



Afghanistan Situation

Operational Update



September 2006

1. Background

With the inauguration of Afghanistan's first Parliament in three decades earlier this year, the establishment of the permanent institutions of government foreseen under the Bonn Agreement of December 2001 has been completed. Afghanistan has made substantial progress during this period. However, as the recent deterioration in the security situation in the southern and eastern provinces of the country makes clear, Afghanistan's recovery still faces many significant obstacles.

It was in recognition of the sharp challenges ahead that the international community and the Afghan government agreed upon an ambitious medium term programme (2006-2010) of state building, reconstruction, and development (the Afghanistan Compact) at the London conference in January 2006. To underpin the goals of the Afghanistan Compact with respect to peace, stability, and development, the donor community made financial commitments of US\$ 10 billion. The Afghan authorities have also adopted an Interim Afghan National Development Strategy (I-ANDS) to give more detailed programmatic expression to this partnership. Both the Afghanistan Compact and the I-ANDS include objectives, benchmarks and indicators for the voluntary return and reintegration of Afghan returnees over the period 2006-10. The success of these initiatives will in large measure determine the prospects for solutions to the Afghan refugee situation in the years to come.

Since March 2002 over 4.7 million Afghans have returned from Pakistan and Iran, 3.6 million of them assisted by UNHCR. During 2006 the return figures have declined significantly with approximately 290,000 Afghans repatriating, just under half of them assisted by UNHCR. The downturn has been especially noticeable in Iran where only of 4,500 or 3% of overall returns (160,000) have been assisted by UNHCR, the bulk having returned spontaneously from outside the registered refugee population. Whilst Afghanistan still remains UNHCR's largest repatriation operation globally, this year's figures appear to reflect important changes in this longstanding situation.

A quarter of a century after the start of major refugee displacement some 3.5 million Afghans still remain in exile. The governments and people of Iran and Pakistan have generously hosted them for over two and a half decades. Indeed, over 80% of the remaining population has been in the neighboring countries for more than twenty years and 50% were born in exile. Due to cultural, personal, economic, and social proximity, many have assimilated well in their host communities. Though security is again a concern in parts of Afghanistan, surveys repeatedly demonstrate that the major challenges to return are now primarily social and economic in nature. Many Afghans from within the refugee population are moving regularly between their place of exile and their homeland. Furthermore, normal cross border movements in both directions are increasing. In summary, the future pattern, pace, and sustainability of returns are likely to be influenced by a range of factors both in Afghanistan and within the neighboring countries.

In **Pakistan**, the registration of Afghan citizens previously enumerated in the government census of February-March 2005 will start on 15 October 2006. It has been developed over the last year with close consultations between the Governments of Pakistan,

Afghanistan, and UNHCR and formally agreed in April this year with the signature of a Memorandum of Understanding (MoU). The 10-week-long exercise will be conducted by the National Database and Registration Authorities (NADRA) and provide a clear profile of Afghans who remain in exile. Those registered will receive a Proof of Registration (PoR) card with biometric features – digital photographs and fingerprints – that recognises them as Afghan citizens living in Pakistan. The card will be valid for three years.

In recent months, UNHCR, UNDP, and the Pakistani authorities have been developing a needs assessment exercise to plan a refugee affected area programme. The first phase examining the education, health, water and sanitation sectors has been completed. A second phase appraising employment, livelihoods, natural resource management, environmental rehabilitation, and institutional development will commence in the coming weeks. Recognising that not all Afghan remaining in Pakistan will return in the immediate future, the aim of this initiative is to encourage longer term support for improving overall living conditions and opportunities for both local and refugee communities.

In northern Pakistan, UNHCR's emergency response to the 8 October 2005 earthquake was phased out on 31 August 2006. During the eleven month operation, thousands of tons of relief items were airlifted to Pakistan and distributed in the quake zone. As lead agency for camp management under the joint UN response, UNHCR provided material and technical support to the government in 170 relief camps through the winter and to a lesser extent, the monsoon rains. Quake survivors started returning home after the winter, with over 140,000 leaving the camps between March and the end of August. There were some 36,000 people remaining in 44 relief camps at the time of UNHCR's disengagement. From September until the end of the year, UNHCR and its partner, the Norwegian Refugee Council, have seconded advisors to the UN Resident Coordinator's Office and provincial authorities to capacitate the government in camp management for the remaining inhabitants.

