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## INTERNATIONAL SANCTIONS AGAINST THE ISLAMIC EMIRATE OF AFGHANISTAN AND THEIR IMPACT ON THE NATIONAL SECURITY OF THE AFGHAN STATE

**I**nternational sanctions are restrictions applied by one country, a group of countries or an international organization against another country, with the aim of controlling, restricting or completely prohibiting its financial or any other activity that causes concern to the international community or is a violation of international law or poses a potential threat to regional or international security (Willis Towers Watson, 2018). As noted by Strachko and Metelskaya (2014), there are various types of international sanctions, including:

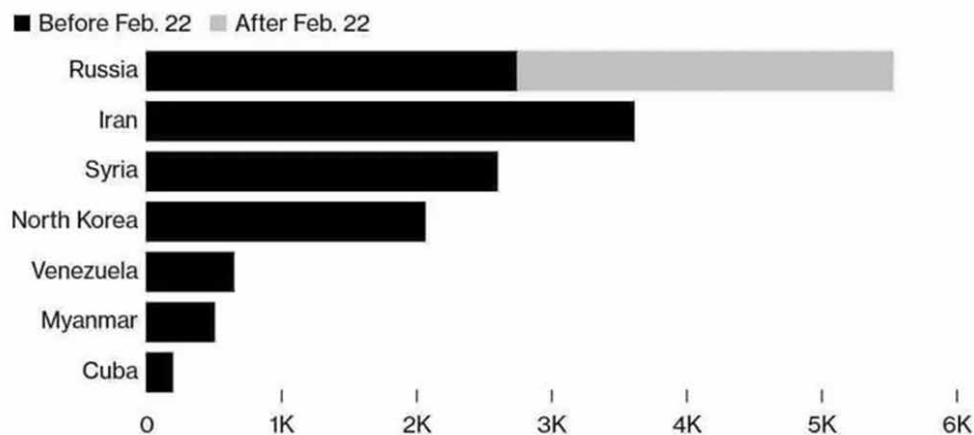
1. Commercial or trade, providing for a total or partial embargo;
2. Financial, providing for the blocking of foreign assets of the government, restricting access to financial markets, stopping the provision of financial assistance;
3. Sanctions on movement, implying a ban on the entry of certain persons or groups of persons;
4. Diplomatic, which provide for the complete or partial withdrawal of employees of diplomatic missions from the country against which sanctions have been imposed, as well as the annulment of diplomatic visas;

5. Sports and cultural, which imply a ban on participation in sports competitions of persons or groups of persons representing a country against which sanctions have been imposed, as well as the termination of scientific, technical and cultural cooperation with it;
6. Procedural sanctions providing for the deprivation of the right to vote, as well as the deprivation of the right to representation in the elected bodies of an international organization or expulsion from members of an international organization.

In its history, the UN has resorted to imposing international sanctions more than 30 times against a number of countries that, in the opinion of the members of the Security Council, violated international law or posed a threat to international security. Among them were: Iraq, Zimbabwe, South Africa, the former Yugoslavia, Haiti, Angola, Iran, Rwanda, Sierra Leone, Somalia, Ethiopia, North Korea, Eritrea, Mali, Liberia, Democratic Republic of the Congo, Ivory Coast, Sudan, Lebanon, South Sudan, Libya, Guinea-Bissau, Central African Republic and Yemen. The most severe were the UN sanctions against Iraq (for the attack on Kuwait and the annexation of this emirate in 1990), Iran and North Korea (for nuclear and missile programs). For example, the sanctions against Iraq included a complete ban on the import of oil from that country, which deprived the government of a major source of income, and also led to a deterioration in the standard of living of Iraqi citizens (Office of the Iraq Programme Oil-for-Food, 2022).

With regard to Afghanistan as a state, the UN Security Council has never imposed international sanctions, but this country was seriously affected by them in the 90s of the 20<sup>th</sup> century. This was due to the fact that members of the Security Council in 1999 imposed international sanctions against the Taliban ruling in Afghanistan (UN Security Council, 1999). Founded in 1994 by rural mullah Muhammad Omar, the Taliban acted under the slogans of religious justice and morality, and also relied on the broad support of patriotic Pashtun tribes who criticized the regime of the former Mujahideen (later united in the so-called Northern Alliance), representing mainly Afghan Tajiks and Uzbeks and enjoying the support of foreign actors, including the United States, Russia, India, Iran and the post-Soviet republics of Central Asia. Founded in 1994 by rural mullah Muhammad Omar, the Taliban acted under the slogans of religious justice and morality, and also relied on the broad support of patriotic Pashtun tribes who criticized the regime of the former Mujahideen (later united in the so-called Northern Alliance), which represented Afghan Tajiks and Uz-

