



BEYOND THE **BLANKET**:  
TOWARDS **MORE**  
**EFFECTIVE PROTECTION**  
FOR INTERNALLY  
**DISPLACED PERSONS**  
IN **SOUTHERN**  
**AFGHANISTAN**

BROOKINGS-BERN PROJECT ON  
INTERNAL DISPLACEMENT

THE LIAISON OFFICE (TLO)

May 2010

BROOKINGS

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**UNIVERSITÄT  
BERN**



# BEYOND THE BLANKET: TOWARDS MORE EFFECTIVE PROTECTION FOR INTERNALLY DISPLACED PERSONS IN SOUTHERN AFGHANISTAN

A Report of the Brookings-Bern Project on Internal Displacement  
and The Liaison Office (TLO)

May 2010



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### **ABOUT THE BROOKINGS-BERN PROJECT ON INTERNAL DISPLACEMENT**

The Project on Internal Displacement was created to promote a more effective national, regional, and international response to this global problem and to support the work of the Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons in carrying out the responsibilities of the mandate. The Project monitors displacement problems worldwide, promotes the dissemination and application of the Guiding Principles on Internal Displacement, works with governments, regional bodies, international organizations and civil society to create more effective policies and institutional arrangements for IDPs, convenes international seminars on internal displacement, and publishes major studies, articles and reports. The Brookings Institution is a private nonprofit organization devoted to research, education, and publication on important issues of domestic and foreign policy. Its principal purpose is to bring the highest quality research and analysis to bear on current and emerging policy problems. Interpretations or conclusions in Brookings publications should be understood to be solely those of the authors.

### **ABOUT THE LIAISON OFFICE**

The Liaison Office (TLO) is a non-governmental organization seeking to improve local governance, peace and security in the South, East and Southeast of Afghanistan through systematic and institutionalized engagement with traditional and modern civil society structures. TLO's aim is to contribute to peace and security through strengthening the capacity of traditional and modern civil society structures in the area of peace building and conflict mediation. TLO is trying to find a way to deal with the challenge of working in insecure environments with communities desperately wanting to be part of the peace and reconstruction effort.

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## ACRONYMS

<b>ACAP</b>	Afghan Civilian Assistance Program
<b>AHDS</b>	Afghan Health and Development Services
<b>AIHRC</b>	Afghanistan Independent Human Rights Commission
<b>ANA</b>	Afghan National Army
<b>ANDMA</b>	Afghanistan Disaster Management Authority
<b>ANSF</b>	Afghan National Security Forces
<b>ANP</b>	Afghan National Police
<b>APC</b>	Afghanistan Protection Cluster
<b>ARCS</b>	Afghan Red Crescent Society
<b>CERP</b>	Commander's Emergency Response Program
<b>CF</b>	Coalition Forces
<b>DoRR</b>	Department of Refugees and Repatriation (provincial counterpart of MoRR)
<b>FEFA</b>	Free and Fair Election Foundation of Afghanistan
<b>FGD</b>	Focus Group Discussion
<b>HAP</b>	Humanitarian Action Plan
<b>HAPA</b>	Humanitarian Action for People of Afghanistan
<b>IASC</b>	Inter-Agency Standing Committee
<b>ICOS</b>	International Council on Security and Development
<b>ICRC</b>	International Committee of the Red Cross
<b>IDP</b>	Internally Displaced Person
<b>IOM</b>	International Organization for Migration
<b>ISAF</b>	International Security Assistance Force
<b>MoRR</b>	Ministry of Refugees and Returnees
<b>MRRD</b>	Ministry of Rural Rehabilitation and Development
<b>NATO</b>	North Atlantic Treaty Organization
<b>NFI</b>	Non Food Items
<b>NGO</b>	Non-governmental Organization
<b>NRC</b>	Norwegian Refugee Council
<b>OEF</b>	Operation Enduring Freedom
<b>OFDA</b>	Office of Foreign Disaster Assistance (USAID)



<b>POERF</b>	Post-Operations Emergency Relief Fund (of ISAF)
<b>PRT</b>	Provincial Reconstruction Team
<b>SSI</b>	Semi-Structured Interview
<b>UN</b>	United Nations
<b>UNAMA</b>	United Nations Assistant Mission to Afghanistan
<b>UNDSS</b>	UN Department of Safety and Security
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNOCHA</b>	UN Organization for the Coordination of Humanitarian Affairs
<b>US</b>	United States
<b>USAID</b>	United States Agency for International Development
<b>WFP</b>	World Food Programme

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## EXECUTIVE SUMMARY

**T**hirty years of continuous conflict defines much of Afghanistan's modern historical experience. A recent study by the International Committee of the Red Cross (ICRC) confirms what displacement experts monitoring Afghanistan have long argued, namely that forced displacement—whether within the country or abroad as refugees—is a fact of everyday life for the majority of war-weary Afghan households. Despite the breadth of the problem, internal displacement in Afghanistan remains a highly politicized and controversial topic.

The lack of meaningful and regular access to the various populations by humanitarian actors has resulted in significant confusion over their status as IDPs, economic migrants, or simply members of an ever-expanding urban poor. It has also contributed to a lack of effective action to address humanitarian and protection needs, understand the short and long-term intentions of the displaced, and establish coherent and common-sense approaches to local integration, either as a durable solution or as a means to allow populations a reasonable standard of living pending sustainable return to areas of origin.

Using Kandahar province as a case study and data from semi-structured interviews and focus group discussions with 152 IDPs (including 18 women), four government officials and 32 representatives of NGOs, UN and international organizations, this report details the gaps in protection, the subsequent coping strategies employed by IDPs to fill these gaps, and the process for finding interim or durable solutions for the increasing numbers of internally displaced.

The report identifies six distinct phases of displacement in Afghanistan's modern history, beginning with the Saur Revolution in 1978 that created one of the world's largest refugee populations and considerable internal displacement as the conflict became both protracted and fragmented. Despite initial returns when the Soviet Union withdrew and the Afghan Communist government was defeated, the *mujahideen* civil war prompted further waves of population displacement. The same pattern, although in smaller numbers, was repeated when the Taliban came to power in 1996. The fall of the Taliban in 2001 ushered in new displacement, as aerial bombardment and fear of reprisals against regime supporters forced people from their homes. This was followed by one of the largest assisted refugee and IDP repatriation operations in history, as more than six million refugees and IDPs returned to areas of origin in Afghanistan.

Since 2004, when cracks in the internationally-supported Afghanistan state-building enterprise began to surface and durable peace and security failed to materialize, Afghans are again finding themselves forced to flee in increasing numbers. With diminishing possibilities for asylum in neighboring

countries, internal displacement has been on the rise in Afghanistan—yet for the first time, it is much less recognized or dealt with compared to past displacement phases.

Kandahar, one of the largest of Afghanistan's thirty-four provinces, illustrates in microcosm the myriad complexities of the conflict in Afghanistan as well as the challenges facing government institutions and humanitarian agencies in confronting a worsening situation of internal displacement, addressing humanitarian concerns, and finding solutions to displacement. It also illustrates many of the larger dilemmas of national and international responsibility when it comes to addressing internal displacement in a country with a weak government and ongoing armed conflict. Despite proximity to the conflict, the province remains a destination of choice among IDPs seeking shelter and protection.

The three sites examined in this study—the border town of Spin Boldak, the Zhari Dasht IDP camp, and Kandahar-city—all host significant numbers of IDPs whose situation is described in detail in this report. As of July 2009, Kandahar-city and Spin Boldak are among the only four of Kandahar province's 18 districts that remain under full government control. In most other areas (including Zhari district, the site of the official IDP camp), the government controls only the district center.

Internal displacement and estimates of the actual numbers of displaced persons in particular remain controversial in Kandahar. The provincial department of the Ministry of Refugees and Repatriation (MoRR) and the United Nations High Commissioner of Refugees (UNHCR) in Kandahar officially acknowledge only the longstanding camp-based populations of predominantly northern Pashtuns in Zhari Dasht camp, short-term displaced IDPs in Kandahar-city and (semi-settled) Kuchi in Kandahar-city, Maywand and Panjwayi districts as IDPs, while excluding from the count those in Spin Boldak, which are comprised of a mix of protracted caseload, recent IDPs and Kuchi.

This study, however, found considerable numbers of new conflict-induced IDPs in these areas. Estimates based on local interviews vary from those found in the 2008 *National Profile of Internally Displaced Persons (IDPs) in Afghanistan* and suggest a more complex and diffuse situation than has been acknowledged to date.

IDP Categories	Kandahar-city	Spin Boldak	Zhari Dasht Camp	Total
Protracted caseload	150	1,450	890	2,490
Conflict-induced (2001)	80	750	730	1,560
Conflict-induced (post 2004/5)	4,600	16,100	130	20,830
Returnees, conflict-induced - since 2004	100	3,000	80	3,180
Returnees, conflict-induced - since 2001		12,020		12,020
Disaster-induced IDPs	100	1,770	580	2,450
Kuchi - disaster-induced	5,000	2,000		7,000
<b>Total</b>	<b>10,030</b>	<b>37,090</b>	<b>2,410</b>	<b>49,530</b>

Source: TLO/Brookings-Bern Project Field Estimates, 2009

While by no means exhaustive in scope, this study seeks to highlight the complex circumstances confronting national and international humanitarian actors in Afghanistan and evaluate efforts to respond to the needs of IDPs. Significant steps have been taken to begin to confront a worsening human security crisis, but more needs to be done. The findings in Kandahar province suggest that the breadth of displacement is greater than is often acknowledged, the assumptions of key actors are often flawed in several respects, and that IDPs are left largely to fend for themselves with few options for ensuring the physical security and protection of their families. IDPs in Kandahar are understandably frustrated with the current state of affairs and the inability of both Afghan government and international actors to extend meaningful protection. This study examines the causes of displacement, including decisions regarding when and where to flee, how IDPs cope with displacement and manage to survive with little outside assistance, and their perceptions of viable long-term solutions to their circumstances.

### **GAPS IN THE PROTECTION OF IDPs IN AFGHANISTAN**

Many of the challenges associated with creating an effective protection regime in Afghanistan are not unique: a complex insurgency, the lack of governmental capacity, an insufficient legal framework to protect the rights of IDPs, a multiplicity of international actors with differing interpretations of protection and an instinctive hesitancy to infringe on state sovereignty are all common elements of conflicts around the world. However, Afghanistan also poses distinct challenges for military and humanitarian actors in trying to balance civilian protection with larger geopolitical goals.

This report concludes that the protection scorecard of national and international actors in Afghanistan is mixed at best. While some progress has been made in acknowledging many of the benchmarks outlined in the *Framework for National Responsibility* in recent years, progress is harder to gauge in practice. Corruption and mismanagement of Presidential Decree 104 on *Land Distribution for Settlement to Eligible Returnees and IDPs* serves as a striking example. Protection failures are often due to a lack of capacity and political will, incomplete information about displacement, limited access as a result of worsening security in vast parts of the country, and a fundamental unwillingness among national and international actors to come to terms with the increasingly obvious failings of the post-2001 state-building enterprise. The increasing strength of the insurgency and subsequent rise in civilian casualties and forced internal displacement, have magnified the weakness of the Afghan government and the inability of its international allies to respond to the worsening humanitarian and security crisis. The following protection gaps were identified.

### **GAPS IN NATIONAL RESPONSIBILITY FOR IDP PROTECTION**

The protection of internally displaced persons is, first and foremost, the responsibility of national authorities. If a government is unable (or unwilling) to live up to its protection responsibility, international actors may step in to fill the gap, particularly in situations of armed conflict. All states

have specific obligations under international law, and those pertaining to IDPs are reflected in the *Guiding Principles on Internal Displacement*.

- ❖ **Weakness of the Afghan Government.** A key problem in Afghanistan is the continuing failure of the central government to live up to its national protection responsibilities, especially the realization of two crucial benchmarks of national responsibility: the allocation of adequate resources to address displacement and the requirement to prevent displacement and minimize its adverse effects. Both of these responsibilities remain largely unfulfilled. Yet, the concept of national protection is complicated in the Afghan context. While the inability of the central government to assert its authority outside of Kabul has deep historic roots, it also reflects a lack of focus on sub-national governance in the post-2001 state-building exercise. The fledgling central government lacks capacity and has limited reach in rural areas, the rule of law is weak, and government institutions are ineffective and little trusted by the majority of the Afghan people. The government functions essentially as a *rentier* state, reliant on international patrons for funding and technical assistance, many of whom are also considered parties to the conflict. Added to this is the unwillingness of local authorities to protect Afghan citizens outside of patronage networks, and the increasing fragmentation of society in some areas, such as the North, where the return of IDPs from protracted displacement is focused. National and sub-national protection mechanisms in rural areas of displacement and return are tenuous at best. The police remain among the most mistrusted of all government institutions, while the rule of law and formal judicial organs are weak or non-existent. Most IDPs interviewed expressed little confidence in the ability of the government to deliver services and protection.
- ❖ **International Military Forces undermining National Responsibility?** Ironically, the military invasion that toppled the Taliban in 2001 has also served, at least in part, to undermine the ability of the new Afghan state to assume basic protection responsibilities. The reliance on and re-empowerment of local strongmen to drive out the Taliban served only to compound an incomplete military victory over the Taliban and has contributed to the central government's failure to exercise basic sovereign responsibilities. Military intervention has reinforced local strongmen, creating a mismatch between *de jure* and *de facto* state power, with the latter being exercised not only by local powerholders (e.g., Abdur Raziq in Spin Boldak) but also by the Taliban insurgency (e.g., in Zhari Dasht), and arguably in some areas by international military actors. In sum, the Afghan government has little ability to prevent further displacement—neither over an insurgency that is willing to use civilians as shields, nor over its international allies.

## GAPS IN INTERNATIONAL RESPONSIBILITY FOR IDP PROTECTION

Although ICRC and other agencies have advocated a "working consensus" on the meaning of protection, the lack of a universally accepted definition allows different actors (e.g., state, humanitarian, political, and military) to apply very different standards.

- ❖ **International Military Forces.** The presence of international military forces in Afghanistan since 2001 has so far failed to stabilize the country. Even though the new NATO commander, General Stanley McChrystal has trumpeted the protection of civilians as a new yardstick of success in Afghanistan, the contours of “protection” remain vague and open to interpretation by the multiplicity of actors on the ground, as military forces are not yet accustomed to identifying and protecting civilians in hostile environments. While counterinsurgency guidelines caution restraint and a minimization of civilian casualties, internal displacement is not explicitly addressed. The possible negative repercussions of increased population displacement seems at times an afterthought in the current political and military discourse. It is still assumed that displacement is a short-term phenomenon, linked only to the more visible aspects of military engagement; making it sufficient to warn civilians of offensive operations, move them out of harm’s way and enable their return once an area has been “cleared” of the insurgency. A deeper understanding of the complexity of push factors behind displacement, including uncertain security situations, harassment, and the displaced being caught between warring parties has not yet been integrated into military strategy.
  
- ❖ **International Humanitarian Actors.** Humanitarian organizations have taken steps in recent years to respond to a deteriorating humanitarian situation, but the response still falls short of actual protection needs. Humanitarian actors appear caught in a bind, with their hands tied by access restrictions (the worst in the past 28 years) due to rising insecurity and a politically-charged context which makes them vulnerable targets for insurgent violence. Traditional international guardians of the rights of civilians affected by armed conflict and displacement, including the ICRC and UNHCR, have seen their ability to operate and provide protection decrease as security worsens. In addition, weak local authorities are often reluctant to engage in a constructive dialogue aimed at fulfilling protection responsibilities or finding realistic temporary or durable solutions to displacement. With the fundamental humanitarian principle of impartiality of assistance compromised, insurgents no longer distinguish among groups attempting to deliver aid to victims of conflict. All of these factors have left recent conflict-induced IDPs to largely fend for themselves amid an ever-worsening security environment. Rather than challenging the view put forth by military actors that internal displacement is short-term or by the Afghan government that displacement is motivated by economic factors, humanitarian actors tend to go along with these perceptions, out of a perceived inability to do more (linked to lack of access and information) or to a wariness of creating pull factors and longer-term aid dependency. While politicization of displacement is by no means new, either in Afghanistan or internationally, the pendulum seems to have swung from accommodating displacement to trying to downplay it, with dangerous consequences for displaced populations.