From 27-29 November 2006, the Government of Pakistan will host in Islamabad the OIC Ministerial Conference on The Problem of Refugees in the Muslim World. The 57 member states of the Organisation of the Islamic Conference host an estimated 9.4 million of the 20.8 million refugees and people of concern to UNHCR worldwide, but many of these states are not party to international refugee instruments and lack refugee legislation or refugee-related institutions and structures. The November conference will provide an opportunity to strengthen UNHCR's cooperation with these states in addressing refugee issues, to seek solutions to protracted refugee situations, to emphasize the asylum traditions and highlight the contributions that Islamic countries have made in sharing much of the refugee and displacement burden in today's world. The conference will produce the Islamabad Declaration – setting out the OIC's position on refugees, durable solutions and multilateral cooperation – and an associated Plan of Action.

In **Iran** another registration exercise was undertaken by the government in November 2005 to establish the number of remaining Afghan refugees in Iran. The exercise lasted

until May 2006. More than 920,000 registered Afghans have been issued with renewable identity cards valid for three months. The current extension prolongs their validity until December 2006. Approximately two million Afghans were registered in the first registration exercise carried out in 2001.

During the visit of the High Commissioner to Tehran in November 2005, it was recognised that many Afghans would continue to remain in Iran for some time to come. UNHCR and the Iranian Government therefore agreed to identify projects that would build the capacity of refugees to repatriate and to address essential needs among the most vulnerable. It was further agreed that the two sides would seek donor support for a two year programme with projects in relevant sectors such as vocational training, education, and health.

2. Voluntary Repatriation

All parties continue to give priority to voluntary repatriation as the preferred durable solution. To that end, the existing Tripartite Agreements between UNHCR, Afghanistan, Iran and Pakistan were renewed during 2006 until March 2007 and December 2006 respectively. These agreements continued to provide the legal and operational framework for the voluntary repatriation programme. They have been supported by Tripartite Commissions which have met four times during 2006 to set objectives and take stock of relevant developments and issues.

As referred to earlier, the return trends during 2006 suggest that maintaining the momentum of the repatriation programme will require different approaches in future. The repatriation figures achieved over the last four years are unprecedented in UNHCR's history. It is now clear, however, that facilitating the voluntary return of the remaining Afghans in Iran and Pakistan will pose qualitatively different challenges. These derive both from conditions inside Afghanistan and from the characteristics and inclinations of the refugee populations.

UNHCR has proposed that new repatriation modalities be introduced next year to simplify and harmonise return procedures as far as possible. The cash component of the repatriation grant will be reviewed taking into consideration the significant increases in fuel and other costs since 2002. The aim is to maximize the effective use of resources to be made available to the Afghan Operation in the region. It is intended that the new arrangements will take effect in March 2007. Rather than presenting the current Voluntary Repatriation Form, returnees from Pakistan will need to show that the Proof of Registration (PoR) card has been cancelled in order to receive UNHCR repatriation and reintegration assistance in Afghanistan.

The current Tripartite Agreement for voluntary repatriation between Pakistan, Afghanistan, and UNHCR expires on 31 December 2006. A possible extension will be discussed at the next Tripartite Commission meeting in December.

3. IDP Situation in Afghanistan

The number of IDP returns has been increasing in 2006. So far this year, over 700 families (4,000 individuals) from Zhari Dasht camp in Kandahar have been assisted to return to their places of origin in the provinces of Faryab, Badghis, Sari Pul and Herat. They are mainly ethnic Pashtun originating from the North who had been displaced to the South in 2001.

UNHCR will assist another 1,000 families in 2006 who have already been registered in Zhari Dasht camp to go home to the North and West of the country. Discontinuation of food distribution and the deteriorating security situation in the South may have raised interest among IDPs in returning home.

There are still some 115,000 internally displaced Afghans, mostly living in camps in the Southern provinces. In 2007 UNHCR plans to advocate for the local integration of those who remain, in coordination with the local authorities concerned and development actors.

A significant number of civilians (an estimated 15,000 families) have been displaced within the Southern region due to the ongoing conflict. Under the leadership of the local authorities and UNAMA, a Coordination Committee has been established to assess the situation and coordinate relief efforts among the government, UN agencies, the International Organisation for Migration (IOM) and donors.