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1. The World's Most Sanctioned Countries; source: <https://currentaffairs.adda247.com/russia-now-worlds-most-sanctioned-country/>, accessed on 24 VII 2022

beks and was supported by foreign actors, including the US, Russia, India, Iran and the post-Soviet republics of Central Asia. The Taliban accused the Northern Alliance of destroying Afghan statehood, banditry, drug trafficking, spreading corruption and committing a number of other crimes.

In 1996 the Taliban movement created the first central government in many years, whose authority extended to most of the territory of Afghanistan (with the exception of the province of Badakhshan). With the help of Sharia law, the Taliban quickly eradicated corruption in the country, overcame banditry and began to pursue a successful policy in the field of combating the production and distribution of drugs, motivating rural residents to grow crops instead of opium poppy (Veretilnyk, 2021). The Taliban also sought international cooperation in order to stabilize the situation in Afghanistan and the region, however, their contacts with armed groups recognized as terrorist organizations in the world (such as Al-Qaeda, the Islamic Movement of Uzbekistan, etc.) drew criticism from most UN member countries, which on this basis refused to recognize the Islamic Emirate of Afghanistan created by the Taliban. As the legitimate Afghan government, the Taliban government was recognized only by Pakistan, Saudi Arabia, the United Arab Emirates and the unrecognized Chechen Republic of Ichkeria (*de jure*), as well as Turkmenistan (*de facto*).

United Nations Security Council Resolution No 1267 (1999) stated that international sanctions are imposed against the Taliban movement for cooperation with international terrorist organizations, which *represents a threat to international peace and security* (UN Security Council, 1999). The imposed

sanctions froze the financial assets of the Taliban abroad, and also prohibited cooperation with members of this movement in such areas as international transportation (primarily aviation, using Afghan airports located in the territory controlled by the Taliban). The effectiveness of those sanctions raised many questions because, as Muslim ultra-conservatives, the Taliban leaders did not have bank accounts or any real estate abroad. And, for this reason, they did not feel any negative consequences of the imposed sanctions. The imposition of sanctions, however, had a negative impact on the attempts of the Taliban government to begin the reconstruction of Afghanistan, devastated by the civil war (1989–1996), as it created obstacles to international cooperation and the attraction of foreign donors. In addition, the sanctions had a negative impact on the national security of Afghanistan and regional security, because they did not apply to the terrorists of the Northern Alliance, who enjoyed foreign support and tried to overthrow the central government. The leaders of the Northern Alliance did not recognize the Taliban government as legitimate and remained loyal to the self-proclaimed President B. Rabbani, who was recognized as the „President of Afghanistan” by most UN member countries (the only exceptions were Pakistan, Saudi Arabia and the United Arab Emirates).

Sanctions against the Taliban were tightened and confirmed by the UN Security Council throughout the 20 years of the war in Afghanistan (including resolutions: No 1333 (2000), No 1363 (2001), No 1373 (2001), No 1390 (2002), No 1452 (2002), No 1455 (2003), No 1526 (2004), No 1566 (2004), No 1617 (2005), No 1624 (2005), No 1699 (2006), No 1730 (2006), No 1735 (2006), No 1822 (2008), No 1904 (2009), No 1988 (2011) and others (UN Security Council, 2011), but they did not have any positive effect on security in this country.

