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Charter of the United Nations

Preamble

We the Peoples of the United Nations Determined

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

And for these Ends

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

Have Resolved to Combine our Efforts to Accomplish these Aims

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I

PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II

MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III**ORGANS****Article 7**

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV**THE GENERAL ASSEMBLY****Composition****Article 9**

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the

Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:
 - a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;
 - b. promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.
2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.
2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.
2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.
3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting**Article 18**

1. Each member of the General Assembly shall have one vote.
2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.
3. Decisions on other questions, Composition including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

THE SECURITY COUNCIL

Article 23

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.
2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.
3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

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.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.
3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in [Article 41](#) would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.
2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.
3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under [Article 43](#), invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII**REGIONAL ARRANGEMENTS****Article 52**

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development;

b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.
2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.
3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.
4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.
2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.
3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in [Article 57](#), defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Article 67

1. Each member of the Economic and Social Council shall have one vote.
2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure**Article 68**

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

- a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
- b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;
- c. to further international peace and security;
- d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and
- e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general

principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals and also equal treatment for the latter in the administration of justice without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
 - b. territories which may be detached from enemy states as a result of the Second World War, and
 - c. territories voluntarily placed under the system by states responsible for their administration.
2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

a. those Members administering trust territories;

b. such of those Members mentioned by name in Article 23 as are not administering trust territories;
and

c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

a. consider reports submitted by the administering authority;

b. accept petitions and examine them in consultation with the administering authority;

c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

TRANSITIONAL SECURITY ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.
2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.
3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX**RATIFICATION AND SIGNATURE****Article 110**

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.
2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.
3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.
4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

ภาคผนวก ข



Security Council

Distr.: General
5 December 2001

Original: English

**Letter dated 5 December 2001 from the Secretary-General
addressed to the President of the Security Council**

As you are aware, the delegations participating in the United Nations talks on Afghanistan today signed in Bonn the "Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions".

I have the honour to provide you with a copy of the text of the Agreement. I would be most grateful if you would bring it to the attention of the members of the Security Council.

I shall keep you informed about further developments regarding Afghanistan.

(Signed) Kofi A. Annan



**AGREEMENT ON PROVISIONAL ARRANGEMENTS IN AFGHANISTAN
PENDING THE RE-ESTABLISHMENT
OF PERMANENT GOVERNMENT INSTITUTIONS**

The participants in the UN Talks on Afghanistan,

In the presence of the Special Representative of the Secretary-General for Afghanistan,

Determined to end the tragic conflict in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights in the country,

Reaffirming the independence, national sovereignty and territorial integrity of Afghanistan,

Acknowledging the right of the people of Afghanistan to freely determine their own political future in accordance with the principles of Islam, democracy, pluralism and social justice,

Expressing their appreciation to the Afghan mujahidin who, over the years, have defended the independence, territorial integrity and national unity of the country and have played a major role in the struggle against terrorism and oppression, and whose sacrifice has now made them both heroes of jihad and champions of peace, stability and reconstruction of their beloved homeland, Afghanistan,

Aware that the unstable situation in Afghanistan requires the implementation of emergency interim arrangements and *expressing* their deep appreciation to His Excellency Professor Burhanuddin Rabbani for his readiness to transfer power to an interim authority which is to be established pursuant to this agreement,

Recognizing the need to ensure broad representation in these interim arrangements of all segments of the Afghan population, including groups that have not been adequately represented at the UN Talks on Afghanistan,

Noting that these interim arrangements are intended as a first step toward the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government, and are not intended to remain in place beyond the specified period of time,

Recognizing that some time may be required for a new Afghan security force to be fully constituted and functional and that therefore other security provisions detailed in Annex I to this agreement must meanwhile be put in place,

Considering that the United Nations, as the internationally recognized impartial institution, has a particularly important role to play, detailed in Annex II to this agreement, in the period prior to the establishment of permanent institutions in Afghanistan,

Have agreed as follows:

THE INTERIM AUTHORITY

I. General provisions

- 1) An Interim Authority shall be established upon the official transfer of power on 22 December 2001.
- 2) The Interim Authority shall consist of an Interim Administration presided over by a Chairman, a Special Independent Commission for the Convening of the Emergency Loya Jirga, and a Supreme Court of Afghanistan, as well as such other courts as may be established by the Interim Administration. The composition, functions and governing procedures for the Interim Administration and the Special Independent Commission are set forth in this agreement.
- 3) Upon the official transfer of power, the Interim Authority shall be the repository of Afghan sovereignty, with immediate effect. As such, it shall, throughout the interim period, represent Afghanistan in its external relations and shall occupy the seat of Afghanistan at the United Nations and in its specialized agencies, as well as in other international institutions and conferences.
- 4) An Emergency Loya Jirga shall be convened within six months of the establishment of the Interim Authority. The Emergency Loya Jirga will be opened by His Majesty Mohammed Zahir, the former King of Afghanistan. The Emergency Loya Jirga shall decide on a Transitional Authority, including a broad-based transitional administration, to lead Afghanistan until such time as a fully representative government can be elected through free and fair elections to be held no later than two years from the date of the convening of the Emergency Loya Jirga.
- 5) The Interim Authority shall cease to exist once the Transitional Authority has been established by the Emergency Loya Jirga.
- 6) A Constitutional Loya Jirga shall be convened within eighteen months of the establishment of the Transitional Authority, in order to adopt a new constitution for Afghanistan. In order to assist the Constitutional Loya Jirga prepare the proposed Constitution, the Transitional Administration shall, within two months of its commencement and with the assistance of the United Nations, establish a Constitutional Commission.

II. Legal framework and judicial system

- 1) The following legal framework shall be applicable on an interim basis until the adoption of the new Constitution referred to above:
 - i) The Constitution of 1964, a/ to the extent that its provisions are not inconsistent with those contained in this agreement, and b/ with the exception of those provisions relating to the monarchy and to the executive and legislative bodies provided in the Constitution; and
 - ii) existing laws and regulations, to the extent that they are not inconsistent with this agreement or with international legal obligations to which Afghanistan is a party, or with those applicable provisions contained in the Constitution of

1964, provided that the Interim Authority shall have the power to repeal or amend those laws and regulations.

- 2) The judicial power of Afghanistan shall be independent and shall be vested in a Supreme Court of Afghanistan, and such other courts as may be established by the Interim Administration. The Interim Administration shall establish, with the assistance of the United Nations, a Judicial Commission to rebuild the domestic justice system in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions.

III. Interim Administration

A. *Composition*

- 1) The Interim Administration shall be composed of a Chairman, five Vice Chairmen and 24 other members. Each member, except the Chairman, may head a department of the Interim Administration.
- 2) The participants in the UN Talks on Afghanistan have invited His Majesty Mohammed Zahir, the former King of Afghanistan, to chair the Interim Administration. His Majesty has indicated that he would prefer that a suitable candidate acceptable to the participants be selected as the Chair of the Interim Administration.
- 3) The Chairman, the Vice Chairmen and other members of the Interim Administration have been selected by the participants in the UN Talks on Afghanistan, as listed in Annex IV to this agreement. The selection has been made on the basis of professional competence and personal integrity from lists submitted by the participants in the UN Talks, with due regard to the ethnic, geographic and religious composition of Afghanistan and to the importance of the participation of women.
- 4) No person serving as a member of the Interim Administration may simultaneously hold membership of the Special Independent Commission for the Convening of the Emergency Loya Jirga.

B. *Procedures*

- 1) The Chairman of the Interim Administration, or in his/her absence one of the Vice Chairmen, shall call and chair meetings and propose the agenda for these meetings.
- 2) The Interim Administration shall endeavour to reach its decisions by consensus. In order for any decision to be taken, at least 22 members must be in attendance. If a vote becomes necessary, decisions shall be taken by a majority of the members present and voting, unless otherwise stipulated in this agreement. The Chairman shall cast the deciding vote in the event that the members are divided equally.

