



## Statement of Afghan Lawyers' Association in Europe in relation with the murder of Mullah Mansour, leader of Taliban

### Pakistan – Violator of UN Charter, Haven and Supporter of Terrorism, and a Pillar of International Viciousness:

As an “unnatural” country, and a creation of the colonial strategies, Pakistan has always been a cause of conflict and turbulence during the entire period of its existence. It has always sought the secret of its survival in stirring internal disturbances and conflicts within its neighboring countries. It especially acquired such an evil stance after the military coup of 1979, when it became the main ring in the “green belt”, put on the “masque of Islamic republic”, started training, equipping and arming terrorist groups. It has systematically used terrorism as an instrument of its foreign policy.

Afghanistan has fallen a victim of the conspiracies of Islamabad from the very beginning of the misfortunate birth of Pakistan (which had already joined the aggressive military pacts), and particularly became target of an undeclared war after the establishment of the republic of 1973, which is still going on.

Ever since the very establishment of the first republic till the moment, the undeclared war of Pakistan has continued in various methods and different roles, from training, arming and exporting subversive elements, to serving as a “jumping board” during the climax of the cold war, the conspiracy of forming a confederation, and the factional fights of the 90s. Likewise, starting from the past one and a half decade, the military-intelligence apparatus of Pakistan has been striving hard to exercise direct control via the Taliban with a view to reaching the strategic depth, and destabilizing and weakening Afghanistan which still continues. (Introduction of proof for these shining facts will be the same like proving “devil’s infidelity” which is needless to be proven).

### Pakistan – violator of UN Charter and international commitments:

The contemporary international order is inspired by and based on an accepted principle of the international law (“*Pacta Sunt Servanda*” – agreements must be kept), which the UN member countries are obliged to observe. However, in practice the Pakistani government has never honored its commitments against the international community. It has so far generally failed to fulfil its commitments against Afghanistan, and particularly after the conclusion of the Geneva Accords of 1988. On one hand, Pakistan is a UN member country, and on the other hand it recklessly beaches the UN Charter and other accepted principles of the international law. Pakistan is a member of the international community, but terrorists are exported to the world from the soil of that country. Pakistan is a “strategic partner” of America, but it still continues an undeclared war against another country (Afghanistan) which is also in a coalition

with America. Hence, the Moral Obligation of the government and the leaders of Pakistan has seriously come under question!

Isn't this questionable:

- That during the past fifteen years of presence of America and the NATO in Afghanistan, billions of dollars have been acquired by Pakistan under the name of cooperation in the fight against "terrorism", while the leaders and the bases of terrorist organizations are active within the territory of that country.
- That America invaded Afghanistan because of Osama bin-Laden, the ring leader of al-Qaeda villains, but some years later, the man showed up Islamabad.
- That America announced a head-price of 10 million dollars for Mullah Mohammad Omar Akhund, but it was revealed that the said person resided in "the safe homes" in Karachi, and was mysteriously murdered in the hospitals of that city. The meetings to choose his successors were publicly held, and attended by hundreds in Pakistan.

The enigma of the stay and murder of the leader of the villains displayed a scandalous ignominy for Pakistan. And now, with the murder of Mullah Mansour in Pakistan no vigilant conscience can doubt anymore that Pakistan is the center, and its leaders are supporters of terrorism. The fact that Mullah Mansour made sixteen trips to the United Arab Emirates and one to Iran with official Pakistani passport and with a false name is a solid evidence in itself that the leader and the first leadership ring of the Taliban are not only enjoying full immunity in Pakistan enabling them to carry on fight and bloody terrorist attacks against the people of Afghanistan, but being in collusion and under direct protection umbrella of the ISI continue subversive activities against the state, people and national sovereignty of Afghanistan, the financial arrangements of which are supplied via the "corridor" of the United Arab Emirates. When Osama and Mullah Mansour are regarded as death-deserving, then what shall be the punishment for their "kind" hosts and protectors?