This has created a paradoxical situation. Even though the 2009 Humanitarian Action Plan foresees an increase in displacement, the objectives of the Afghanistan Protection Cluster remain geared primarily towards meeting protection and assistance needs in places of origin and addressing return



and reintegration challenges rather than emergency response to new displacements resulting from conflict. This reflects, to a large extent, a reluctance to fundamentally shift resources away from the post-conflict development framework. For example, the United States Agency for International Development budget for Afghanistan in 2009 exceeds \$1 billion, but only 2.9% of this amount is earmarked for humanitarian assistance.

## COPING WITH DISPLACEMENT

In the absence of adequate protection by either national authorities or international actors, many IDPs have begun to implement their own protection strategies. Frequently living side by side with the urban poor, they engage in similar coping mechanisms (such as informal employment), which are then often used to deny them their displacement status. The denial of IDP status compounds the problems associated with the lack of political integration and special protection needs which disproportionately affect IDP populations, resulting in what are often precarious or even negative coping mechanisms, such as seeking physical protection from local strongmen or insurgent actors. In none of the locations studied did IDPs have representation in any of the official local shuras or were they able to access development assistance. The key IDP coping strategies identified during the course of this research are:

- ❖ **Flight as a Survival Strategy.** Nearly all of the IDPs interviewed for this study identified flight as their primary coping strategy in situations of violent conflict, harassment, or natural disaster. Not all displacement was reactive. Some IDPs fled pro-actively from an unpredictable situation into a somewhat more predictable situation of displacement. And while conflict and displacement are familiar phenomena to a majority of Afghan households, the reduced levels of assistance and diminishing options for flight, as a result of conflict in Pakistan and harassment in Iran, is new. This study also found that the most vulnerable IDPs, in the absence of access to regular humanitarian assistance, are often unable to flee and remain in areas of displacement to fend for themselves. Unable to escape an unpredictable conflict situation, they are often forced to make compromises with whichever side holds the upper hand in the shifting power dynamics between the insurgency and pro-government forces.
- ❖ **Rational Choices Regarding Safe Havens.** Internally displaced persons make the same rational decisions about their destination as many economic migrants. These pull factors (e.g., economic/livelihood options, relative security, and the existence of IDP enclaves/kinship networks and shared cultural characteristics with host communities), however, mainly influence where IDPs go — not whether they feel forced to leave their places of origin. The well-established argument of migration theory that tested migratory paths and enclaves reduce the costs of migration through reliance on assistance from other 'migrants' in areas of destination was found to be applicable for forcibly displaced populations in Kandahar, especially given the absence of national and international protection and assistance.

- ❖ **Utilizing Family and Tribal Networks.** Extended family networks not only decrease the risk and costs of flight but also allow IDP households to spread risk by enabling adult men to seek livelihoods elsewhere while leaving the care of families left behind to brothers or uncles. Family and tribal networks also serve as important sources about information on events and conditions in areas of origin, complementing “go and see” visits provided by UNHCR. Especially those IDPs with land use their family networks to stay informed and keep an eye on their property. The ability to leave a male family member in charge of one’s property can, at times, facilitate flight into safety for the rest of the family. At best, this helps to protect family assets; at worst it can lead to loss of life. Child labor and arranged marriages of under-age daughters are among the more harmful coping strategies of vulnerable and unassisted IDP families in need of income.
  
- ❖ **Seeking Protection from Local Strongmen or the Insurgency.** In the absence of national and international protection, IDPs are often left with little choice but to seek the protection of local powerbrokers in places of their displacement. A key example was the head of border police in Spin Boldak and a former strongman who used the Zhari Dasht IDP camp as a rationale for the creation of a new district. In contested areas, such as Zhari Dasht, insurgents also fill this protection gap. Unfortunately this leads to the branding of IDPs as insurgents themselves and can diminish their chances of ever securing the protection of government actors. To find protection, however, IDPs often give up their rights or provide their vote to empower the strongman protecting them. All this makes them extremely vulnerable to changing political situations, as exhibited in Zhari Dasht when the local strongmen withdrew his support and was later killed. This gap largely diminished aspirations for local integration, which had been promised to encourage IDPs to move to Zhari district. Furthermore, IDPs may also fall victim to internal politics, such as when they become part of the larger power equation between the two competing host community tribes in Spin Boldak. IDPs may also be exploited to participate in illegal smuggling schemes.
  
- ❖ **Achieving Political Representation.** While the IDPs in Spin Boldak, and to a lesser extent in Kandahar-city, have managed to achieve *de facto* economic integration, they so far have been unable to achieve *de jure* political integration by obtaining representation in district councils, which are considered the true sources of local power. Without being considered as an actual ‘resident’, proven through the ability to obtain provincial identification cards, IDPs are unable to influence local politics and integrate into the community. Local power brokers may allow IDPs to remain as guests in their area, but they guard resources for their own constituencies. IDPs have responded by forming their own decision-making and lobbying mechanisms, mimicking their traditional governance mechanisms in their areas of origin. While most of the identified mechanisms (i.e., *shuras*) work on conflict resolution, two (in Spin Boldak and Kandahar-city) also appear to address gaps in political representation and serve as lobbying mechanisms with provincial officials. So far, however, these mechanisms have largely failed to fill the gap of politi-

cal integration, with IDPs still considered as outsiders by their hosts, regardless of their length of displacement. The recognition and support for these *shuras* depends on the ability of local IDP communities to successfully negotiate with local power holders for support.

## DURABLE SOLUTIONS

Given the mixture of protracted and more recent conflict-induced displacement, discussion of durable solutions for IDPs in Afghanistan in the midst of worsening conflict seems both highly ironic and, at the same time, long overdue. Interviews with protracted caseload IDPs suggest that the focus on durable solutions is neither misplaced nor premature, but that the process of achieving solutions is flawed in several key respects that undermine their sustainability. The question of when displacement ends, or more specifically, when IDPs are no longer considered vulnerable as a result of their displacement, is particularly relevant in the Afghan context and has significant consequences for the targeting of appropriate assistance and the development of advocacy strategies that will ultimately lead to durable solutions.

Applying the fourteen criteria outlined in the *Framework for Durable Solutions*, this study assesses past efforts and future possibilities for solutions to the growing crisis of internal displacement in Afghanistan. Conceptually, options for durable solutions for IDPs closely mirror those for refugee populations: return to areas of origin, local integration, or resettlement elsewhere, all of which focus on enabling IDPs to achieve parity with non-displaced populations, both in terms of the exercise of their rights and freedoms as well as their socioeconomic conditions. The following can be highlighted:

- ❖ **Return as the Preferred Solution.** The refusal of the Afghan government to realistically consider resettlement and local integration has left return as only *de facto* durable solution for protracted caseloads currently being pursued. This should come as no surprise in the Afghan context where the return of some 5 million refugees has been (perhaps prematurely) hailed as one of UNHCR's signature achievements. The return of IDPs seems to follow a similar logic and is in keeping with a nostalgic narrative of displaced population longing to go home, regardless of how realistic this option may ultimately be. However, the past efforts among Zhari Dasht IDPs to return to areas of origin in the North and West underscore the significant obstacles facing those going home to a contested region. Anti-Pashtun discrimination, lack of livelihoods, and the inability to reclaim lost lands have all undermined the sustainability of previous returns. Without exception, this study found that IDPs felt they had little choice but to "cash out" of the system and accept the UNHCR-funded return package, irrespective of whether they intended to go home or not. Most indicated that they would remain in Zhari Dasht or relocate to other parts of Kandahar province.

- ❖ **The Importance of Land for Durable Solutions.** While land plays a role in making return possible, it also plays a crucial role in making local integration or resettlement in other areas of Afghanistan a feasible alternative. While IDPs in Spin Boldak have been able to purchase land, the legality of their documents is not guaranteed. Thus, local integration in theory is possible where land is available, as long as the government is willing to allow IDPs to settle and guarantee their rights. In Zhari district, however, an attempt to locally integrate IDPs was marred by intense resistance from the host community wanting land for its members. Thus, in addition to land allocation schemes focusing only on areas of origin, assistance schemes need to deal with resource competition over land before local integration can be a serious possibility. As long as land remains a means to wealth and power, land allocation schemes are likely to be riddled with corruption unless strong checks and balances are put into place. Nevertheless, the fact that Pashtun IDPs are willing to consider permanent resettlement in other parts of the country and forego their rights to traditional lands is a potential opportunity for finding durable solutions.
  
- ❖ **The Need for Interim Solutions for Conflict-induced IDPs.** The lack of access and subsequent knowledge about new conflict-induced IDPs has created an unbalanced focus on protracted caseload IDPs even though current circumstances in Afghanistan would normally prompt an emergency humanitarian response. IDP communities and their needs, however, are diverse. Recent recommendations by the United Nations Representative of the Secretary General on the Human Rights of Internally Displaced Persons should be applied to conflict-induced populations that have arrived in Kandahar since 2004 as part of a broader protection strategy. This signifies a focus on practical interim solutions that allow IDPs to exercise rights and access livelihood options on par with host community residents while awaiting the moment when return in safety and dignity becomes possible. The assumption that IDPs are able to return home once bombs stop falling needs to be reconsidered in order to create opportunities for more long-term assistance in Spin Boldak and Kandahar-city. Forced displacement will lessen only when the underlying problems in the areas of origin are addressed and security is restored, not by denying assistance to those affected by armed conflict. The fact that lack of assistance skews displacement to those who can afford it presents an important protection and ethical dilemma that needs to be addressed. While mixed migratory patterns and staggering levels of urban poverty lead to discussions of whether it makes sense to even attempt to disaggregate IDPs from the larger populations of poor, particularly in urban areas, one cannot ignore the unique protection needs of IDPs. Thus, humanitarian agencies need to improve their efforts to separate protection from material needs assessment for IDPs (which indeed often overlap with non-displaced communities) in order guarantee the same rights for displaced communities as other rural poor.



## RECOMMENDATIONS

Based on interviews with IDP communities and an assessment of the IDP situation in Kandahar, this study makes the following recommendations:<sup>1</sup>

### TO THE AFGHAN GOVERNMENT AND INTERNATIONAL COMMUNITY:

- ❖ In light of different assessments of IDP figures, the MoRR in close collaboration with UNHCR is encouraged to add criteria and conditions for assessing when displacement ends to the National IDP Task Force Strategy. The *Framework for Durable Solutions* can provide necessary guidance.
- ❖ UNHCR and the Southern IDP Task Force are encouraged to review their population-tracking mechanism and compare it with that of the Afghan Red Crescent Society in terms of identifying IDPs in urban settings, such as Kandahar-city.
  - A swift execution of Activity 3 of the National IDP Task Force strategy “to conduct profiling exercises with emerging/new IDPs populations... especially in relation to conflict-induced IDPs fleeing into urban areas” is crucial.
  - Any new assessment should include Kandahar-city and Spin Boldak.
  - Land ownership should be included in reviews in order to assess feasibility of return in the future.
- ❖ As currently no official IDP figures for Spin Boldak exist, the MoRR, in collaboration with UNHCR, is encouraged to engage in a population-tracking exercise in Spin Boldak. The following categories of persons should be included:
  - Recent conflict-induced caseload;
  - Protracted caseload (conflict and environmentally induced);
  - Kuchi; and
  - Secondary displaced returnees.
- ❖ For remaining protracted caseload IDPs (scattered between Zhari Dasht camp, Spin Boldak and Kandahar-city), the MoRR and UNHCR are encouraged to apply the *Framework for Durable Solutions* in order to determine IDPs for which sustainable return is feasible and those for

<sup>1</sup> Some similar recommendations were already made six years ago by the Inter-agency IDP Mission to Afghanistan, 2003, *The Internally Displaced in Afghanistan: towards durable solutions*, Report of the Inter-agency Mission, May 2003; <http://www.icva.ch/doc00000994.html>

which there remain difficulties, such as fears of ethnic discrimination or the unavailability of land and livelihoods.

- ❖ Efforts should be encouraged to develop and sustain a more integrated approach among UN agencies, NGO and government partners to plan and implement a comprehensive strategy for solutions for those IDPs affected by loss of livelihoods.

### **TO THE AFGHAN GOVERNMENT:**

- ❖ Consider the full range of options for durable solutions for IDPs (i.e., return, local integration and/or resettlement).
  - In addition to efforts in Zhari Dasht camp, permanent local integration should be facilitated for protracted IDPs in Spin Boldak.
  - In areas where displacement was caused by ethnic conflict, efforts to promote return and reintegration should be coupled with government-supported reconciliation and transitional justice measures.
- ❖ Ensure that IDPs have access to national development initiatives combined with specifically targeted community-based interventions, such as the National Solidarity Programme (NSP),<sup>2</sup> the National Area-Based Development Programme (NABDP),<sup>3</sup> or the National Rural Access Programme (NRAP),<sup>4</sup> to support local integration and return for IDPs as well as their well-being while waiting for durable solutions.

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<sup>2</sup> NSP was created by the Government of Afghanistan as the primary vehicle used to promote rural development in Afghanistan. Through elected Community Development Councils (CDCs), local communities identify, plan, manage and monitor their own development projects; <http://www.mrrd.gov.af/nsp/>

<sup>3</sup> NABDP is one of the six closely interlinked National Priority Programs and Projects of the Ministry of Rural Rehabilitation and development (MRRD) in Afghanistan. The project is nationally executed with UNDP support. NABDP began in 2002 aims to contribute to the sustainable reduction of poverty and improvement of livelihoods in rural Afghanistan, and to empower communities to articulate and address their needs and priorities. In addition, NABDP supports the Government in providing community-based rural rehabilitation and development in an integrated, people-focused, inclusive and participatory manner. The overall strategy is to support the establishment of an integrated planning and implementation framework for a comprehensive, coordinated, pro-poor and pro-growth approach to rural development; <http://www.mrrd.gov.af/nabdp/About%20Us.htm>

<sup>4</sup> National Rural Access Program (NRAP) was launched in 2002 as the National Emergency Employment Program (NEEP) and aimed at supporting enhanced livelihoods by ensuring all rural communities are serviced with access to basic facilities, services, and goods and helps individuals and households, to manage risks through the provision of targeted employment. After a review in 2005, NRAP was restructured with a more strategic focus on the provision of a rural road access network that will connect households and communities to essential services and markets; <http://www.mrrd.gov.af/nrap/>

- The MoRR is encouraged to work with the Ministry of Rural Rehabilitation and Development (MRRD) in developing specific interventions targeting the local integration (temporary and permanent) of IDPs.
- ❖ Take measures to strengthen land tenure policies, which can be a key to resolving protracted displacement, by:
  - Reviewing land allocation sites for IDPs in Kandahar, especially Kandahar-city and Spin Boldak, but also Zhari Dasht camp;
  - Amending Presidential Decree 104 on land allocation so that IDPs are able to qualify for land allocation sites in areas of displacement; or
  - Considering a new Presidential Decree or another legal basis for land allocation that would allow resettlement of IDPs in suitable locations.
- ❖ Address intra- and inter-group resource competition, which can serve as a source of tension and conflict, by:
  - Strengthening dispute resolution bodies that address land issues and disputes (such as integrating customary mechanisms into the formal judicial process as alternative dispute resolution mechanisms); and
  - Offering targeted development assistance to host and IDP populations.
- ❖ Guarantee IDP rights vis-à-vis the host population by facilitating greater political integration and public participation of IDPs through advocacy campaigns and other measures. This should include:
  - Facilitating representation of IDPs in district councils in order to have their voices heard; and
  - Issuing identification cards and other documentation for IDPs in areas of their displacement, even if only on a temporary basis granting rights until a durable solution is found.
- ❖ Improve security of IDPs in areas of origin and displacement by continuing to strengthen the Afghan National Security Forces and working to increase their capacity and accountability. The ANSF, especially police in areas with IDPs, should participate in trainings on the *Guiding Principles on Internal Displacement*.