C. Functions

- 1) The Interim Administration shall be entrusted with the day-to-day conduct of the affairs of state, and shall have the right to issue decrees for the peace, order and good government of Afghanistan.
- 2) The Chairman of the Interim Administration or, in his/her absence, one of the Vice Chairmen, shall represent the Interim Administration as appropriate.
- 3) Those members responsible for the administration of individual departments shall also be responsible for implementing the policies of the Interim Administration within their areas of responsibility.
- 4) Upon the official transfer of power, the Interim Administration shall have full jurisdiction over the printing and delivery of the national currency and special drawing rights from international financial institutions. The Interim Administration shall establish, with the assistance of the United Nations, a Central Bank of Afghanistan that will regulate the money supply of the country through transparent and accountable procedures.
- 5) The Interim Administration shall establish, with the assistance of the United Nations, an independent Civil Service Commission to provide the Interim Authority and the future Transitional Authority with shortlists of candidates for key posts in the administrative departments, as well as those of governors and uluswals, in order to ensure their competence and integrity.
- 6) The Interim Administration shall, with the assistance of the United Nations, establish an independent Human Rights Commission, whose responsibilities will include human rights monitoring, investigation of violations of human rights, and development of domestic human rights institutions. The Interim Administration may, with the assistance of the United Nations, also establish any other commissions to review matters not covered in this agreement.
- 7) The members of the Interim Administration shall abide by a Code of Conduct elaborated in accordance with international standards.
- 8) Failure by a member of the Interim Administration to abide by the provisions of the Code of Conduct shall lead to his/her suspension from that body. The decision to suspend a member shall be taken by a two-thirds majority of the membership of the Interim Administration on the proposal of its Chairman or any of its Vice Chairmen.
- 9) The functions and powers of members of the Interim Administration will be further elaborated, as appropriate, with the assistance of the United Nations.

IV. The Special Independent Commission for the Convening of the Emergency Loya Jirga

- 1) The Special Independent Commission for the Convening of the Emergency Loya Jirga shall be established within one month of the establishment of the Interim Authority. The Special Independent Commission will consist of twenty-one members, a number

of whom should have expertise in constitutional or customary law. The members will be selected from lists of candidates submitted by participants in the UN Talks on Afghanistan as well as Afghan professional and civil society groups. The United Nations will assist with the establishment and functioning of the commission and of a substantial secretariat.

- 2) The Special Independent Commission will have the final authority for determining the procedures for and the number of people who will participate in the Emergency Loya Jirga. The Special Independent Commission will draft rules and procedures specifying (i) criteria for allocation of seats to the settled and nomadic population residing in the country; (ii) criteria for allocation of seats to the Afghan refugees living in Iran, Pakistan, and elsewhere, and Afghans from the diaspora; (iii) criteria for inclusion of civil society organizations and prominent individuals, including Islamic scholars, intellectuals, and traders, both within the country and in the diaspora. The Special Independent Commission will ensure that due attention is paid to the representation in the Emergency Loya Jirga of a significant number of women as well as all other segments of the Afghan population.
- 3) The Special Independent Commission will publish and disseminate the rules and procedures for the convening of the Emergency Loya Jirga at least ten weeks before the Emergency Loya Jirga convenes, together with the date for its commencement and its suggested location and duration.
- 4) The Special Independent Commission will adopt and implement procedures for monitoring the process of nomination of individuals to the Emergency Loya Jirga to ensure that the process of indirect election or selection is transparent and fair. To preempt conflict over nominations, the Special Independent Commission will specify mechanisms for filing of grievances and rules for arbitration of disputes.
- 5) The Emergency Loya Jirga will elect a Head of the State for the Transitional Administration and will approve proposals for the structure and key personnel of the Transitional Administration.

V. Final provisions

- 1) Upon the official transfer of power, all mujahidin, Afghan armed forces and armed groups in the country shall come under the command and control of the Interim Authority, and be reorganized according to the requirements of the new Afghan security and armed forces.
- 2) The Interim Authority and the Emergency Loya Jirga shall act in accordance with basic principles and provisions contained in international instruments on human rights and international humanitarian law to which Afghanistan is a party.
- 3) The Interim Authority shall cooperate with the international community in the fight against terrorism, drugs and organized crime. It shall commit itself to respect international law and maintain peaceful and friendly relations with neighbouring countries and the rest of the international community.

- 4) **The Interim Authority and the Special Independent Commission for the Convening of the Emergency Loya Jirga will ensure the participation of women as well as the equitable representation of all ethnic and religious communities in the Interim Administration and the Emergency Loya Jirga.**
- 5) **All actions taken by the Interim Authority shall be consistent with Security Council resolution 1378 (14 November 2001) and other relevant Security Council resolutions relating to Afghanistan.**
- 6) **Rules of procedure for the organs established under the Interim Authority will be elaborated as appropriate with the assistance of the United Nations.**

This agreement, of which the annexes constitute an integral part, done in Bonn on this 5th day of December 2001 in the English language, shall be the authentic text, in a single copy which shall remain deposited in the archives of the United Nations. Official texts shall be provided in Dari and Pashto, and such other languages as the Special Representative of the Secretary-General may designate. The Special Representative of the Secretary-General shall send certified copies in English, Dari and Pashto to each of the participants.

For the participants in the UN Talks on Afghanistan:

Ms. Amena Afzali

Mr. S. Hussain Anwari

Mr. Hedayat Amin Arsala

Mr. Sayed Hamed Gailani

Mr. Rahmatullah Mousa Ghazi

Eng. Abdul Hakim

Mr. Houmayoun Jarcer

Mr. Abbas Karimi

Mr. Mustafa Kazimi

Dr. Azizullah Ludin

Mr. Ahmad Wali Massoud

Mr. Hafizullah Asif Mohseni

Prof. Mohammad Ishaq Nadiri

Mr. Mohammad Natiqi

Mr. Yunus Qanooni

Dr. Zalmi Rassoul

Mr. H. Mirwais Sadeq

Dr. Mohammad Jalil Shams

Prof. Abdul Sattar Sirat

Mr. Humayun Tandar

Mrs. Sima Wali

General Abdul Rahim Wardak

Mr. Pacha Khan Zadran

Witnessed for the United Nations by:

Mr. Lakhdar Brahimi

Special Representative of the Secretary-General for Afghanistan

ANNEX I

INTERNATIONAL SECURITY FORCE

1. The participants in the UN Talks on Afghanistan recognize that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves. To this end, they pledge their commitment to do all within their means and influence to ensure such security, including for all United Nations and other personnel of international governmental and non-governmental organizations deployed in Afghanistan.
2. With this objective in mind, the participants request the assistance of the international community in helping the new Afghan authorities in the establishment and training of new Afghan security and armed forces.
3. Conscious that some time may be required for the new Afghan security and armed forces to be fully constituted and functioning, the participants in the UN Talks on Afghanistan request the United Nations Security Council to consider authorizing the early deployment to Afghanistan of a United Nations mandated force. This force will assist in the maintenance of security for Kabul and its surrounding areas. Such a force could, as appropriate, be progressively expanded to other urban centres and other areas.
4. The participants in the UN Talks on Afghanistan pledge to withdraw all military units from Kabul and other urban centers or other areas in which the UN mandated force is deployed. It would also be desirable if such a force were to assist in the rehabilitation of Afghanistan's infrastructure.

