Letter dated 15 September 2015 from the Secretary-General addressed to the President of the Security Council

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

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

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

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

(Signed) BAN Ki-moon
Annex

Tripartite Review Commission on the United Nations in Afghanistan

Final report — September 2015

Background

1. In its resolution 2210 (2015) of 16 March 2015, the Security Council renewed the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 17 March 2016, and requested a full examination of the role, structure and activities of all United Nations entities in Afghanistan, in full consultation and engagement with the Government of Afghanistan and key stakeholders, including the donor community, in light of the completion of transition and the beginning of the Transformation Decade and in accordance with the principles of Afghan national sovereignty, national leadership and national ownership. In response, a Tripartite Review Commission comprising the United Nations, the Government of Afghanistan and the donor community, was established in July 2015 to consider clear principles guiding the United Nations engagement in Afghanistan. The Commission examined the United Nations engagement in the country, with a view to focusing contributions in areas where the Organization brings the most value and ensuring that the United Nations serves to maximize the international community’s support for Afghanistan and its people. The discussions focused on three themes, namely, the United Nations principles of engagement, Government commitments and obligations and the future United Nations presence in Afghanistan.

2. The Commission held three meetings. The first, on 14 July, was co-chaired by Salahuddin Rabbani, Minister for Foreign Affairs of Afghanistan, and the Special Representative of the Secretary-General for Afghanistan, Nicholas Haysom. The second, on 10 August, was co-chaired by the Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator/Resident Representative, Mark Bowden, and the Deputy Minister of Finance, Shafiq Qarizada. The last meeting, convened on 2 September, was co-chaired by Minister Rabbani and Special Representative Haysom. The Commission included representatives of the five plus three group of donors (Australia, Canada, the European Union, Japan, Germany, Sweden (representing the Nordic Plus Group), the United Kingdom of Great Britain and Northern Ireland and the United States of America) and participation by the Food and Agriculture Organization of the United Nations (FAO), the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children’s Fund (UNICEF), the United Nations Office on Drugs and Crime (UNODC) and the World Health Organization (WHO). The World Bank acted as an observer. In between Commission meetings, the United Nations and the donor community conducted reference groups with their wider constituencies to discuss their respective inputs into the process.

3. In a separate exercise, in January 2015, the Office of the President asked the United Nations and major donors to undertake a portfolio review of all their activities, to ensure a unified approach across programmes and provide an overview of development activities and their nature of engagement with the Government. The resulting United Nations portfolio review was completed in March 2015 and, on
11 June, a meeting was held between President Ashraf Ghani and the United Nations to discuss the review. During the Tripartite Review Commission discussions, it was agreed that, separate from the Commission’s final report, the Resident Coordinator would also write a letter to the President of Afghanistan outlining more detailed actions that the United Nations in Afghanistan would take on issues arising from the portfolio review. These include programmatic issues related to Delivering as One and capacity-building, as well as operational issues such as procurement and salary scales. While the portfolio review focuses largely on the work of the agencies, funds and programmes in Afghanistan, given the close linkages between UNAMA and the United Nations country team, it was agreed that it would form part of the Tripartite review.

**Context: the United Nations in Afghanistan**

4. The United Nations engagement in Afghanistan is grounded in the principles of universality, equality, participation, non-discrimination, transparency and accountability, which underpin all the work carried out by the Organization. The United Nations has been present in Afghanistan for over five decades, with agencies, funds and programmes working to empower the people of Afghanistan to build a prosperous and stable country. Today, the country team comprises 28 agencies, funds and programmes, including UNAMA, the special political mission established in 2002. United Nations programmes are implemented across all national development areas in Afghanistan by 5,154 staff (4,244 national, 910 international) deployed across 20 locations throughout the country, with national staff working in more than half of Afghanistan’s provinces. No other international body is engaged in such a diverse range of development and humanitarian partnerships with the Afghan people.

5. UNAMA is present in Afghanistan at the request of the Security Council, which makes decisions to authorize peacekeeping and special political missions in close consultation with Member States, including the host Government, in the promotion of regional peace and security. Since its establishment in 2002, UNAMA has performed a variety of functions as the international community respond to developments in the country. While the Security Council focuses primarily on peace and security, the work of UNAMA is necessarily linked to the work of the United Nations country team, which is focused on development and humanitarian functions. In 2013, a mandate consolidation process took place in consultation with

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the Government, prompted by the then Minister for Foreign Affairs, Zalmai Rassoul. As a result, the mandate was refined, with an increased focus on the Mission’s political good offices, donor coordination and human rights functions. This reflected a consensus, agreed with the Government, that the Mission should concentrate on its relative strengths and move away from a development implementation function towards a more political, donor coordination and humanitarian role.

