

The President of the Security Council presents his compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 15 September 2015 from the Secretary-General** addressed to the President of the Security Council, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2015/713.

15 September 2015



THE SECRETARY-GENERAL

15 September 2015

Dear Mr. President,

I have the honour to inform you about the full examination of the role, structures and activities of all United Nations entities in Afghanistan requested of me by Security Council resolution 2210 (2015) of 16 March 2015.

I welcomed the requested examination as an opportunity to ensure that the United Nations is delivering value and maximizing the support of the international community for the Afghan people. Upon receiving the request, I entrusted my Special Representative in Afghanistan, Mr. Nicholas Haysom, to lead the examination in full consultation and engagement with the Government of Afghanistan and key stakeholders, including the donor community. A Tripartite Review Commission on the United Nations in Afghanistan was established for this purpose. The President appointed his Ministers for Foreign Affairs and Finance to represent the Government. Eight ambassadors represented the larger group of donor Member States, while the United Nations was represented by a number of agencies, funds and programmes.

The Commission examined the United Nations engagement in Afghanistan, in the light of the beginning of the Transformation Decade, as well as the principles of Afghan national sovereignty, national leadership and national ownership. Its discussions were informed by an extensive portfolio review of the United Nations agencies, funds and programmes initiated at the request of the Government of Afghanistan, the outcome of which was formalized in an official communication from the Resident Coordinator. After three meetings in plenary and further reference group discussions, the Commission unanimously adopted the attached report.

I should be grateful if the present letter and the report could be brought to the attention of the members of the Security Council for their information.

Please accept, Mr. President, the assurances of my highest consideration.

A handwritten signature in black ink, reading "Ban Ki-moon". The signature is fluid and cursive, with the first name "Ban" being the most prominent.

BAN/Ki-moon

His Excellency
Mr. Vitaly I. Churkin
President of the Security Council
New York

Tripartite Review Commission on the United Nations in Afghanistan
Final Report – September 2015

Background

1. In United Nations Security Council Resolution (UNSCR) 2210 of 16 March 2015, the Security Council renewed the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 17 March 2016, and requested “...*a full examination of the role, structure and activities of all United Nations entities in Afghanistan, in full consultation and engagement with the Government of Afghanistan and key stakeholders, including the donor community, in light of the completion of transition and the beginning of the Transformation Decade and in accordance with the principles of Afghan national sovereignty, national leadership and national ownership;*” In response, a Tripartite Review Commission, drawing in the Government and donor community, was established in July 2015 to consider clear principles guiding UN engagement in Afghanistan. The Commission examined the UN’s engagement in the country, with a view to focusing contributions in areas where the UN brings the most value, and ensuring the UN serves to maximise the international community’s support for Afghanistan and its people. The discussions focused on three themes: UN principles of engagement, Government commitments and obligations, and future UN presence in Afghanistan.
2. The Commission held three meetings: the first, on 14 July, was co-chaired by H.E. Mr. Salahuddin Rabbani, Minister of Foreign Affairs and United Nations Special Representative of the Secretary-General Mr. Nicholas Haysom; the second, on 10 August, was co-chaired by Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator/Resident Representative Mr. Mark Bowden and Deputy Minister of Finance Mr. Shafiq Qarizada; and, the final meeting, convened on 2 September, was co-chaired again by the Minister Rabbani and SRSG Haysom. The Commission included representatives of the 5+3 group of donors (Australia, Canada, European Union, Japan, Germany, Sweden (representing the Nordic Plus Group), United Kingdom, and the United States) and participation by FAO, OCHA, UNFPA, UNHCR, UNICEF, UNODC and WHO. The World Bank acted as an observer. In between each Commission meeting, the UN and donor community conducted reference groups with their wider constituencies to discuss their respective inputs into the process.
3. In a separate exercise, in January 2015, the Office of the President asked the UN and major donors to undertake a portfolio review of all their activities, to ensure a unified approach across programmes and provide an overview of development activities and their nature of engagement with the Government. The resulting ‘UN Portfolio Review’ was completed in March 2015 and, on 11 June, a meeting was held between H.E. President Ashraf Ghani and the UN to discuss the submission. During the Tripartite discussions, it was agreed that separate from the Commission’s final report, the UN Resident Coordinator would also write a letter to the President of Afghanistan (annex A) outlining more detailed actions that the UN in Afghanistan would take on issues arising from the Portfolio Review. These include programmatic issues related to Delivering as One and capacity building, as well as operational issues such as procurement and salary scales. While the Portfolio Review (annex B) focuses largely on the work of the agencies, funds and programmes (AFPs) in Afghanistan, given the close linkages between UNAMA and the UN Country Team (UNCT), it was agreed that it would form part of the Tripartite Review.