ANNEX II

ROLE OF THE UNITED NATIONS DURING THE INTERIM PERIOD

1. The Special Representative of the Secretary-General will be responsible for all aspects of the United Nations' work in Afghanistan.
2. The Special Representative shall monitor and assist in the implementation of all aspects of this agreement.
3. The United Nations shall advise the Interim Authority in establishing a politically neutral environment conducive to the holding of the Emergency Loya Jirga in free and fair conditions. The United Nations shall pay special attention to the conduct of those bodies and administrative departments which could directly influence the convening and outcome of the Emergency Loya Jirga.
4. The Special Representative of the Secretary-General or his/her delegate may be invited to attend the meetings of the Interim Administration and the Special Independent Commission on the Convening of the Emergency Loya Jirga.
5. If for whatever reason the Interim Administration or the Special Independent Commission were actively prevented from meeting or unable to reach a decision on a matter related to the convening of the Emergency Loya Jirga, the Special Representative of the Secretary-General shall, taking into account the views expressed in the Interim Administration or in the Special Independent Commission, use his/her good offices with a view to facilitating a resolution to the impasse or a decision.
6. The United Nations shall have the right to investigate human rights violations and, where necessary, recommend corrective action. It will also be responsible for the development and implementation of a programme of human rights education to promote respect for and understanding of human rights.

* * *

ANNEX III

**REQUEST TO THE UNITED NATIONS BY THE PARTICIPANTS AT THE UN TALKS
ON AFGHANISTAN**

The participants in the UN Talks on Afghanistan hereby

1. Request that the United Nations and the international community take the necessary measures to guarantee the national sovereignty, territorial integrity and unity of Afghanistan as well as the non-interference by foreign countries in Afghanistan's internal affairs;
2. Urge the United Nations, the international community, particularly donor countries and multilateral institutions, to reaffirm, strengthen and implement their commitment to assist with the rehabilitation, recovery and reconstruction of Afghanistan, in coordination with the Interim Authority;
3. Request the United Nations to conduct as soon as possible (i) a registration of voters in advance of the general elections that will be held upon the adoption of the new constitution by the constitutional Loya Jirga and (ii) a census of the population of Afghanistan.
4. Urge the United Nations and the international community, in recognition of the heroic role played by the mujahidin in protecting the independence of Afghanistan and the dignity of its people, to take the necessary measures, in coordination with the Interim Authority, to assist in the reintegration of the mujahidin into the new Afghan security and armed forces;
5. Invite the United Nations and the international community to create a fund to assist the families and other dependents of martyrs and victims of the war, as well as the war disabled;
6. Strongly urge that the United Nations, the international community and regional organizations cooperate with the Interim Authority to combat international terrorism, cultivation and trafficking of illicit drugs and provide Afghan farmers with financial, material and technical resources for alternative crop production.

* * *

ANNEX IV

COMPOSITION OF THE INTERIM ADMINISTRATION

Chairman: Hamid Karzai

Vice-Chairmen:

Vice-Chair and Women's Affairs: Dr. Sima Samar

Vice-Chair and Defence: Muhammad Qassem Fahim

Vice-Chair and Planning: Haji Muhammad Mohaqqeq

Vice-Chair and Water and Electricity: Shaker Kargar

Vice-Chair and Finance: Hedayat Amin Arsala

Members:

Department of Foreign Affairs: Dr. Abdullah Abdullah

Department of the Interior: Muhammad Yunus Qanooni

Department of Commerce: Seyyed Mustafa Kazemi

Department of Mines and Industries: Muhammad Alem Razm

Department of Small Industries: Aref Noorzai

Department of Information and Culture: Dr. Raheen Makhdoom

Department of Communication: Ing. Abdul Rahim

Department of Labour and Social Affairs: Mir Wais Sadeq

Department of Hajj and Auqaf: Mohammad Hanif Hanif Balkhi

Department of Martyrs and Disabled: Abdullah Wardak

Department of Education: Abdul Rassoul Amin

Department of Higher Education: Dr. Sharif Faez

Department of Public Health: Dr. Suhaila Seddiqi

Department of Public Works: Abdul Khalig Fazal

Department of Rural Development: Abdul Malik Anwar

Department of Urban Development: Haji Abdul Qadir

Department of Reconstruction: Amin Farhang

Department of Transport: Sultan Hamid Hamid

Department for the Return of Refugees: Enayatullah Nazeri

Department of Agriculture: Seyyed Hussein Anwari

Department of Irrigation: Haji Mangal Hussein

Department of Justice: Abdul Rahim Karimi

Department of Air Transport and Tourism: Abdul Rahman

Department of Border Affairs: Amanullah Zadran

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**Security Council**

Distr.: General

14 November 2001

Resolution 1378 (2001)**Adopted by the Security Council at its 4415th meeting, on
14 November 2001***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,*Supporting* international efforts to root out terrorism, in keeping with the Charter of the United Nations, and *reaffirming* also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,*Recognizing* the urgency of the security and political situation in Afghanistan in light of the most recent developments, particularly in Kabul,*Condemning* the Taliban for allowing Afghanistan to be used as a base for the export of terrorism by the Al-Qaida network and other terrorist groups and for providing safe haven to Ūsama Bin Laden, Al-Qaida and others associated with them, and in this context supporting the efforts of the Afghan people to replace the Taliban regime,*Welcoming* the intention of the Special Representative to convene an urgent meeting of the various Afghan processes at an appropriate venue and *calling on* the United Front and all Afghans represented in those processes to accept his invitation to that meeting without delay, in good faith and without preconditions,*Welcoming* the Declaration on the Situation in Afghanistan by the Foreign Ministers and other Senior Representatives of the Six plus Two of 12 November 2001, as well as the support being offered by other international groups,*Taking note* of the views expressed at the meeting of the Security Council on the situation in Afghanistan on 13 November 2001,*Endorsing* the approach outlined by the Special Representative of the Secretary-General at the meeting of the Security Council on 13 November 2001,*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Deeply concerned by the grave humanitarian situation and the continuing serious violations by the Taliban of human rights and international humanitarian law,

1. *Expresses* its strong support for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which:

- should be broad-based, multi-ethnic and fully representative of all the Afghan people and committed to peace with Afghanistan's neighbours,
- should respect the human rights of all Afghan people, regardless of gender, ethnicity or religion,
- should respect Afghanistan's international obligations, including by cooperating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan, and
- should facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced persons, when the situation permits;

2. *Calls* on all Afghan forces to refrain from acts of reprisal, to adhere strictly to their obligations under human rights and international humanitarian law, and to ensure the safety and security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations;

3. *Affirms* that the United Nations should play a central role in supporting the efforts of the Afghan people to establish urgently such a new and transitional administration leading to the formation of a new government and *expresses* its full support for the Secretary-General's Special Representative in the accomplishment of his mandate, and calls on Afghans, both within Afghanistan and among the Afghan diaspora, and Member States to cooperate with him;

4. *Calls* on Member States to provide:

- support for such an administration and government, including through the implementation of quick-impact projects,
- urgent humanitarian assistance to alleviate the suffering of Afghan people both inside Afghanistan and Afghan refugees, including in demining, and
- long-term assistance for the social and economic reconstruction and rehabilitation of Afghanistan and welcomes initiatives towards this end;

5. *Encourages* Member States to support efforts to ensure the safety and security of areas of Afghanistan no longer under Taliban control, and in particular to ensure respect for Kabul as the capital for all the Afghan people, and especially to protect civilians, transitional authorities, United Nations and associated personnel, as well as personnel of humanitarian organizations;

6. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
6 December 2001

Resolution 1383 (2001)**Adopted by the Security Council at its 4434th meeting on
6 December 2001***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolution 1378 (2001) of 14 November 2001,*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Stressing* the inalienable right of the Afghan people themselves freely to determine their own political future,*Determined* to help the people of Afghanistan to bring to an end the tragic conflicts in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights, as well as to cooperate with the international community to put an end to the use of Afghanistan as a base for terrorism,*Welcoming* the letter of 5 December 2001 from the Secretary-General informing the Council of the signature in Bonn on 5 December 2001 of the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions (S/2001/1154),*Noting* that the provisional arrangements are intended as a first step towards the establishment of a broad-based, gender sensitive, multi-ethnic and fully representative government,

1. *Endorses* the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions as reported in the Secretary-General's letter of 5 December 2001;

2. *Calls on* all Afghan groups to implement this Agreement in full, in particular through full cooperation with the Interim Authority which is due to take office on 22 December 2001;