**The time has arrived for the international community, and especially the Britain and America to answer this question!**

**Pakistan – a safe haven for international terrorism:**

Credible international documents, including those in the UN and the foreign services of the permanent members of the UN Security Council (particularly the US State Department), and other countries and international media clearly reveal the fact that most of the horrible terrorist incidents – from Kabul to Mumbai, Jerusalem, Chechnya, Sinkiang, New York, etc. find their origin in Pakistan. Pakistan has turned into a safe haven for all the villainous forces of the world, where leaders of the terrorist organizations, while residing in "the safe homes of ISI", are engaged in planning terrorist attacks and operations, making arrangements for holding public meetings for many hundreds to select their "leaders". (At present, hundreds of terrorist organizations that are included in the black list the United Nations and the US State Department, are openly active in Pakistan, and are being supported, armed and equipped by ISI).

**Pakistan – center of fostering concept of suicide and killing political opponents:**

The number of madrassas, "charity centers and organizations" that are engaged in spreading the ideas of Islamic fundamentalism, killing non-Muslims, *Saif-ul-Islam* (sword of Islam), suicide and killing political opponents exceeds tens of thousands, most of which are led by the

evil clergymen of that country who carry their activities under the protective umbrella of ISI, the remnants of Gen. Zia ul Haq, and the army.

#### **Pakistan – a training center of international evil-doers:**

During the past forty years, more than two hundred thousand Arab and non-Arab terrorists from various countries have been trained in the terrorist-producing furnaces of Pakistan, and the leaders of terrorist organizations, with rewards announced for their heads, have gained experience in this country (Osama, Ayman al-Zawahiri, Abu-Bakr Baghdadi, Mullah Omar, Mullah Mansour, Mullah Haibatullah, and tens of others are among them who enjoyed the privilege of being sheltered in the “safe homes” of ISI).

#### **Military intelligence of Pakistan bears responsibility of murder and terror of Afghans:**

A large number or prominent Afghan personalities have been assassinated, inside or outside Pakistan by ISI, or its mercenaries (Prof. Shamsuddin Majrooh, Chinzai, Gharwal, Katawazi, and tens of others). The presence of Gen. Aslam Beg in the night of martyrdom of Dr. Najibullah, the former president of Afghanistan is no more a secret. In recent years, those Taliban leaders who crossed the red line of mafia principle in ISI-Taliban relations were imprisoned and murdered mysteriously.

#### **Pakistani government and its mercenaries committed serious crimes in Afghanistan:**

- Pakistan, during the period of continuation of the undeclared war, has been the first and fundamental factor behind the bloody tragedy of Afghanistan. Interferences of this country are considered the reason and excuse for the interventions of the east and the west in Afghanistan.
- During the past four decades, millions of our compatriots have been martyred, disabled, orphaned or widowed; tens of millions of dollars of loss has been inflicted on our country, many areas have been destroyed and razed to ground, including the capital of the country.
- The wealth and historical monuments have been plundered or destructed, such as the Bamyan statue.
- Government establishments and the national army were destroyed.
- Crimes against humanity, war crimes, violation of human rights and murdering civilians are continuing.
- Since some months, everyday Afghanistan experiences Karbala, Sabra and Shatila.
- As per the information, Pakistan has erected military establishments in this side of so-called Durand line in Ningarhar and Paktika provinces.
- Continuation of aggravation of undeclared war of Pakistan is the main hindrance of our country’s transition to the path of development.

#### **What can be done against all these crimes, aggression and the aggravation of undeclared war?**

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Putting an end to the undeclared war and attaining peace cannot be achieved through beggary. As a saying says: **right is not given, it is taken!**

### **Afghanistan – a victim of aggression and aggravation of the undeclared war of Pakistan:**

As per the Charter of the United Nations “the victim country must declare that it has been subjected to aggression”. Therefore, as a victim of the actions of Pakistan, the government of Afghanistan must, as urgently as possible, arrange the dossier of the crimes of Pakistan emanated from its undeclared war which is carried through the Taliban and their partners, and forward it to:

- The UN Security Council and the International Court of Justice.

