

UN Promotes Splitting the Taliban from al-Qaeda

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Brief Analysis

The Security Council has changed its sanctions regime, encouraging the Taliban to end its alliance with al-Qaeda and reconcile with the Afghan government.

On June 17, the UN Security Council enacted sweeping changes to the international sanctions regime against al-Qaeda and the Taliban -- an important shift that was overshadowed by President Obama's announced plan to withdraw 10,000 troops from Afghanistan in the coming months. In a move described by the State Department as a "tangible sign of support by the international community for Afghan reconciliation efforts," the Security Council adopted two resolutions aimed at dividing al-Qaeda and the Taliban in the wake of Usama bin Laden's death. Under Resolutions 1988 and 1989, the "consolidated list" of individuals and entities designated as supporting al-Qaeda and the Taliban has been bifurcated, with new sanctions committees set up to manage each list.

The Sanctions Regime

In response to the 1998 al-Qaeda attack on U.S. embassies in Kenya and Tanzania, the Security Council adopted Resolution 1267 in 1999 -- an effort to pressure the Taliban government into turning over bin Laden by ordering all member states to freeze funds controlled directly or indirectly by the group, among other measures. The council also formed the "al-Qaida and Taliban Sanctions Committee" to oversee implementation of 1267 and designate those who violated the sanctions.

A number of subsequent council resolutions have modified the 1267 regime in important ways:

- Resolution 1333 (2000) extended the sanctions to bin Laden, al-Qaeda, and associated individuals/entities. It also instructed the committee to create and maintain the consolidated list.
- Resolution 1526 (2004) established the current Analytical Support and Sanctions Monitoring Team, an eight-member panel of experts, to advise the committee, report on the sanctions' effectiveness, and recommend measures to improve the regime.

- Resolution 1904 (2009) created the Office of the Ombudsperson to assist the committee in considering delisting requests.

The New Resolutions

Resolutions 1988 and 1989 seek to build on past steps by enhancing the credibility and fairness of the sanctions regime. According to Monitoring Team coordinator Richard Barrett, the decision to divide the consolidated list reflects the fact that "al-Qaeda and the Taliban have become different animals, with different objectives and areas of operation." Creating separate committees to oversee each list will allow the Security Council to respond to the unique challenges posed by each organization.

Under Resolution 1988, the new Taliban-focused committee will consider candidates for removal from the sanctions list every six months. Delisting requests will need to include a recommendation from the Afghan government's High Peace Council, a body composed of former insurgents, civil society leaders, and government and opposition figures, established in September 2010 to encourage peace talks with the Taliban. By expediting the delisting process for individuals who meet the stated criteria of renouncing violence, severing links to international terrorist organizations, and respecting the Afghan constitution, the United States and UN hope to lay the groundwork for a political solution to the conflict.

In addition to reaffirming the international community's commitment to combating al-Qaeda, Resolution 1989 enacted a number of steps to address past criticism of the sanctions regime. Most important, in response to the charge that listed individuals lacked an effective appeals mechanism, the resolution greatly strengthened the committee's ombudsperson, whose office now has the power to make delisting recommendations of its own. The committee must decide on these removal requests within sixty days and cannot reject them without a unanimous vote -- otherwise, the ombudsman requests will be referred to the Security Council.

Implications for Reconciliation Efforts

The Afghan government has long pushed for a greater say in the process of listing and delisting Taliban members. As Zahir Tanin, Afghanistan's ambassador to the UN, put it, "We were sometimes in a humiliating situation, people were ready to join the peace process and share the future with Afghans, but we were not able to take their names off the list. Now we can relate reconciliation with the sanctions regime." Case in point: among the fifty names the government wants delisted are those of four members of the High Peace Council.

Moreover, given the significant decline in the al-Qaeda core's operational capabilities and the damage done to its ideological appeal following bin Laden's death, the Taliban might decide that the costs of association with al-Qaeda outweigh the benefits. As noted by the eleventh report of the 1267 Committee's Monitoring Team, issued in April 2011, ties between the two organizations are often based on longstanding personal bonds. For example, Haqqani Network leader Jalaluddin Haqqani's ties with bin Laden go back to the early days of the anti-Soviet campaign in Afghanistan. As these senior leaders are killed or captured, newer Taliban commanders may not feel compelled to continue the relationship to the same degree.

To be sure, previous attempts to reconcile Taliban leaders have met with only limited success -- one U.S. official even mocked previous meetings between Afghan and Taliban representatives held in Mecca and the Maldives as "reconciliation tourism." Yet the removal of international sanctions has long been a key demand of Taliban negotiators, and the prospect of delisting could entice some leaders to lay down their arms. Some evidence indicates that this is already happening; as of April, the 1267 Committee was considering delisting proposals for more than a third of all Taliban members on the consolidated list.

The Pakistani Taliban (Tehrik-e-Taliban) raises thornier questions, however. While the Afghan Taliban is a purely national Islamist movement only loosely associated with al-Qaeda, its Pakistani allies are closer to al-Qaeda and hold

international ambitions. Tehrik-e-Taliban also has a complicated, often-threatening relationship with the Pakistani government, while its Afghan counterparts have closer ties with Islamabad and enjoy relative operational freedom in the country's Federally Administered Tribal Areas. Moreover, drone strikes that have killed high-level Pakistani Taliban leaders (including Baitullah Mehsud in 2009) have not degraded the Afghan Taliban's will to fight.

Conclusion

Over the past decade, the 1267 sanctions regime has proven to be one of the most effective tools in constraining al-Qaeda and the Taliban's ability to raise funds and recruit new members. By refocusing efforts on the threat posed by al-Qaeda and its affiliates, ensuring the integrity and accuracy of the lists, and taking steps to bring the Taliban to the negotiating table, Security Council Resolutions 1988 and 1989 represent a positive development in the UN's efforts to combat terrorism.

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