3. *Reaffirms* its full support to the Special Representative of the Secretary-General and endorses the missions entrusted to him in annex 2 of the above-mentioned Agreement;



4. *Declares its willingness to take further action, on the basis of a report by the Secretary-General, to support the Interim institutions established by the above-mentioned Agreement and, in due course, to support the implementation of the Agreement and its annexes;*

5. *Calls on all Afghan groups to support full and unimpeded access by humanitarian organizations to people in need and to ensure the safety and security of humanitarian workers;*

6. *Calls on all bilateral and multilateral donors, in coordination with the Special Representative of the Secretary-General, United Nations Agencies and all Afghan groups, to reaffirm, strengthen and implement their commitment to assist with the rehabilitation, recovery and reconstruction of Afghanistan, in coordination with the Interim Authority and as long as the Afghan groups fulfil their commitments;*

7. *Decides to remain actively seized of the matter.*

**Security Council**Distr.: General
20 December 2001

Resolution 1386 (2001)**Adopted by the Security Council at its 4443rd meeting, on
20 December 2001***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,*Supporting* international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,*Welcoming* developments in Afghanistan that will allow for all Afghans to enjoy inalienable rights and freedom unfettered by oppression and terror,*Recognizing* that the responsibility for providing security and law and order throughout the country resides with the Afghan themselves,*Reiterating* its endorsement of the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions, signed in Bonn on 5 December 2001 (S/2001/1154) (the Bonn Agreement),*Taking note* of the request to the Security Council in Annex 1, paragraph 3, to the Bonn Agreement to consider authorizing the early deployment to Afghanistan of an international security force, as well as the briefing on 14 December 2001 by the Special Representative of the Secretary-General on his contacts with the Afghan authorities in which they welcome the deployment to Afghanistan of a United Nations-authorized international security force,*Taking note* of the letter dated 19 December 2001 from Dr. Abdullah Abdullah to the President of the Security Council (S/2001/1223),*Welcoming* the letter from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General of 19 December 2001 (S/2001/1217), and *taking note* of the United Kingdom offer contained therein to take the lead in organizing and commanding an International Security Assistance Force,

Stressing that all Afghan forces must adhere strictly to their obligations under human rights law, including respect for the rights of women, and under international humanitarian law,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Interim Authority established by the Bonn Agreement,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Authorizes*, as envisaged in Annex 1 to the Bonn Agreement, the establishment for 6 months of an International Security Assistance Force to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as the personnel of the United Nations can operate in a secure environment;

2. *Calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and invites those Member States to inform the leadership of the Force and the Secretary-General;

3. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

4. *Calls upon* the International Security Assistance Force to work in close consultation with the Afghan Interim Authority in the implementation of the force mandate, as well as with the Special Representative of the Secretary-General;

5. *Calls upon* all Afghans to cooperate with the International Security Assistance Force and relevant international governmental and non-governmental organizations, and welcomes the commitment of the parties to the Bonn Agreement to do all within their means and influence to ensure security, including to ensure the safety, security and freedom of movement of all United Nations personnel and all other personnel of international governmental and non-governmental organizations deployed in Afghanistan;

6. *Takes note* of the pledge made by the Afghan parties to the Bonn Agreement in Annex 1 to that Agreement to withdraw all military units from Kabul, and calls upon them to implement this pledge in cooperation with the International Security Assistance Force;

7. *Encourages* neighbouring States and other Member States to provide to the International Security Assistance Force such necessary assistance as may be requested, including the provision of overflight clearances and transit;

8. *Stresses* that the expenses of the International Security Assistance Force will be borne by the participating Member States concerned, *requests* the Secretary-General to establish a trust fund through which contributions could be channelled to the Member States or operations concerned, and encourages Member States to contribute to such a fund;

9. *Requests* the leadership of the International Security Assistance Force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General;

10. *Calls on* Member States participating in the International Security Assistance Force to provide assistance to help the Afghan Interim Authority in the establishment and training of new Afghan security and armed forces;

11. *Decides* to remain actively seized of the matter.



Resolution 1388 (2002)

**Adopted by the Security Council at its 4449th meeting, on
15 January 2002**

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999 and 1333 (2000) of 19 December 2000,

Noting that Ariana Afghan Airlines is no longer owned, leased or operated by or on behalf of the Taliban, nor are its funds and other financial resources owned or controlled, directly or indirectly, by the Taliban,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of paragraph 4 (a) and (b) of resolution 1267 (1999) do not apply to Ariana Afghan Airlines aircraft or Ariana Afghan Airlines funds and other financial resources;
2. *Decides* to terminate the measure provided for by paragraph 8 (b) of resolution 1333 (2000);
3. *Decides* to remain actively seized of the matter.



**Security Council**Distr.: General
28 January 2002

Resolution 1390 (2002)**Adopted by the Security Council at its 4452nd meeting, on
16 January 2002***The Security Council,**Recalling* its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,*Reaffirming* its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,*Reaffirming* also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and *reiterating* its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,*Reaffirming* its unequivocal condemnation of the terrorist attacks which took place in New York, Washington and Pennsylvania on 11 September 2001, expressing its determination to prevent all such acts, *noting* the continued activities of Usama bin Laden and the Al-Qaida network in supporting international terrorism, and expressing its determination to root out this network,*Noting* the indictments of Usama bin Laden and his associates by the United States of America for, inter alia, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania,*Determining* that the Taliban have failed to respond to the demands in paragraph 13 of resolution 1214 (1998) of 8 December 1998, paragraph 2 of resolution 1267 (1999) and paragraphs 1, 2 and 3 of resolution 1333 (2000),*Condemning* the Taliban for allowing Afghanistan to be used as a base for terrorists training and activities, including the export of terrorism by the Al-Qaida network and other terrorist groups as well as for using foreign mercenaries in hostile actions in the territory of Afghanistan,*Condemning* the Al-Qaida network and other associated terrorist groups, for the multiple criminal, terrorist acts, aimed at causing the deaths of numerous innocent civilians, and the destruction of property,

* Reissued for technical reasons.



Reaffirming further that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to continue the measures imposed by paragraph 8 (c) of resolution 1333 (2000) and *takes note* of the continued application of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), in accordance with paragraph 2 below, and *decides* to terminate the measures imposed in paragraph 4 (a) of resolution 1267 (1999);

2. *Decides* that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as "the Committee";

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case by case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale and transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

3. *Decides* that the measures referred to in paragraphs 1 and 2 above will be reviewed in 12 months and that at the end of this period the Council will either allow these measures to continue or decide to improve them, in keeping with the principles and purposes of this resolution;

4. *Recalls* the obligation placed upon all Member States to implement in full resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts;

5. *Requests* the Committee to undertake the following tasks and to report on its work to the Council with its observations and recommendations;

(a) to update regularly the list referred to in paragraph 2 above, on the basis of relevant information provided by Member States and regional organizations;

(b) to seek from all States information regarding the action taken by them to implement effectively the measures referred to in paragraph 2 above, and thereafter to request from them whatever further information the Committee may consider necessary;

(c) to make periodic reports to the Council on information submitted to the Committee regarding the implementation of this resolution;

(d) to promulgate expeditiously such guidelines and criteria as may be necessary to facilitate the implementation of the measures referred to in paragraph 2 above;

(e) to make information it considers relevant, including the list referred to in paragraph 2 above, publicly available through appropriate media;

(f) to cooperate with other relevant Security Council Sanctions Committees and with the Committee established pursuant to paragraph 6 of its resolution 1373 (2001);

6. *Requests* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement the measures referred to in paragraph 2 above;

7. *Urges* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 9 below;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures referred to in paragraph 2 of this resolution, and to inform the Committee of the adoption of such measures, and *invites* States to report the results of all related investigations or enforcement actions to the Committee unless to do so would compromise the investigation or enforcement actions;

9. *Requests* the Secretary-General to assign the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), whose mandate expires on 19 January 2002, to monitor, for a period of 12 months, the implementation of the measures referred to in paragraph 2 of this resolution;

10. *Requests* the Monitoring Group to report to the Committee by 31 March 2002 and thereafter every 4 months;

11. *Decides* to remain actively seized of the matter.