#### **TO THE INTERNATIONAL COMMUNITY:**

- ❖ Advocate with the Afghan government to ensure that IDP rights are fully respected and that a durable solutions strategy for all IDPs, including those unable or unwilling to return to areas of



origin, is developed that sets forth alternatives to return, i.e. local integration and resettlement.

- Exploration of local integration for remaining IDPs in Zhari Dasht is welcomed. Similar efforts for protracted caseload IDPs that have moved to Kandahar-city or have remained in Spin Boldak should be considered.
- Efforts of the Housing Land and Property Task Force led jointly by UNHCR and NRC in Kabul, in their review of land allocation for displaced and returnee populations across the country are welcomed. A public advocacy campaign based on any findings is encouraged.
- ❖ Provide security in areas of origin by continuing to strengthen the Afghan National Security Forces and working to improve their capacity and accountability.
  - Training of Afghan National Security Forces should be reviewed to include awareness-raising about IDP rights in accord with the *Guiding Principles on Internal Displacement*.
- ❖ Review patterns of conflict-induced displacement and adjust protection and assistance accordingly. This should include discussions with IDP communities on their assessment regarding the duration of displacement and conditions for return.
- ❖ Improve assistance packages to areas of origin/return/resettlement to create win-win situations in the North and consider using projects as positive incentives for reconciliation efforts between IDPs and host communities initiated by the Afghan government. This is important both for facilitating return and local integration.
- ❖ Continue monitoring and assessing sustainability of IDP returns in the North.
- ❖ Consider alternative solutions for those IDPs who are unable to return to the North or whose return has proven unsustainable in the following cases:
  - Their land has been seized and they have been unable to reclaim it;
  - Their land has lost the ability to sustain returnees;
  - There are reasonable fears of persecution and discrimination by the host community; and
  - Landless IDPs.
- ❖ Create an IDP Donor Task Force comprised of those countries active in the South (or advocate more actively for their inclusion in the Southern IDP Task Force headed by UNHCR) in order to coordinate with the Afghan government on how to best assist IDPs.
- ❖ Develop assistance strategies that consider and consist of the following:
  - In the areas of displacement, ensure a better understanding of the specific collective protection needs of IDPs, distinct from their material needs, which may or may not vary significantly

from those of non-displaced populations.

- This includes guarantees that IDP rights, including the right to non-discrimination, are respected.
- IDPs need to have effective access to basic services such as water, health care, education and jobs.
- In the areas of origin, once security has been re-established, in order to ensure return is sustainable it is necessary:
  - To guarantee security and rights of IDPs;
  - Provide basic services such as water, health care, education, and jobs.
- ❖ Encourage the Afghan government to accept different solutions for the Kuchi and to facilitate at least minimal access to land to enable promotion of alternate livelihoods. The responsibility for this advocacy rests with all UN agencies but UNAMA is asked to take this to the highest possible levels in the Afghan government.

#### **TO THE INTERNATIONAL MILITARY FORCES:**

- ❖ Ensure adherence to international humanitarian law, especially the Geneva Conventions, at all times.
- ❖ Sensitize military personnel to protection issues of displaced communities and include displaced populations as part of the protection of civilian populations in Afghanistan.
  - Review the training of military personnel and police prior to deployment to include information on IDP rights in accord with the *Guiding Principles*.
- ❖ Review counter-insurgency tactics and rules of engagement and their relationship to displacement, such as culturally insensitive house-searching, arbitrary arrests and detention, and aerial bombings.
  - Ensure functional complaint systems and accessible compensation mechanisms for IDP and returnee communities.



## INTRODUCTION

Internal displacement is generally regarded as a natural, albeit unfortunate, byproduct of armed conflict that implies a response by the national government concerned and increasingly, by the international community. Situations of large-scale internal displacement are complicated by the fact that the governments in question are frequently directly involved in the conflict which gives rise to the displacement or simply lack the capacity to protect citizens effectively when violence erupts. At the same time, international actors, mindful of national sovereignty, or influenced by geopolitical or other concerns, are often unable or unwilling to fill the protection gap in a coordinated way that is timely and sufficiently effective.

Perhaps no situation illustrates these complexities better than Afghanistan, where forced displacement—as a result of endemic fighting and chronic natural disasters—has been a nearly constant element in the lives of millions of people for over three decades, creating the world’s largest post-World War II refugee population<sup>5</sup> and leaving more than one million internally displaced. Since the fall of the Taliban in 2001, nearly 5 million refugees and one million internally displaced persons (IDPs) have attempted to return home, lured by promises of peace and economic development. Approximately 2.8 million refugees remain in exile.<sup>6</sup> Many of those who did return were unable to go back to their homes. As international efforts in Afghanistan have floundered and fighting against a resurgent Taliban intensifies, internal displacement is again on the rise.

This has made internal displacement a highly politicized and controversial topic in Afghanistan, particularly in terms of its relationship to military strategy. The debate has largely centered on the need to limit aerial bombardment and other combat operations in order to reduce civilian casualties, which would in turn reduce forced displacement from villages and lessen resentment against the international presence. In some quarters, particularly among donor nations and members of the North Atlantic Treaty Organization (NATO) responsible for security in Afghanistan, an increase in the actual numbers of IDPs might be one indicator of their failure to stabilize Afghanistan since the fall of the Taliban in 2001.

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<sup>5</sup> The Afghan refugee population peaked at around 6 million in the late 1980s, which constituted about 40% of a total refugee population around 15 million. U.S. Committee for Refugees, 1990, *World Refugee Survey: 1989 in review*, Washington, DC: U.S. Committee for Refugees.

<sup>6</sup> UNHCR, 2009, “Afghanistan: Country Operations Profile,” <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e486eb6>

To date, internal displacement has often been viewed as an unavoidable consequence of armed conflict, and there has been an assumption that IDPs immediately and conveniently return to areas of origin once battles cease, reconstruction assistance is provided and access to services is restored. It remains to be seen whether these views will be reexamined as a result of US General Stanley McChrystal's August 2009 pledge to make "protecting the Afghan people against the Taliban the top priority" of a revised military strategy.<sup>7</sup>

While the conflict has undeniably worsened over the past three years, the humanitarian community has been slow to respond adequately to the growing problem of conflict-induced internal displacement, whether because of lack of access to the IDPs or for other reasons. For example, in addition to having to navigate a more complicated and hazardous operating environment, a number of important humanitarian actors have been anxious to avoid pull factors through the establishment of IDP camps and large-scale aid dependency. As a consequence, key segments of the humanitarian community have tended to view internal displacement in the most limited terms, and place great stock in the ability of Afghans to survive with minimal or no assistance. Finally, national authorities, who have primary responsibility to providing protection and assistance to IDPs, not only lack the capacity to respond to increasing internal displacement and face ignorance or indifference from local government officials mainly concerned with their own constituents, but are also reluctant to engage in a constructive dialogue aimed at fulfilling national protection responsibilities or finding realistic temporary or durable solutions to displacement. Instead, they maintain that many IDPs are economically motivated or should be assisted primarily in areas of origin.

The tendency to mistake forced internal displacement for economic migration is understandable given Afghanistan's history and the propensity among rural populations to use mobility as a way of spreading risk in the face of political volatility and recurring natural disasters. The fragility of Afghanistan's economy and the exhaustion of social and public services—already stretched thin by the return of almost 5 million refugees over the past seven years—has been well-documented<sup>8</sup> and has prompted significant migration of Afghans in search of labor and livelihoods. However, labor migration in Afghanistan, particularly cross-border flows, has primarily involved single men, whose families remain in their areas of origin.<sup>9</sup> One of the distinguishing characteristics of the IDPs documented in this study is that in response to conflict or drought, their forced relocation has taken place in family units, including women and children. There is little doubt that they fit the definition of IDPs set forth in the *Guiding*

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<sup>7</sup> US 'needs fresh Afghan strategy'; 31 August 2009, [http://news.bbc.co.uk/2/hi/south\\_asia/8230017.stm](http://news.bbc.co.uk/2/hi/south_asia/8230017.stm)

<sup>8</sup> UNHCR, 2009, "Afghanistan: Country Operations Profile"; Susanne Schmeidl and William Maley, 2008, "The Case of the Afghan Refugee Population: Finding Durable Solutions in Contested Transitions." Pp.131-179 in Howard Adelman (ed.) *Protracted Displacement in Asia: No Place to Call Home*. Ashgate Publishers.

<sup>9</sup> Peter Marsden, 2005, "The importance of regional Diaspora to the Afghan Economy." Paper presented at GCIM Workshop: *The dynamics of migrant diasporas: comparing the Afghan and Somali experience*, Global Commission on International Migration (GCIM), Geneva, 5 December 2005; <http://www.gcim.org/mm/File/PM.pdf>; Interview, Representative, Afghanistan Independent Human Rights Commission, Kabul, 22 June 2009.

*Principles on Internal Displacement* as “...persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.”<sup>10</sup>

The differing attitudes regarding internal displacement in Afghanistan, while each valid in certain respects, tend to obscure an understanding of its nature and obstruct the search for viable solutions. Above all, many assumptions about internal displacement result from incomplete information as a result of limited access to affected population in areas of increasing conflict. More generally, the priority among international actors of establishing a functional, modern state in Afghanistan has tended to trump individual and community protection concerns arising from the conflict.

During a weeklong visit in mid-2007, the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, Walter Kaelin, expressed his deep concern about the growing problem of internal displacement in Afghanistan, especially that “most areas affected by the conflict are not accessible for humanitarian organizations for security reasons [which] hamper the delivery of urgently needed humanitarian assistance.”<sup>11</sup> He also noted the “lack of a comprehensive strategy with different instruments in place that can meet the needs of IDPs” as a result of a lack of knowledge and access to IDPs.<sup>12</sup> As a starting point, he recommended that a joint national profiling of the displacement situation be undertaken to better understand the scope of the problem and the needs of IDPs relating to assistance, protection and possible durable solutions.

Building on the *National Profile of Internal Displacement*, which was released by the National Task Force on Internal Displacement in December 2008,<sup>13</sup> this study attempts to enrich understanding about internal displacement in Afghanistan by focusing on the complex circumstances of IDPs in three sites in the Southern province of Kandahar: (i) urban IDPs in Kandahar-city, (ii) IDPs in Spin Boldak – the main Afghan town on the southern border with Pakistan, and (iii) IDPs in the province’s only official IDP camp, Zhari Dasht, established soon after the US-led intervention that toppled the Taliban regime in 2001.

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<sup>10</sup> UNOCHA, 2001, *Guiding Principles on Internal Displacement*, New York: United Nations Publications, p.1 <http://www3.brookings.edu/fp/projects/idp/resources/GPEnglish.pdf>

<sup>11</sup> “UN Expert Concerned about Growing Problem of Internal Displacement in Afghanistan”, UN Press Release, Kabul, 20 August 2007; [http://www.brookings.edu/projects/idp/RSG-Press-Releases/20070820\\_afghanistan.aspx](http://www.brookings.edu/projects/idp/RSG-Press-Releases/20070820_afghanistan.aspx)

<sup>12</sup> “Afghanistan: UN highlights conflict’s impact on civilians”, 16 August 2007 (IRIN), available at <http://www.irinnews.org/Report.aspx?ReportId=73759>

<sup>13</sup> National IDP Task Force, United Nations High Commissioner for Refugees (UNHCR), 2008, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan*, Kabul, Afghanistan, 14 December 2008, p.12; [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/DC7317A270406BFBC12575A60040A229/\\$file/000+National+IDP+Profiling+Report+-+Final+Version.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/DC7317A270406BFBC12575A60040A229/$file/000+National+IDP+Profiling+Report+-+Final+Version.pdf)

Kandahar province, bordering Pakistan in the heart of the Pashtun belt, is host to perhaps the largest population of IDPs in Afghanistan. Some of the most intense battles between the insurgency and pro-government forces and international military forces have been waged in Afghanistan's South, including in Kandahar province and the neighboring provinces of Helmand, Uruzgan and Zabul, prompting thousands of Afghans to flee rural villages for safe havens elsewhere. At the same time, Kandahar continues to be home to protracted populations of IDPs from Northern and Western Afghanistan, who fled three waves of ethnic violence between 1992 and 2001.

Because international humanitarian agencies have virtually no access to any part of Kandahar province, including many parts of Kandahar-city itself, due to insecurity, the province illustrates the myriad challenges of providing protection and assistance to IDP populations. It is therefore an ideal place for the analysis of the dynamics of internal displacement in Afghanistan. While some of the trends and coping strategies of IDPs may be unique to IDPs from the South, the broader issues and assumptions of who flees and why, and how they survive, are likely to be representative of IDPs in conflict-affected provinces throughout Afghanistan, and in environments where neither national nor international protection is widely available.

**Table 1:** Overview of Interviews and Focus Groups Conducted

	Kandahar		Kabul	North		Total
	SSI	FGD	SSI	SSI	FGD	
<b>IDPs</b>	92	45	2	2	11	<b>152</b>
<b>Afghan Government</b>	1		1	2		4
<b>NGOs/UN/ Intl. Org.</b>	3		20	5	4	<b>32</b>
<b>TOTAL</b>	<b>96</b>	<b>45</b>	<b>23</b>	<b>9</b>	<b>15</b>	<b>188</b>

Using exploratory qualitative analysis, based on semi-structured interviews (SSI) and focus group discussions (FGD) with 152 IDPs (including 18 women), four government officials and 32 representatives of NGOs, UN and international organizations (see Table 1, and for more details Appendix I), this study examines the causes of displacement, including decisions regarding when and where to flee, how IDPs cope with displacement and manage to survive with little outside assistance, and their perceptions of viable long-term solutions to their circumstances.

In most situations of armed conflict or natural disasters, IDPs are among the most vulnerable, with specific protection needs as a result of their displacement. Afghanistan is no exception. Despite their special needs and vulnerabilities, IDPs may go virtually unnoticed and constitute an 'invisible or hidden population' when they blend in with the larger community of the urban poor. Their problems may become indistinguishable from those of the larger Afghan population, even if their protection needs may be substantially different.

The lack of protection emerges as a recurring theme throughout interviews with IDPs with no easy solutions in sight, either for national or for international organizations. Improvements in protection, however, remain dependent on the political will to 'see' IDPs as such, to understand their plight, and to develop responses based upon more realistic and informed assessments of the present circumstances in Afghanistan, which point to an intensifying conflict and increased humanitarian needs rather than post-conflict state-building and development.





## NATIONAL DISPLACEMENT CONTEXT

### HISTORICAL OVERVIEW OF DISPLACEMENT IN AFGHANISTAN

A quarter century of warfare in Afghanistan has created successive waves of displacement. A recent study by the International Committee of the Red Cross (ICRC) confirms what displacement experts monitoring Afghanistan have long argued, namely that forced displacement is a fact of everyday life for most Afghan households. Two in three conflict-affected Afghans (76%) have experienced forced displacement at some point in their lifetime, many more than once.<sup>14</sup> An Oxfam-led study with similar findings shows that the number of Afghans displaced as refugees (42%) has been the same as those internally displaced (42%), with 17% reporting both internal and international displacement over the past three decades.<sup>15</sup> Given the intensity of the historical displacement experience, with entire generations being born and raised in exile, it is not surprising that one of the biggest fears of Afghans is to be displaced again (34%), ranking third behind economic hardship (37%) and overall ‘uncertainty’ in life (36%), and shortly ahead of losing a loved one (25%) and losing property (22%).<sup>16</sup>

The major forced migratory flows in Afghanistan over the past thirty years can be broken down into six key phases (see also Figure 1).<sup>17</sup> All phases exhibit both internal displacement and refugee outflows, although usually one pattern predominates.

