



# **Country Operations Plan 2007**

## **AFGHANISTAN**

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## 2007 COUNTRY OPERATIONS PLAN

### Part I: OVERVIEW

#### **1. Protection and socio-economic operational environment**

Political environment: By 2007, the development process outlined in the Afghanistan Compact, concluded in January 2006 will be well underway. The emphasis with regard to governance, rule of law and human rights, as outlined in the five year Compact, will be on establishing functioning institutions at the sub-national, namely the provincial level. These institutions will include civil administration, police, prisons and judiciary. Coupled with efforts to work towards civil service reform by introducing a merit-based system in public administration, efforts to address raising levels of corruption will be made. Slow progress towards the ambitious benchmarks set by the Afghanistan Compact is expected and will most likely be uneven across the country, depending on the presence and activities of anti-government forces. Generally, developments will take place in the context of a difficult balance between reformist and conservative forces, in particular within the Supreme Court and quarters of both houses of Parliament.

Security: The security situation is likely to remain a concern in the south and south-east of the country where anti-government groups remain active, using increasingly indiscriminate means, including ambushes, suicide bombings and IEDs. Such activities are expected to have an impact in slowing down administrative reforms at the provincial and district levels. UNHCR's direct access to returnees in Afghanistan is unlikely to be significantly improved in 2007 and reliance on remote mechanisms through partner will continue to be used. The building of the capacity and deployment of the Afghan National Army (ANA) and Afghan police forces (ANP) will have reached a stage where these forces can be increasingly counted on to intervene and stabilize the security situation in different parts of the country. Pockets of "commanderism", within and outside the local administration, are expected to continue to persist, but limited in geographical scope.

Human rights environment: It is expected that there will be a gradual improvement in the overall human rights situation, in particular with regard to abuses by local commanders and their armed men, provided their disarmament and the disbanding of illegal armed forces can successfully be completed, as foreseen by the Afghanistan Compact, by end 2007. Concurrently, it is anticipated that some modest progress can be achieved in addressing impunity through investments, including as outlined in the strategy adopted by the government, for justice sector reform "Justice for All". In an overall context of insecurity of land tenure, cases of land and property confiscation and occupation as well as disputes over property will remain significant problems and pose obstacles to safe reintegration of returnees. This was recognized as a priority and the Afghanistan Compact therefore foresees a process of registration of land and titles underway in 2007 as well as a system for the settlement of land disputes to be in place by end 2007. The establishment of effective systems for the settlement of land disputes, including strengthening existing traditional and formal conflict resolution mechanisms, is expected to be gradual. Access to effective remedies, including to legal aid, in case of grievances or human rights violations will remain a challenge and priority for UNHCR and other actors, including the Afghan Independent Human Rights Commission (AIHRC).

Socio-economic environment: Despite gradual improvements in the delivery of public services, Afghanistan will remain a country with some of the poorest basic social indicators, including high infant, child and maternal mortality rates and low literacy rates as well as non-existent and weak structures to absorb extremely vulnerable individuals. As outlined in Afghanistan's Millennium Development Goals Report of 2005, Afghanistan still has far to go to achieve minimum standards of the most basic human welfare measures. Public services, transport infrastructure, electricity and water management will remain poor and unlikely to meet standards known to Afghans while in exile. While the effects of drought might be mitigated in many areas, water-management in rural areas will remain a challenge as will be housing and land for the many Afghans, in particular returnees, who do not own land or property in Afghanistan. Monitoring information suggests that as many as 46.5 % of the returnees face housing problems, in particular with regard to habitability. Another main challenge, including for returnees, are sources of income and employment: Some 28% of the households interviewed report not to have a stable source of income and for 19% of the households unskilled daily wage labour is their main source of income.

It is estimated, that by the end of 2006, there will still be close to 3 million Afghans residing in Pakistan and Iran, as well as some 50,000 IDPs. The gradual positive developments within Afghanistan as well as, increasingly, changes in policy affecting Afghans in countries of asylum, including measures such as camp-closures will prompt another significant return movement in 2007. Decisions to return to Afghanistan are likely to be increasingly influenced by changes in countries of asylum. Against this background, the planning figures for return in 2007 are 300,000 persons from Pakistan and some 100,000 from Iran. The return of Afghans from countries other than Iran and Pakistan is expected to be limited, estimated at 3,000 persons.