Context: The UN in Afghanistan

4. The UN’s engagement in Afghanistan is grounded in the principles of universality, equality, participation, non-discrimination, transparency and accountability, which underpin all the work carried out by the organisation. The UN has been present in Afghanistan for over five decades, with agencies, funds and programmes working to empower the people of Afghanistan to build a

prosperous and stable country. Today, the UNCT consists of 28 agencies, funds and programmes¹, including UNAMA, the special political mission established in 2002. UN programmes are implemented across all national development areas in Afghanistan, by 5,154 staff (4,244 national, 910 international)² deployed across 20 locations throughout the country, with national staff working in more than half of Afghanistan's provinces. No other international body is engaged in such a diverse range of development and humanitarian partnerships with the Afghan people.

5. UNAMA is present in Afghanistan at the request of the UN Security Council, which makes decisions to authorize peacekeeping and special political missions in close consultation with member states, including the host government, in the promotion of regional peace and security. Since its establishment in 2002, UNAMA has performed a variety of functions as the international community responded to developments in the country. While the Security Council's focus is primarily on peace and security, UNAMA's work is necessarily linked to the work of the UNCT, focused on development and humanitarian functions. In 2013, a mandate consolidation process took place in consultation with the Government, prompted by then-Minister of Foreign Affairs H.E. Zalmay Rassoul. As a result, the mandate was refined, with an increased focus on the Mission's political good offices, donor coordination and human rights functions. This reflected a consensus, agreed with the Government, that the Mission should concentrate on its relative strengths, and move away from a development implementation function towards a more political, donor coordination and humanitarian role.
6. Under its refocused, consolidated mandate, most recently authorised by UNSCR 2210 (2015), the Mission is focused on: i) good offices, facilitating political solutions through the promotion of peace and reconciliation, enhancement of regional cooperation and support for elections; ii) promotion and protection of human rights, through sustained monitoring, documentation, analysis and advocacy field research and analysis on mandated human rights priorities in Afghanistan³ and the production of public reports that have provided the Government with key recommendations on fulfilling national and international human rights commitments; iii) donor coordination, facilitating discussion between donors on priorities and ways to assist the Government to realise its reform goals; iv) facilitating humanitarian access and supporting and building capacity for humanitarian response; v) providing support to refugees and internally displaced persons; and, vi) curbing the illicit economy, including drug trafficking and exploitation of natural resources, which serves as a key source of funding for terrorist activities.
7. Afghanistan remains a deeply conflict-affected country, faced with high levels of violence and widespread poverty that continue to demand significant international assistance in order to achieve political and economic stability and security. The UN recognises that substantial support is still required to ensure sustainable progress, and that a number of key challenges to Afghanistan's future development remain, including limited infrastructure, low investment levels and the need to enhance security, good governance, access to basic services and accountability. There is recognition by the Government and international community that the UN's integrated, subnational presence is appreciated, and a clear understanding that its presence should continue. In discussions during the Tripartite Review, it was further recognised that while it is important to develop longer-term plans for transition, such a development is dependent on progress against the Government's reform agenda. Guided by the principle of achieving full Afghan ownership and leadership of national priorities, and as requested in Resolution 2210 (2015), the Tripartite Review Commission puts forward the following recommendations, with respect to the future role, structure and activities of the UN in Afghanistan.

¹ ADB, IMF, IOM, FAO, HABITAT, IAEA, IFAD, ILO, OCHA, OHCHR, UNAIDS, UNDP, UNDSS, UNEP, UNESCO, UNFPA, UNHCR, UNCTAD, UNICEF, UNIDO, UNMAS, UNODC, UNOPS, UNW, WB, WFP, WHO

² UNDSS, May 2015.