**Security Council**

Distr.: General

28 March 2002

Resolution 1401 (2002)**Adopted by the Security Council at its 4501st meeting, on
28 March 2002***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001, and 1386 (2001) of 20 December 2001,*Recalling* all relevant General Assembly resolutions, in particular resolution 56/220 (2001) of 21 December 2001,*Stressing* the inalienable right of the Afghan people themselves freely to determine their own political future,*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Reiterating* its endorsement of the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions, signed in Bonn on 5 December 2001 (S/2001/1154) (the Bonn Agreement), in particular its annex 2 regarding the role of the United Nations during the interim period,*Welcoming* the establishment on 22 December 2001 of the Afghan interim authority and looking forward to the evolution of the process set out in the Bonn Agreement,*Stressing* the vital importance of combating the cultivation and trafficking of illicit drugs and of eliminating the threat of landmines, as well as of curbing the illicit flow of small arms,*Having considered* the report of the Secretary-General of 18 March 2002 (S/2002/278),*Encouraging* donor countries that pledged financial aid at the Tokyo Conference on reconstruction assistance to Afghanistan to fulfill their commitments as soon as possible,*Commending* the United Nations Special Mission in Afghanistan (UNAMA) for the determination shown in the implementation of its mandate in particularly difficult circumstances,

1. *Endorses* the establishment, for an initial period of 12 months from the date of adoption of this resolution, of a United Nations Assistance Mission in Afghanistan (UNAMA), with the mandate and structure laid out in the report of the Secretary-General of 18 March 2002 (S/2002/278);
 2. *Reaffirms* its strong support for the Special Representative of the Secretary-General and *endorses* his full authority, in accordance with its relevant resolutions, over the planning and conduct of all United Nations activities in Afghanistan;
 3. *Stresses* that the provision of focussed recovery and reconstruction assistance can greatly assist in the implementation of the Bonn Agreement and, to this end, *urges* bilateral and multilateral donors, in particular through the Afghanistan Support Group and the Implementation Group, to coordinate very closely with the Special Representative of the Secretary-General, the Afghan Interim Administration and its successors;
 4. *Stresses also*, in the context of paragraph 3 above, that while humanitarian assistance should be provided wherever there is a need, recovery or reconstruction assistance ought to be provided, through the Afghan Interim Administration and its successors, and implemented effectively, where local authorities contribute to the maintenance of a secure environment and demonstrate respect for human rights;
 5. *Calls upon* all Afghan parties to cooperate with UNAMA in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;
 6. *Requests* the International Security Assistance Force, in implementing its mandate in accordance with resolution 1386 (2001), to continue to work in close consultation with the Secretary-General and his Special Representative;
 7. *Requests* the Secretary-General to report to the Council every four months on the implementation of this resolution;
 8. *Decides* to remain actively seized of the matter.
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**Security Council**

Distr.: General

23 May 2002

Resolution 1413 (2002)**Adopted by the Security Council at its 4541st meeting,
on 23 May 2002***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolution 1386 (2001) of 20 December 2001,*Reaffirming also* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Supporting* international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,*Recognizing* that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, and welcoming in this respect the cooperation of the Afghan Interim Authority with the International Security Assistance Force,*Expressing its appreciation* to the United Kingdom of Great Britain and Northern Ireland for taking the lead in organizing and commanding the International Security Assistance Force and recognizing with gratitude the contributions of many nations to the International Security Assistance Force,*Welcoming* the letter from the Foreign Minister of Turkey to the Secretary-General of 7 May 2002 (S/2002/568), and taking note of Turkey's offer contained therein to assume the lead in commanding the International Security Assistance Force,*Recalling* the letter dated 19 December 2001 from Dr. Abdullah Abdullah to the President of the Security Council (S/2001/1223),*Determining* that the situation in Afghanistan still constitutes a threat to international peace and security,*Determined* to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Interim Authority and its successors established by the Bonn Agreement,*Acting* for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization, for a period of six months beyond 20 June 2002, of the International Security Assistance Force, as defined in resolution 1386 (2001);
 2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil the mandate of the International Security Assistance Force;
 3. *Calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);
 4. *Requests* the leadership of the International Security Assistance Force to provide monthly reports on implementation of its mandate, through the Secretary-General;
 5. *Decides* to remain actively seized of the matter.
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**Security Council**Distr.: General
26 June 2002

Resolution 1419 (2002)**Adopted by the Security Council at its 4560th meeting,
on 26 June 2002***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolution 1383 (2001) of 6 December 2001,*Reaffirming also* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Reaffirming also* its strong commitment to help the people of Afghanistan to bring to an end the tragic conflicts in Afghanistan and promote lasting peace, stability, and respect for human rights,*Reaffirming also* its strong support for international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,*Reiterating* its endorsement of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn on 5 December 2001 (S/2001/1154) (the Bonn Agreement), and *welcoming* initial steps for its implementation, including the establishment of the Human Rights and Judicial Commissions,

1. *Welcomes* the successful and peaceful holding, from 11 June to 19 June, of the Emergency Loya Jirga opened by former King Mohammed Zaher, the "Father of the Nation", and *notes* with particular satisfaction the large participation of women, as well as the representation of all ethnic and religious communities;

2. *Commends* the Afghan people for the success of the Emergency Loya Jirga and encourages them to continue to exercise their inalienable right to determine freely their own political future;

3. *Welcomes* the election, by the Emergency Loya Jirga, of the Head of State, President Hamid Karzai, and the establishment of the Transitional Authority;

4. *Reiterates* its strong support for the Transitional Authority in the full implementation of the Bonn Agreement, including the establishment of a Constitutional Commission, and in strengthening the central government, building a

national army and police force, implementing demobilization/reintegration activities and improving the security situation throughout Afghanistan, combating illicit drug trafficking, ensuring respect for human rights, implementing judicial sector reform, establishing the basis for a sound economy and reconstructing productive capacity and infrastructure;

5. *Calls on* all Afghan groups, in this regard, to cooperate fully with the Transitional Authority in order to complete the process according to the Bonn Agreement and to implement the decisions of the Emergency Loya Jirga;

6. *Urges* the Transitional Authority to build on efforts of the Interim Administration to eradicate the annual poppy crop;

7. *Urges also* the Transitional Authority to build further on efforts of the Interim Administration to promote the welfare and interests of Afghan women and children and to provide education to boys and girls;

8. *Commends* the role of the United Nations system in support of efforts by the Afghans, *reiterates* its strong support for the Special Representative of the Secretary-General, Mr. Lakhdar Brahimi, and the staff of the United Nations Assistance Mission in Afghanistan (UNAMA), and *reaffirms* its endorsement of the full authority of the Special Representative of the Secretary-General, in accordance with its relevant resolutions, over the planning and conduct of all United Nations activities in Afghanistan;

9. *Commends also* the contribution of the International Security Assistance Force (ISAF) in providing a secure environment for the Emergency Loya Jirga;

10. *Stresses* once again the importance of continued international support to complete the process according to the Bonn Agreement, *calls upon* donor countries that pledged financial aid at the Tokyo conference to fulfil their commitments promptly and *calls upon* all Member States to support the Transitional Authority and to provide long-term assistance, as well as current budget support, for the current expenses of the Transitional Authority, and for the social and economic reconstruction and rehabilitation of Afghanistan as a whole;

11. *Calls for* significantly greater and more rapid international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their orderly return and effective reintegration into society in order to contribute to the stability of the entire country;

12. *Calls upon* all Afghan groups to support full and unimpeded access by humanitarian organizations to people in need and to ensure the safety and security of humanitarian workers;

13. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
27 November 2002

Resolution 1444 (2002)**Adopted by the Security Council at its 4651st meeting, on
27 November 2002***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001 and 1413 (2002) of 23 May 2002,*Reaffirming also* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Supporting* international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,*Recognizing* that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, welcoming in this respect the efforts of the Afghan Transitional Authority to establish fully representative, professional and multi-ethnic army and police forces, and welcoming also the cooperation of the Afghan Transitional Authority with the International Security Assistance Force,*Expressing* its appreciation to Turkey for taking over the lead from the United Kingdom in organizing and commanding the International Security Assistance Force from 20 June 2002, and recognizing with gratitude the contributions of many nations to the International Security Assistance Force,*Welcoming* the joint letter from the Foreign Minister of Germany and the Foreign Minister of the Netherlands to the Secretary-General of 21 November 2002 (S/2002/1296, annex) expressing the willingness of Germany and the Netherlands to jointly assume from Turkey the lead in commanding the International Security Assistance Force, and anticipating offers in due course to succeed Germany and the Netherlands in leading that command,*Recalling* the letter dated 19 December 2001 from Dr. Abdullah Abdullah to the President of the Security Council (S/2001/1223),*Determining* that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Authority and its successors established by the Bonn Agreement,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization, for a period of one year beyond 20 December 2002, of the International Security Assistance Force, as defined in resolution 1386 (2001);
 2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil the mandate of the International Security Assistance Force;
 3. *Calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);
 4. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate, through the Secretary-General;
 5. *Decides* to remain seized of the matter.
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Security Council

Distr.: General

24 December 2002

Resolution 1453 (2002)

**Adopted by the Security Council at its 4682nd meeting, on
24 December 2002**

The Security Council,

Reaffirming its previous resolutions on Afghanistan,

Reaffirming also its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and to peace and stability throughout the region,

Recognizing the Transitional Administration as the sole legitimate Government of Afghanistan, pending democratic elections in 2004, and reiterating its strong support for the full implementation of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement),

Reaffirming its strong commitment to assist the Transitional Administration in its efforts to ensure security, prosperity, tolerance and respect for human rights for all people of Afghanistan, and to combat terrorism, extremism and narco-trafficking,

1. *Welcomes and endorses* the Kabul Declaration on Good-Neighbourly Relations signed by the Transitional Administration of Afghanistan and the Governments of China, Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan, the States neighbouring Afghanistan, in Kabul on 22 December 2002 (S/2002/1416);

2. *Calls on* all States to respect the Declaration and to support the implementation of its provisions;

3. *Requests* the Secretary-General to report to the Council as appropriate on the implementation of the Declaration, in the context of his regular reporting on Afghanistan, including information provided by the signatories;

4. *Decides* to remain seized of the matter.

**Security Council**Distr.: General
28 March 2003

Resolution 1471 (2003)**Adopted by the Security Council at its 4730th meeting, on
28 March 2003***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolution 1401 (2002) establishing the United Nations Assistance Mission in Afghanistan (UNAMA),*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, as well as its endorsement of the Kabul Declaration of 22 December 2002 on Good-Neighbourly relations (S/2002/1416) and its call on all States to respect and support the implementation of its provisions,*Recognizing* the Transitional Administration as the sole legitimate government of Afghanistan pending democratic elections by June 2004 and *reiterating* its strong support for the full implementation of the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions, signed in Bonn on 5 December 2001 (S/2001/1154) (the Bonn Agreement), in particular its annex 2 regarding the role of the United Nations during the interim period,*Also recognizing* that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country,

1. *Decides* to extend UNAMA for an additional period of 12 months from the date of adoption of this resolution;
2. *Welcomes* the report of the Secretary-General of 18 March 2003 (S/2003/333) and the recommendations contained therein and *endorses* the Secretary-General's proposal that an electoral unit be established within UNAMA, and *encourages* Member States support the United Nations electoral activities in Afghanistan;
3. *Stresses* that the continued provision of focused recovery and reconstruction assistance can contribute significantly to the implementation of the Bonn Agreement and, to this end, urges bilateral and multilateral donors to coordinate closely with the Special Representative of the Secretary-General and the

Transitional Administration, in particular through the Afghan Consultative Group Process;

4. *Stresses* also, in the context of paragraph 3 above, that while humanitarian assistance should be provided wherever there is a need, recovery or reconstruction assistance ought to be provided, through the Transitional Administration, and implemented effectively, where local authorities demonstrate a commitment to maintaining a secure environment, respecting human rights and countering narcotics;

5. *Reaffirms* its strong support for the Special Representative of the Secretary-General and the concept of a fully integrated mission and *endorses* the Special Representative of the Secretary-General's full authority, in accordance with its relevant resolutions, over all United Nations activities in Afghanistan;

6. *Requests* UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the Bonn Agreement and the National Human Rights Programme for Afghanistan, in order to support the protection and development of human rights in Afghanistan;

7. *Calls upon* all Afghan parties to cooperate with UNAMA in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;

8. *Requests* the International Security Assistance Force, in implementing its mandate in accordance with resolution 1444 (2002) of 27 November 2002, to continue to work in close consultation with the Secretary-General and his Special Representative;

9. *Requests* the Secretary-General to report to the Council every four months on the implementation of this resolution;

10. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
13 October 2003

Resolution 1510 (2003)**Adopted by the Security Council at its 4840th meeting,
on 13 October 2003***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002 and 1444 (2002) of 27 November 2002,*Reaffirming also* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Reaffirming also* its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001 and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,*Recognizing* that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the continuing cooperation of the Afghan Transitional Authority with the International Security Assistance Force,*Reaffirming* the importance of the Bonn Agreement and recalling in particular its annex 1 which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,*Stressing also* the importance of extending central government authority to all parts of Afghanistan, of comprehensive disarmament, demobilization and reintegration of all armed factions, and of security sector reform including reconstitution of the new Afghan National Army and Police,*Recognizing* the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan,*Noting* the letter dated 10 October 2003 from the Minister for Foreign Affairs of Afghanistan (S/2003/986, annex) requesting the assistance of the International Security Assistance Force outside Kabul,*Noting* the letter dated 6 October 2003 from the Secretary-General of the North Atlantic Treaty Organization (NATO) to the Secretary-General (S/2003/970)

regarding a possible expansion of the mission of the International Security Assistance Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Authority and its successors,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Authorizes* expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs, so that the Afghan Authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement;

2. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Afghan Transitional Authority and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate, and to report to the Security Council on the implementation of the measures set out in paragraph 1;

3. *Decides also* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and this resolution, for a period of twelve months;

4. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on the implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
26 March 2004

Resolution 1536 (2004)**Adopted by the Security Council at its 4937th meeting, on
26 March 2004***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolution 1471 (2003) extending the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 27 March 2004,*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Welcoming* the Constitution adopted by the Loya Jirga on 4 January 2004 which reflects the determination of the Afghan people to ensure the transition of their country towards a stable and democratic State,*Recognizing* that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country,*Reaffirming* the Transitional Administration as the sole legitimate government of Afghanistan pending the democratic presidential and parliamentary elections envisioned in the Bonn Agreement as in the Afghan constitution,*Reiterating* its strong support for the full implementation of the Bonn Agreement (S/2001/1154) and *supporting also* the objectives of the international conference scheduled to take place in Berlin from 31 March to 1 April 2004 to allow the Afghan authorities and the international community to reaffirm their long-term commitment to take the transitional process in Afghanistan forward, including by demonstrating support for the Afghan political process and its national security, as well as by confirming and generating international financial and other donations,*Recalling* the importance of the coming elections to establish democratic Afghan authorities as a further step towards implementation of the Bonn Agreement and *welcoming* in that regard the creation of a Joint Electoral Management Body and the initial progress made in voter registration,*Recalling and emphasizing* the importance of the Kabul Declaration of 22 December 2002 on Good-Neighbourly relations (S/2002/1416), and encouraging all States concerned to continue to follow up on the Kabul Declaration and the