For the duration of 2007, modalities for UNHCR assisted repatriation, with the provision of cash- and transportation assistance, are expected to remain in place. Therefore, it is anticipated that current tripartite agreements and arrangements with Iran and Pakistan will be extended during 2007. Meanwhile, concrete steps will continue to be pursued with the concerned governments of Afghanistan, Pakistan and Iran, in order to promote a bilateral management of population movement across their borders, including migration for labour purposes, and to address the situation of Afghans who for a variety of reasons are not yet expected to return.

Return rates of IDPs in the South have been lower than anticipated in 2005. UNHCR estimates that by end 2006, some 50,000 IDPs will be remaining. In order to be able to assist, as necessary, the vulnerable ones among them, and to further self-reliance among those locally settling or having returned, resources for some 50,000 IDPs are set aside in UNHCR's Country Operations Plan for 2007.

## **2. Operational goals and potential for durable solutions**

In accordance with the overall strategy of the Bureau, and as an integral part of the regional operation covering Afghan refugees in Iran, Pakistan and elsewhere, the operational goals and objectives are the following:

**Goal 1:** Facilitate the voluntary, safe and gradual return of Afghans returning from Pakistan (300,000), from Iran (100,000) and other host countries (3,000) and assist their reintegration during an initial period following return, while addressing obstacles to physical, legal and material safety and supporting and advocating for their longer term reintegration.

**Goal 2:** By end 2007, remaining former IDPs in Afghanistan are self-reliant and firmly settled, in areas of origin or locally where they were displaced and vulnerable groups among them are supported through existing mechanisms.

1. Refugees and returnees have access to information to make informed decisions on return, through bulletins, Q&As, radio-programmes as well as, where necessary, Go and See and Come and Talk visits.

2. Refugees, returnees and former IDPs have access to information and legal services to enable them to resolve obstacles to reintegration and settlement, particularly concerning land and property restitution through traditional or formal conflict-resolution and justice mechanisms. Legal aid services will be provided in partnership with the Norwegian Refugee Council (NRC).

3. Obstacles to safe and dignified return and reintegration continue being identified and the national capacity, particularly of the AIHRC, to monitor, document and intervene to address these is enhanced, in close co-operation with human rights and rule of law actors, including UNAMA HRs.

4. National and provincial mechanisms, both governmental and non-governmental, to assist and facilitate solutions for extremely vulnerable persons (EVIs) of concern to UNHCR, including women exposed to risk, are functioning and able to absorb a growing number of medical, social and other vulnerable categories of Afghans, identified at the border, at encashment-centers as well as in areas of return.

5. Each returning refugee receives a transport grant (ranging from US \$ 3 to 35 per person according to final destination) and a reinstallation grant of US\$ 12 upon arrival in Afghanistan.

6. Identified 14,000 returnee households, among those who are vulnerable and have access to land for settlement, will have access to shelter assistance.

7. A small number of returnees and former IDPs will be provided with short-term employment opportunities through cash-for-work, income generation, including to contribute to community assets, or access to skills development programs.

**Goal 3:** Longer term reintegration needs of returnees are addressed within the framework of national development programmes, particularly in key areas of return, including land allocation to Afghans without land or housing for settlement.

1. In line with the Afghanistan Compact, UNHCR will continue the more structured advocacy and dialogue with the Afghan government, donor government financial institutions and development actors to enlist their support in facilitating the reintegration of returnees. Employment, social housing in urban areas as well as access to land for settlement will continue to be highlighted.

2. UNHCR will continue to actively support the national land allocation programme, initiated by MORR, by facilitating co-ordination with other line ministries, technical assessments, preparations of costed proposals and linkages to donors. Part of UNHCR shelter assistance programme will be used to enable vulnerable returnees, benefiting from land-allocation to built shelters.