**Phase 1** (1978-1988; mainly refugee outflow) began after the Saur (April) Revolution in 1978, supported by the former Soviet Union, brought to power the People’s Democratic Party of Afghanistan (PDPA). Many Afghans felt the new regime threatened Afghan traditions and the Islamic faith; the Muslim Brotherhood quickly declared *jihad*. Initially, the exodus of Afghan refugees was moderate (around 400,000 at the end of 1979). With the intensification of conflict in 1983, due to increasing international military support to the *mujahideen* rebels, the refugee population rapidly grew to 3.9 million. The escalation of armed resistance to the Soviets and the Afghan communist government also led to increased internal displacement in the mid-1980s.

<sup>14</sup> ICRC, 2009, *Our World: Views from Afghanistan, Opinion Survey 2009*, Geneva: ICRC; [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/views-from-field-report-240609/\\$File/Our-World-Views-from-Afghanistan-I-ICRC.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/views-from-field-report-240609/$File/Our-World-Views-from-Afghanistan-I-ICRC.pdf); same figure is found by an Oxfam-led study (see next footnote).

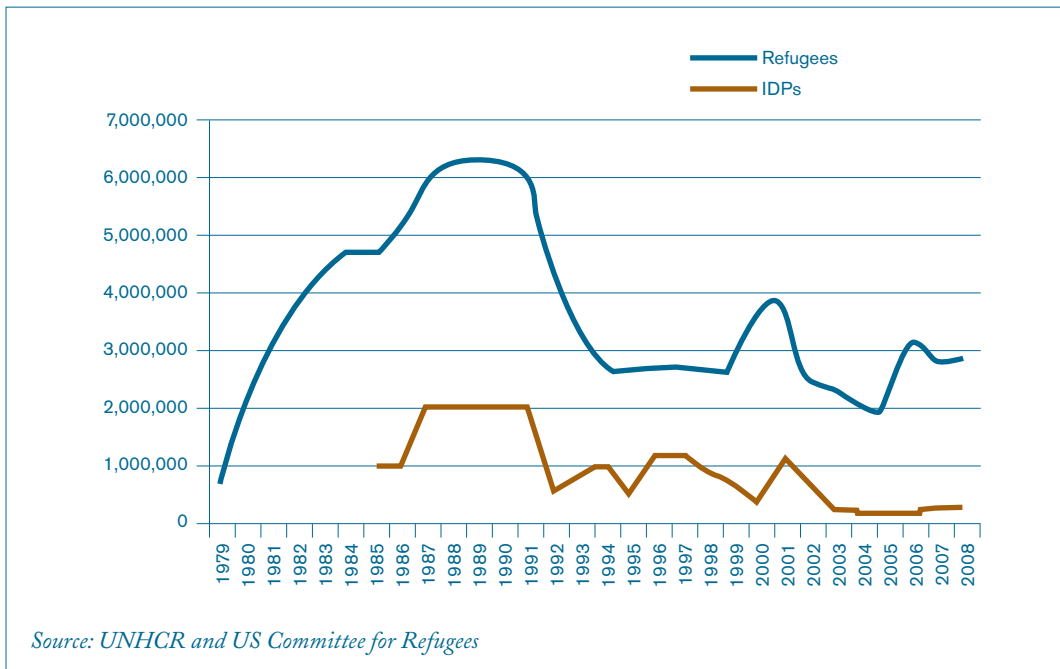
<sup>15</sup> Ashley Jackson, 2009, *The Cost of War: Afghan Experiences of Conflict, 1978-2009*, A Joint Report by 9 NGOs Working in Afghanistan, Kabul: Oxfam International. It is important to note, however, that due to the frequency of displacement, many Afghans may not consider smaller movements over short distances as true internal displacement, and hence may not report it as such. Cf. Schmeidl and Maley, 2008.

<sup>16</sup> ICRC, 2009, pp.16-17.

<sup>17</sup> Cf. Schmeidl and Maley, 2008; Susanne Schmeidl, 2002, “(Human) Security Dilemmas: Long-term Implications of the Afghan Refugee Crisis.” *Third World Quarterly* 23(1): 7-29.

Most ethnic-Pashtun refugees fled to camps in Pakistan’s North West Frontier Province (NWFP) close to the border with Afghanistan, or to Quetta (Baluchistan province), which was the preferred destination for wealthier families. Later, Quetta also became the destination for refugees of the Hazara ethnic group.<sup>18</sup> The elite (tribal) establishment of Kandahar, comprised of large landowners close to the royal family, emigrated further abroad and formed part of the Afghan diaspora in Europe, North America and Australia.

**Figure 1: Afghan Refugees and IDPs 1979-2008**



**Phase 2** (1989-1995, internal and international displacement, and refugee return) began in 1989 when Soviet forces withdrew from Afghanistan but gained momentum in 1992 following the defeat of the Afghan communist government. The *mujahideen* conquest of Kabul led to “a huge surge of collective optimism which resulted in no fewer than 1.2 million Afghans returning from Pakistan in six months – assisted by an extremely stretched UNHCR.”<sup>19</sup> The optimism was short-lived, however, as different *mujahideen* factions began to fight each other for power, leading to wide-scale destruction, death, war crimes and displacement and paving the way for the emergence of the Taliban in 1994.

<sup>18</sup> Other Hazara and refugees of Shia faith went to Iran. Cf. Susanne Schmeidl, 1994, “Ethnic Dynamics in Forced Migration: A Comparison of Afghan and Palestinian Refugees.” *International Journal of Group Tensions* 24(4):333-360.

<sup>19</sup> Rupert Colville, 1997, “The biggest caseload in the world,” *Refugees*, 108(2), pp 3-9, p.6.

In the early 1990s, anti-Pashtun violence erupted in the North, driven by increasingly ethnicized *mujahideen* factions, which exploited longstanding resentment against a controversial population resettlement and land distribution policy. This 'Pashtunization' policy settled Pashtun communities from the South and East in multi-ethnic regions in the North in order to secure border areas and diffuse tribal power in areas of origin. The relocations occurred in three waves over the past century, the most recent (and last) in the mid-twentieth century when King Zahir Shah provided land in the North to Pashtun settlers, often at the expense of the indigenous Turkmen, Uzbek and Tajik communities.<sup>20</sup> These population relocations, several of which were not fully voluntary,<sup>21</sup> halted in the 1970s but nevertheless fostered lingering resentments among the host population that persist today. Ethnic antipathy first erupted during the short-lived rule of the *mujahideen* (1992-1996) following the fall of the communist government. Many non-Pashtun communities and specific commanders took advantage of their strengthened position to seize the land and property of Pashtun settlers. This led to displacement of Pashtuns, who fled mostly to Pakistan but also to Kandahar-city and Spin Boldak.

**Phase 3** (1996-2001, mix of refugee return and renewed displacement both internal and international). While the Taliban was initially welcomed by a population weary of the corrupt, warring *mujahideen* factions and grateful for the restoration of order, the honeymoon was short-lived as the Taliban's brutality and restrictiveness as well as the ongoing civil war with the newly-formed Northern Alliance prompted new waves of forced displacement, both internally and abroad. Fighting, and subsequent displacement, was particularly fierce in the non-Pashtun territories of the North. Pashtun communities there, strengthened by the Pashtun-based Taliban government, "now sought to recover their lands,"<sup>22</sup> at times through force and by occupying additional lands of non-Pashtuns. One group which suffered severely under the Taliban were the ethnic Hazara increasing the number of non-Pashtun refugees abroad.

The Taliban government occasionally appropriated contested land and transformed it into state property in ill-fated efforts at conflict resolution.

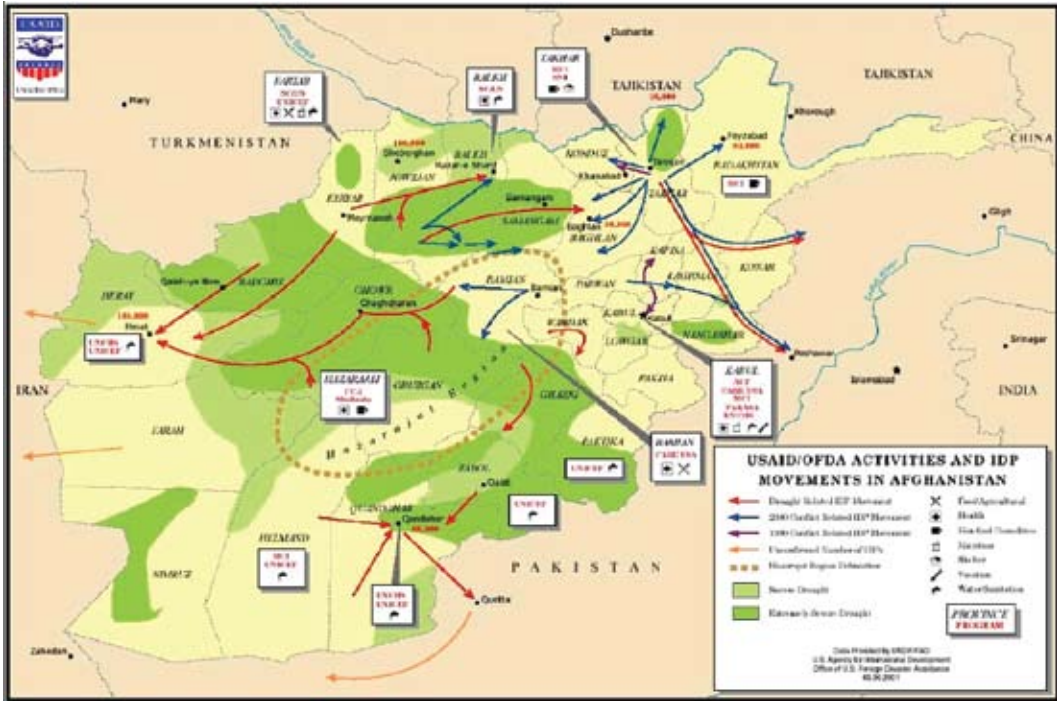
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<sup>20</sup> Louis Dupree, 1980, *Afghanistan*, Princeton: Princeton University Press; Nancy Tapper, 1983, "Abd al-Rahman's North-West Frontier: The Pashtun Colonisation of Afghan Turkistan", Pp.233-161 in Richard Tapper (ed.), *The Conflict of Tribe and State in Iran and Afghanistan*, London: Croom Helm.

<sup>21</sup> Albeit relocated populations were compensated for their move by receiving land. Many had previously been landless Kuchi (Afghan Nomad) populations.

<sup>22</sup> Liz Alden Wily, 2003, *Land Rights in Crisis: Restoring Tenure Insecurity in Afghanistan*, Issues Paper Series; Kabul: Afghanistan Research and Evaluation Unit (AREU), March 2003, p.49.

**Figure 2:** Drought-Affected Areas in Afghanistan and Displacement



Source: United States Agency for International Development

In 2000, the worst drought in 30 years affecting parts of the Hazarajat in Ghazni, Ghor and northern Uruzgan, but also parts of the South and Southeast in Helmand, Kandahar, Zabol and Paktika, and North and Northwest (in Faryab, Ghor, Badghis, Jawzjan, Samangan and Takhar) and related food shortages resulted in further displacement, with many drought-affected IDPs relocating to Kandahar-city, Spin Boldak, Maywand and Panjwayi in search of better livelihoods (but also to Pakistan and Herat – see Figure 2).<sup>23</sup> The drought also caused massive livestock losses of the nomadic Kuchi populations (mostly those migrating through central, southern and southeastern Afghanistan) and prompted many to shift to a more sedentary existence.

**Phase 4** (2001–2002, renewed internal and international displacement). Another rise in internal and international displacement began after the 9/11 attacks in the United States, when many Afghans fled pro-actively in anticipation of a US military intervention. Prior to the US-led invasion, in early October 2001, the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) estimated the vulnerable population (severely affected by three years of drought, many years of fighting as well as a huge human rights deficit) in Afghanistan at about 5 million with projections of up to

<sup>23</sup> All in all an estimated 2.5 million Afghans were affected by the 2000 drought (OFDA/CRED International Disaster Database; <http://www.reliefweb.int/rw/dbc.nsf/doc104?OpenForm&rc=3&cc=afg>)

7 million people in danger if the situation did not improve.<sup>24</sup> This figure included some of those recently displaced, a figure that later was estimated at about 1.5 million new IDPs and refugees.

The eventual fall of the Taliban was accompanied by renewed anti-Pashtun violence in parts of the West and North, this time more violent and sustained than ten years earlier (see IDP Life story 1). At the same time, many Afghans fled aerial bombardments by the US-led Coalition Forces across Afghanistan. The air strikes initially focused on Taliban strongholds in Kabul, Nangarhar (East) and Kandahar (South), but were later expanded to areas around Mazar-i-Sharif in Balkh and other frontlines between the Northern Alliance and the Taliban which were all located in northern Afghanistan. Kunduz, for example, was also heavily contested.<sup>25</sup>

Revenge attacks mixed with opportunistic crimes (many committed by former *mujabideen* commanders<sup>26</sup>), including widespread killings, physical and sexual violence (e.g., beatings, rape), extortion, looting and land grabbing, have also occurred since the fall of the Taliban. As before, not only was rightfully owned property seized, but ethnic Uzbek and Tajik commanders also used the power vacuum to expand their land-holdings by force. The militias,<sup>27</sup> in particular those who had fought on the side of the US-led invasion, seized land and redistributed it to their ethnic constituencies. In many ways, all Pashtuns – regardless of whether or not they actually had played an active role during the Taliban regime – have paid for the crimes of the Taliban.<sup>28</sup> Not all fled, but many did, particularly those who had never been well integrated to begin with, such as landless sharecroppers,

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<sup>24</sup> UNOCHA, 2001, *Donor Alert: To Support an Inter-Agency Emergency Humanitarian Assistance Plan for Afghans in Afghanistan and in Neighbouring Countries (October 2001 - March 2002)*; 27 September 2001; <http://www.reliefweb.int/rwarchive/rwb.nsf/db900sid/OCHA-64CH42?OpenDocument&cc=afg&rc=3>

<sup>25</sup> It is estimated that about 3,000 - 3,400 civilian deaths were due to aerial bombardment. Marc W. Herold, 2002, *A Dossier on Civilian Victims of United States' Aerial Bombing of Afghanistan: A Comprehensive Accounting [revised]*, Durham, NH: University of New Hampshire; [http://cursor.org/stories/civilian\\_deaths.htm](http://cursor.org/stories/civilian_deaths.htm); cf. Human Rights Watch, 2001, "Cluster Bombs in Afghanistan," *A Human Rights Watch Backgrounder*, October 2001; <http://www.hrw.org/legacy/backgrounder/arms/cluster-bck1031.pdf> on the negative repercussions of using cluster bombs.

<sup>26</sup> "Directly implicated in many of the abuses are the three main ethnically-based parties and their militias in northern Afghanistan—the predominantly ethnic Uzbek Junbish-i Milly-yi Islami, the predominately ethnic Tajik Jamiat-e Islami, and the ethnic Hazara Hizb-i Wahdat—as well as non-aligned armed Uzbeks, Tajiks, and Hazaras who are taking advantage of the vulnerability of unprotected and selectively disarmed Pashtun communities." Human Rights Watch, 2002, p.1.