6. Under its refocused, consolidated mandate, most recently authorized in Security Council resolution 2210 (2015), the Mission is focused on: (a) good offices, facilitating political solutions through the promotion of peace and reconciliation, the enhancement of regional cooperation and support for elections; (b) promotion and protection of human rights through sustained monitoring; documentation; analysis; advocacy field research and analysis on mandated human rights priorities in Afghanistan;\(^3\) and the production of public reports that have provided the Government with key recommendations on fulfilling national and international human rights commitments; (c) donor coordination, facilitating discussion between donors on priorities and ways to assist the Government in realizing its reform goals; (d) facilitating humanitarian access and supporting and building capacity for humanitarian response; (e) providing support to refugees and internally displaced persons; and (f) curbing the illicit economy, including drug trafficking and the exploitation of natural resources, which serves as a key source of funding for terrorist activities.

7. Afghanistan remains a deeply conflict-affected country, faced with high levels of violence and widespread poverty that continue to demand significant international assistance in order to achieve political and economic stability and security. The United Nations recognizes that substantial support is still required to ensure sustainable progress and that a number of key challenges to Afghanistan’s future development remain, including limited infrastructure, low investment levels and the need to enhance security, good governance, access to basic services and accountability. There is recognition by the Government and the international community that the integrated, subnational presence of the United Nations is appreciated and a clear understanding that its presence should continue. In discussions during the Tripartite review, it was also recognized that while it is important to develop longer-term plans for transition, such a development is dependent on progress against the Government’s reform agenda. Guided by the principle of achieving full Afghan ownership and leadership of national priorities and as requested by the Security Council in its resolution 2210 (2015), the Tripartite Review Commission sets out the recommendations below with respect to the future role, structure and activities of the United Nations in Afghanistan.

\(^3\) Including the protection of civilians in armed conflict, violence against women, treatment of conflict-related detainees in Afghan custody, arbitrary detention verification, Afghan People’s Dialogue on Peace, human rights and poverty in Afghanistan.
Key issues: role of the United Nations

8. During the Tripartite Review Commission discussions, the issues set out below were discussed with regard to the role of the United Nations in Afghanistan, reflecting key areas of the UNAMA mandate.\(^4\)

9. **Good offices.** UNAMA has played a critical good offices role, providing support to the ongoing peace process, democratic development and electoral reform, promoting regional cooperation and advocating for international economic engagement in Afghanistan. In particular, in contentious and disputed elections in 2009, 2010 and 2014, the Mission effectively leveraged its good offices in highly politicized and tense environments. Identifying and maintaining liaison with key stakeholders, UNAMA helped to ensure acceptance of the results by Afghans, with the consent of and in full consultation with the Government. The United Nations firmly supports the constitutionally elected Government and commends President Ghani and Chief Executive Abdullah Abdullah on the formation of the National Unity Government. In the context of the Transformation Decade, the United Nations is committed to supporting the Government in implementing its reform agenda towards peace and stability, as outlined in *Realizing Self-Reliance: Commitments to Reforms and Renewed Partnership*, presented at the London Conference on Afghanistan in December 2014.

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

10. **Human rights and the rule of law.** The normative function of supporting Afghan institutions to promote and protect human rights and the rule of law enjoys support from and is present at the insistence of the international community and Afghans. In particular, the UNAMA Human Rights Unit is recognized globally for its robust methodology, engaging in constructive, face-to-face dialogue with all parties to the conflict, to ensure accuracy, capture all perspectives on the conflict and effect real changes in the practices of the parties. The United Nations and international partners play a distinct role in empowering national human rights institutions, such as the Afghan Independent Human Rights Commission, and are committed to continued capacity development and promoting the importance of human rights and the rule of law in Afghan society. This includes the full

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\(^4\) The United Nations supports the Government in taking full ownership and management of key benchmarks approved by the Security Council. First requested in Council resolution 1868 (2009), the UNAMA benchmarks and corresponding indicators for transition are focused on security; peace, reintegration and reconciliation; governance and institution-building; human rights; economic and social development; regional cooperation; partnership between the Government and the international community; and counter-narcotics. A report on progress made against these benchmarks is submitted to the Security Council on an annual basis, through the Secretary-General’s report on Afghanistan. The most recent submission was in March 2015 (A/69/801-S/2015/151).
involvement of women in all efforts for the maintenance and promotion of peace and security, as stated in Security Council resolution 1325 (2000).