**Goal 4:** The Afghan authorities will be supported in the management of the voluntary repatriation operation, as well as in their dialogue, in particular with neighboring countries on the management of population movements and solutions for Afghans, including refugees, abroad.

1. MoRR and its departments continue to be increasingly responsible for the management of the encashment centres, border-monitoring, identification of and assistance to EVIs and other aspects of the return operation, including the dialogue with countries of asylum. The ministry will also continue to play an active advocacy role within and outside the government to enlist the support of others in the longer term reintegration of returnees, including the national land allocation programme. UNHCR will continue to support MORR and its departments, according to agreed, co-operation objectives, including financially.

2. UNHCR will continue, in co-operation with ILO and IOM, to support and strengthen the capacity of the Afghan government to pursue bilateral discussions with its neighbors on issues related to migration and population movement. Meanwhile consultation with donor governments, Afghanistan, Iran and Pakistan will continue to facilitate solutions for Afghans who cannot yet return to their country of origin. (NB: budget requirement related to this goal are not covered under the 2007 COP for Afghanistan as explained in Part II).

**Goal 5:** Asylum-seekers and refugees have access to fair and efficient refugee status determination procedures in Afghanistan, their needs are addressed and solutions facilitated, increasingly through governmental mechanisms.

1. Following its accession to the 1951 Convention and 1967 Protocol, the Government of Afghanistan will develop national refugee legislation, and increasingly manage refugee protection in accordance with international standards. Meanwhile, UNHCR will continue refugee status determination under its mandate in close co-operation with the authorities.

2. Needy asylum-seekers and refugees are assisted while opportunities for self-sufficiency are explored and provided.

3. Refugees and other persons of concern will have access to durable solutions, through voluntary repatriation, resettlement or local settlement.

## **Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP**

### **1. Outcomes of joint planning and management of identified gaps**

**In order to facilitate the voluntary, safe and gradual return of Afghans, as is provided for in tri-partite agreements and related meeting conclusions, UNHCR Afghanistan submits a 2007 plan which, in its view, presents the required balance between assistance to return and the minimum level of reintegration support for the most vulnerable segments of the returnee population for the agreed upon planning figure of 403,000 returns.**

The facilitation of the voluntary repatriation and initial reintegration of Afghans in Afghanistan and the support provided to remaining Afghan populations in Pakistan and Iran will continue in 2007 to be managed as a regional operation (thereafter referred to as the Afghan Operation). An important facet of the management of the Afghan Operation has been the dedicated effort, through the establishment at the end of 2003 of the Afghan Comprehensive Solutions Unit (ACSU) in Geneva, to pursue a policy initiative aimed at engaging countries in the region, donors, civil society and UN partners in a gradual transition in the management of population movements from and to Afghanistan from a refugee to a broader migration framework. The need to ensure a balance between sustained return flows and initiatives aimed at improving the legal and socio-economic

status of remaining Afghan populations in countries of asylum has underlined the initiative since its inception.

In early 2006, an outline strategy for the period 2007-2009 was developed for the Afghan Operation foreseeing the voluntary return of an additional 1.6 million Afghans over the three-year period and the development of a sound policy and institutional arrangement basis for the completion of the aforementioned transition beyond 2009. The strategy provides the multi-year framework in reference to which 2007 country operations plan in the region have been formulated. The extent to which UNHCR will be in position to assist with the return and reintegration of 403,000 Afghans in 2007 will directly impact its ability to pursue its multi-year strategy for the period 2007-2009.

Since the inception of the Afghan operation in 2002, the main purpose of UNHCR's involvement has been to support Afghan authorities in managing the return and initial reintegration of refugees and IDPs.<sup>1</sup> To this end, UNHCR has from the outset actively participated in, and supported the co-ordination mechanisms established by the Government, notably through the National Development Budget process. It is within this forum – also involving other international organizations and NGOs- that the content of UNHCR's programmes and its sectoral orientations are debated and approved.

UNHCR also strives to ensure that key international political agreements and national development plans duly factor in the returnee dimension. In the latter respect, it is worth further elaborating on the following important recent developments and the manner in which they relate to the return and reintegration of returnees and IDPs.

