

The Dilemma of Representation: UN Rules and Regulations in Addressing Conflict over Afghanistan's Seat in UN General Assembly

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Abstract

Aim: The primary aim of this study was to clarify and describe the conflict between the officials of the Islamic Republic and the Islamic Emirate regarding Afghanistan's representation in the United Nations. The study also sought to propose a solution to this conflict in line with the principles and rules of the United Nations and the international community, which can be presented to the relevant parties.

Methods: Since this study had a purely bibliographic aspect, descriptive and analytical methods were used. Legal documents, declarations, and resolutions of the United Nations were used to investigate the issue of Afghanistan's representation in the United Nations.

Results: The dispute over the seat of Afghanistan in 2021 is not a novel phenomenon since a similar dispute had arisen between the governments of that time in 1997. After the fall of Kabul in August 2021, both the former republic and the Taliban government requested the United Nations to hand over the seat of Afghanistan to their nominated representatives. The Credentials Committee of the General Assembly decided that the assistant of the former representative should continue to represent Afghanistan in the United Nations.

Conclusion: The new representative does not have the right to assume the position of the United Nations Organization until acquiring national and international legitimacy, establishes a government based on the rule of law, and takes concrete steps toward the development of human rights.

Recommendation: As the current government of the Taliban has fulfilled the conditions of recognition of governments according to international law, the United Nations should hand over Afghanistan's seat to them. On the other hand, the Taliban should use lenience in the issues that the United Nations insists on and establish a government according to the will of the people.

Keywords: *Afghanistan, United Nations, General Assembly, representation, conflict*

INTRODUCTION

United Nations is the leading international organization with 193 full member states and two observer states (State of Palestine and Vatican City) who still seek membership of the organization. A branch of this organization is the General Assembly which is called the international body. Each country has its permanent representative according to the rules and regulations of the United Nations. All members of the organization must send their representatives to the annual meeting of the General Assembly which is held every year in September¹. A week before the annual meeting, the governments give credentials of their representatives and the General Assembly approves the credentials and representatives after examining them.

Sometimes, government of a country changes the provision of the relative constitution of that country. Such a situation creates the defunct government and the government in power who simultaneously strive to dispatch their respective representatives to the annual meeting of the United Nations General Assembly as representative of that country. In 2021, there was a dispute between the authorities of the Islamic Republic of Afghanistan and the governments of the Islamic Emirate regarding the representation of Afghanistan in the United Nations. On August 15, 2021, the government of the Islamic Republic of Afghanistan led by Muhammad Ashraf Ghani fell whereas the Islamic Emirate of the Taliban gained control of Kabul. Therefore, the acting minister of Foreign Affairs of the Taliban, Amir Khan Muttaqi, requested the Secretary General of the United Nations in a letter to presume the seat of Afghanistan in the UN and to accept Sohail Shaheen, as the representative of Afghanistan². On the other hand, the former Minister of Foreign Affairs of the Islamic Republic of Afghanistan Hanif Atmar who left the country requested the UN through a letter to appoint M wali Naimi as the replacement of Nasir Ahmad Faiq who was the acting representative of Afghanistan in the UN till the fall of the Islamic Republic of Afghanistan. Mr. Atmar justified the request for this appointment as M Wali Naimi was not feeling well therefore Faiq should have served as the acting representative of Afghanistan in the UN. Without referencing a particular medical report, Mr. Atmar stated that the health condition of M wali Naeemi is ok and he is capable of presenting Afghanistan before the organization. At the same time, Afghanistan's Acting Representative to the United Nations, Naseer Ahmed Faiq, reacted to Mr. Atmar's letter and called him corrupt³.

Simultaneously, there was a dispute among the representatives of the former Republic of Afghanistan on the seat of the United Nations, as well as among the Islamic Republic and the Islamic Emirate of Afghanistan. At the same time, it was also evident that the conflict regarding Afghanistan's representation in the United Nations is not something novel. In the late nineties, when the Islamic Emirate of the Taliban gained power, there was a similar conflict between the

¹ United Nations General Assembly, Rules of procedure, No 1. I. SESSIONS, Regular Session. Available at <https://www.un.org/en/ga/about/ropga/adms.shtml> accessed: 20/2/2023

² BBC NEWS. 2021. Taliban ask to speak at UN General Assembly in New York, Available at: <https://www.bbc.com/news/world-asia-58632147>. accessed: 20/4/2023

³ TOLONews. 2022. Dispute Over Afghanistan's Seat at UN Continue, TOLONews, TV network. Available at: <https://tolonews.com/afghanistan-176640>

Mujahideens' government under the leadership of Ustad Burhanuddin Rabbani and the government of the Taliban.