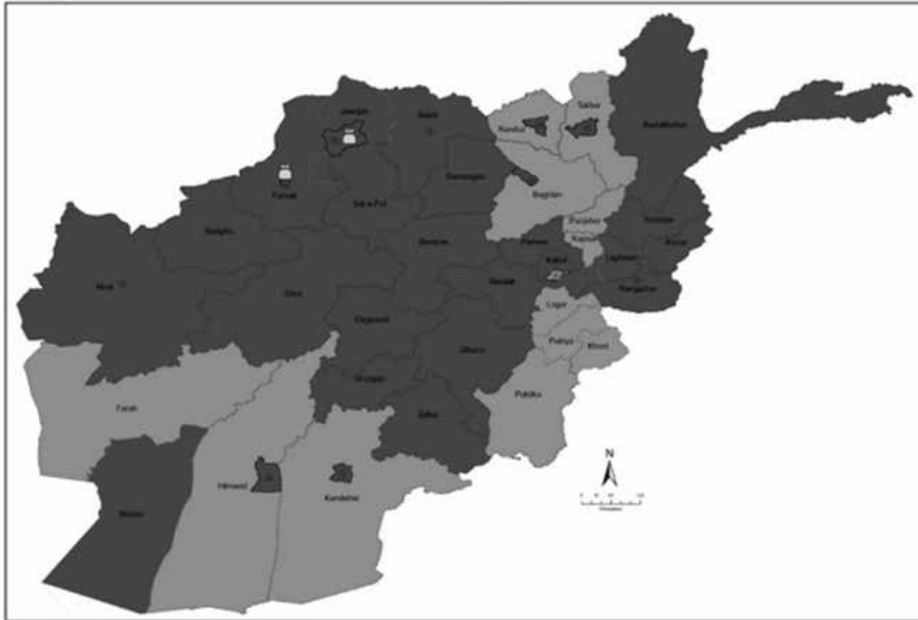
The Taliban continued armed resistance to foreign troops introduced into Afghanistan in 2001, which they considered as occupying, and also refused to recognize the destruction of the Islamic Emirate of Afghanistan. They also did not recognize the secular democratic republican government created with the support of Western states. Moreover, the current sanctions regime against the Taliban movement can be considered one of the main obstacles to a peaceful settlement in Afghanistan. Because the UN sanctions were unilateral and applied only to one of the warring parties (the Taliban movement), while other parties involved in the Afghan conflict (the Northern Alliance, and since 2001, the republican government formed by the former Mujahideen) remained unpunished, although they committed war crimes and crimes against humanity during the war, which was confirmed and documented by Western human

rights organizations (these crimes included torture and extrajudicial executions).

As Timofeev (2021) notes, the decisions of the UN Security Council are reflected in the actions of individual states (including the USA, Russia, Australia, UK and other European states) and international organizations (including the European Union). For example, the United States has secured sanctions against the Taliban in a number of documents, including President Bill Clinton's Decree No 13129 of 1999 (Executive Order 13129, 1999), President George W. Bush's Decree No 13224 of 2001 (Executive Order 1324, 2001), and President Donald Trump's Decree No 13886 from 2019 (Executive Order 13886, 2019). A number of similar legal acts imposing sanctions against the Taliban movement have also been adopted by the European Union. These include EU Council Decision No 486/CFSP of 1 August 2011 and EU Council Decree No 753/2011 (Council of the European Union, 2011).









All the restrictive measures imposed by the international community on the Taliban movement acquired a completely different dimension in the summer of 2021, when this organization regained full power in Afghanistan, having won the Afghan war. If before that the UN considered the Taliban movement as a „terrorist organization”, then after the formation of an interim government in Afghanistan, a new reality arose – the Taliban *de facto* became the new power in a state with a population of more than 30 million people. And the future of the Afghan state for the next decade depends on this power, namely the solution of such important issues for Afghanistan and regional security as:

1. The fight against international terrorism (namely, the Islamic State group, whose cells have dug in on Afghan territory and are a serious threat to three regions that Afghanistan borders on at once – Central Asia, South Asia and the Middle East);
2. War on the production and distribution of drugs;
3. Creating conditions for the return of Afghan refugees to Afghanistan, as well as preventing the mass emigration of Afghans abroad (including to Europe, which is now experiencing a migration crisis unprecedented since the end of World War II caused by the invasion of Russian troops in Ukraine);
4. The fight against hunger, which can lead to a mass exodus of the population from Afghanistan;
5. Preservation of Afghan statehood (the fight against the manifestation of ethnic separatism, which can undermine the statehood, sovereignty, independence and territorial integrity of Afghanistan).