Vision 2020 - Millennium Development Goals Report (2005): The first MDG report produced by Afghanistan in 2005 articulates its overarching goals and targets for the period 2005-2020 for the well being of its people. Countries signatory to the Millennium Declaration in September 2000 set development goals and targets to be achieved by 2015 on the basis of 1990 baseline references. Afghanistan has set itself the challenge of reaching its own development goals and target within a 15-year period by 2020. The overall assessment contained in the report brings to the fore the immense distance to be covered to provide all Afghans, in all parts of the country, with a better standard of living. The report has been ratified by the Cabinet and constitutes an official document.

The Afghanistan Compact (2006 – 2010): At the conference held in London on January 30<sup>th</sup> and 31<sup>st</sup> 2006, the Afghan Government and some fifty countries endorsed an agreement, the Afghanistan Compact, containing a shared vision for the furtherance of peace, stability and the promotion of an equitable and broad-based economic growth over a five-year period. The Compact articulates the vision in relation to three inter-related pillars: i) security, ii) Governance, Rule of Law, Human Rights and iii) Economic and Social Economic developments and stresses the interconnectedness between the three. For each pillar a set of specific and time-bound benchmarks have been agreed. Counter-narcotics is reflected as a vital cross-cutting issue.

The compact contains three benchmarks of direct relevance to the Afghan operation as follows:

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<sup>1</sup> This policy is reflected in the “National Return, Displacement and Reintegration Strategy”, which was developed with UNHCR's active participation, adopted by the Afghan government in 2002 and which remains the basis for the current engagement in return and reintegration matters. The strategy sets out the principles guiding the return of Afghans (voluntary, gradual) and sets out the delineation of responsibilities between concerned ministries i.e. the Ministry of Refugees and Repatriation (MoRR), the Ministry of Rural Rehabilitation and Development (MRRD) and the Ministry of Urban Planning and Development (MuDH).

- One under the heading Human rights: “...., human rights monitoring will be carried out by the Government and independently by the AIHRC, and the UN will track the effectiveness of measures aimed at the protection of human rights; the AIHRC will be supported in the fulfillment of its objectives with regard to monitoring, investigation, protection and promotion of human rights.
- One under the heading Social Protection: “ By end-2010, all refugees opting to return and internally displaced persons will be provided assistance for rehabilitation and integration in their local communities; their integration will be supported by national development programmes, particularly in key areas of return.
- The other under the heading Regional co-operation: “ ...;and Afghanistan, its neighbors and countries in the region will reach agreements to enable Afghanistan to import skilled labour, and to enable Afghans to seek work in the region and send remittances home.”

The Afghanistan compact places a marked emphasis on the importance of regional co-operation, the need for the reform of the justice sector. It also recognizes the pervasive and corrosive effect of the cultivation and trafficking of narcotics and called for the timely implementation of the new National Drugs Control Strategy. The reading of the benchmarks clearly illustrate the formidable challenges that lay ahead of Afghanistan to ensure peace and stability all over the country and provide all its citizens with basic standards of living.

The Afghan National Development Strategy (ANDS) 2007-2010: The Afghan Government is fully committed to the preparation of a five-year (2006-2010) National Development Strategy through a thorough and consultative process. In 2004, the Afghan Government developed a seven-year development strategy (Securing Afghanistan Future/SAF), according to which US \$ 27.6 billion would be required to make Afghanistan secure and enable its people to benefit from improved standards of living.

The Afghan government is currently in the process of revisiting its national development strategy, now referred to as the Afghan National Development Strategy (ANDS). This is being achieved in two stages. First, an Interim-ANDS was completed at the end of 2005 for 2006 as an interim step pending the preparation in 2006 of a full-ANDS for the period 2007-2010. The full ANDS is intended to lay out the government strategy and investment priorities to achieve the vision contained in the Afghanistan Compact as well as the MDG targets set out in the 2020 vision MDG report. The ANDS will serve as final Poverty Reduction Strategy Paper for the purpose of soliciting and obtaining support from the IMF and the World Bank. Initial costing exercise point to an annual requirement of US \$ 4 billion for the development budget (including US \$ 233 million for the social protection sector).