The General Assembly of the United Nations had a committee to evaluate the credentials of the representatives of the countries every year before the regular annual meeting. When the above-mentioned situation occurs, in this case, the Credentials Committee evaluates the credentials received from all countries and sends its decision to the United Nations General Assembly⁴. Thus, considering this dilemma and various other dimensions of this issue, the study at hand discusses these disputes raised and their solutions according to the principles of the United Nations.

Understanding State Membership and the United Nations: An Overview

As per the provisions of the United Nations Charter, a nation can acquire the status of a formal member of the UN upon fulfilling four specific criteria. The introductory clause of Article 4 of the United Nations Charter outlines the initial condition as: "Membership in the United Nations is open to all other peace-loving states which accept the obligation contained in the present charter and in the judgment of the organization are able and willing to carry out these obligations"⁵. In accordance with the principles set forth in the United Nations Charter, a nation seeking to become a member of the UN must satisfy the following four specific criteria: Statehood, Peace-loving, Ability to carry out the obligations, and Respect for the charter. Once a state fulfills the aforementioned four criteria, it is eligible to apply to the United Nations for membership. Upon completion of the requisite procedures, the state can attain formal membership status within the organization.

In this regard, the second paragraph of Article 4th of the United Nations Charter orders: "The admission of any such state to membership in the united nations will be affected by a decision of the general assembly upon the recommendation of the Security Council"⁶. Likewise, Rule of Procedure Number 134 of the General Assembly stipulates: "Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. Such an application shall contain a declaration, made in a formal instrument, that the State in question accepts the obligations contained in the Charter"⁷. Meanwhile, Rule of Procedure number 135 of the general assembly states: "The Secretary-General shall, for information, send a copy of the application to the General Assembly, or to the members of the United Nations if the Assembly is not in session". Later on, the Security Council and general assembly stepped in as: "If the Security Council recommends the applicant State for membership, the General Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter and shall decide, by a two-thirds majority of the members present and voting, upon their application for membership".

⁴ United Nations General Assembly, Rules of procedure, No: 28. Credentials Committee. Available at: <https://www.un.org/en/ga/about/ropga/credent.shtml>.

⁵ United Nations Charter, Article 4, Paragraph (1). Available at: <https://www.un.org/en/about-us/un-charter/full-text/> accessed: 20/2/2023

⁶ United Nations Charter, Article 4, Paragraph (2). Available at: <https://www.un.org/en/about-us/un-charter/full-text/> accessed: 20/2/2023

⁷ United Nations General Assembly, Rules of procedure, No: 134. XIV: Admission of new member to the United State. Available at <https://www.un.org/en/ga/about/ropga/adms.shtml> accessed: 20/2/2023

So, membership of the applicant state must be applicable after the approval of UNGA. In this regard, Rule of Procedure No 138 orders as: “The secretary -General shall inform the applicant state of the decision of the General assembly. If the applicant is approved, membership shall become effective on the date in which the General Assembly takes its decision on the application”⁸.

Afghanistan joined the United Nations (UN) as a member state on November 19, 1946 following the first 51 founding countries. Notably, Iceland, Sweden, and Thailand were the only other countries to join the organization in that same year. Despite political upheavals in Afghanistan over the years, it has retained its membership in the UN. However, the country's seat at the UN has remained vacant on two occasions since its admission. The first instance occurred in the 1990s following the collapse of the Mujahideen regime, while the second time was after the downfall of the Afghanistan Islamic Republic⁹. These vacuums were precipitated by conflicts between the prevailing governments at the time and the questions of national and international legitimacy that were at play.

A Historical Analysis of the Dispute over Afghanistan's Delegation to the United Nations

Throughout the course of its history, the United Nations has witnessed various disputes over the representation of member states. This phenomenon is not limited to specific countries but Myanmar, China, and South Africa are renowned examples of this issue. Recently, the representation of Myanmar and Afghanistan in the 76th session of the United Nations General Assembly sparked controversy. One of the earliest cases dates back to 1949 when the communist party expelled the nationalists to Taiwan, leading the United Nations to block the Chinese seat until 1971. Similarly, South Africa's seat was embroiled in controversy in the 1950s and 1960s due to the discriminatory policies of the ruling government, leading to its suspension until 1974¹⁰.