<sup>27</sup> "The militias...belonged to a loosely connected group called the Northern Alliance who had been engaged in fierce inter-factional fighting after the defeat of the Soviet-backed government in 1992." Susanne Schmeidl, 2007, "The Emperor's New Cloth: The Unraveling of Peacebuilding in Afghanistan." *Friedens-Warte – Journal of International Peace and Organizations* 1-2(2007): 69-86.

<sup>28</sup> Human Rights Watch, 2002, *Paying for the Taliban's Crimes: Abuses Against Ethnic Pashtuns in Northern Afghanistan*. Human Rights Watch Afghanistan Reports, Vol. 14, No. 2, April 2002; <http://www.hrw.org/legacy/reports/2002/afghan2/afghan0402.pdf>; ICG, 2003, *Afghanistan: The Problem of Pashtun Alienation*, Asia Report No.62, Brussels: International Crisis Group (ICG).

daily laborers and those whose land had not been very productive due to a lack of water exacerbated by drought.<sup>29</sup>

The abuses and violence that accompanied the fall of the Taliban have been well documented by Human Rights Watch in the four northern provinces of Balkh, Faryab, Samangan, and Baghlan.<sup>30</sup> Most of the remaining protracted IDP groups in Kandahar province originate from the western provinces of Badghis, Herat, Ghor and Farah (with Badghis constituting the biggest groups) and the northern provinces of Sari Pul, Jawzjan and Kunduz (with Sari Pul constituting the biggest group), where Pashtuns fled out of a well-founded fear of persecution and possible violence.

**Phase 5** (2002-2004, massive return of refugees and IDPs). Following the fall of the Taliban in 2001, the UN Refugee Agency (UNHCR) commenced the world's largest assisted repatriation operation in almost thirty years,<sup>31</sup> assisting nearly 5 million Afghan refugees<sup>32</sup> to repatriate from Pakistan, Iran and other countries of asylum. At the same time, the majority of Afghanistan's 1.2 million internally displaced persons returned home and were widely assumed to have successfully reintegrated.<sup>33</sup>

While often seen as key indicators of the political recovery and stabilization of Afghanistan, these figures disguise the breadth of a growing crisis of internal displacement, often the result of unsustainable return to areas of origin. First, not all refugee return can be considered truly voluntary. While forced returns were best documented from Iran, where about one-third of all returnees had been deported, it also occurred from Pakistan – even if it was masked as spontaneous or voluntary return.<sup>34</sup> Second, inside Afghanistan, the lack of economic absorption capacity and political reconciliation, land-grabbing, intra- and inter-group conflicts (mostly over resources, enduring insecurity, weak rule of law, lifestyle changes as a result of prolonged periods in primarily urban asylum areas, past destruction of agricultural infrastructure (e.g., irrigation systems) and recurrent droughts, floods and other natural disasters have pushed many IDPs and returning refugees into secondary displacement.<sup>35</sup>

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<sup>29</sup> Interview, Ex-UNAMA North official, Kabul, 22 May 2009.

<sup>30</sup> Human Rights Watch, 2002, *Paying for the Taliban's Crimes: Abuses Against Ethnic Pashtuns in Northern Afghanistan*. Human Rights Watch Afghanistan Reports, Vol. 14, No. 2, April 2002; <http://www.hrw.org/legacy/reports/2002/afghan2/afghan0402.pdf>

<sup>31</sup> David Turton and Peter Marsden, 2002, *Taking Refugees for a Ride? The Politics of Refugee Return in Afghanistan*, Kabul: Afghanistan Research and Evaluation Unit (AREU).

<sup>32</sup> UNHCR, 2009, "Afghanistan: Country Operations Profile."

<sup>33</sup> IDMC, 2008, *Afghanistan: Increasing Hardship and Limited support for growing displaced population*. Geneva: Internal Displacement Monitoring Center (IDMC), 28 October 2008.

<sup>34</sup> Cf. Susanne Schmeidl and William Maley, 2008, pp.164-165.

<sup>35</sup> Cf. Schmeidl and Maley, 2008; and Khalid Koser and Susanne Schmeidl, 2009, "Displacement, Human Development, and Security in Afghanistan," pp.8-22 in Hady Amr (ed) *Displacement in the Muslim World: A Focus on Afghanistan and Iraq*. The Brookings Project on U.S. Relations with the Islamic World, Doha Discussion Papers. Washington DC: Saban Center at The Brookings Institution. [http://www.brookings.edu/~media/Files/rc/papers/2009/0216\\_iraq\\_ferris/0216\\_iraq\\_ferris.pdf](http://www.brookings.edu/~media/Files/rc/papers/2009/0216_iraq_ferris/0216_iraq_ferris.pdf)

**Phase 6** (2004–present, new internal displacement and secondary displacement of returnees). Increasing warfare has created new displacement, primarily internal, as a form of collateral damage. This has also created a much more complex and hazardous operating environment for humanitarian actors. In contrast to the prior displacement phases, national and international authorities have been much slower to acknowledge the growing depth of the problem and have failed to provide adequate protection and assistance. The growing strength of the Taliban insurgency, particularly in southern, eastern and southeastern Afghanistan—all predominantly Pashtun areas—and its increasingly fierce engagement with the Afghan National Security Forces (ANSF) and international military forces has prompted tens of thousands of rural households to relocate to the relative safety of urban areas where shelter and livelihoods are more accessible.

More and more, Afghans are forced to seek safety within their own country as the traditional asylum options of Iran and Pakistan have become less attractive due to continued deportations from Iran and forced closures of refugee camps in Pakistan, rising harassment of refugees, but also an increasingly unstable security and political situation in Pakistan. This has made Kandahar-city and Spin Boldak magnets for IDPs from the southern provinces most affected by the current Taliban insurgency and counterinsurgency violence, i.e. Helmand, Uruzgan, Zabol, and Kandahar. IDPs from the South often prefer Kandahar to Kabul due to the preponderance of their native Pashtu language and culture as well as the relative security of the growing IDP enclaves and establishment of social networks there.

In addition, the secondary displacement of returnees to Afghanistan continues, especially as Pakistan is set on closing down refugee camps. The closure of Jalojai camp, for example, created secondary displacement in Afghanistan's eastern region, when in the first half of 2008, about 20% of 125,000 returnees were unable to go home.<sup>36</sup> A considerable number of families (3,000) also joined other IDPs in Spin Boldak.

## THE CURRENT CONTEXT

Despite clear indicators of a worsening security situation since 2006, humanitarian and protection needs have remained secondary to the political priorities of post-conflict state-building and development in Afghanistan. That said, a number of positive initiatives over the past two years suggest that humanitarian issues are assuming greater prominence (see 4.2.2 for further discussion). This includes the 2008 roll-out of the 'cluster-approach' in Afghanistan, which was endorsed by the Inter-Agency Standing Committee (IASC) in 2005 "to address gaps in the humanitarian response to IDP and refugee situations."<sup>37</sup> Furthermore, in 2009 a specific inter-agency Humanitarian Action

<sup>36</sup> *National Profile of Internal Displaced Persons (IDPs) in Afghanistan*, pp.39-41.

<sup>37</sup> Tim Morris, 2006, "UNHCR, IDPs and clusters." *Forced Migration Review*, 25: 54-56; <http://www.fmreview.org/FMRpdfs/FMR25/FMR2531.pdf>, p.54.



Plan (HAP) highlighting the depth of the loss of security and its impact on civilian populations was released and a UNOCHA presence was re-established.

Notwithstanding these recent developments, the hesitancy of traditional UN and other humanitarian actors to acknowledge the full breadth of the human security crisis in Afghanistan has limited its response. So far an emphasis on stabilizing Afghanistan and developing a modern state have overshadowed individual protection and assistance needs among growing numbers of conflict-induced IDPs trapped in a deteriorating security and humanitarian environment. And, the lack of sufficient funding and political will are likely to continue to constrain effective humanitarian action as well as worsen access to insecure parts of the country, particularly in the South and the East.

The level of urban migration, although distinct from forced displacement, is staggering. In Kabul alone, the population has grown from about 1.5 million in 2001 to nearly five million today,<sup>38</sup> with the vast majority squatting in informal settlements, public buildings, or on public land.<sup>39</sup> These trends have been replicated in the main provincial capitals.<sup>40</sup> According to the Afghanistan Independent Human Rights Commission (AIHRC), “basic services and infrastructure are available only in the population centers and barely reach the villages.”<sup>41</sup> Furthermore, landless returnees are forced to look for new accommodation in urban areas, where they join a growing population of economic migrants seeking better livelihoods. Given the overwhelming numbers, there have been few attempts to disaggregate economic migrants from disaster or conflict-induced IDPs.

Responding to a call by the UN Representative on the Human Rights of Internally Displaced Persons, Walter Käelin, a National IDP Task Force, co-chaired by the Ministry of Refugees and Repatriation and UNHCR was established in 2008. In accordance with Käelin’s recommendations,

<sup>38</sup> *National Profile of Internal Displaced Persons (IDPs) in Afghanistan*, p.12.

<sup>39</sup> Many live in what is locally called *Zor abad*, “literally meaning ‘a place taken by force’ – where people enclosed public lands and established residence without seeking official permission.” Jo Beall and Stefan Schütte, 2006, *Urban Livelihoods in Afghanistan*; Synthesis Paper, Kabul: Afghanistan Research and Evaluation Unit (AREU), August 2006, 21. The World Bank estimates the problem to be massive in Kabul where about 80 percent of the total population live in such informal settlements that cover about 69 percent of the total residential area in Kabul; World Bank, 2005, “Why and how should Kabul upgrade its informal settlements?” Urban Policy Notes Series No. 2; <http://siteresources.worldbank.org/SOUTHASIAEXT/Resources/223546-1150905429722/PolicyNote2.pdf>

<sup>40</sup> According to UNHCR about 40 percent of all refugees from Pakistan and Iran returned to urban destinations, 29 percent to Kabul province alone. UNHCR, 2007, *Statistical Overview of Afghan Refugee Population in Pakistan, Iran and Other Countries, Returned Afghan Refugees from Pakistan, Iran and Non-Neighboring Countries, IDP Population Movements, Reintegration Activities and Extremely Vulnerable Individuals (EVIs) Program (2 January – 31 October, 2007)*, Operational Information, Monthly Summary Report – October 2007, Kabul: Operational Information Unit, ([http://www.aims.org.af/services/sectoral/emergency\\_assistance/refugee/unhcr\\_summaries/oct\\_07/summary1.pdf](http://www.aims.org.af/services/sectoral/emergency_assistance/refugee/unhcr_summaries/oct_07/summary1.pdf))

<sup>41</sup> AIHRC, 2008, *Economic and Social Rights Report in Afghanistan-III*, Kabul: Afghanistan Independent Human Rights Commission (AIHRC), December 2008; [http://www.aihrc.org.af/2008\\_Dec/Ecn\\_soc/Eng\\_Eco\\_Soc\\_rep.pdf](http://www.aihrc.org.af/2008_Dec/Ecn_soc/Eng_Eco_Soc_rep.pdf)

the Task Force compiled a *National Profile of Internal Displacement*, released in December 2008,<sup>42</sup> which provided an overview of the “known” displacement situation in Afghanistan. The profile, which documented 235,833 IDPs, covered mainly protracted caseloads of concern to UNHCR and other humanitarian agencies. It offered scant information on more recent IDP populations fleeing from the increasing conflict between the Afghan government/international military and insurgency, outside the reach of Task Force members. (See Box 1.)

### Box 1: Established IDP categories in Afghanistan

In addition to an unknown mixed IDP population in urban areas (both conflict and development-induced), the following main IDP categories are highlighted in the *National IDP Profile*:<sup>43</sup>

- **Protracted caseload IDPs** “as a result of conflict in the period to and after the fall of the Taliban in 2001” mainly contained in camps. (See Annex V, IDP Life story 1.)
- **“New conflict- affected IDPs”** having fled post 2002 (mainly from the South, East and Southeast of Afghanistan), especially since the security in Afghanistan has once again deteriorated. These IDPs flee either *localized inter/intra ethnic conflicts* (mainly over resources such as land and water) or from the fight between the Afghan government/international military against the insurgency – labeled in the *National IDP Profile* “*battle-affected IDPs*” based on the narrow assumption that displacement is linked primarily to ground combat operations or aerial bombing rather than a complex conflict situation. (See Annex V, IDP Life stories 3 and 4.) This classification has been dropped in the more recent IDP Strategy.

<sup>42</sup> *Ibid*; The new Afghanistan National IDP Task Force Strategy 2009 to 2010, which was adopted on 30 August 2009, has now collapsed the four categories presented here into three, mainly by including secondary displaced returnees in the protracted IDP caseload.

<sup>43</sup> National Profile of Internal Displaced Persons (IDPs) in Afghanistan, 2008; The new Afghanistan National IDP Task Force Strategy 2009 to 2010, which was adopted on 30 August 2009, has now collapsed the four categories presented here into three, mainly by including secondary displaced returnees in the protracted IDP caseload

- (1) Conflict-induced IDPs: This category encompasses people being forcibly displaced after 2002 as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, persecution, violations of human rights, violent agriculture/pasture land and water resources disputes, property related conflicts, ethnic tensions or conflict or “commanderism.”
- (2) Disaster-induced IDPs: This category encompasses people being forcibly displaced as a result of extreme hazard events (drought, flood, earthquakes or severe sand-storms).
- (3) Protracted IDPs: This category encompasses persons who remain in displacement, and who were forcibly displaced as a result of conflict in the period prior to and right after the fall of the Taliban regime in 2001 until 2002; because of the severe intimidation and attacks committed mostly against Pashtun communities in Northern Afghanistan after the collapse of the Taliban led government; and due to the severe drought that occurred in Afghanistan before 2002.

**Box 1: Continued**

- **Secondary displaced returnees and deportees** mainly from Iran and Pakistan who are unable or unwilling to return to places of origin or who cannot sustain themselves in villages due to intra- or inter-group resource conflicts, a lack of land, livelihoods or insecurity. The Afghanistan Independent Human Rights Commission (AIHRC), for example, found that a majority of returnees (67.1 percent) were unable to return to their places of origin either because they were landless prior to displacement or found their land occupied upon return, often by members of another tribal or ethnic group that were in the majority.<sup>44</sup> (See Annex V, IDP Life story 2 that illustrates the problems of land conflict in areas of origin and exile.)
- **Displacement due to food insecurity** (or natural disaster) as a consequence of the harsh winter in 2007/8<sup>45</sup> and subsequent drought, or more recently by floods in the north and west of the country (2009). If one would broaden this category to include more general environmental or development-induced IDPs, then one could add IDPs resulting from land-grabbing (by strongmen) or rising land prices in urban areas (especially Kabul).<sup>46</sup> Nevertheless, the latter two categories are not officially included in assistance-schemes.

The *National IDP Profile* contained little updated, accurate information on those displaced since 2006 as a result of conflict, thought to number in the tens (if not hundreds) of thousands, nor did it provide information on their protection and humanitarian needs. The National IDP Task Force, however, recently updated the original figure upward to 270,000 IDPs based on new information from urban areas, primarily Kandahar and Lashkargah in Helmand, and conflict-induced displacement, but accurate numbers remain contested due to restrictions in accessing populations.<sup>47</sup> With a fluid displacement situation as a result of the ongoing conflict in the South, East and Southeast, new figures are shared at the regular National IDP Task Force meetings and published by UNOCHA in their monthly updates. This makes the presentation of a fixed number difficult, but the trend clearly indicates that displacement is on the rise.

The *National IDP Profile* acknowledges the limitations of collecting information in many parts of the country as a result of access restrictions and insecurity. It also concludes that internal displace-

<sup>44</sup> AIHRC, 2007, Economic and Social Rights in Afghanistan II, Kabul: Afghanistan Independent Human Rights Commission (AIHRC); <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?docid=471f4a5b0>; "Returnee claims constitute a large proportion of all disputes over private rural land ownership". A. McEwen and S. Nolan, Water Management, Livestock and the Opium Economy: Options for Land Registration, Working Paper Series, Kabul: Afghanistan Research and Evaluation Unit, February 2007.