The I-ANDS and ANDS are structured around the same three overall pillars of the Afghanistan Compact and eight related sectors and five cross-cutting themes<sup>2</sup>. Co-ordination mechanisms set up for the development of the ANDS mirror the structure of the two strategies. UNHCR is actively participating in the most relevant working groups to ensure that the national strategy fully factor in both the return dimension as well as the status of Afghan populations abroad. The ANDS will provide the overall strategic umbrella in relation to which the directions and content of national programmes will be either defined or revisited.

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<sup>2</sup> The eight sectors are: Security, Governance/Rule of law and Human rights, Infrastructure and Natural Resources, Education, Health, Agriculture and Rural Development, Social Protection, Economic Governance and Private Sector Development. The five cross cutting themes are Gender equity, Counter narcotics, Regional co-operation, Anti-corruption and Environment.

National Development Programmes : UNHCR does not confine its advocacy and co-ordination role to ensuring that overall national plans adequately address the return dimension, it also does so in relation to specific National Development Programmes as indicated below:

**National Land allocation Programme** : Under the leadership of MoRR, the land allocation programme was formally launched on December 6<sup>th</sup> 2005 with the passing of decree 104. The programme foresees the allocation of some 400,000 plots of public land to landless returning refugees, IDPs as well as to other landless vulnerable Afghans. At both Kabul and provincial levels, UNHCR fully supports the policy and its implementation through mainly co-ordination.<sup>3</sup> The programme offers the opportunity for UNHCR to assist a distinct vulnerable segment of the returnee population that so far could not benefit from the shelter programme.

**Area-Based Development Programme (ABDP) Phase 2 (2006-2008)**: The implementation of the land allocation policy is envisaged within the context of the UNDP-sponsored Area Based Development Programme aimed at building the capacity of the Ministry of Rural Rehabilitation and Development (MRRD) - with a particular emphasis in phase II on the provincial and district levels - and promoting integrated rural development. In doing so, it is hoped that the Land Allocation Programme will benefit from adequate interactions with existing national development programmes as well as from the expertise and interventions of relevant line ministries and other UN agencies.

**National Solidarity Programme (NSP)**: From the onset of the programme in September 2003, high return areas have been considered as one of the main targeting criteria. Under Phase II of the NSP programme (April 2006 to March 2011), 12,000 villages will be targeted for a total budget of US \$ 906 million.

**National Skills Development Programme (NSDP)/Microfinance Investment and Support Facility in Afghanistan (MISFA)**: UNHCR's limited involvement in the employment sector through its co-operation with the ILO (Employment Service Center) has proven to be opportune. ILO has been awarded the responsibility of "grant manager" by the Ministry of Labour and Social Affairs (MoLSA) for the annual US \$ 10 million worth national budget for vocational training under the NSDP. UNHCR has recently initiated discussions with both ILO and MISFA to explore the manner in which the access of returnees to both vocational training and micro-credits could be enhanced.

As in previous years, the entirety of UNHCR country programme is part and parcel of the **National Development Budget (NDB)** prepared and approved by the Afghan Government. The co-ordination of external actors by the government has been achieved through the means of thematic groups, the **Consultative Groups (CG)** led by a Ministry and supported by a designed international organization, the Focal Point. UNHCR is the Focal Point for **CG1** dealing with matters relating to IDPs and returnees. Programmes and budgets of relevant ministries, international organizations and NGOs are appraised prior to being approved and form an integral part of a CG annual budget. Part of UNHCR's budget is also reflected under the CG4 budget (Livelihood and Social Protection). For the year 1385 (March 2006-March 2007), the overall CG1 core and development budget amounts to US \$ 96.1 million (see details below).

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<sup>3</sup> UNHCR's policy in support of the National Land Allocation policy is presented in a guidance paper prepared and disseminated by UNHCR Afghanistan in February 2006.