**Key for the Map**

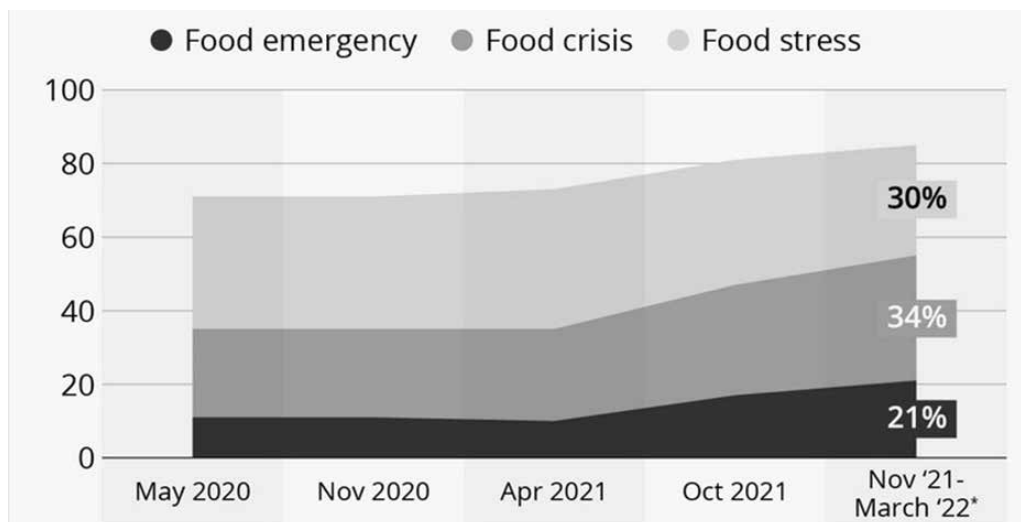
**IPC Acute Food Insecurity Phase Classification**

	1 - Minimal		4 - Emergency	Classification takes into account levels humanitarian food assistance provided
	2 - Stressed		5 - Famine	
	3 - Crisis		Urban settlement classification	 At least 25% of households meet 25-50% of caloric needs from humanitarian food assistance
				 At least 25% of households meet over 50% of caloric needs from humanitarian food assistance

2a. Food Crisis in Afghanistan; source: <https://www.worldvision.org/disaster-relief-news-stories/afghan-families>, accessed on 24 VII 2022

International sanctions that continue to be imposed on the Taliban may make it difficult for the new Afghan government to achieve these goals. They have already led the United States to freeze Afghan foreign exchange assets held in American banks, and donor countries refuse to finance humanitarian projects in Afghanistan. The US Federal Reserve also separately froze 9.5 billion US dollars of Afghan central bank reserves. According to the former head of the Central Bank of Afghanistan, Ajmal Ahmady, of these reserves, 7 billion US dollars (including the country's gold and foreign exchange reserves in the amount of 1.3 billion US dollars) are kept on deposit by the US Federal Reserve

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2a. Food Crisis in Afghanistan; source: <https://www.worldvision.org/disaster-relief-news-stories/afghan-families>, accessed on 24 VII 2022

System, about 2.4 billion US dollars are managed by the World bank and another 3.1 billion US dollars invested in US securities (Veretilnyk, 2021). According to him, at the time the Taliban returned to power, only 0.1% to 0.2% of the country's foreign currency reserves were located directly on the territory of Afghanistan. The US decision led to a collapse in the value of the national currency of Afghanistan – the afghani, and to the beginning of hyperinflation.

The US policy towards the Islamic Emirate of Afghanistan can be considered an attempt to stifle the country economically. It not only poses a threat to the security of the Afghan state, but also affects millions of ordinary citizens. According to the UN, half of the country's population – 23 million Afghans – is already facing exhaustion and starvation. Experts from the World Food Program and FAO note that every second Afghan is in a situation that, according to the UN classification, can be defined as a *crisis of the third or even fourth degree of danger* (Veretilnyk, 2021).

They are convinced that in order to prevent a humanitarian catastrophe (namely mass starvation), the international community must urgently intervene and provide humanitarian assistance to Afghanistan. A similar opinion is shared by the International Monetary Fund, which predicts that the humanitarian and economic crisis will force millions of Afghans to flee their country, which will become a burden for neighbouring states, and possibly for Europe (Veretilnyk, 2021).

According to Timofeev (2021), it is the US policy that exacerbates the humanitarian situation in Afghanistan, as it scares off potential donors and investors who would like to provide financial or economic assistance to the Afghans. As this researcher writes (2021), The US may fine a US and foreign organization that works with any Taliban-related entity that uses the US financial system (for example, transacts in US dollars). They can block any entity if they suspect any economic ties to the Taliban, and the U.S. Department of Justice has the power to prosecute organizations in and outside the U.S. that purposefully circumvent sanctions regimes (imposed by the U.S. government or United Nations Security Council). This kind of policy can have far-reaching negative consequences for Afghan and regional security, because the economic crisis, the inability to pay salaries to citizens and provide social assistance can ultimately lead to an increase in anti-government sentiment in post-war Afghanistan. In Afghanistan, there is still a risk that any anti-government protests will turn into a new civil war.