4. Protection

UNHCR and Afghanistan's Ministry of Refugee and Repatriation (MoRR) continued to jointly monitor repatriation in 2006. Returnees from Iran and Pakistan are being monitored at the encashment/transit centres in Afghanistan upon arrival. The aim is to assess the reasons for return, to analyze the trends and patterns, and to identify extremely vulnerable individuals with special needs, providing them with advice and assistance as required.

UNHCR and MoRR also continue monitoring both voluntary and forcible returns from non-neighbouring countries at Kabul International Airport, based on the tripartite Memorandum of Understanding with a number of countries such as the United Kingdom, the Netherlands, France, Denmark and Norway. It is expected that similar MoUs will be concluded with other countries soon.

As a result of the first year of the joint human rights field monitoring activity, the Afghanistan Independent Human Rights Commission (AIHRC) released its first National Report on Economic and Social Rights in May. Reports indicate that in many areas, the provincial and districts authorities, courts and police are often unable or unwilling to intervene to enforce the rule of law. The report is being used as an advocacy tool with relevant ministries, local authorities, and the international community towards improving the protection and realization of economic and social rights in Afghanistan. In the light of the positive experience to date, UNHCR is strengthening the partnership with the AIHRC to further develop the capacity to monitor, document, and intervene to reduce human rights violations countrywide.

UNHCR's operational partnership with the Norwegian Refugee Council (NRC) continued across the country in 2006. NRC managed eight Information and Legal Aid Centres (ILACs). ILACs offer returnees free information and legal advice, including representation, on land and property rights/restitution. Another important aspect of this partnership is the cross-border cooperation between ILACs in Pakistan and Afghanistan, providing information and legal aid to Afghan refugees.

The registration of Afghan citizens in **Pakistan** will provide a Proof of Registration (PoR) card that will be regarded by the concerned authorities of the Government of Pakistan as a valid registration document recognising the bearer as an Afghan citizen temporarily living in Pakistan. The information collected during the registration exercise will be analysed to identify the specific needs of those Afghans who remain in Pakistan, to find ways to manage and regulate their stay, and to seek durable solutions for them.

The Refugee Affected Areas initiative seeks to address the social, economic and environmental consequences of the prolonged presence of Afghans in areas where the population density of both refugee and local communities is particularly high. It is a joint Government of Pakistan and UNHCR initiative that seeks to encourage a shift away from dependence solely on humanitarian support to longer term, more development oriented interventions. A needs assessment of the health, education, water and sanitation sectors of selected areas is almost complete. A second phase will appraise needs in the sectors of environmental/natural resources, employment/livelihood, basic infrastructure, and institutional capacity. It is expected that these findings will inform a programme design and formulation phase resulting in bankable interventions to be presented for donor support and financing in 2007.

UNHCR **Iran** continues to engage in discussions with the government with a view to improving the conditions and predictability of refugees' stay in Iran. Despite the continued insistence of the Government that all Afghan refugees must return home, the Iranian authorities do adhere to and uphold the principle and voluntary character of repatriation. However, Afghan refugees continue to face numerous restrictions with regard to exercising certain rights, in particular freedom of movement and the right to work. In addition, refugees in Iran are subject to unreasonably high municipal taxes when they have no legal right to engage in wage-earning activities.

UNHCR continues to cooperate with its government counterpart, the Bureau for Alien and Foreign Immigrant Affairs (BAFIA) in providing Afghan refugees with free legal service through its ongoing joint project of Dispute Settlement Committees (DSCs) and legal aid network. The number of DSCs has increased from 7 to 12 provinces since the end of 2005.

5. Reintegration in Afghanistan

UNHCR has continued to assist the immediate reintegration of returnees inside Afghanistan in sectors such as shelter, water, and returnee monitoring and to advocate for

their specific inclusion and support within the Afghanistan Interim National Development Strategy during the period 2006 – 2010.

UNHCR remains focused on the following four key areas - the identification and monitoring of the main obstacles to return through the national human rights monitoring established with the Afghan Independent Human Rights Commission, the provision of individual and community-based initial reintegration assistance (shelter, water, and income-generation, support (direct and networking) to the establishment of a social safety net for the most destitute returnees, and ensuring that national development programs factor in the return dimension.

In 2006, the deteriorating security situation, notably in the South and South-East, has had consequences for the work of humanitarian and development actors. With increasing restrictions on access to beneficiaries and even physical movement, UNHCR has deployed an innovative monitoring and implementing mechanism through local partners to ensure programme delivery and to continue performing its key functions (returnee monitoring, delivery of return and reintegration assistance).