Declaration on Trade, Transit and Inward Investment signed in Dubai in September 2003,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of comprehensive nationwide disarmament, demobilization and reintegration of all armed factions, and of security sector reform including reconstitution of the new Afghan National Army and Afghan National Police,

Welcoming the visit of the Security Council Mission to Afghanistan in October-November 2003 and takes note of its report and recommendations,

1. *Decides* to extend UNAMA for an additional period of 12 months from the date of adoption of this resolution;

2. *Welcomes* the report of the Secretary-General of 23 March 2004 (S/2004/230) and the recommendations contained therein;

3. *Stresses* the importance of the provision of sufficient security and of significant donor support for the holding of credible national elections in accordance with the Afghan constitution and the Bonn Agreement and to this end *urges* member states and international organizations to coordinate closely with UNAMA and the Transitional Administration;

4. *Encourages* Afghan authorities to enable an electoral process that provides for voter participation that is representative of the national demographics including women and refugees and *calls upon* all eligible Afghans to fully participate in the registration and electoral processes;

5. *Encourages* UNAMA and the Afghan authorities, in this regard, to accelerate voter registration efforts in preparation for elections and *urges* close coordination between Afghan and UN authorities;

6. *Welcomes* the progress made since the commencement of the Disarmament, Demobilization and Reintegration (DDR) process in October 2003 and the contribution of the International Observer Group in this regard; *stresses* that efforts on the part of the Afghan Authorities and all Afghan parties, supported by the international community, to achieve further progress on DDR are critical, particularly for the creation of an environment more conducive to the conduct of free and fair elections; and in this regard, *calls upon* all Afghan parties to abide by commitments made in the Bonn Agreement including its Annex 1;

7. *Welcomes* the efforts to date of the Afghan authorities to implement their National Drug Control Strategy adopted in May 2003 and *urges* the Afghan authorities to make further efforts in that regard and Member States to support its implementation with the necessary resources;

8. *Stresses* that tackling the drugs trade cannot be separated from creating a strong economy and a secure environment in Afghanistan and cannot be achieved without increased cooperation among neighbouring states and countries along trafficking routes to strengthen anti-narcotic controls to curb the drug flow, and *notes* with concern in this regard the assessment made by UNODC in its last Afghan opium survey;

9. *Welcomes* the appointment of Jean Arnault as new Special Representative of the Secretary-General (SRSG) for Afghanistan; *reaffirms* its continued strong support for the SRSG and the concept of a fully integrated mission and *endorses* his

full authority, in accordance with all relevant resolutions, over all United Nations activities in Afghanistan;

10. *Requests* UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the new Afghan constitution, in particular those regarding the full enjoyment by women of their human rights; *requests* also that UNAMA support the establishment of a fair and transparent judicial system, and work towards the strengthening of the rule of law;

11. *Calls upon* all Afghan parties to cooperate with UNAMA in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;

12. *Welcomes* the progress made by the International Security Assistance Force (ISAF), in expanding its presence outside of Kabul and in implementing its mandate in accordance with resolutions 1444 (2002) and 1510 (2003), requests that ISAF continue working in close consultation with the Secretary-General and his Special Representative; *calls upon* troop contributors to provide the necessary resources to ensure the full implementation of the mandate of ISAF;

13. *Welcomes* the development of the new Afghan National Army and Afghan National Police as important steps towards the goal of Afghan security forces providing security and ensuring the rule of law throughout the country, and *also welcomes* the readiness of ISAF to provide security assistance for the organization of the forthcoming elections in support of the Afghan authorities and UNAMA in accordance with resolution 1510;

14. *Requests* the Secretary-General to report to the Council in a timely manner on developments in Afghanistan, including, after elections, on the future role of UNAMA;

15. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
17 September 2004

Resolution 1563 (2004)**Adopted by the Security Council at its 5038th meeting, on
17 September 2004***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002 and 1510 (2003) of 13 October 2003,*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Reaffirming also* its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001 and *reiterating* its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,*Recognizing* that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the continuing cooperation of the Afghan Transitional Administration with the International Security Assistance Force,*Reaffirming* the importance of the Bonn Agreement and the Berlin Declaration, and recalling in particular annex 1 of the Bonn Agreement which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,*Stressing also* the importance of extending central government authority to all parts of Afghanistan, of conducting free and fair elections, of comprehensive disarmament, demobilization and reintegration of all armed factions, of justice sector reform, of security sector reform including reconstitution of the Afghan National Army and Police, and of combating narcotics trade and production, and recognizing certain progress that has been made in these and other areas with the help of the international community,*Recognizing* the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan, in particular in the light of the upcoming elections,*Welcoming* in this context the commitment by NATO lead nations to establish further Provincial Reconstruction Teams (PRTs), as well as the readiness of the

International Security Assistance Force and the Operation Enduring Freedom Coalition to assist in securing the conduct of national elections,

Expressing its appreciation to Eurocorps for taking over the lead from Canada in commanding the International Security Assistance Force, to Canada for its leadership of the International Security Assistance Force during the past year, and recognizing with gratitude the contributions of many nations to the International Security Assistance Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Administration and its successors,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2004;
2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;
3. *Recognizes* the need to strengthen the International Security Assistance Force, and in this regard *calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);
4. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Afghan Transitional Administration and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate;
5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate to the Security Council through the Secretary-General;
6. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
24 March 2005

Resolution 1589 (2005)**Adopted by the Security Council at its 5148th meeting,
on 24 March 2005***The Security Council,*

Recalling its previous resolutions on Afghanistan, in particular its resolution 1536 (2004) of 26 March 2004 extending the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 26 March 2005,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Welcoming once again the successful holding of the presidential election on 9 October 2004,

Recognizing the urgent need to tackle the ongoing challenges in Afghanistan, including the fight against narcotics, the lack of security in certain areas, terrorist threats, comprehensive nationwide disarmament, demobilization and reintegration of the Afghan Militia Forces and disbandment of illegal armed groups, timely preparation for the parliamentary, provincial and district elections, development of Afghan Government institutions, acceleration of justice sector reform, promotion and protection of human rights, and economic and social development,

Reaffirming in this context its continued support for the implementation of the provisions of the Bonn Agreement of 5 December 2001, and of the Berlin Declaration of 1 April 2004 including its annexes, and *pledging* its continued support thereafter for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and assume their rightful place in the community of nations,

Recalling and emphasizing the importance of the Kabul Declaration of 22 December 2002 on Good-Neighbourly Relations (S/2002/1416), and *encouraging* all States concerned to continue to follow up on the Kabul Declaration and the Declaration on Trade, Transit and Inward Investment signed in Dubai in September 2003,

Expressing its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan, and *stressing* the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan,

1. *Welcomes* the report of the Secretary-General of 18 March 2005 (S/2005/183);
2. *Decides* to extend the mandate of UNAMA for an additional period of 12 months from the date of adoption of this resolution;
3. *Stresses* the importance of urgently establishing a framework for the holding at the earliest possible date of free and fair elections, *welcomes* in this regard the announcement of the Joint Electoral Management Body that elections for the lower house of the parliament (*Wolesi Jirga*) and provincial councils will be held on 18 September 2005, *calls upon* UNAMA to continue to provide necessary support in order to facilitate timely elections with the broadest possible participation, and *urges* the donor community to promptly make available the necessary financial support based on that framework, in close coordination with the Government of Afghanistan and UNAMA, and to consider contributing to electoral observer missions;
4. *Stresses* the importance of security for the credible parliamentary, provincial and district elections, and to this end *calls upon* Member States to contribute personnel, equipment and other resources to support the expansion of the International Security Assistance Force and the establishment of provincial reconstruction teams in other parts of Afghanistan, and to coordinate closely with UNAMA and the Government of Afghanistan;
5. *Welcomes* the international efforts to assist in setting up the new Afghan Parliament and ensure its efficient functioning, which will be critical to the political future of Afghanistan and the steps towards a free and democratic Afghanistan;
6. *Welcomes* the substantial progress in the disarmament, demobilization and reintegration (DDR) process in accordance with the Bonn Agreement, *encourages* the Government of Afghanistan to continue its active efforts to accelerate the DDR process towards its completion by June 2006, to disband the illegal armed groups and to dispose of the ammunition stockpile, and *requests* the international community to further extend assistance for these efforts;
7. *Welcomes* the effort to date of the Government of Afghanistan to implement its national drug control strategy adopted in May 2003, including through the launch of the 2005 Counter Narcotics Implementation Plan in February 2005, which reflects a new determination of the Government to tackle the cultivation, production and trafficking of drugs, *urges* the Government to take decisive action to stop the processing and trade of drugs and to pursue the specific measures set out in that plan in the fields of building institutions, information campaigns, alternative livelihoods, interdiction and law enforcement, criminal justice, eradication, demand reduction and treatment of addicts, and regional cooperation, and *calls on* the international community to provide every possible assistance to the Government in pursuing full implementation of all aspects of the plan;
8. *Supports* the fight against the illicit trafficking of drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and *welcomes* in this context the signing on 1 April 2004 of the Berlin Declaration on Counter-Narcotics within the framework of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002;