## 2. Comprehensive needs and contributions

The CG1 budget for the year 1385 (March 2006-March 2007) is composed of three parts as described below:

<b>CONSULTATIVE GROUP 1 (RETURNEES, IDPS) YEAR 1385 APPROVED BUDGET</b>		
<b>Organization</b>	<b>Budget</b>	<b>Purpose</b>
<b>1. CORE BUDGET</b>		
MoRR	US \$ 2.86 million <sup>4</sup>	Government recurrent costs (principally salaries)
<b>2. CORE DEVELOPMENT BUDGET</b>		
MoRR	US \$ 2.5 million	Support to the land allocation programme for pilot projects in five provinces
MoRR	US \$ 1 million	Capacity-building
<b>3. EXTERNAL DEVELOPMENT BUDGET</b>		
CARE, ACTED, IOM, WFP, UNHCR <sup>5</sup>	US \$ 64 million	Return and reintegration of Afghan refugee and IDPs
<b>TOTAL</b>	<b>US \$ 70.36 million</b>	

Part of UNHCR's programme and the related budget are reflected under CG4 (Livelihood and social protection) for an amount totalling US \$ 7.9 million.

A number of important partnerships are not reflected in the above CG budgets but are of direct relevance to UNHCR's programme as indicated below.

**Afghanistan Independent Human Rights Commission (AIHRC):** In 2005, the Afghanistan Independent Human Rights Commission developed, in broad consultations, a three year action-plan 2006 to 2008. The action plan incorporates the human rights field monitoring activity, developed in partnership with UNHCR as of February 2005. In order to be able to implement its action-plan, the Commission has submitted a project document to various donors and seeks direct funding, including from the Government budget. UNHCR will continue to support the monitoring and intervention activities of AIHRC, including financially, the volume of which has significantly grown.

**Norwegian Refugee Council (NRC):** NRC is planning to continue to operate eight Information and Legal Aid Centre (ILAC), providing legal advice, legal aid and information which are key to return and reintegration, increasingly with the perspective for these becoming a national legal aid service, focused on civil law (in particular on property issues). UNHCR support is limited to part of the programme, with large contributions coming from the Norwegian Ministry of Foreign Affairs and the European Commission.

**GTZ/BMZ:** Under the tri-partite arrangement that has been in place since 2005, it is expected that BMZ will continue to contribute some 25 % of the total volume of the joint GTZ/UNHCR operation in Afghanistan.

Whilst precise figures have proven difficult to be obtained, UNHCR clearly expects donors, notably the EC, US and Japan governments to name but a few, and NGOs, to contribute to

<sup>4</sup> Equivalent to Afghani 140 million

<sup>5</sup> Detailed breakdown is provided as per Annex 4

programmes benefiting directly the reintegration of Afghans, most particularly in the areas of support to the land allocation, construction of shelter, income-generation and rural development.

In relation to the current and expected future content of the National Development Budget, the following needs are not reflected in the budget presented for core funding in the 2007 COP and should thus be reflected as “unmet needs” for a total of US \$ 36.7 million.

<b>PROPOSED UNMET NEEDS</b>	
<b>Proposed activity</b>	<b>US \$ Amount</b>
Repatriation grants as per new return arrangements	6,000,000
Support to Information and Legal Aid Centers (ILACS)	500,000
Support to National Human Rights Monitoring	5,500,000
Expansion of EVI network from 11 to 30 provinces	500,000
Construction of 8,000 houses	5,600,000
Income-generating activities	5,000,000
Land distribution to 50,000 families	15,000,000
<b>TOTAL</b>	<b>38,100,000</b>

The planned completion of the registration of Afghans in Pakistan and the subsequent issuance of Proof of Registration Cards by the end of the current year will offer the opportunity to introduce new return arrangements from both Pakistan and Iran in 2007, involving an increase of the travel and reintegration grants.

It should be stressed that the Afghanistan COP 2007 does not cover the 2007 component of the ACSU budget for which an extra-budgetary contribution has already been received from the EC (DG Relex) in 2006. In the same vein, the extra-budgetary components pertaining to 2007 included in the EC regional funding contract (include reference) are not covered under the COP 2007 either.