The government of Afghanistan shall propose to the Security Council that:

As per the provisions of the UN Charter, to consider and implement the principle of “United Nations Sanctions” as provided for in chapter seven of the UN Charter in regard to Pakistan as an “action with respect to threats to the peace, breaches of the peace, and acts of aggression” in order to subject Pakistan, as a supporter of international terrorism, to international sanctions in accordance with the principle of “Legal Settlement Sanctions”. Such sanctions must include stoppage of military aid, and connecting all assistances to the elimination of terrorists and the observance of all the internationally accepted principle of the international law.

### **Pakistani nuclear sites – sources of serious international threat:**

In a situation where Pakistan is the center of international villainy, and the most dangerous leaders and horrible terrorist organizations and enemies of human civilization are active there with close connection with its army and the ISI, and while that country has the precedence of neglecting the (T.P.N.) agreement (as admitted by the father of nuclear bomb of Pakistan during his trial), it is very necessary that the UN Security Council takes measures for the supervision and covering the nuclear activity of Pakistan.

### **Difficult, but extremely vital duties:**

- The Afghan government needs to start constructive negotiations with the NATO, the UK and the US, as the aggravation of the undeclared war is the outcome of their negligent and uncertain policies, and who are duty-bound to decisive defense in accordance with the Strategic Accord. Continuation of the bloody tragedy of Afghanistan seriously questions their moral legitimacy.

The responsibility of America verses the tragedy of Afghanistan cannot be fulfilled only with the cries of senators or the pre-elections words of the statesmen, or the murder in some years of a leader of the terrorists (the price of the subsequent acts of vengeance for which is paid by our innocent and defenseless people with the blood of their children). Afghans need to see honesty in the fight against terrorists, in categorically smashing them up in their original birthplace (Pakistan).

- The Afghan government must propound the facts about the victimization of Afghanistan with member countries of European Union and make vast efforts to secure their support.
- It is much vital that the government maintain all-round contacts with the neighboring countries and regional powers such as China, Russia and India and propose an urgent meeting of these countries in regard with the current issues of Afghanistan.

## **Is Afghan government capable of carrying on this historic mission?**

The Achilles heel of Afghanistan is its weak national management. A “great people” who bore the burden of the longest war of the history confront “small leaders”, leaders who do not trust the people, and have forgotten that “the power of people is the power of God”, leaders who are incapable of identifying the national interests and what is good for the country; they are deeply engaged in the strife of “power” division, and division of the armed forces of the country, in the current sensitive moment, in ethnic and factional lines. The leaders of the national unity government, who suffer from the questionability of their legitimacy, need to make efforts towards attaining national credibility to compensate this shortcoming. Such a credibility can only be achieved via grasping the national interests, and crucially defending the homeland, lives and honor of the people. Attaining this goal will not be a mirage anymore when the deeds are based on the law, and the rule of law is recognized as the only means of consolidation of state power.

Such a great ideal can only be materialized with the support of the people, and to achieve the support of the people, we need to have a clear definition of the national interests and a precise knowledge of international and regional geopolitics, devise the national security strategy and determine how to cope with Pakistan in the light of this definition. It is only through an active diplomacy that the Afghan government can defend the interests of Afghanistan as a partner in international and regional levels, and to compel Pakistan to listen to it with prudence and discretion.

Such a government shall be a competent one. It shall have a reasonable stance towards its opponents in the form a legislative document which shall define the legal status of individuals and groups who join the peace process, and to strive for bringing about peace as a strategic goal.

### **The national cause:**

The Afghan Lawyers' Association in Europe, mindful of the fact that all Afghans have a common heart (common homeland), respectfully calls upon all fellow countrymen inside and outside the country, the political, social and cultural entities, the civil society and the defenders of the homeland and the people to raise their cries of protest against the aggravation of the undeclared war of Pakistan, to champion this legitimate national cause of Afghanistan, regardless of any ethnic, religious, ideological and other differences, and to prove to the world that the homeland of the Afghans is not a strategic depth of Pakistan, but is an equal and a good neighbor of Pakistan.

With regards,

Leadership Board, the Afghan Lawyers' Association in Europe

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