³ Including Protection of Civilians in Armed Conflict, Violence against Women, Treatment of Conflict-Related Detainees in Afghan Custody, Arbitrary Detention Verification, Afghan People's Dialogue on Peace, Human Rights and Poverty in Afghanistan

Key Issues: Role

8. During Tripartite discussions, the following issues were discussed with regard to the UN's role in Afghanistan, reflecting key areas of the UNAMA mandate.⁴
9. **Good offices.** UNAMA has played a critical good offices role, providing support to the ongoing peace process, democratic development, electoral reform, promoting regional cooperation and advocating for international economic engagement in Afghanistan. In particular, in contentious and disputed elections in 2009, 2010 and 2014, the Mission effectively leveraged its good offices in highly politicised and tense environments. Identifying and liaising with key stakeholders, UNAMA helped ensure acceptance of the results by Afghans, with the consent of, and in full consultation with the Government. The UN firmly supports the constitutionally-elected government, and commends H.E. President Ashraf Ghani and H.E. Chief Executive Abdullah Abdullah on the formation of the National Unity Government. In the context of the transformation decade, the UN is committed to supporting the Government in implementing its reform agenda towards peace and stability, as outlined in *Realizing Self-Reliance: Commitments to Reforms and Renewed Partnership*, presented at the London Conference on Afghanistan in December 2014.

Recommendation: A continued good offices function in support of the Government will remain important for the longer-term stability of the country and the region. While UNAMA's current mandate recognises the importance of deepening integration between Afghanistan and its neighbors, the Mission's good offices function should be promoted, with an increased emphasis on its political good offices role in the region, in particular with respect to the peace process. UNAMA's role in supporting future elections should also be emphasised.

10. **Human rights and rule of law.** The UN's normative function of supporting Afghan institutions to promote and protect human rights and the rule of law enjoys support from, and is present at the insistence of, the international community and Afghans. In particular, UNAMA's Human Rights Unit (HRU) is recognised globally for its robust methodology, engaging in constructive, face-to-face dialogue with all parties to the conflict, to ensure accuracy, capture all perspectives on the conflict, and effect real changes in practices of the parties. The UN and international partners play a distinct role in empowering national human rights institutions, such as the Afghan Independent Human Rights Commission (AIHRC), and are committed to continued capacity development and promoting the importance of human rights and the rule of law in Afghan society. This includes full involvement of women in all efforts for the maintenance and promotion of peace and security, as stated in UNSCR 1325 (2000).

Recommendation: The UN's role in promoting human rights and the rule of law, including women's rights, gender equality and in supporting Afghanistan's compliance with its human rights commitments should be re-emphasised. In addition to the UN presence in-country, the UN's role in encouraging Afghanistan's participation in the Human Rights Council and Universal Periodic Review process should be highlighted. The UN has a particular role in highlighting conflict related human rights issues.

⁴ The UN supports the Government in taking full ownership and management of key benchmarks approved by the Security Council. First requested in UNSCR 1868 (2009), UNAMA's benchmarks and corresponding indicators for transition are focused on: security; peace, reintegration and reconciliation; governance and institution building; human rights; economic and social development; regional cooperation; partnership between the Government and the international community; and, counter-narcotics. A progress report against these benchmarks is submitted to the Security Council on an annual basis, through the Secretary-General's Report on Afghanistan. The most recent submission was in March 2015.

11. **Humanitarian issues, including refugees, returnees and IDPs.** UNAMA plays a key role in coordinating a coherent humanitarian response across the UN system. The Mission is mandated with facilitating humanitarian access and supporting and building capacity for humanitarian response, through the DSRSG/RC/HC, as Humanitarian Coordinator, together with the involvement of several UN agencies, funds and programmes, and in line with the principles of humanitarian reform. This also includes addressing issues of refugees, returnees, undocumented Afghans in neighbouring countries and internally displaced persons. Further, the UN provides critical capacity building in support of the Afghan humanitarian response structures.