9. *Requests* UNAMA to continue to support the ongoing effort for the establishment of a fair and transparent justice system, including the reconstruction and reform of the prison sector, in order to strengthen the rule of law throughout the country;

10. *Calls for* full respect for human rights and international humanitarian law throughout Afghanistan and, in this regard, *requests* UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist in the full implementation of the human rights provisions of the new Afghan constitution, in particular those regarding the full enjoyment by women of their human rights, *commends* the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect these rights, *welcomes* in this regard the Commission's report of 29 January 2005 and the proposed national strategy for transitional justice, and *requests* international support for that endeavour;

11. *Welcomes* the development of the Afghan National Army and Afghan National Police and the ongoing efforts to increase their capabilities as important steps towards the goal of Afghan security forces providing security and ensuring the rule of law throughout the country;

12. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the Operation Enduring Freedom coalition and the International Security Assistance Force, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by Al-Qaida operatives, the Taliban and other extremist groups, factional violence among militia forces and criminal activities, in particular violence involving the drug trade;

13. *Requests* the Secretary-General to report to the Council in a timely manner on developments in Afghanistan, and make recommendations on the future role of UNAMA, after the parliamentary elections;

14. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
13 September 2005

Resolution 1623 (2005)**Adopted by the Security Council at its 5260th meeting, on
13 September 2005***The Security Council,*

Reaffirming its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002, 1510 (2003) of 13 October 2003 and 1563 (2004) of 17 September 2004,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001 and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the cooperation of the Government of the Islamic Republic of Afghanistan with the International Security Assistance Force,

Recalling the importance of the Bonn Agreement and the Berlin Declaration, in particular annex 1 of the Bonn Agreement which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of respect for democratic values, of full completion of the disarmament, demobilization and reintegration process, of the disbandment of illegal armed groups, of justice sector reform, of security sector reform including reconstitution of the Afghan National Army and Police, and of combating narcotics trade and production, and *recognizing* certain progress that has been made in these and other areas with the help of the international community,

Recognizing the challenges facing Afghanistan with regard to the security situation in parts of the country,

Welcoming in this context the commitment by NATO lead nations to establish further Provincial Reconstruction Teams (PRTs),

Further welcoming the role played by the International Security Assistance Force and the Operation Enduring Freedom Coalition in assisting in securing the conduct of national elections,

Expressing its appreciation to Italy for taking over the lead from Turkey in commanding the International Security Assistance Force, and to those nations who contributed to Eurocorps, and *recognizing* with gratitude the contributions of many nations to the International Security Assistance Force,

Taking note of the letter dated 1 September 2005 from Dr. Abdullah Abdullah, Minister for Foreign Affairs of the Islamic Republic of Afghanistan to the Secretary-General of the United Nations (S/2005/574, annex),

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Government of the Islamic Republic of Afghanistan,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2005;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to strengthen the International Security Assistance Force, and in this regard *calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

4. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Government of the Islamic Republic of Afghanistan and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate;

5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
15 February 2006

Resolution 1659 (2006)**Adopted by the Security Council at its 5374th meeting, on
15 February 2006***The Security Council,**Reaffirming* its previous resolutions on Afghanistan, in particular its resolutions 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001 and 1589 (2005) of 24 March 2005,*Reaffirming* its full commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,*Pledging* its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and assume their rightful place in the community of nations,*Stressing* the inalienable right of the people of Afghanistan freely to determine their own future,*Determined* to assist the Government and people of Afghanistan in building on the successful completion of the Bonn Process,*Recognizing* the interconnected nature of the challenges ahead, and *affirming* that sustainable progress on security, governance and development, which necessarily involves capacity-building, is mutually reinforcing,*Recognizing* the continuing importance of fighting terrorist and narcotic threats and addressing threats posed by the Taliban, Al-Qaida and other extremist groups,*Stressing* that regional cooperation constitutes an effective means to promote security and development in Afghanistan,*Welcoming* the letter of 6 February 2006 from the Minister of Foreign Affairs of the Islamic Republic of Afghanistan informing the United Nations Secretary-General of the launch in London of the "Afghanistan Compact" on 31 January 2006,

1. *Endorses* the "Afghanistan Compact" and its annexes as providing the framework for the partnership between the Afghan Government and the international community which underlies the mutual commitments set out in the Compact;

2. *Calls* on the Afghan Government, and on all members of the international community and international organizations, to implement the Compact and its annexes in full;

3. *Affirms* the central and impartial role of the United Nations in Afghanistan, including coordination of efforts in implementing the Compact; and *looks forward* to the early formation of the Joint Coordination and Monitoring Board, co-chaired by the Afghan Government and the United Nations, and with a secretariat function to support it;

4. *Welcomes* the interim Afghanistan National Development Strategy (iANDS) presented by the Afghan Government and the political, security and financial pledges made by participants at the London Conference; *notes* that financial assistance available for the implementation of iANDS has now reached \$10.5 billion; *further notes* the intention of the Afghan Government to seek debt relief through the Paris Club;

5. *Recognizes* the risk that opium cultivation, production and trafficking poses to the security, development and governance of Afghanistan as well as to the region and internationally, *welcomes* the updated National Drug Control Strategy presented by the Afghan Government at the London Conference, and *encourages* additional international support for the four priorities identified in that Strategy including through contribution to the Counter Narcotics Trust Fund;

6. *Acknowledges* the continuing commitment of NATO to lead the International Security Assistance Force (ISAF), and welcomes the adoption by NATO of a revised Operational Plan allowing the continued expansion of the ISAF across Afghanistan, closer operational synergy with the Operation Enduring Freedom (OEF), and support, within means and capabilities, to Afghan security forces in the military aspects of their training and operational deployments;

7. *Declares* its willingness to take further action to support the implementation of the Compact and its annexes, on the basis of timely reports by the Secretary-General which encompass recommendations on the future mandate and structure of UNAMA;

8. *Decides* to remain actively seized of this matter.

ประวัติผู้เขียนวิทยานิพนธ์

นางสาวพจณี สิมะนราธร เกิดเมื่อวันที่ 3 กรกฎาคม พ.ศ. 2523 จังหวัด
เชียงใหม่ จบการศึกษาระดับปริญญาตรีนิติศาสตร์บัณฑิต จากมหาวิทยาลัยพายัพ จังหวัด
เชียงใหม่ ปีการศึกษา 2544 ประกาศนียบัตรวิชาว่าความจากสภาทนายความ รุ่นที่ 20
พุทธศักราช 2547 เข้าศึกษาหลักสูตรนิติศาสตร์มหาบัณฑิต คณะนิติศาสตร์ จุฬาลงกรณ์
มหาวิทยาลัย เมื่อปีการศึกษา 2546 เป็นผู้ช่วยวิจัยศาสตราจารย์ ดร. ชุมพร ปัจจุบันนท์
ปีการศึกษา 2546