<sup>45</sup> *Ibid*, pp.11-12.

<sup>46</sup> Koser and Schmeidl, 2009.

<sup>47</sup> Figures provided at IDP Task Force meeting, 12 May 2009.

ment is likely to worsen in the immediate future as a result of increased insurgency and counterinsurgency violence, a view shared by most relevant national and international actors. Despite the gaps in information and analysis, the *National IDP Profile* did serve as a vehicle to re-engage actors on the issue of internal displacement. Since its release, however, it has become the standard reference point for actual numbers of IDPs and, to some extent, has disguised the true scale of displacement in Afghanistan and the dynamics of the current situation.

The *Profile's* focus on protracted caseloads of concern to UNHCR, for example, has tended to skew discussions towards durable solutions to displacement rather than emerging assistance and protection needs of newly displaced populations. Second, despite the lack of concrete data, the *Profile* defined the parameters of the IDP situation in definitive and sometimes arbitrary ways and with little analysis of the question of when displacement ends and the criteria used to make such determinations. For instance, the *Profile* focuses on IDPs still deemed to be 'of concern' to UNHCR, but largely ignores the plight of those no longer considered in need of protection by international agencies, even though they may have not returned to areas of origin and have not yet fully integrated into host communities. In Spin Boldak, for instance, there have been significant numbers of newly arriving conflict-induced IDPs since 2004 (estimated at about 16,000 families), which aid agencies have refused to consider because IDP camps officially closed in 2004. Lastly, and perhaps most importantly, the *Profile* makes assumptions about why populations are displaced, where they choose to seek safety, and about the duration of their displacement that are at odds with what IDPs themselves reported during the course of this study. Box 2 provides an overview of how IDPs experience displacement in Afghanistan.

## **Box 2: Being an IDP in Afghanistan**

### **Shared experience of displacement and loss:**

- We are called IDPs because we are not living in our own place. It has a negative effect on the psychology of us and of our children. Living as IDPs is shameful for us, since we have no respect among people. *Educated woman, from Almar, Badghis, in camp number 3, Zhari Dasht, Kandahar, April 2009*
- There is no benefit to being displaced because one loses the home, fields, property, harvest and all facilities of life. *Head of village, from Khas Uruzgan, Uruzgan, in Loya Wiala, Kandahar-city, May 2009*
- I consider myself to be an IDP because we live far from our place and we have no relatives around. *Educated woman, from Arghistan, Kandahar, in Spin Boldak, April 2009*
- I see myself as an IDP because I am far from my home area and here I do not have land, a mosque, or employment. *Clerk, from Sayat, Sari Pul, in Naw-e Kalay, Spin Boldak, May 2009*

**Box 2: Continued**

- I consider myself to be displaced. In the North, people called me displaced because I neither had a piece of land nor a house, and here also I have neither. We are displaced people. I work as a laborer here and I worked as a laborer over there. *Laborer, from Qisar, Faryab, in camp 11, Zhari Dasht, Kandahar, May 2009*
- Many Kuchi do not count us as IDPs and we also hope that one day the label “IDP” will no longer be applied to us. *Tribal Elders, from Skinkai district, Zabul, in District 5, Haji Aziz Kalay, Kandahar-city, April 2009*

**Shared experience of reception in areas of refuge:**

- Everyone looks down on us. We receive no respect from people. A portion of them says that IDPs are viruses of society and should be extracted. *Educated woman, from Almar, Badghis, in camp number 3 Zhari Dasht, Kandahar, April 2009*
- They [the host community] misbehave toward us, and local people even call us migrants. *Shopkeeper, from Shamulzai, Zabul, in camp 7, Zhari Dasht, Kandahar, May 2009*
- We do not even have respect from the government. Respect can only be found in our areas of origin, where people have known us for generations. *Tribal elder, from Dila, Paktika, in Haji Arab area, Kandahar city, May 2009*

## INTERNAL DISPLACEMENT IN KANDAHAR PROVINCE

**K**andahar, one of the largest of Afghanistan's thirty-four provinces, illustrates in microcosm the myriad complexities of the conflict in Afghanistan as well as the challenges facing government institutions and humanitarian agencies in confronting a worsening situation of internal displacement, addressing humanitarian concerns, and finding solutions to displacement. The mere fact that Kandahar remains a destination of choice among IDPs seeking safety, despite its proximity to the conflict, is itself interesting and deeply rooted in the province's history, politics and economic development.

Kandahar province, especially the capital city, is considered the most important political and economic center in southern Afghanistan. Its strategic location has made it a desired area of settlement since ancient times. Neighboring provinces such as Uruzgan, Helmand and Zabul are to a significant degree dependent on Kandahar. More recently, migration into Kandahar province to escape conflict or to access better livelihood opportunities is a trend that began with the fall of the communist government in 1992 and has continued, with ebbs and flows, to the present day. The border crossing at Spin Boldak, in southern Kandahar province, is second only to Nangarhar province's Torkham Border post in terms of traffic and trade. A recent study by Altai Consulting commissioned by UN-HCR found between 180,000 and 225,000 people crossing the border per week in Spin Boldak.<sup>48</sup> The shared, so-called 'lawless frontier,' (one of the most extensive of all of the bordering provinces) between Pakistan and Afghanistan is also considered a key smuggling area.

The fighting between the US-led Coalition Forces (and NATO) and the Taliban continues in Kandahar province. Just five days after the Afghan presidential elections on 20 August 2009, a huge bomb exploded in Kandahar-city, killing more than 40 people in what was considered the deadliest attack on civilians since 2001. It was described as contributing to "Kandahar's sense of isolation and tip its people into despair that someone, anyone, has the power to halt the mayhem that surrounds them."<sup>49</sup>

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<sup>48</sup> Altai Consulting, 2009, *Study on Cross Border Population Movements between Afghanistan and Pakistan*, Kabul: Altai Consulting, June 2009, p.16.

<sup>49</sup> Taimoor Shah, 2009, "Bombing Deepens Despair in a Stricken Afghan City," *The New York Times*, 26 August 2009, [http://www.nytimes.com/2009/08/27/world/asia/27kandahar.html?\\_r=1](http://www.nytimes.com/2009/08/27/world/asia/27kandahar.html?_r=1)

**Figure 3: Kandahar Districts Hosting IDPs**

Source: *The Liaison Office, 2009*

As of July 2009, only four of Kandahar province's 18 districts remained under full government control. The main IDP locations—Kandahar-city and Spin Boldak—were among them. Together with the districts of Dand and Daman, these form a 'safe corridor' from the Afghan-Pakistan border to the district center (see Figure 3), a corridor where the government is perceived as being able to provide security to the population.

In most other areas (including Zhar district, the site of the one official IDP camp in Kandahar), the government only holds control of the district center, with the insurgency increasingly gaining ground.

As a result of access restrictions, little accurate information exists on the availability of services, but health indicators suggest a rapidly deteriorating situation. Between January 2008 and 2009,

<sup>50</sup> Interview, Health Cluster Lead, Kabul, 13 May 2009.

the number of children inaccessible to health care workers jumped from 42,600 to over 235,000 in the southern region.<sup>50</sup> Furthermore, the incidence of polio, which is generally considered one of the most reliable indicators of a population's access to health care, has been most widespread across Kandahar province, especially in insecure areas. The lead organization of the health cluster in Afghanistan noted that if the conflict intensifies further, there could be no access to basic health services in any of the rural areas of Kandahar province.<sup>51</sup>

The actual numbers of internally displaced persons, remains controversial in Kandahar. There is considerable disagreement among humanitarian agencies and government officials over the categorization of IDPs. The provincial department of the Ministry of Refugees and Repatriation (MoRR) and UNHCR in Kandahar officially acknowledge only the longstanding camp-based populations of predominantly northern Pashtuns in Zhari Dasht camp and (semi-settled) Kuchi in Kandahar-city, Maywand and Panjwayi districts (the latter two are not included in this study) as IDPs, while excluding from their count those in Spin Boldak, which are comprised of a mix of protracted caseload and recent IDPs and Kuchi.<sup>52</sup> Aid agencies, supported by the provincial government, have so far only partially acknowledged new (i.e., since 2004) conflict-induced displacement in Kandahar-city, and especially Spin Boldak, aside from providing short-term assistance to IDPs considered temporarily displaced by raging conflict between Afghan National Security Forces, international military forces, and the insurgency.<sup>53</sup> This study, however, found considerable numbers of new conflict-induced IDPs in these areas as well as key gaps in the political integration of IDPs who had opted to permanently or semi-permanently settle in Spin Boldak when IDPs were given the option to relocate to Zhari Dasht camp or to locally integrate.

Rather than relying primarily on known protracted caseloads, as the National IDP Task Force did in compiling the *National IDP Profile*, this study also took into account qualitative elements, such as the perception of host communities and the self-perception of those who consider themselves displaced by conflict. For instance, IDPs interviewed for this study generally do not distinguish between 'direct IDPs' and returned refugees in secondary displacement as a result of the similar conditions and/or push factors in areas of origin. This report uses figures collected during fieldwork in the three sites discussed here. Box 3 provides a summary of the estimation method used for the IDP figures; it is important to emphasize that this method does not rely on household surveys and as such should be considered an approximation rather than exact counts.

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<sup>51</sup> *Ibid.*

<sup>52</sup> Interview, Head of Office, UNHCR, Kandahar-city, 27 May 2009. UNHCR does not categorically rule out the possibility that there could be legitimate populations of IDPs scattered in Kandahar-city.

<sup>53</sup> *National Profile of Internal Displaced Persons (IDPs) in Afghanistan*, 2008, pp.25-26.



**Box 3:** Estimation method for IDP populations

Several camp leaders were interviewed about areas of origin for IDPs living in a certain camp or city area. Next, the leaders for each community were identified (displaced populations usually keep within areas dominated by their own tribe or clan). Then each leader was asked to note how many families of their own tribe, clan etc. were displaced and how many families of other tribes they knew of (the latter was done for cross-comparison purpose). Furthermore, each IDP interviewed was asked about the size of their community and others at the same site. The average of the figures provided by the various respondents was then used as the final estimate. Then surveyors asked for an average estimate of individuals per family/household. (The researchers ended up using a conservative average of 6.5 members/family, although as many as 10-12 members were sometimes reported.) Figures collected by surveyors were triangulated by senior researchers from TLO during site visits.

There are clear discrepancies between the numbers of IDPs presented in this study (a total of an estimated nearly 50,000 households or about 322,000 individuals in Kandahar province alone) and those presented in the *National IDP Profile* (a total of 235,833 IDPs nationwide, 119,958 in the South and 93,452 in Kandahar province, even though 36,107 located in Maywand and Panjwayi are not considered in this study).<sup>54</sup> These differences go above and beyond differences in the one-year time frame between both studies, the narrow focus on Kandahar province, and the exclusion of Maywand and Panjwayi within Kandahar province.

It is not the objective of this study to engage in a ‘profiling war’ but rather to suggest the existence of a more complex and diffuse situation than has been acknowledged to date and to question some of the key assumptions of humanitarian actors. The differences in numbers can be attributed to: definitional disagreements, gaps in hard data over estimates, and the omissions (as a result of access restrictions) of certain IDP groups acknowledged in the *National IDP Profile*, which are prominently featured here, mainly recent conflict-induced populations and drought-affected IDPs.

Following the lead of the recent *Afghanistan National IDP Task Force Strategy 2009 to 2010*, adopted on 30 August 2009, returnees are collapsed into the other IDP categories, of which new conflict-induced IDPs represent the largest group. Table 2 provides a summary of our estimates per site and category (see also the three tables in Appendix II for site breakdowns for the three categories presented here).<sup>55</sup>

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<sup>54</sup> *Ibid*, p.19.

<sup>55</sup> However, we split them between the protracted caseloads and conflict-induced groups. Disaster-induced IDPs may not have been captured as thoroughly in this study as the other two categories.

**Table 2:** Overview of IDPs in Kandahar Province (number of households)

IDP Categories	Kandahar-city	Spin Boldak	Zhari Dasht-Camp	Total
<b>Protracted caseload</b>	150	1,450	890	2,490
<b>Conflict-induced (2001)</b>	80	750	730	1,560
<b>Conflict-induced (post 2004/5)</b>	4,600	16,100	130	20,830
<b>Returnees, conflict-induced - since 2004</b>	100	3,000	80	3,180
<b>Returnees, conflict-induced – since 2001</b>	–	12,020	–	12,020
<b>Disaster-induced IDPs</b>	100	1,770	580	2,450
<b>Kuchi - disaster-induced</b>	5,000	2,000		7,000
<b>Total</b>	<b>10,030</b>	<b>37,090</b>	<b>2,410</b>	<b>49,530</b>

Source: TLO/Brookings-Bern Project Field Estimates, 2009

- ❖ **Protracted IDPs resulting from ethnic conflict in the North** and returnees unable to return home for the same reasons (**about 2,500 households**). These IDPs fled in three phases: post-1992 after the fall of the communist government and the short *mujahideen* rule in Afghanistan, post-1995 when the Taliban movement fought against *mujahideen* in the North, and most recently in 2001 after the fall of the Taliban, when ethnic violence and reprisals again erupted. This group is mixed, some having fled their homes and places of residence due to direct violence and persecution, some from violence and lack of livelihood prospects (the latter often inhibiting return as much or more than the fear of recurrent violence) and those who collaborated with or were known supporters of the Taliban. For the latter category, sustainable return in safety and dignity will be difficult to achieve in the absence of meaningful reconciliation.

The majority of these conflict-induced IDPs from the North and West were displaced several times (see Table 1 and 3 in Appendix III for an overview of displacement routes), within Afghanistan and also in Pakistan and Iran as refugees, before finally settling temporarily in Spin Boldak. (See IDP Life story 1 in Appendix V). With the establishment of Zhari Dasht camp in 2004, nearly 40,000 relocated with UNHCR assistance, while a significant number opted to remain and were considered to have locally integrated on a voluntary basis.

Once the Zhari Dasht IDP camp was established, some IDPs from Kandahar-city and returning refugees from Pakistan joined the group that moved from Spin Boldak. After individual assistance ceased in Zhari Dasht camp in 2006,<sup>56</sup> several groups of IDPs either moved back to Spin Boldak or to Kandahar-city in search of livelihoods. According to a 2009 UNHCR commissioned house-to-

<sup>56</sup> Other forms of assistance including health services and security (30 Afghan National Police were paid for by UNHCR, and Food for Education projects by WFP) are ongoing. The residents were also provided winter assistance in 2008 and 2009, UNHCR Communications, 5 and 22 October 2009.

house survey implemented by the local NGO Humanitarian Action for the People of Afghanistan (hereinafter, UNHCR/HAPA survey), approximately 9,000 protracted caseload IDPs still remain in the Zhari Dasht camp.<sup>57</sup> Our own estimates are slightly lower, reporting about 900 families or 6,000 IDPs.

- ❖ **Conflict-induced IDPs (about 37,600 households).**<sup>58</sup> This group of internally displaced persons can be broken down into three groups: i) those who fled after the fall of the Taliban (2001, 1,560 households); ii) those that fled during the recent conflict between Afghan National Security Forces supported by international military forces and the new Taliban insurgency (since 2004 and 2005; 20,830 households); and iii) a sizeable group that has been unable to return home since the fall of the Taliban due to conflict in their areas of origin (15,200 households).

Interviews with IDPs highlighted similar causes of flight for the different groups. These causes include aerial bombardments, ground combat operations, harassment, arbitrary arrest and detention, loss of family members and fear of violence. (See IDP life stories 3 and 4 in Appendix V). Most speak of being caught between various forces including the Taliban vs. international military forces and militias in 2001 and insurgency vs. Afghan National Security and international forces (and the occasional militia) after 2004.