Recommendation: The UN humanitarian role, including support to refugees, returnees and internally displaced persons, should be highlighted. While there is continuing recognition by all parties of the need to provide humanitarian assistance guided by humanitarian principles, it is critical to reaffirm the UN's role in facilitating humanitarian access. Particular consideration should be given to issues of refugees, returnees and IDPs, given the current conflict and regional dynamics, and their repercussions on population movements. There is a particular need to focus on development solutions in areas of high returns, and respect returnees' voluntary decision in choosing their place of residence.

12. **Donor coordination:** As agreed at international conferences on Afghanistan in Kabul (2010), London (2010 and 2014), Tokyo (2012), and discussed at the Senior Officials Meeting on 5 September 2015, UNAMA supports and facilitates dialogue between the Government, its donors and key stakeholders. Dialogues facilitated by UNAMA, or jointly by UNAMA and the Government, promote the coherence of international assistance and alignment of programming with national development and governance priorities and agreed modalities, including the Government's Aid Management Policy (AMP). The dialogues enhance mutual accountability and promote effective delivery of aid, which in turn supports the continued mobilisation of essential resources for the duration of the Transformation Decade and beyond.

Recommendation: The UN donor coordination function can be defined as a facilitator and co-convenor of development policy fora, including in developing and monitoring frameworks of mutual accountability, promoting coherent information sharing and analysis, design and delivery of development assistance.

13. **Counter-narcotics, illicit economy and anti-corruption.** Under the current mandate, UNAMA and the United Nations Office on Drugs and Crime (UNODC) assist Afghanistan to combat the illicit economy – including drug trafficking and exploitation of natural resources – which serves as a key source of funding for criminal and anti-government elements (AGEs) in Afghanistan and the wider region. Further, through regular interactions with the Government, international community and civil society, the UN seeks to reinforce support for national efforts to mobilise domestic resources to combat corruption and fraud. In particular, as part of its normative role, the UN has partnered with the Government on anti-corruption activities, to enhance transparency and accountability.

Recommendation: The UN role in supporting the Government to combat the illicit economy, including counter-narcotics, and encouraging international cooperation in this regard should be reviewed, to further address regional linkages and concerns as well as to encourage further cooperation among all relevant Afghan authorities. Given the links to criminal and terrorist activities that contribute to destabilisation, linkages to the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, as well as 1988 (2011) with respect to individuals, entities, groups, or undertakings associated with the Taliban, should be emphasised. Further, the UN should increase its support to fight corruption and fraud. In this context, this includes support to building stronger relationships between development co-operation and the private sector by

supporting the creation of a favorable environment for partners and fostering public-private partnerships and economic development.

Key Issues: Structure

14. Tripartite discussions on UN structural issues focused on subnational presence, capacity building, joint programming and joint oversight. A summary of the issues and related recommendations are as follows.
15. **Subnational presence.** The UN is currently present in 20 locations in over half the provinces in Afghanistan, working towards a Delivering as One model at both national and subnational levels. The Government and international community have expressed unanimous appreciation for the UN's subnational presence, and recommend that it be maintained in the future. During Tripartite discussions, the Government and donors expressed strong support for a continued UN presence throughout Afghanistan. While UNAMA will continue to provide the centre of gravity of the UN presence, as conditions allow, the UN will consolidate programmes with a view to increased coherence and an eventual transition of leadership from UNAMA to the UNCT. In the long term, UNAMA will look towards concentrating its Kabul-based functions in good offices and donor coordination, and transition other activities directly to the Government, UNCT, donors and non-governmental organizations.

Recommendation: The UN should maintain a broad subnational presence throughout Afghanistan, with a view to ensuring continued access for humanitarian assistance and the ability to monitor the impact of development projects. In particular, the UN should strengthen its integrated programme approach in support of subnational governance.

16. **Capacity building structures.** The UN recognizes that the demand and need for expanded development capacity remains great. Technical assistance and project implementation units have sometimes impeded progress due to a tendency to focus on operational activities rather than capacity building. Further, challenges in retaining trained and skilled workers in the public service has led to high turnover rates, leading to a need for ongoing capacity building programmes, while disparities in salary scales for advisors co-located in government risk creating a separate pool of higher-paid staff performing similar duties. Yet as national capacity has increased, the UN's structure in Afghanistan has evolved, moving from implementation and operational functions to an increased focus on capacity building and supporting the establishment and implementation of international norms and standards. In this regard, UNAMA's work has shifted away from project and programme approaches towards a concentration on policy-focused and coordination work. Notably, following the Portfolio Review, the UN has agreed to incorporate contractual obligations in relation to technical training to national counterparts. Based on the premise that effective national and subnational ownership reinforces the perceived legitimacy and ensures the sustainability of national capacity once a mission is drawn down, the UN is committed to supporting the development of Afghan leadership and ownership, and will continue to adopt its structures and approaches to best support this end.