The ongoing dispute regarding the Afghan delegation's representation at the United Nations is not without precedent. In 1996, the Islamic Emirate of the Taliban assumed power leading to a conflict within the United Nations regarding Afghanistan's representation. At the annual session of the United Nations General Assembly in 1997, the government of the Islamic State of Afghanistan, led by Ustad Burhan Uddin Rabbani appointed a delegation under the leadership of Abdul Rahim Ghafoorzi¹¹, the Deputy Minister of Foreign Affairs of the Mujahidin's government.

During the 51st session of the United Nations General Assembly in 1996, the organization received two separate messages regarding the participation of the Afghan delegation. On October 3rd and 10th of the same year, the Islamic State of Afghanistan requested the United Nations to recognize the former delegation led by Ustad Burhanuddin Rabbani as the legitimate representative of Afghanistan, which would address the annual session. Conversely, the Islamic Emirate of the

⁸ Ibid, Rules of procedure No 138

⁹ Rebecca, B. 2021. Will the Taliban Represent Afghanistan at the UN General Assembly? Available at: <https://www.ejiltalk.org/will-the-taliban-represent-afghanistan-at-the-un-general-assembly/>. accessed: 15/4/2023

¹⁰ Gladstone, R. 2021. Quandary at U.N: Who Speak for Myanmar and Afghanistan? The New York Times. Available at: <https://www.nytimes.com/2021/09/11/world/un-ambassadors-myanmar-afghanistan.html>. accessed: 20/4/2023

¹¹ Abdul Rahim Ghafoorzai (c.1947 – 21 August 1997) was a politician and diplomat of Afghanistan. He was an ethnic Pashtun, a member of the Barakzai Mohammadzai tribe, When the communist government fell in 1992, Ghafoorzai acted as an intermediary to unite the contending factions. He worked in the United Nations until 1995. Available at: https://en.wikipedia.org/wiki/Abdul_Rahim_Ghafoorzai. accessed: 20/4/2023

Taliban had written to the United Nations to reject the legitimacy of the current representative of the diplomatic mission of Afghanistan, citing that the individual should not be permitted to participate in the meeting. These conflicting messages caused a dispute between the United Nations and the Afghan delegation over representation. It can also be noted that during the period in question, the Islamic Emirate did not present its own delegation in opposition to the delegation led by Abdul Rahim Ghafoorzi. Instead, it expressed its lack of confidence in the delegation put forth by the Mujahideen government.¹²

When the United Nations received conflicting messages from the Afghan delegation regarding their participation in the General Assembly, the issue was referred to the Credentials Committee, which comprised nine members. The committee, consisting of members from different countries, including Russia and the Netherlands, reviewed the matter. The United Nations General Assembly did not decide, based on the report of the Credentials Committee, regarding the representation of Ustad Burhanuddin Rabbani during the 1997 sessions which resulted in his continuation as a delegate¹³.

This decision remained in effect until 2001 when the interim government was established in Afghanistan and the country's relations with the United Nations were normalized. In accordance with the 2001 report of the General Assembly, the committee announced that interim officials would take office on December 22, 2001¹⁴.

Dispute over Afghan Representation at the United Nations after the Fall of the Islamic Republic of Afghanistan in 2021: A Political Analysis

Upon the departure of former President Mohammad Ashraf Ghani, the Islamic Emirate of the Taliban declared its control over Kabul and the entire country. This announcement came shortly after the Taliban took power. According to reports, former Chief Executive Dr. Abdullah confirmed the rumor of Mohammad Ashraf Ghani's departure in a video clip shared from his official Facebook address as he stated that, "The former President of Afghanistan has left the country, placing Afghanistan in a difficult situation. God Almighty will hold him accountable, and the people of Afghanistan will also judge him. I ask for your patience and tolerance, and may God bless you. It is hoped that we will find a way for the people of Afghanistan to live in peace and security during these difficult days."¹⁵

Following the Taliban's entry into Kabul, they swiftly took over the presidential palace and some of their low-ranking supporters reportedly sat on the seat that was previously occupied by former President Mohammad Ashraf Ghani. Consequently, the Islamic Republic of Afghanistan was

¹² Rebecca, B., op.cit. footnote 8

¹³ United Nations General Assembly. 1996. First Report of the Credential Committee, Credentials of representatives to the Fifty-First session of the General Assembly. Available at: <https://digitallibrary.un.org/search?ln=en&p=Report%20of%20the%20Credentials%20Committee%20%3A%20General%20Assembly%2C%2051st%20session%20&f=&c=Resource%20Type&c=UN%20Bodies&sf=&so=d&rg=50&fti=0>. accessed: 20/4/2023

¹⁴ General Assembly. 2001. Report of Secretary-General. The situation in Afghanistan and its implications for international peace and security. Available at: <https://www.un.org/securitycouncil/content/secretary-generals-reports-submitted-security-council-2001>.

