urge you to look through these records, be it the statements made at a particular meeting of the Council or the resolutions adopted and how the voting procedure was conducted. Gaining an understanding of how these real diplomats operated when they were faced with the same agenda is another step in your research beyond reading the Background Guide.

Avoid focusing entirely on the problem at hand and focus on how the Security Council can address it. Rule 39 of the Provisional Rules of Procedure reads as follows:
"The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

These invitees often brief the members of the Council on the problem at hand, leaving the membership to negotiate and deliberate solutions. We hope this Background Guide serves the role of an invitee for you. We don't use the words 'negotiate' and 'deliberate' lightly either. We expect you to engage in back-and-forth conversations about the topic at hand, criticizing each other's statements where necessary and building on them when you can.

Besides research, which we'd already touched upon earlier in the Guide, there are two other aspects we'd like you to focus on. These are:
(1) Eloquence;
(2) Argumentation.

Eloquence is quite simple. It's the fluency and persuasiveness of your speech during proceedings. We critically examine this alongside the other two elements as well when grading your performance. We'd recommend taking a look at broadcasts of GA Plenary meetings or any other UN meeting available online to understand how speeches can be delivered effectively and persuasively.

Argumentation on the other hand is more complex. It's the manner in which you support a claim or a proposal you are trying to make. The evidence and reasoning you use here play a very crucial role in making or breaking an argument that you intend to make. Read through and understand your speeches carefully. We genuinely appreciate delegates who make the effort to learn what they say and avoid reading information copy pasted from the internet. This effort translates to the manner in which a delegate can answer questions they're posed with as well.

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