



Security Council

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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Letter dated 24 March 2004 from the Permanent Representative of Afghanistan to the United Nations addressed to the Chairman of the Committee

I have the honour to attach herewith, in accordance with resolution 1526 (2004), adopted by the Security Council on 30 January 2004, and in particular its paragraph 22, the country report of the Transitional Government of Afghanistan to the Security Council Committee pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and the associated individuals and entities (see annex).

(Signed) A. G. Ravan **Farhâdi**
Ambassador
Permanent Representative

Annex to the letter dated 24 March 2004 from the Permanent Representative of Afghanistan to the United Nations addressed to the Chairman of the Committee

**AFGHANISTAN COUNTRY REPORT TO THE UNITED NATIONS SECURITY COUNCIL
IN ACCORDANCE WITH UNSCR'S 1455 AND 1526**

In fulfillment of Afghanistan's obligation as a full member of the United Nations and in compliance with Security Council resolutions, specifically resolution 1455 of January 2003, the Afghan Government, hereby, submits this report on steps taken to implement paragraph 6 and 7 of resolution 1455 against the Taliban and Al-Qaeda organization, and other suspected groups and individuals from financing, planning, supporting, facilitating, preparation and perpetration of terrorist acts.

Introduction

The foundation of the present government of Afghanistan and the ongoing political process with the strong determination and will to fight against Taliban and Al Qaida terrorist organizations was laid down after the successful conclusion of the Bonn Agreement on December 5, 2001. However, the campaign against the Taliban, Al Qaida Terrorist organization and their foreign military allies in Afghanistan is not a post September 11, 2001, phenomenon. The resistance against the growing threat of the terrorist groups dates back to 1994 when the Taliban initially appeared claiming to be saviors of the Afghan people, but later it revealed its true nature as a dangerous terrorist organization that supported, assisted and offered safe haven to terrorists from around the world.

Despite capturing capital Kabul, the Taliban never succeeded in conquering the entire country or winning political recognition by the United Nations, because of the military resistance of the legitimate government based in the north of the country.

The events of September 11, 2001, changed the whole situation both inside and outside of Afghanistan. With the support of the international community and anti-terrorist coalition forces, the legitimate government of Afghanistan, recognized by the United Nations, ousted the Taliban regime and their terrorist allies. As a result of the inter-Afghan political discussions in Bonn, the transfer of power took place and the Interim Administration headed by President Hamid Karzai became the new government of Afghanistan.

The Bonn Agreement which was sponsored by the United Nations and signed by the Afghan groups, in the presence of the Secretary-General's Special Representative for Afghanistan, Dr. Lakhdar Brahimi, facilitated the formation of Provisional Arrangements pending the re-establishment of Permanent Government Institutions in Afghanistan. The participants of the Bonn Agreement strongly expressed their determination to promote national reconciliation,

respect human rights and work for lasting peace and stability in the country. Furthermore, as agreed by the Agreement, the Afghan Interim Administration assumed the responsibilities of the State and was endorsed as the sole repository of Afghan Sovereignty. The Interim Administration holds the responsibility of representing Afghanistan in the international forums including the United Nations and all other international political, economical and social institutions and conferences.

Following the signing of the agreement, all armed groups opposing the Taliban and Al Qaida terrorist organizations in the country were required to serve under the command and control of the Interim Administration and to be reorganized and reintegrated according to the requirements and demands of the Afghan security institutions and Armed forces.

I. International Obligations

Like any other post-conflict country, Afghanistan is in a state of transition, moving slowly but steadily towards building democratic institutions and rule of law. As agreed upon in Bonn, the Afghan Government is bound by the paragraph 4 of the final provision of the agreement which states that; "The Interim Administration shall cooperate with the international community in the fight against terrorism, drugs and organized crime." Recognizing the importance of the issue and in conformity with the Bonn Agreement and all Security Council resolutions the government of Afghanistan has declared fighting terrorism as its top policy objective. The country's two complementary but separate policy directions are:

1. Fighting terrorism side by side with the international community in an international effort to eradicate the scourge of terrorism on the international front, and Continue to fight the Taliban and Al-Qaeda terrorist organization until their total elimination on the domestic front;
2. The creation of a sovereign, Islamic State based on the principles of constitutional rule of law, democratic government, respect for human rights, and economic prosperity.

Despite challenges, these policy goals are being resolutely pursued by the Afghan Government with the support and assistance of the United Nations and the international community.

II. Security Council Resolutions:

Afghanistan as a committed member of the United Nations adheres to all the requirements of the Security Council resolutions. The Afghan Government, observes the requirements and actively participates in Counter-Terrorism activities as required by the Security Council Resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003) and 1526 (2004).

III. Legislative Framework:

Afghanistan's new constitution which was adopted in January 2004 denounces in strong terms any act of terror and promises to take all measures to prevent any types of terrorist activities. Article 7 of the constitution states that;

“The State shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights. The State prevents all types of terrorist activities and production and smuggling of narcotics.”