¹⁵ The official Facebook Page of Dr. Abdullah Abdullah, former Chief Executive of Afghanistan. Available at: <https://www.facebook.com/Dr.AbdullahAbdullah/videos/394273282029360>. accessed: 20/4/2023

dissolved, and the Islamic Emirate of the Taliban was established. After coming to power, the acting foreign minister of the Taliban, Amir Khan Muttaqi, wrote a letter to the Secretary-General of the United Nations requesting that Afghanistan's seat be handed over to Sohail Shaheen, who had been introduced as the head of the Afghan diplomatic mission at the UN.

Former Afghan Foreign Minister Hanif Atmar, who had fled the country after the Taliban takeover, sent a letter to the United Nations requesting that Muhammad Wali Naimi be recognized as the permanent representative of Afghanistan. At the time, Nasir Ahmed Faiq was serving as the Acting Representative of Afghanistan in the UN. Atmar explained that after the resignation of Ghulam Mohammad Ishaqzai, Naimi was not in good health condition so Faiq had taken over as acting charge de affair. However, now that Naimi's health has improved, Atmar argued that he should be accepted as the official representative.¹⁶ Naseer Ahmad Faiq rejected Mr. Atmar's letter and tweeted in response: "Today, anxious about their criminal record, these corrupt officials have started to stifle my voice to prevent me from sharing the concerns and voices of our people for justice and accountability. Here is a clear example of such anti-national attempts".

A dispute arose not only between the representatives of the former Republic of Afghanistan over the United Nations seat but also between the former Islamic Republic and the Islamic Emirate officials, with both sides claiming entitlement to the seat.¹⁷ The question arises as to what the United Nations rules and regulations suggest as a solution to this dispute. Should the person introduced by Hanif Atmar continue his representation, or does the seat rightfully belong to Nasir Ahmad Faiq, who was introduced during the rule of the Islamic Republic, or Sohail Shaheen, who was introduced by the minister of foreign affairs of the Islamic Emirate? This study addressed these questions in accordance with the principles and regulations of the United Nations.

Resolution of Representational Disputes: Decision-Making Authority and Processes within the United Nations Framework

Disputes over the representation of a country in the United Nations commonly arise during the General Assembly's annual session and following changes in government. Such disputes often involve former officials seeking to continue their representation while incoming officials work to activate their national and international agencies. These disagreements are especially pronounced during the General Assembly's annual session, which typically convenes on the third Tuesday of September each year in accordance with the Assembly's rules of procedure.¹⁸ Given the significance of the General Assembly in shaping international relations and decision-making, it is crucial to clarify the procedures and principles governing disputes over representational rights in the United Nations.

The ruling governments of member countries introduce their representatives to this meeting, then a credential committee is created every year. To assess the eligibility of representatives, the rules of procedure of the United Nations General Assembly incorporate a Credential Committee,

¹⁶ TOLONews. (2002). Dispute Over Afghanistan's Seat at UN Continue, TV network. Available at:

<https://tolonews.com/afghanistan-176640>

¹⁷ Putz, C. 2022. Conflict Over Afghanistan's UN Seat Widens, the wrangling over Afghanistan's U.N. seat is microcosm of the larger political battlefield in Afghanistan. THE DIPLOMAT. Available at:

<https://thediplomat.com/2022/02/conflict-over-afghanistans-un-seat-widens/>.

¹⁸ United Nations General Assembly, Rules of procedure. No: 1. Opening date. Available at:

<https://www.un.org/en/ga/about/ropga/adms.shtml> accessed: 20/2/2023

comprising nine-member nations. Article 28 of the rule procedure of the General Assembly stipulates that: “A credential committee shall be appointed at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the president. The Committee shall elect its own officers. It shall examine the Credentials of representatives and report without delay”¹⁹.