This group of IDPs is scattered among the three sites, albeit primarily in Spin Boldak (84%) and secondarily in Kandahar-city (13%). The majority come from the southern provinces of Uruzgan, Helmand, Zabul and Kandahar. Some that fled around 2001 also originated in the southeastern, eastern and central provinces, such as Paktika, Nangarhar and Wardak, respectively.

The majority of IDPs who have arrived in recent years in Kandahar-city and Spin Boldak tend to have done so directly, although movement between sites does occur in limited numbers (such as arriving in Spin Boldak or Kandahar-city first and then moving to the other location). Since the assisted relocation of IDPs from Spin Boldak to Zhari Dasht, only about 940 new IDP families reportedly arrived, with no new arrivals after 2006 when assistance phase-outs were reported. Again, IDPs that were displaced during the fall of the Taliban tend to have moved more between sites, either directly or via Pakistan. (See Tables 2 and 3 in Appendix III for an overview of displacement routes).

<sup>57</sup> UNHCR, 2009, *Zhari Dasht IDP Camp House to House Survey: 25th Feb – 3rd Mar 2009*, Kandahar: UNHCR; [Commissioned by UNHCR Sub-Office Kandahar; Implemented by Humanitarian Action for the People of Afghanistan (HAPA)], p.6.

<sup>58</sup> Unlike the *National IDP Profile*, we did not find many IDPs fleeing from intra/inter-ethnic conflict, so did not make a special category. The few ones that may exist are subsumed here. We also decided to call this category conflict-affected rather than battle-affected IDPs as the National IDP profile does, given that interviews suggested a broader set of causes for displacement than battle alone.

**Disaster-induced IDPs (about 3,450 households).** This group mainly fled drought and other environmental disasters and includes nomadic Kuchi, although they are often not considered as IDPs.<sup>59</sup> The UNHCR Representative in Afghanistan noted, for instance, that “IDPs or Kuchi in Kandahar, 10 years after drought, for how long do you want to still call them IDPs; you cannot do this forever.”<sup>60</sup> This population is mostly located in Spin Boldak (1,770 households), whereas Kandahar-city has the biggest number of Kuchi-IDPs (5,000 households or 33,000 individuals).<sup>61</sup> Little has been done to resolve the underlying causes of natural disaster displacement or find sustainable solutions to the changing livelihood patterns of Kuchi.

### OVERVIEW OF IDP DESTINATIONS IN KANDAHAR

The three sites examined in this study—the border town of Spin Boldak, the Zhari Dasht IDP camp, and Kandahar-city (see Figure 3)—all host significant numbers of IDPs. The fact that many of them have lived in all three of the locations at different times over the past seven-plus years (in Spin Boldak and Kandahar-city even longer), coupled with the increasing numbers of new conflict-induced arrivals, highlight the breadth of the problem and underscores the failure of national and international actors to effectively remedy the situation of displacement and its causes. The lack of meaningful and regular access to the various populations by humanitarian actors has resulted in significant confusion over their status as IDPs, economic migrants, or simply members of an ever-expanding urban poor. It has also contributed to a lack of effective action to address humanitarian and protection needs, disentangle the short and long-term intentions of the displaced, and establish coherent, common-sense approaches to local integration, either as a durable solution or as a means to allow populations a reasonable standard of living pending sustainable return to areas of origin.

#### **Spin Boldak**

As the only legal border crossing between Kandahar province and Pakistan, Spin Boldak has been an obvious destination for those fleeing conflict in Kandahar province itself, as well as other parts of the country, and for refugees unable to return to places of origin. Due to its proximity to Pakistan and the thriving cross-border trade, Spin Boldak has historically attracted in-migration since the Taliban era (for both economic and political reasons), when some returning refugees re-established themselves in the Naw-e Kalay area of Spin Boldak (see Figure 4). Furthermore, Pashtun IDPs fleeing ethnic violence in the North after 1992 also fled to Spin Boldak.

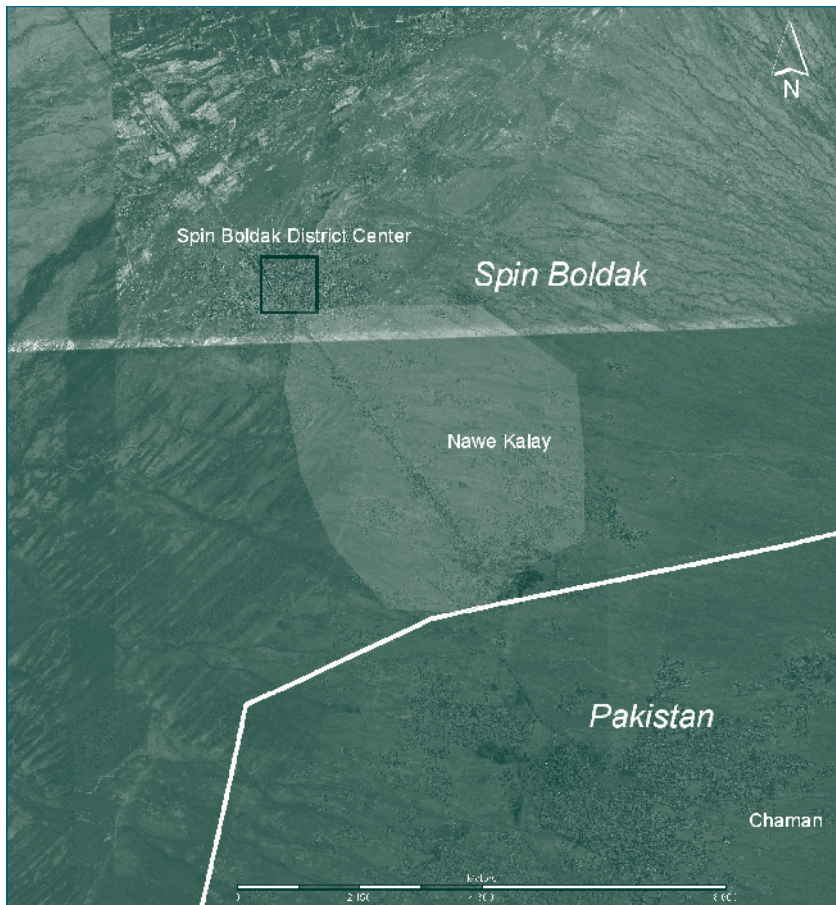
<sup>59</sup> The Afghanistan Independent Human Rights Commission in their reports also discusses Kuchi under displaced populations; cf. AIHRC, 2007.

<sup>60</sup> Interview, Afghanistan Representative, UNHCR, Kabul, 4 June 2009.

<sup>61</sup> *National Profile of Internal Displaced Persons (IDPs)* in Afghanistan, 2008, p.19; The National IDP Profile also identifies “the Kuchi of the Registan desert – who had lived there with their flocks for centuries. They comprise at least 60% of the IDPs in Maywand and Panjwayi in the south, currently estimated at 21,500 individuals.” *Ibid.*, p.7.

In-migration increased in 2001 during the Coalition Forces' bombing campaign and renewed anti-Pashtun violence that occurred in the North. Many Afghans were unable to enter Pakistan and a camp was established in Spin Boldak in 2001 to provide temporary assistance.<sup>62</sup> Arriving in Spin Boldak, the IDPs joined the large numbers of returning Afghan refugees in the Naw-e Kalay border area that were either unable or unwilling to return to their original homes in Afghanistan. After the fall of the Taliban, there were a number of pull factors attracting new conflict-induced IDPs to Spin Boldak: the protection that was offered by the local strongman and Head of Border Police Abdur Raziq, existing IDP enclaves, the ability to purchase land, good livelihood prospects, as well as humanitarian assistance that was available until early 2004.

**Figure 4:** IDP Settlement in Spin Boldak



Source: *The Liaison Office*, 2009

<sup>62</sup> UNHCR, 2004, "UNHCR starts relocating Afghan internally displaced persons under plan to close border camp." Spin Boldak: UNHCR, 6 June 2004; <http://www.erc.hrea.org/lists/refugee-rights/markup/msg00489.html> (NB: highlights security concerns of operating in border areas and subsequent lack of regular access by humanitarian agencies).

Until recently, when a series of suicide bombings rocked the city, Spin Boldak was known for its relative security and political stability. It is one of the few remaining places in the province where the government continues to exercise full authority. The host community there consists primarily of two Pashtun tribes: the Nurzai and Achekzai, the latter being slightly larger and the dominant one.

Following Pashtun hospitality traditionally extended to a displaced population, both tribes have allowed IDPs to settle on a somewhat permanent basis and have permitted their economic integration. However, any form of political integration or representation at the district level has been opposed. Most importantly, while the presence of IDPs is tolerated, they are not considered local residents and effectively enjoy few political rights.

The sub-camps within Naw-e Kalay, which existed prior to 2001—when UNHCR was providing assistance—are less clearly defined today. With the exception of a few ethnically and/or geographically homogenous enclaves, settlements tend to be mixed. According to local IDP leaders, the entire IDP population comprises about 42 different tribes and ethnic groups.<sup>63</sup> In addition to more permanent settlements, Spin Boldak also hosts a large number of Kuchi living in tents surrounded by mud walls. These Kuchi (mostly from Ghazni, Shawali Kot in Kandahar and the Registan area between Kandahar and Helmand) lost all of their livestock during severe droughts in the late 1990s.

Spin Boldak's economy is centered on cross-border trade with Pakistan and offers better livelihood opportunities than most southern provinces and many parts of Afghanistan. In the Spin Boldak main bazaar, everything from cars, car spare parts, and electronics as well as items of daily use can be found. There are also numerous money-changers. According to prior TLO field research, daily wage labor, shop keeping and trade make up 65% of employment, while the remainder of the population engages in agriculture, livestock herding or work as civil servants or in security forces.<sup>64</sup> Like all border points, there is also reputedly a large black market and significant smuggling operations.

Internal displacement in Spin Boldak is a controversial topic among humanitarian agencies. UNHCR and other agencies closed the chapter on internal displacement in 2004 when IDPs were given the choice to relocate further inland—to a camp in the newly-established Zhari district—or to locally integrate and remain permanently in Spin Boldak. UNHCR had assisted 420 families 2,121 individuals to return to their areas of origin (Southern and Northern Region) from Spin Boldak, and the IDPs who opted to remain in Spin Boldak were further assisted with shelter materials and water points.<sup>65</sup>

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<sup>63</sup> Interview, IDP Shura leader, from Nawi Kalay, Spin Boldak, in Kabul, 8 June, 2008.

<sup>64</sup> The Liaison Office, 2009, *District Assessment: Spin Boldak, Kandahar*, Kabul: TLO (internal report).

<sup>65</sup> UNHCR Communication, 5 October 2009.

A national NGO, Afghan Health and Development Services (AHDS), had registered approximately 22,000 IDP families in 2004<sup>66</sup> and UN statistics put the Spin Boldak IDP population in 2004 between 20,000-36,000 families.<sup>67</sup> Some 8,000 families (approximately 39,000 individuals) who had been unable to purchase land or to subsist without external aid, agreed to relocate to Zhari Dasht camp with assistance from UNHCR and the International Organization for Migration (IOM), where land would be allocated, construction materials provided, health and education services established, and other forms of material assistance made available periodically.<sup>69</sup> All assistance at the border then ceased.<sup>68</sup> Those who chose to remain were considered to have de-facto locally integrated in Spin Boldak and were removed from the IDP caseload lists. The *National IDP Profile* contains no mention of IDPs currently in Spin Boldak. There is little concrete data on the number of IDP households that chose to remain in Spin Boldak, but it is estimated that only one-third of the total population of IDPs then in Spin Boldak voluntarily moved to Zhari Dasht camp in 2004.

While conflict and natural disasters in areas of origin prior to 2004 were major causes of displacement for an estimated 18,000 IDP households (sometimes rounded up to 20,000), they are not the only reason why these displaced populations are in Naw-e Kalay today. Some are returning refugees unable to move back to their areas of origin. Legal and illegal economic opportunities, political protection and security for the IDPs have functioned as pull factors for relatives of IDPs to join them in Naw-e Kalay. The fact that many of these IDPs have been in Spin Boldak for as long as 10-15 years, and were able (especially in the beginning years of the post-Taliban government) to buy land from the host community and local strongmen and construct houses and shops, is often used as proof that they should no longer be considered internally displaced, but rather locally integrated. Those who chose not to go to Zhari Dasht are considered to have made a voluntary choice to remain and settle and thereby to have surrendered their rights to further humanitarian assistance and the protection of international actors.

This local integration, however, is mainly economic, and as we elaborate further (see Section 5.5), the IDPs continue to lack political rights. For now they are allowed to stay in Spin Boldak due to the patronage of local strongman and head of border police, Abdur Raziq. The experience of IDPs in Zhari Dasht camp, however, illustrates what can happen when the protector dies or local power shifts. Without land rights, legal documents for land purchased and political integration, all or, at minimum, a portion of the IDPs of Spin Boldak could be displaced once again if the host community decides to do so and calls in adequate support. As long as there are no guarantees that they are fully integrated on par with the host population, even this long-term displaced population remains

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<sup>66</sup> Interview, teacher, from Helmand, in Spin Boldak, 29 May 2009.

<sup>67</sup> Center of Excellence in Disaster Management and Humanitarian Assistance, 2004, *Humanitarian Assistance for Afghan Refugees and IDPs*, 26 March 2004, <http://www.who.int/disasters/repo/12607.pdf>;

<sup>68</sup> UNHCR, 2009, *Zari Dasht IDP Camp House to House Survey*, p.3.

<sup>69</sup> IDPs who opted to remain in Spin Boldak, however, were assisted by UNHCR with shelter materials and water points, UNHCR Communication, 5 October 2009.

vulnerable. Furthermore, in applying *The Framework for Durable Solutions*, it is clear that the condition that “formerly displaced persons are able to exercise the right to participate fully and equally in public affairs for ending displacements” has not yet been achieved in Spin Boldak.<sup>70</sup>

One only needs to recall the Sherpur case in Kabul, where occupants who had lived there for 25-30 years were forcefully expelled by the Ministry of Defense.<sup>71</sup> There are many similar cases of forced land seizures across Afghanistan, and therefore even long-term economic integration cannot be taken as any guarantee of sustainable integration.

In the absence of humanitarian assistance to IDPs in Spin Boldak, the IDP label carries no material or other benefits (such as international protection), and is often perceived as a derogatory term by the IDP population. Still, this population is seen and sees itself as IDPs and organizes around this identity; in the hope to one day achieve full integration and the ability to exercise political rights.

The reluctance to acknowledge new IDPs in Spin Boldak is based on a combination of lack of access, lack of political will, and the flawed assumption that persons settling in border towns are either Kuchi or economic migrants hoping to engage in the licit and illicit trades often characteristic of border towns. As a matter of policy, humanitarian agencies tend to refrain, except in humanitarian emergencies, from establishing operations in border towns as such locations are often dangerous and prone to smuggling, and because cross border movements make the provision of assistance difficult to control.<sup>72</sup> Others wrongly assume a static situation and fail to acknowledge that conflict in the South has produced new IDPs who have fled to Spin Boldak since 2004.