IV. International Instruments and treaties

The Transitional Government of Afghanistan is party to the following international instruments aimed at curbing terrorism in all forms and manifestations:

1. Convention on offences and certain other Acts Committed on Board Aircraft, ratified on 15 April, 1997.
2. Convention for the Suppression of Unlawful Seizure of Aircraft, signed in 16 December, 1920, acceded and ratified on 29 August 1979.
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Ratified and Acceded on 26 September, 1984.
4. Statute of the International Criminal Council, acceded on February 10, 2003.
5. Convention on the Prevention and punishment of Crimes against Internationally Protected Persons, on August 15, 2003.
6. International Convention against the Taking of Hostages, August 9, 2003.
7. Convention on the Physical Protection of Nuclear Material, on August 3, 2003.
8. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, on August 14, 2003
9. Convention for the suppression of Unlawful Acts against the Safety of Maritime Navigation, signed on August 10, 2003.
10. Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf, signed on August 11, 2003

11. Convention on the Making of Plastic Explosives for the purpose of Detection, signed on March 1st 1991, and ratified on 17 August, 2003.
12. International Convention for the Suppression of Terrorist Bombing, 8 August, 2003.
13. International Convention for the Suppression of Financing of Terrorism, on August 5, 2003.
14. Convention against Transnational organized crime, signed on 15 November 2000, ratified on 16 August, 2003.
15. Convention on the prohibition of the development, production, stockpile and use of Chemical Weapons and their destruction, signed on 14 January 1993 and ratified on August 20, 2003.
16. Comprehensive Nuclear-Test –Ban Treaty, on 18 August 2003.

V. Counter Narcotics:

The drug issue in Afghanistan is a growing concern for the Afghan Government as well as the International community, as most of the opium produced in Afghanistan is refined and exported abroad. According to the United Nations, Afghanistan produced 3,600 metric tons of opium in 2003. The Afghan government is aware of the fact that the criminal activities associated with drug trafficking and terrorism financed by illicit drug money, increases threat to both domestic and international peace and stability.

To address this critical problem, the government has taken some concrete steps; on 17 January 2002, President Karzai issued a decree banning the cultivation, production and trafficking of narcotic drugs. On 3 April 2002, the government issued another decree for the implementation of the eradication campaign. Similarly, on 4 September 2002, another presidential decree was issued to further enforce the ban on cultivation, production, and trafficking of illicit drugs. On 7 October 2002, the National Security Advisor Mr. Zalmay Rasul was assigned by the President to oversee the measures against opium cultivation, production and trafficking.

In 2003, Afghan National Drug Control Strategy (ANDCS) was approved. The aim of the ANDCS is to completely eradicate the drug menace by the year 2013. To curb the drug problem and to implement the ANDCS the Afghan Government has taken the following steps;

- The Counter-Narcotics Directorate has been formed to coordinate, monitor and evaluate the implementation of the ANDCS all over the country.
- A new Drug Law in compliance with the relevant UN Drug Conventions has now been put into effect.
- Counter Narcotics Police of Afghanistan (CNPA) has been created, opening the way for greater cooperation between the Afghan authorities and the international law enforcement and intelligence.

A further development in this area has been holding of the “International Counter Narcotics Conference on Afghanistan” held in Kabul in February 2004. The conference set out the main areas where future action is required to implement the ANDCS efforts.

VI. Regional Cooperation:

* On 4 June 2002, Afghanistan joined a 16-nation Asian summit in Kazakhstan and signed an anti-terrorism declaration which commits its signatories to denounce **“all forms and manifestations of terrorism whenever, wherever or whoever may commit them.”**

* After the successful conclusion of bilateral meetings with the neighboring countries, agreements have been reached for further cooperation in the areas of exchange of intelligence on terrorism and movement of terrorist across borders and also on further coordination of counter-terrorism activities in the region.

VII. Tripartite Commission:

The Tripartite Commission has the commitment of Pakistan, Afghanistan and the United States to work together for the initiatives aimed at enhancing regional stability. The Mission of the Commission is to address issues of common concerns such as cross-border security, terrorism, exchange of information, prompt response with the provision of information and action. There is agreement to defuse border tension, enhance border stability, build mutual confidence, increase transparency, marginalize extremists and propose border control and visibility mechanisms. The Afghan side of the Commission is headed by the top security official of the State, the National Security Advisor to the President.

The Tripartite Commission representatives will meet regularly. The venue of the meetings rotates among the member states. The Commission may soon have its seventh meeting.

In order to efficiently facilitate functions of the Commission, delegates have decided to establish two Sub-Committees:

- The Military Information Exchange and Coordination
- The Border Posts Sub-Committee

These sub-committees are also expected to meet approximately once a month and report their observations to the Commission.

VIII. Organization of Financial Transactions:

Central Bank: The Constitution sets down the requirements for the establishment of the **Afghan Central Bank**. It was formed to assist citizens and the international community in international transactions as well as to provide a mechanism for the regulation of banking practice. The establishment of the Central Bank will allow the regulation and scrutiny of foreign currency transactions, ownership of accounts by approved foreign entities and the notification of significant transactions in respect to both individual and corporate accounts.