The Credentials Committee, as per the United Nations General Assembly's rules of procedure, comprises nine-member countries with a balanced representation of regional groups. Notably, China, Russia (or the Soviet Union before 1992), and the United States have consistently been part of the committee. Moreover, representatives from the regional groups²⁰ are the African Group (2 states), Latin American Group (2 states), Asian Group (1state), Western Europe and others (1 state), while the members of the 2021 credential committee included: the USA, Russia, China, Bahamas, Bhutan, Chile, Namibia, Sierra Leone, and Sweden²¹.

Criteria for Acceptable Credentials of Representatives in the United Nations General Assembly

One week prior to the commencement of the annual session of the General Assembly, member countries are required to formally communicate the names of their representatives to the United Nations Secretariat, who are authorized to speak in the General Assembly. These representatives join the heads of state and government, government ministers, ambassadors, and officials, thus constituting a total of five representatives²². This implies that each year, countries introduce their representatives and members to the annual session of the General Assembly to participate in the meeting. In this regard, the rules of procedure of the General Assembly prescribe that: “The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs”.²³

The above procedure dictates that following the collapse of the Islamic Republic of Afghanistan, the Minister of Foreign Affairs of the Islamic Emirate, Amir Khan Muttaqi, requested the Secretary-General of the United Nations that Afghanistan's seat in the organization should be given to the Islamic Emirate of Afghanistan. It's worth mentioning that he had already nominated Sohail Shaheen as the representative of Afghanistan and requested to allow him to attend the annual meeting of the General Assembly.

¹⁹ Ibid, Rules of procedure, No: 28.

²⁰ Amirfar. C., Zamour, R., & Pickard, D. 2022. Representation of Members States at the United Nation: Recent Challenges. American Society of International Law, Volume 26, Issue 6, p 3. Available at: <https://www.asil.org/insights/volume/26/issue/6>

²¹ United Nations General Assembly. 2021. Report of the Credential Committee, Credentials of representatives to the Seventy-sixth session of the General Assembly, P 1. Available at: <https://digitallibrary.un.org/record/3950043#record-files-collapse-header>

²² The Permanent Mission of Switzerland to the United Nation. 2017. The GA Handbook: A practical Guide to the United Nation General Assembly, New York. P 28. Available at: https://www.unitar.org/sites/default/files/media/publication/doc/un_pga_new_handbook_0.pdf.

²³ Ibid, Rules of procedure. No: 27

Disputes over Delegation and the Regulations of the United Nations

An analysis of delegation disputes in the United Nations after 1990 reveals three distinct scenarios. The first scenario occurs when a democratically elected government that has been overthrown continues to submit credentials, while the seizing power does not. In the second scenario, the seizing power submits credentials, but the expelled government does not. Finally, in the third scenario, both the ousted government and the seizing power submit credentials to the United Nations.²⁴

After the fall of the Islamic Republic of Afghanistan under the leadership of Muhammad Ashraf Ghani and the subsequent seizure of the country by the Islamic Emirate of the Taliban on August 15, 2021, Afghanistan found itself in the third category of delegation controversy cases in the United Nations. Initially, the participation of the Afghan delegation was not controversial until the Taliban requested to participate in the annual session of the United Nations General Assembly. At this point, the United Nations requested the former representative of Afghanistan, Ghulam Mohammad Ishaqzai to participate in the annual meeting on behalf of Afghanistan. However, when the Acting Minister of Foreign Affairs of the Islamic Emirate of the Taliban, Amir Khan Muttaqi introduced Sohail Shaheen as the representative of Afghanistan, the United Nations faced a difficult decision. If they had allowed Sohail Shaheen to speak as a representative of the Afghan government, it would have progressed the issue of recognizing the Islamic Emirate and could have been considered an implicit recognition of the Taliban's regime by the United Nations. As a result, the representative of the former republic, who was supposed to speak at the annual session of the UNGA, was also canceled. However, despite the Islamic Emirate's efforts, the United Nations has not yet recognized them as the legitimate government of Afghanistan.

In an attempt to resolve the delegation dispute, the United Nations referred the matter to the Credentials Committee. After evaluating the credentials of both parties, the committee delayed its decision regarding the representatives of Myanmar and Afghanistan for the 76th annual meeting, in accordance with Article 29 of the Rules of Procedure of the General Assembly. Anna Karin Enström, the head of the committee, announced this decision.²⁵ Rule Number 29 of the United Nations General Assembly states: “Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the General Assembly has given its decision”.²⁶

Hence, until the United Nations decide, the former government's representative will continue to hold his position. It should be noted that the United Nations has omitted Afghanistan's name from the list of speakers for the 77th annual meeting, marking the second time in the organization's history that the Afghan delegation has faced a delay. However, Afghanistan remains a member of the United Nations, and as long as the state's legal status remains unchanged, there will be no threat to its permanent membership in this massive organization.