Recommendation: The UN should increase its focus on national and subnational capacity building for Afghan people and institutions, in key areas identified by the Government. When sustainable and effective institutions are developed, the UN should move towards a national implementation model with a clear action-oriented strategy for transitioning to Afghan leadership and ownership in all UN programs and activities, including making greater use of country systems. This transition should be conditions-based.

17. **Joint strategic programming and 'One UN' approach.** In recent years, the Government has called on the UN in Afghanistan to adopt a 'One UN' approach and increase its alignment with Government development strategies. In response, the UN has adopted principles and tools to support 'Delivering as One' (DAO) and recognises that the UN Delivering Together approach, tailored to the needs and

context of Afghanistan and developed in close partnership with the Government, will increase efficiency of its interventions and improve results.⁵ The UN has also increased its focus on joint programming and strategic planning and analysis with national counterparts on activities that are aligned with Government priorities, with a view to eliminating overlap and duplication, harmonising business practices and reducing transaction costs, including an increase in on-budget support. The United Nations Development Assistance Framework (UNDAF) 2015-19, developed jointly by the UN and the Government, is based on and supports both the national development priorities and the country's international commitments, and determines division of labour for programming and implementation. Notably, the programmatic priorities in the UNDAF and the Government's *Realizing Self-Reliance* paper are closely linked.

Recommendation: The UN should increase its focus on joint programming at all levels, to avoid duplication, ensure value for money and reduce transaction costs. The UN should continue to build a more unified structure and consolidate programmes in preparation for the eventual transition and reduction of UNAMA's presence.

18. **Joint oversight and accountability.** The UN has proposed a joint oversight mechanism in which Government and UN focal points would define and monitor the UNDAF. This would increase efficient management of UN programmes, reduce transaction costs and strengthen coherence.

Recommendation: Establishment of a joint oversight and review mechanism with Government is critical to assess progress against key indicators in the UNDAF, the main framework for the UN's Delivering as One approach. Measurable progress indicators and transition benchmarks should be established and reviewed, with a view to moving from co-ownership to affirming the full ownership and management of programmes by the Government.

Key Issues: Activities

19. The Tripartite discussions on activities of the UN in Afghanistan focused on its normative role, capacity building and mobilizing international resources, as outlined below.
20. **Normative Role.** The Government recognizes of the importance of the UN's normative role and support for Afghanistan in meeting its international obligations; aspects which it considers non-negotiable. Much of the work of the UN system is focused on supporting Afghanistan to implement sectoral programmes, through the provision of technical assistance in areas such as the pursuit of peace and democratic principles, economic development and meeting its obligations under international human rights and humanitarian law, including its responsibilities towards UN entities and staff members. The UN has, at the request of the Government, supported national counterparts in drafting legislation, and offered technical support to develop planning documents – national strategies, action plans and policies. This often involves operational and technical advice; standards setting; legislative reform aligned to support the Government in meeting global standards and fulfilling its international commitments and obligations, embodied in relevant conventions and treaties.⁶ The UN's normative agenda and long-standing commitments in Afghanistan align with international frameworks in support of aid effectiveness, including the Paris Declaration, Busan Partnership and New Deal for Engagement in Fragile States – all of which have been endorsed by Afghanistan – and are undertaken directly in support of the Government's national priorities.⁷

⁵ Further details on adopting a 'One UN' approach are outlined in the Portfolio Review and separate letter to the President.

⁶ Including UN support to the Government in preparing its reports to human rights conventions, such as the Convention on the Elimination of All Forms of Discrimination Against Women, or the Convention on the Rights of the Child. The UN also supported the Government in its responses to international summits and declarations, such as Beijing+20; the 2003 Anti-Personnel Mine Ban Treaty; the 2011 Convention on Cluster Munitions; the UN Framework Convention on Climate Change; and, the Convention Against Corruption. Support has also been provided to the Government in the drafting a Refugee Law, a regional Solutions Strategy for Afghan Refugees, and a National IDP Policy.