Recommendation: The role of the United Nations in promoting human rights and the rule of law, including women’s rights, and gender equality and in supporting compliance by Afghanistan with its human rights commitments should be re-emphasized. In addition to the Organization’s presence in-country, the role of the United Nations in encouraging Afghanistan’s participation in the Human Rights Council and universal periodic review process should be highlighted. The United Nations has a particular role in highlighting conflict-related human rights issues.

11. Humanitarian issues, including refugees, returnees and internally displaced persons. UNAMA plays a key role in coordinating a coherent humanitarian response across the United Nations system. The Mission is mandated with facilitating humanitarian access and supporting and building capacity for humanitarian response, through the Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator, as Humanitarian Coordinator, together with several United Nations agencies, funds and programmes, and in line with the principles of humanitarian reform. This also includes addressing issues of refugees, returnees, undocumented Afghans in neighbouring countries and internally displaced persons. Further, the United Nations provides critical capacity-building in support of the Afghan humanitarian response structures.

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

12. Donor coordination. As agreed at the international conferences on Afghanistan held in Kabul (2010), London (2010 and 2014) and Tokyo (2012) and discussed at the senior officials meeting on 5 September 2015, UNAMA supports and facilitates dialogue among the Government, its donors and key stakeholders. Dialogues facilitated by UNAMA or jointly by UNAMA and the Government promote the coherence of international assistance and the alignment of programming with national development and governance priorities and agreed modalities, including the Government’s aid management policy. The dialogues enhance mutual accountability and promote the effective delivery of aid, which in turn supports the continued mobilization of essential resources for the duration of the Transformation Decade and beyond.

Recommendation: The United Nations donor coordination function can be defined as a facilitator and co-convener of development policy forums, including in developing and monitoring frameworks of mutual accountability and promoting coherent information-sharing and analysis and the design and delivery of development assistance.
13. **Counter-narcotics, illicit economy and anti-corruption.** Under the current mandate, UNAMA and the United Nations Office on Drugs and Crime (UNODC) assist Afghanistan in combating the illicit economy, including drug trafficking and the exploitation of natural resources, which serves as a key source of funding for criminal and anti-Government elements in Afghanistan and the wider region. Further, through regular interactions with the Government, the international community and civil society, the United Nations seeks to reinforce support for national efforts to mobilize domestic resources to combat corruption and fraud. In particular, as part of its normative role, the United Nations has partnered with the Government on anti-corruption activities, to enhance transparency and accountability.

**Recommendation:** The United Nations role in supporting the Government to combat the illicit economy, including counter-narcotics, and encouraging international cooperation in this regard should be reviewed, to further address regional linkages and concerns and to encourage further cooperation among all relevant Afghan authorities. Given the links to criminal and terrorist activities that contribute to destabilization, linkages to the Security Council Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaeda and associated individuals and entities and the Security Council Committee established pursuant to resolution 1988 (2011) with respect to individuals, entities, groups or undertakings associated with the Taliban, should be emphasized. Further, the United Nations should increase its support to fight corruption and fraud. In this context, this includes support to building stronger relationships between development cooperation and the private sector by supporting the creation of a favourable environment for partners and fostering public-private partnerships and economic development.

**Key issues: structure**

14. Tripartite Review Commission discussions on United Nations structural issues focused on subnational presence, capacity-building, joint programming and joint oversight. A summary of the issues and related recommendations are set out below.

15. **Subnational presence.** The United Nations is currently present in 20 locations in over half the provinces in Afghanistan, working towards a Delivering as One model at both the national and subnational levels. The Government and the international community have expressed unanimous appreciation for the Organization’s subnational presence and recommend that it be maintained in the future. During Tripartite Review Commission discussions, the Government and donors expressed strong support for a continued United Nations presence throughout Afghanistan. While UNAMA will continue to provide the centre of gravity of the United Nations presence, as conditions allow, the Organization will consolidate programmes with a view to increased coherence and an eventual transition of leadership from UNAMA to the United Nations country team. In the long term, UNAMA will look towards concentrating its Kabul-based functions in good offices and donor coordination and will transition other activities directly to the Government, the country team, donors and non-governmental organizations.

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

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

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

17. **Joint strategic programming and a One UN approach.** In recent years, the Government has called upon the United Nations in Afghanistan to adopt a One UN approach and increase its alignment with Government development strategies. In response, the United Nations has adopted principles and tools to support Delivering as One and recognizes that the “United Nations delivering together” approach, tailored to the needs and context of Afghanistan and developed in close partnership with the Government, will increase the efficiency of its interventions and improve results. The United Nations has also increased its focus on joint programming and strategic planning and analysis with national counterparts on activities that are aligned with Government priorities, with a view to eliminating overlap and duplication, harmonizing business practices and reducing transaction costs, including an increase in on-budget support. The United Nations Development Assistance Framework 2015-2019, developed jointly by the United Nations and the Government, is based on and supports both the national development priorities and the country’s international commitments and determines the division of labour for

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5 Further details on adopting a One UN approach are outlined in the portfolio review and in a separate letter to the President.
programming and implementation. Notably, the programmatic priorities in the Development Assistance Framework and the Government’s paper Realizing Self-Reliance: Commitments to Reforms and Renewed Partnership are closely linked.