²⁴ Barber, R. 2022. The Role of the General Assembly in Determining the Legitimacy of Governments, *International and Comparative Law Quarterly*, Vol 71, Issue 3, p 640.
DOI: <https://doi.org/10.1017/S0020589322000148>

²⁵ United Nations General Assembly. 2021. Report of the Credential Committee, Credentials of representatives to the Seventy-sixth session of the General Assembly, P 1. Available at:
<https://digitallibrary.un.org/record/3950043#record-files-collapse-header>

²⁶ Ibid, Rules of procedure, No: 29

FINDINGS

The representation of Afghanistan at the United Nations General Assembly has been a contentious issue for decades, and the recent conflict between the former Islamic Republic and the new Taliban government has only added to the complexity of the situation. In 1996, when the Islamic Emirate of Taliban took control of Kabul, a similar dispute arose between the Mujahideens' government under the leadership of Ustad Burhanuddin Rabbani and the Taliban government. The issue was which government should be recognized as the legitimate representative of Afghanistan at the United Nations General Assembly. This led to a dispute that was eventually resolved when the representatives of Ustad Burhanuddin Rabbani were permitted to participate in the 1997 sessions of the General Assembly.

In August 2021, when the Taliban regained control of Kabul, the dispute over the representation of Afghanistan at the United Nations General Assembly resurfaced. Both sides, the former Islamic Republic and the new Taliban government, requested the United Nations to hand over the seat of Afghanistan to their nominated representatives, leading to a dispute not only between the two factions but also between the representatives of the former Republic of Afghanistan.

The Credentials Committee of the General Assembly is responsible for evaluating the credentials of the countries, and its members include nine-member states. In 2021, the committee members were the United States, Russia, China, Bahamas, Bhutan, Chile, Namibia, Sierra Leone, and Sweden. The committee evaluated the credentials of both sides and delayed its decision regarding the representatives of Afghanistan for the 76th annual meeting, in accordance with Article 29 of the Rules of Procedure. This decision meant that the former government representative would continue to hold his position until a final decision was made.

However, the United Nations has omitted Afghanistan's name from the list of speakers for the 77th annual meeting, indicating that the issue of representation remains unresolved. The ongoing dispute underscores the importance of having clear guidelines and procedures for resolving such disputes, particularly during the General Assembly's annual session, which typically convenes in September each year.

CONCLUSION

Based on the aforementioned analysis, several conclusions can be drawn regarding the dispute over Afghanistan's representation in the United Nations. First, it is legally required for the head of government, head of state, or minister of foreign affairs of a country to issue credentials in order for its representatives to be recognized by the United Nations Organization. Failure to do so results in non-acceptance of the representatives. Second, disputes over state representation fall under the jurisdiction of the General Assembly of the United Nations, particularly its credentials committee, which is responsible for making annual decisions on the matter. Third, the credentials committee comprises nine countries selected on the basis of geographical criteria, with China, America, and Russia being commonly included in the committee. Fourth, when the credentials committee receives credentials from two different sources during its evaluation, it may postpone its decision, and the former representative will continue to serve until a decision is made. The new representative does not have the right to assume the position of the United Nations Organization until he/she acquires national and international legitimacy, establishes a government based on the rule of law, and takes concrete steps toward the development of human rights. Therefore, if the

Islamic Emirate of the Taliban desires recognition in the international community, it must adhere to these guidelines.

RECOMMENDATIONS

1. Islamic Emirate should guarantee basic human rights, provide the ground for civil societies to work, and in the long term, accept a legal framework for other political parties within their system. The fact that the Islamic Emirate has overall control over the territory and has activated its institutions in a normal manner, and to the extent has met the legal criteria for recognition as a government. Now they have less work to do and get recognized by the international community.
2. If the Islamic Emirate wants to gain Afghanistan's representation in the United Nations and defend its policies in this organization, it should use lenience in the issues that the United Nations repeatedly insists on.
3. If the Islamic Emirate wants to get closer recognition, it should first adopt a constitution and share the power with the leaders of all political movements in Afghanistan, who have a transparent political background.

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Conflict of Interest

The authors declare no conflict of interest.

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