⁷ Detailed information on the UN's normative role is addressed in the UN Portfolio Review.

Recommendation: The UN should increase support to the Government to promote the inclusion of, and adherence to, international obligations as well as normative standards and practices in Afghanistan. Through regular interactions with the Government, the international community and civil society, the UN should reinforce its efforts to respond to serious violations of international human rights and humanitarian law, including its responsibilities towards UN entities and staff members. The UN should also support the Government in efforts to achieve the Sustainable Development Goals (SDGs), which will build upon the Millennium Development Goals (MDGs) and converge with the post-2015 development agenda, as well as in its efforts to implement the New Deal for Engagement in Fragile States and other frameworks for aid effectiveness.

21. **Capacity building activities.** The UN in Afghanistan supports targeted capacity development of core state institutions to help address immediate and long-term needs. In recent years, the UN has revised and adapted its approach and has increased its efforts to enhance the capabilities of counterparts, strengthen the capacity of institutions and invest in leadership, skills development and knowledge transfer. The UN's broader approach to capacity development in support of governance institutions now incorporates greater focus on achieving long-term, transformative change; defining priorities and pragmatic interventions; balancing support between formal and informal processes; and providing technical assistance for knowledge management, mentoring and skills development. There is a requirement for a more systematic approach to knowledge building and transfer between the UN and Government, to ensure that the necessary capacity is developed to create a sustainable supply of skilled workers and develop robust institutions.

Recommendation: The UN should focus institutional capacity building support to systems and service delivery in priority areas identified by the Government, such as health and education, humanitarian and emergency response, and refugees and IDPs. Support should focus on developing sustainable and effective national and sub-national institutions. At the same time, the UN should continue to support sustainable development, particularly in priority areas specified in the Government's National Priority Programmes, including urban and rural development.

22. **Mobilization of international resources.** Through its various international appeal mechanisms, the UN brings international support and expertise during times of crisis and emergencies. Recognising the range of activities of the UN system, the UN facilitates Government access to various global development and humanitarian funds (e.g. the Global Environment Facility). Yet the UN recognises that while programmatic areas in Afghanistan continue to require support, there is also a compelling demand for UN resources in other conflict and post-conflict countries experiencing political, security and humanitarian crises. Reflecting international development funding trends, there is great pressure to divert UN Secretariat funds that support the Mission away from Afghanistan. The UN has cautioned against a hasty contraction of resources from the country by the international community, including the UN Secretariat.

Recommendation: The UN should work more closely with the Government and international community to advocate for allocation of critical international resources to Afghanistan in light of competing global demands.

Conclusion

23. Afghanistan has experienced decades of war, and remains constrained by continued insecurity, poverty and humanitarian challenges. The ultimate benchmark for the country is defined as peace and stability and a state of respect for its sovereignty, establishment of strong Afghan leadership and ownership of its programmatic priorities and the right to insist on alignment. The UN, in cooperation with the donor community, firmly supports the Government in building capacity to achieve this

objective, as sustainable Government institutions are established that ensure appropriate levels of financial accountability and capacity to meet Afghanistan's international commitments. In light of the poor short-term economic outlook and the many challenges the country faces in a volatile security environment, it is critical for the UN to continue to provide, and advocate for, continued support, assistance and attention from the international community. The UN will continue to work closely with the Government to clarify priorities, reaffirm commitments and general principles of its engagement.

24. The Tripartite Review Commission, in its examination of "*the role, structure and activities of all United Nations entities in Afghanistan,*" has endorsed the following value proposition for the UN in Afghanistan: Drawing on its global presence and international experience and resources, and relying on its presence in the country, the UN provides focused, quality technical assistance in key areas and attracts and sustains funding to support sustainable transfer of long-term capacity in Afghanistan; and, through its normative role, sets, monitors and implements international standards and best practices and, through engagement with donors and other multilateral organisations, supports Afghanistan in carrying out reforms, striving towards peace, fulfilling treaty obligations and engaging effectively with the international community, to achieve its economic and development goals.