To prevent a humanitarian catastrophe in Afghanistan, the UN Security Council adopted a resolution that states that *humanitarian assistance and other activities aimed at meeting the basic needs of the population in Afghanistan are not a violation of the Taliban sanctions regime* (UN Security Council, 2021). However, these steps are not enough to stabilize the political and economic situation in Afghanistan, and therefore to eliminate the risks associated with the outbreak of a new armed conflict, which could have far-reaching destabilizing consequences for the entire region. Afghanistan's 38 million people cannot survive solely on foreign humanitarian aid.

Now that the war in Afghanistan is over, it needs a more systematic and responsible approach to its future – to create jobs, as well as a full-fledged Afghan economy that can be integrated into the world economy. This requires a balanced approach on the part of the international community, including the lifting of existing sanctions against the Taliban. In my opinion, these sanctions are not relevant today. They were introduced under the pretext of „eliminating the terrorist threat”, which, according to the permanent members of the UN Security Council, emanated from Afghan territory in the 90s of the last century, when the leaders of Al-Qaeda and other organizations received asylum in Afghanistan, whose activities were considered by the international community as terrorist. There are no al-Qaeda bases or training camps in Afghanistan today. Moreover, the Islamic Emirate of Afghanistan has become one of the victims of



international terrorism, as evidenced by the bloody terrorist attacks organized by militants of the Islamic State in Kabul, Mazar-i-Sharif, Kunduz and other Afghan cities. It is also today an important regional fighter against international terrorism. The success of the Taliban in the fight against terrorism (represented primarily by the Islamic State) depends not only on the national security of Afghanistan, but also on the security of the whole world.

Therefore, all attempts to weaken the Taliban government are counterproductive and will contribute to the destabilization of Afghanistan and neighbouring regions, as well as strengthening the positions of the Islamic State, which seeks to turn Afghanistan (which it does not recognize as a subject) into a new terrorist enclave. This, in turn, will lead to new flows of refugees from Afghanistan and put an end to the successful fight against drug production and distribution launched by the Taliban.

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## MIĘDZYNARODOWE SANKCJE WOBEC ISLAMSKIEGO EMIRATU AFGANISTANU I ICH WPŁYW NA BEZPIECZEŃSTWO NARODOWE PAŃSTWA AFGAŃSKIEGO

STRESZCZENIE

Zakończenie zimnej wojny położyło kres rywalizacji między dwoma mocarstwami globalnymi – USA i ZSRR oraz zapoczątkowało nowy etap współpracy między państwami będącymi stałymi członkami Rady Bezpieczeństwa ONZ. Przykładami takiej współpracy są: reakcja społeczności międzynarodowej na inwazję wojsk irackich w Kuwejcie w 1990 roku, przeprowadzona przez koalicję międzynarodową operacja wojskowa mająca na celu wyzwolenie Kuwejtu spod okupacji irackiej, a także nałożenie na Irak sankcji ONZ. Od tego czasu sankcje stały się najważniejszym narzędziem wpływu na państwa, które łamią prawo międzynarodowe. Od 1966 roku Organizacja Narodów Zjednoczonych wprowadzała sankcje ponad 30 razy.

W niniejszym artykule przedstawiono wyniki badań dotyczących wpływu sankcji międzynarodowych na bezpieczeństwo narodowe powojennego Afganistanu, obecnie jednego

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z krajów najbardziej dotkniętych sankcjami międzynarodowymi na świecie, z których powodu jest również narażony na całkowitą izolację międzynarodową. Czynniki te pogarszają sytuację gospodarczą w Afganistanie, a jednocześnie stwarzają zagrożenie dla sprawnego funkcjonowania nowego rządu afgańskiego, od powodzenia polityki którego zależy obecnie bezpieczeństwo wewnętrzne kraju, jego powojenna odbudowa i stabilizacja oraz integralność terytorialna. Od właściwie funkcjonującego państwa afgańskiego zależy również walka z terroryzmem międzynarodowym (reprezentowanym głównie przez tzw. Państwo Islamskie), a co za tym idzie – bezpieczeństwo regionalne i międzynarodowe.

**Słowa kluczowe:** Afganistan, talibowie, sankcje międzynarodowe, ONZ, bezpieczeństwo narodowe