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

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

**Recommendation:** The establishment of a joint oversight and review mechanism with the Government is critical to assess progress against key indicators in the United Nations Development Assistance Framework, the main framework for the Organization’s Delivering as One approach. Measurable progress indicators and transition benchmarks should be established and reviewed, with a view to moving from co-ownership to affirming the full ownership and management of programmes by the Government.

**Key issues: activities**

19. The Tripartite Review Commission discussions on activities of the United Nations in Afghanistan focused on its normative role, capacity-building and mobilizing international resources, as set out below.

20. **Normative role.** The Government recognizes the importance of the Organization’s normative role and support for Afghanistan in meeting its international obligations, aspects which it considers non-negotiable. Much of the work of the United Nations system is focused on supporting Afghanistan in implementing sectoral programmes, through the provision of technical assistance in areas such as the pursuit of peace and democratic principles, economic development and the fulfilment of its obligations under international human rights and humanitarian law, including its responsibilities towards United Nations entities and staff members. The United Nations has, at the request of the Government, supported national counterparts in drafting legislation and has offered technical support to develop such planning documents as national strategies, action plans and policies. This often involves operational and technical advice; standard-setting; and legislative reform aligned to support the Government in meeting global standards and fulfilling its international commitments and obligations embodied in relevant conventions and treaties. The Organization’s normative agenda and long-standing

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6 Including United Nations support to the Government in preparing its reports to human rights treaty bodies, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. The United Nations also supported the Government in its responses to international summits and declarations, such as Beijing+20, the 2003 Anti-Personnel Mine Ban Treaty, the 2011 Convention on Cluster Munitions, the United Nations Framework Convention on Climate Change and the Convention against Corruption. Support has also been provided to the Government in the drafting of a refugee law, a regional Solutions Strategy for Afghan Refugees and a national policy on internally displaced persons.
commitments in Afghanistan are aligned with international frameworks in support of aid effectiveness, including the Paris Declaration, the Busan Partnership for Effective Development Cooperation and the New Deal for Engagement in Fragile States, all of which have been endorsed by Afghanistan, and are undertaken directly in support of the Government’s national priorities.7

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

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

Recommendation: The United Nations should focus on institutional capacity-building support to systems and service delivery in priority areas identified by the Government, such as health and education, humanitarian and emergency response, and refugees and internally displaced persons. Support should focus on developing sustainable and effective national and subnational institutions. At the same time, the United Nations should continue to support sustainable development, particularly in priority areas specified in the Government’s national priority programmes, including urban and rural development.

22. Mobilization of international resources. Through its various international appeal mechanisms, the United Nations brings international support and expertise during times of crisis and emergencies. Recognizing the range of activities of the United Nations system, the United Nations facilitates Government access to various global development and humanitarian funds (for example, the Global Environment Facility). Yet, the Organization recognizes that while programmatic areas in Afghanistan continue to require support, there is also a compelling demand for

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7 Detailed information on the normative role of the United Nations is addressed in the United Nations portfolio review.
United Nations resources in other conflict and post-conflict countries experiencing political, security and humanitarian crises. Reflecting international development funding trends, there is great pressure to divert United Nations Secretariat funds that support the Mission away from Afghanistan. The United Nations has cautioned against a hasty contraction of resources from the country by the international community, including the United Nations Secretariat.

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

**Conclusion**

23. Afghanistan has experienced decades of war and remains constrained by continued insecurity, poverty and humanitarian challenges. The ultimate benchmarks for the country are defined as peace and stability and respect for its sovereignty; the establishment of strong Afghan leadership and ownership of its programmatic priorities; and the right to insist on alignment with government programmatic priorities. The United Nations, in cooperation with the donor community, firmly supports the Government in building the capacity to achieve this objective, as sustainable Government institutions that ensure appropriate levels of financial accountability and the capacity to meet Afghanistan’s international commitments are established. In the light of the poor short-term economic outlook and the many challenges the country faces in a volatile security environment, it is critical for the United Nations to continue to provide and advocate for continued support, assistance and attention from the international community. The United Nations will continue to work closely with the Government to clarify priorities and reaffirm commitments and the general principles of its engagement.

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