Shelter continues to be one of the most pressing needs of returnees. In 2006, over 18,000 shelter units are being provided to vulnerable returnee families. Beneficiaries include those who returned from the Federally Administered Tribal Areas (FATA) in Pakistan due to camp closure towards the end of 2005 as well as those landless returnees who have received land under the National Land Allocation Scheme.

The Employment Service Centre set up in partnership with the International Labour Organisation (ILO) and MoRR, to facilitate the job search of returnees, has started providing services. The centre is linked to a network of other similar initiatives and potential employers. UNHCR, ILO and the micro-credit institutions are making joint efforts to establish a practical linkage between skills development and micro-finance.

The **National Land Allocation Scheme** launched under the leadership of MoRR offers the potential to assist landless returnees who so far have not been able to benefit from UNHCR's shelter program. To date, more than 300,000 plots of government land have been identified in 29 provinces. Some 18,000 plots have already been distributed. UNHCR fully supports the land allocation policy and seeks to ensure that it benefits to the maximum extent possible (but not exclusively) returning refugees and IDPs. UNHCR's engagement, both at the Kabul and provincial levels, entails a wide range of supportive interventions – land identification, beneficiary selection, pilot assessments, site preparation, property titles, communication, livelihood promotion, and monitoring. The Terms of Reference of the UNHCR-funded Reintegration Unit at MRRD have been revised to make the Unit a key institutional instrument for UNHCR's support to the implementation of the land allocation policy. One key task is to ensure that existing National Development Programs support the land allocation to the maximum extent possible.

UNHCR continues playing an advocacy role, to ensure that returnees benefit from National Development Programmes (National Solidarity Programme (NSP), National Emergency Employment Programme (NEEP), Micro-credit Programme (ISFA), and that areas of high returns are not neglected by development actors.

6. Future perspectives

Since 2003, UNHCR has led consultations with the three governments of the region and major donors to explore how the Afghan refugee situation should be addressed in future. The purpose was partly to prepare for what UNHCR anticipated would be a slowdown in the repatriation momentum once those Afghans with the required assets, skills, and motivation had already returned home. In its document entitled “Challenges to Return” published in March 2004 UNHCR asserted that the return of the long-staying Afghan populations would need to confront many complex issues including poverty, social exclusion, and a livelihood system and support network that depended significantly on continued mobility between Afghanistan and the neighbouring countries. It also suggested that movements to and from Afghanistan were becoming increasingly normalised in character and now required distinct policy frameworks and arrangements to distinguish them from refugees.

To encourage longer-term policy development on workable solutions to these challenges, UNHCR, with the European Commission funding, has supported an extensive and field based research programme carried out in partnership with the International Labour Organisation, the International Organisation for Migration (IOM), the Afghanistan Research and Evaluation Unit (AREU) and independent institutes in the region. The aim has been to inform policy makers on such matters as the composition and key characteristics of the current Afghan refugee populations, their economic presence and activities in Iran and Pakistan, their connections and networks with Afghanistan, their mobility within the region, and the reintegration process. The results to date have been showcased at conferences in Kabul (April 2005) and Islamabad (February 2006) and can be found under the rubric Research/Evaluation on the Afghanistan Page of UNHCR’s public website (<http://www.unhcr.org/cgi-bin/texis/vtx/afghan>).

It has long been UNHCR’s position that the changes in the nature of the population and in cross border movements require policy responses and practical arrangements that cannot be operationalised within a refugee framework or through using humanitarian instruments and funding alone. The research findings to date have validated this assessment. UNHCR will continue to support future research and analytical work on the issues outlined above in order to encourage future convergence on the components of an achievable set of solutions, objectives, and supporting programmes.

7. Funding of the Afghan Operation

By end-September, UNHCR's Afghan Operation has received USD 57, 426,913 in funding, or 57% per cent of the USD 101,306,261 EXCOM approved budget for 2006. The contribution includes Afghanistan, Iran and Pakistan and the South West Regional activities related to the Afghan operation.

The Office is grateful to the governments of Australia, Austria, Canada, France, Germany, Italy, Japan, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom and the United States of America, as well as the European Commission and private donors for their generous contributions to this Programme. The private donors include Australia for UNHCR, Japan Association for UNHCR, Shinnyo-en and USA for UNHCR.