IX. Afghan National Army Counter-Terrorist Operations:

- In a Presidential Decree in December 2002, in order to regulate and centralize defense, the creation of the Afghan National Army (ANA) was signed. Former Afghan Military Forces (AMF), Mujahideen and other armed groups in Afghanistan now fall under the command and control of the Ministry of Defense (MoD).
- Reform, reorganization and general staffing of the MoD began in the spring of 2003 and paved the way for the appointment of 20 individuals in senior leadership positions and 98 individuals in lower ranking positions, on the basis of merit, experience and with attention to equitable ethnic representation. The staff has undergone a variety of specialized “on the job” training.
- The Kabul Military Training Center has been established and serves as the premier training site for the ANA. The ANA has assumed complete responsibility for conducting basic soldier training and is in the final stages of assuming basic officer training, which is projected to assume basic non-commissioned officer training in late spring, 2004. Combat units of the Central Corps have been operationally deployed in support of efforts to eliminate remnants of the Taliban and Al-Qaeda.
- In November 2003, ANA units were deployed in Mazar-e-Sharif in support of heavy weapons containment programs.
- During the Constitutional Loya Jirga in December 2003, the ANA was deployed in Kabul and surrounding areas as security for the participants to this nationally historic event.
- Hardworking officers, professionals and law enforcement agents of the Ministry of Defense, Ministry of Interior and the National Directorate of Security, have been successful in confiscating and destroying depots and storage sites of heavy weapons once controlled by terrorists.
- In addition, professional police and intelligence personnel have been trained and assigned to sensitive security posts. This has proven to be a successful strategy for the Government. For example, the Afghan Police and law enforcement agencies have been instrumental in the release of national and international hostages taken captive by terrorists.

X. The National Directorate of Security:

The National Directorate of Security (NDS) is undergoing a program of significant reform and restructuring, both in Kabul and in the provincial offices. In order to meet security challenges effectively in Afghanistan, particularly countering terrorism and organized crime, the NDS' need for greater resources in the areas of logistics, especially communications equipment and transport, must be met so that it can access remote areas of the country.

The NDS has established a special Unit in the Directorate to be in charge of collection, assessment and exchange of information on terrorism. The Directorate has made arrangements with some of the neighboring States to exchange information on terrorists, terrorism and state policies on counter-terrorism, and, possibly, arrangements for the extradition of alleged terrorists.

XI. Law and Order Trust Fund for Afghanistan:

In September 2003, the Canadian International Development Agency offered a grant of \$3M to \$5M as seed money for a Trust Fund, to be managed by the UNDP, for the improvement of Law and Order, including programs on counter-terrorism.

The Law and Order Trust Fund for Afghanistan supports the Government's efforts to establish law and order, by assisting the Police Force and by funding a substantial portion of the recurrent costs of the Police Force. It will also help in the procurement of non-lethal equipment such as vehicles, fuel, highway security, and rehabilitation of police-department facilities, police-training and institutional development.

XII. Strong Public Policy:

It has been the official state policy of the Transitional Administration of Afghanistan to comply with its existing obligations to implement the measures stipulated in resolution 1373 (2001). In support of State policies, the President did not hesitate to express his concerns directly to his audience at home and abroad. The following may represent only a few samples of President Karzai's concerns with terrorism and his desire to introduce measures on counter-terrorism.

President Hamid Karzai's statement in New York on: "The Causes and Effects of Terrorism in Afghanistan," organized by the Government of Norway, September 2003:

"We realize that terrorism being a global threat; it takes a global effort to defeat the menace. Terrorism being a threat to civilization, it takes cooperation of civilizations to defeat this enemy of humanity. This understanding was the cornerstone of the war against terrorism, and the logic behind the support to the war from the Afghan people."

President Hamid Karzai's statement: 58th Session of the General Assembly, United Nations, 25 September, 2003.

"The Struggle against production and trafficking of narcotics continues. We see a direct connection between narcotics and terrorism, and it is in our absolute national interest to fight both. Both are transnational challenges. We in the region and in the international community must make the strategic decision, in the spirit of true partnership, to fight against both menaces."

President Hamid Karzai's statement: 13th Summit of the Non-Aligned Movement, Kuala Lumpur, 23 February, 2003.

"The people of Afghanistan know the high price of war and violence and the yearning for peace, stability and prosperity in the region. Afghanistan is committed to maintain very friendly relations with its neighbors and the international community, and to staying a resilient partner in the war against terrorism. The establishment of security and prosperity in Afghanistan is a means of promoting security and prosperity in the region and the world."

XIII. Religion and Counter-Terrorism:

The State has invited and encouraged religious scholars to get involved in the training of its citizens to better observe and understand Islamic principles, values and ethical standards, such as justice and fairness, the rule of Law in Islam, as well as, the condemnation of terrorism, violence and drugs.