Our research found significant levels of new internally displaced populations in Spin Boldak which suggests that since 2005, the number of new arrivals from conflict-affected areas of Uruzgan, Helmand and other districts of Kandahar make up more than half of the estimated 37,000 IDP households that live in the Naw-e Kalay area (roughly half who chose to remain rather than moving to Zhari Dasht IDP camp and half new arrivals). Thus, these IDPs households (an estimated 240,000 individuals in

<sup>70</sup> *When Displacement Ends: A Framework for Durable Solutions*, Washington DC: The Brookings Institution – University of Bern Project on Internal Displacement and Georgetown University, June 2007, p.17; [http://www.brookings.edu/~media/Files/rc/reports/2007/09displacementends/2007\\_durablesolutions.pdf](http://www.brookings.edu/~media/Files/rc/reports/2007/09displacementends/2007_durablesolutions.pdf)

<sup>71</sup> Economic and Social Council (2004) *Economic, Social and Cultural Rights: Adequate housing as a component of the right to an adequate standard of living Report by the Special Rapporteur, Miloon Kothari, Addendum, Mission to Afghanistan (31 August-13 September 2003)*. United Nations, Commission on Human Rights, Sixtieth session, Item 10 of the provisional agenda; E/CN.4/2004/48/Add.2; 4 March 2004; <http://daccess-dds.un.org/doc/UNDOC/GEN/G04/115/17/PDF/G0411517.pdf?OpenElement>

<sup>72</sup> UNHCR, 2004, “UNHCR starts relocating Afghan internally displaced persons under plan to close border camp.” Spin Boldak: UNHCR, 6 June 2004; <http://www.erc.hrea.org/lists/refugee-rights/markup/mmsg00489.html> (NB: highlights security concerns of operating in border areas and subsequent lack of regular access by humanitarian agencies). *For General guidelines on policy on camp locations away from borders, see UNHCR Handbook for Emergencies.*



total) constitute slightly more than the host community population of the district, which is estimated at about 150,000 by the Central Statistics Office (CSO). If these estimates are accurate and not an exaggeration of IDPs, the displaced community (some having lived in the district for well over 10 years) has long eclipsed the host community and transformed Spin Boldak into a district composed predominantly of IDPs (or non-Spin Boldak natives), and other transient populations attracted by a thriving border town offering commerce and economic livelihoods. Even when discounting long-term IDPs who have purchased land, a considerable number of new conflict-induced and secondary displaced IDPs are currently residing in Spin Boldak, which calls for a renewed consideration of the IDP caseload there. Table 3 below provides an overview of the IDP population in Spin Boldak.

**Table 3:** Main IDP Groups in Spin Boldak (Approximately 37,000 families)

Protracted northern caseload	Conflict-induced	Disaster-induced
Direct Flight	Post 2004/5	Kandahar – 1,000 families
Ghor, Balkh – 120 families	Kandahar – 9,000 families	Ghor – 170 families
Badghis and Sari Pul – 40 families	Helmand – 4,000 families	Kuchi (Helmand-Ghanzi) – 60 families
Secondary displaced returning refugees	Uruzgan – 3,000 families	Kuchi (Kandahar – Ghazni) – 500 families
Badghis, Faryab – 340 families	Zabul – 100 families	Nangarhar (Kuchi) – 40 families
Kunduz, Farah, Sari Pul – 750 families	<i>Sub-Total: 16,100 families</i>	
Sari Pul, Badghis – 200 families	Post 2001	Long-term
	Paktika – 750 families	Other – 2,000 families – mostly Kuchi
	<i>Sub-Total: 750 families</i>	
	Secondary displaced returning refugees	
	Kandahar – 3,000 families	
	Kandahar, Uruzgan – 12,000 families	
	Nangarhar – 20 families	
	<i>Sub-total: 15,020 families</i>	
<b>Total: 1,450</b>	<b>Total: 31,870</b>	<b>Total: 3,3770</b>

Source: TLO/Brookings–Bern Project Field Estimates, 2009

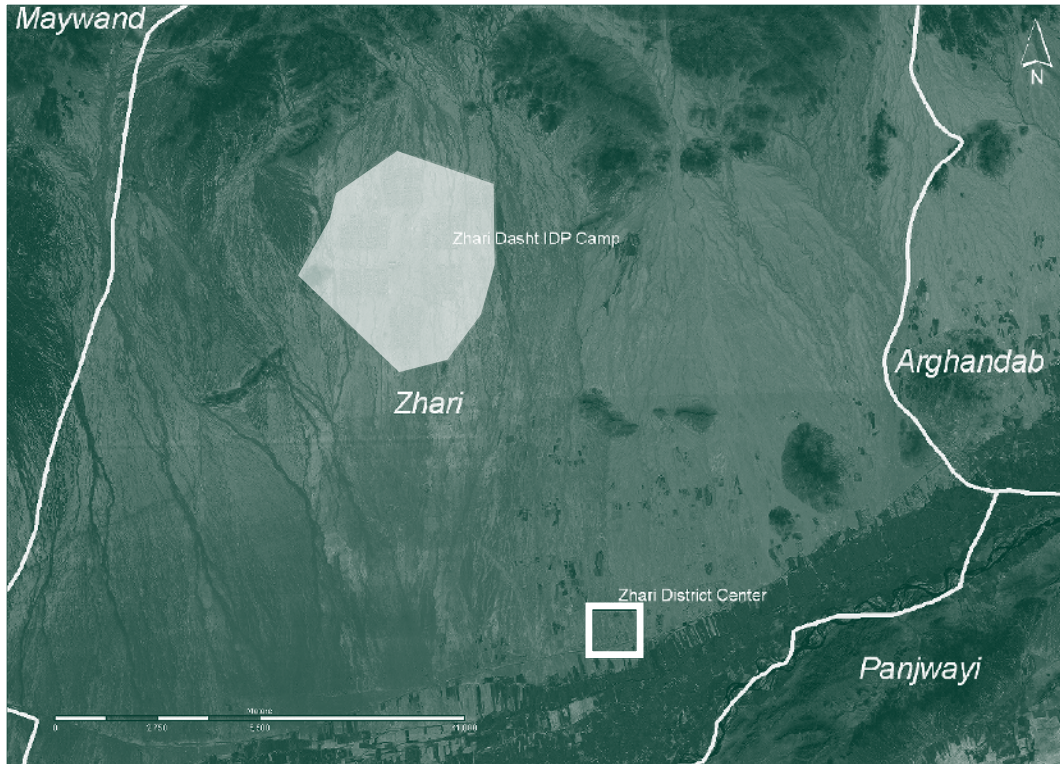
### **Zhari Dasht IDP camp**

The Zhari Dasht IDP camp was created by UNHCR and the Government of Afghanistan in 2004 as a temporary site for IDPs in a vast desert area to the north of the ring road that connects Kabul, Kandahar and Herat in the newly carved out district of Zhari (Figure 5). The IDP camp—consisting of twelve sub-camps, each with a capacity to house 1,000 families—was named after its location, as Dasht in Pashtu means literally desert.

The history of Zhari district—located 27 km to the west of Kandahar-city—is closely intertwined with the arrival of IDPs. It was created as a new district in April 2003 by carving out different parts of Arghandab, Maywand and Panjwayi districts. When the late local strongman, Habibullah Jan (killed in 2008), returned from exile in Pakistan in 2001 to the Sanzaari area west of Kandahar-city, he lobbied for the creation of a new district in which his own Pashtun Alizai tribe would be the

majority. In order to achieve this, he used the relocation of IDP populations from Spin Boldak to the Zhari Dasht camp, i.e., the increasing population in the area, to justify the creation of a new district. There are local rumors that the entire district was named after the IDP camp, which at that point in time was receiving assistance and provided many jobs, in the hope of attracting additional international resources.

**Figure 5:** Location of Zhari Dasht IDP camp



Source: *The Liaison Office, 2009*

As noted earlier, Zhari Dasht camp was intended to host primarily those IDPs who had fled to the Afghan-Pakistan border at Spin Boldak after post-Taliban fighting in the northern, northwestern and western regions. Upon relocation from Spin Boldak, the 8,000 IDP families (39,000 individuals)<sup>73</sup> there were allocated plots of land in one of the twelve separate settlements that comprise the camp and provided with materials for house construction. In addition, services were established, including primary education and health clinics, and regular food distributions were provided by the World Food Programme (WFP). When word of the new IDP camp reached refugee camps in Pakistan, many Afghan refugees, unable or unwilling to return to areas of origin in the North, Northwest and West of Afghanistan as a result of continuing anti-Pashtun sentiments, also made their way to

<sup>73</sup> UNHCR, 2009, *Zari Dasht IDP Camp House to House Survey*, p.3.

Zhari Dasht camp. Over time, the availability of services in the camp also drew, albeit in relatively small numbers, drought and conflict-induced populations from other southern provinces.

In 2007, the Afghan Central Statistics Office estimated the mostly Pashtun population (97%) of Zhari District at 78,000 persons, although locals put the population closer to 200,000. This includes, according to the UNHCR/HAPA survey, the 2,088 families comprising of 14,253 individuals that still lived in Zhari Dasht camp at the time of the survey in early 2009.<sup>74</sup> Our estimates are only slightly higher. Pashtun tribes from northern Afghanistan make up the majority of the camp population. There are three different groups among them, with Table 4 below providing an overview.

In 2006, the government lost full control of Zhari district, as it did for many other districts in Kandahar province. Likewise, UN agencies have been unable to access Zhari Dasht camp since then. The past three years have witnessed continuous conflict between Taliban insurgents and the Afghan government, supported by international military forces. While security marginally improved in 2009, IDPs report that the 30-kilometer stretch of road linking the camp with Kandahar-city is increasingly dangerous for travel because of roadside bombs targeting international military convoys.<sup>75</sup>

**Table 4:** Main IDP Groups in Zhari Dasht camp (Approximately 2,400 families)

Protracted northern caseload	Conflict-induced	Disaster-induced
<p><b>Direct Flight</b>            Badghis: 130 families            Kunduz, Badghis: 130 families            Badghis, Farah: 120 families            Badghis, Sar-i-Pul, Kunduz: 100 families            Faryab: 60 families  <b>Sub-total: 450</b></p> <p><b>Secondary displaced returning refugees</b>            IDPs: Faryab, Badghis – 180 families            Returnees: Faryab, Badghis, Sari Pul – 170 families  <b>Sub-total: 350</b></p> <p><b>Total: 890 families</b></p>	<p><b>Post 2004/5</b>            Zabul: 130 families</p> <p><b>Post 2001 (730 families)</b>            Ghazni: 380 families            Helmand: 180 families            Kandahar: 80 families            Wardak: 30 families            Zabul: 60 families</p> <p><b>Secondary displaced returning refugees</b>            Zabul – 80 families</p> <p><b>Total: 940 families</b></p>	<p>Zabul, Badghis: 250 families (also conflict)            Badghis, Ghazni, Zabul, Wardak: 130 families (collapse of Taliban also mentioned)            Zabul: 20 families            Faryab, Badghis: 180 families (Taliban time drought, first Helmand)</p> <p><b>Total: 580 families</b></p>

Source: TLO/Brookings–Bern Project Field Estimates, 2009

The economy of Zhari district is predominately agricultural, while shop keeping and other sundry labor play a relatively minor role. In the absence of humanitarian assistance, IDPs have been forced to seek employment elsewhere, primarily Kandahar-city where the main provincial and regional bazaar is located. Some IDPs are forced to travel as far as Helmand to earn money in the poppy harvest, or to Pakistan and Iran.<sup>76</sup> The primary advantage of remaining in Zhari Dasht camp is that IDPs continue to live on their allocated plots where they have constructed relatively permanent dwellings.

<sup>74</sup> *Ibid.*

<sup>75</sup> Several interviews, Zhari Dasht IDPs, Kandahar-city, 26 May 2009.

<sup>76</sup> Interview, Laborer, from Almar, Faryab, in Zhari Dasht camp, Kandahar, May 2009.

Soon after the establishment of the Zhari Dasht camp, UNHCR and local authorities explored the option of transforming the camp into a permanent settlement in accordance with the national land allocation policy under Presidential Decree 104.<sup>77</sup> The resistance from local communities, however, proved too strong. As a result, UNHCR and the provincial department of MoRR began to focus on return to areas of origin as the only available durable solution for Zhari Dasht IDPs. Over the past four years, the provincial department of MoRR and UNHCR have periodically facilitated go-and-see visits, provided transportation grants, a two-month supply of food from WFP, and small reintegration packages of non-food items.

In early 2006, at the request of the government, individual assistance was cut off to Zhari Dasht in a bid to encourage IDPs to return to areas of origin. However, other forms of assistance including health services and security (30 Afghan National Police were paid for by UNHCR, and Food for Education projects by WFP) are ongoing.<sup>78</sup> The residents were also provided winter assistance in 2008 and 2009.<sup>79</sup>

According to UNHCR, between 2006–2008, 1,866 families (10,965 individuals) were assisted with voluntary returns to places of origin,<sup>80</sup> but the process was plagued by fraud and recycling and halted several times as a result.<sup>81</sup> At the same time, a number of IDP households also moved onward to Kandahar-city or returned to Spin Boldak, as both sites are considered more viable long-term options (see Appendix III for displacement routes). This study estimates that approximately 150 families shifted to Kandahar-city, with 80–100 of these households receiving one-off assistance from the Afghan Red Crescent Society (ARCS).<sup>82</sup> It is more difficult to estimate how many went back to Spin Boldak as they have blended in with those who had remained.

Based on the findings of the 2009 UNHCR/HAPA survey of Zhari Dasht camp, the suspension of assistance, at least on the surface, appears to have had its intended effect, in terms of reducing

<sup>77</sup> President of the Islamic Republic of Afghanistan, 2005, *Decree: On Land Distribution for settlement to eligible returnees and IDPs*, Kabul, Islamic Republic of Afghanistan: 15/09/1384 (06 December 2005). This Decree makes land available to landless IDPs and refugees returning to their places of origin - not in other areas (although land may be given in a neighboring province if the province of origin has insufficient land). This often excludes those IDPs from areas further away, many of whom are in Zhari Dasht camp. One could have possibly used their movement from Spin Boldak to Zhari to argue that they IDPs came from within Kandahar and allowed settlement under the Decree, if there would have been political will to do so.

<sup>78</sup> UNHCR Communication, 22 October 2009.

<sup>79</sup> UNHCR Communication, 5 October 2009.

<sup>80</sup> UNHCR Communication, 5 October 2009; UNHCR, 2009, *IDPs Assisted Return by Provinces of Origin - Jan 2002 to end Dec 2007*, information provided by e-mail, UNHCR official, Kabul, 10 September, 2009.

<sup>81</sup> Recycling here refers to returning IDPs or refugees possessing multiple forms of identification (i.e., entitlement documents for assistance) – either through fraud among implementing organizations or the existing of a black market – and manage to repeatedly register for assistance. In the case noted here, IDPs would travel to Mazar-I-Sharif, obtain cash and non-food item entitlements, then return to Kandahar and register for further convoys.

<sup>82</sup> Interview, Representative, Afghan Red Crescent Society, Kandahar-city, 30 May 2009.

the camp population (even if not all returned home).<sup>83</sup> The updated registration statistics revealed a camp population of just over 14,000 inhabitants, which corresponds to our estimates, not the 28,000 still listed in UNHCR's 2004 registration database. Of this population, however, only about 63% (9,000 individuals) are part of the protracted caseload from the North and West, with the rest constituting newer arrivals.<sup>84</sup> Many IDPs admitted that prior to the 2009 UNHCR/HAPA survey in Zhari Dasht camp, most families had multiple ration cards and recycling and fraud among assisted IDP returns was known to be extensive.

According to the same survey, nearly 70 percent of remaining camp residents expressed a willingness to return, a finding strongly contradicted by interviews conducted for this study. (This is discussed in detail in section 6.1.) According to elders, life in the camp has been increasingly difficult as a result of the deteriorating security situation, tensions with the host community, and a subsequent loss of livelihoods. A UNHCR representative acknowledged that return to areas of origin, while not without difficulties and challenges, was likely the least bad option in the current circumstances.<sup>85</sup>

At a June 2009 meeting of the IDP Task Force, UNHCR announced that 987 families (6,946 individuals) had registered to return.<sup>86</sup> Of this group, 735 IDP families (5,221 individuals) actually returned to places of origin in the North (Faryab and Jawzjan) in July 2009 and received reintegration assistance.<sup>87</sup> It is not yet clear whether these returns will ultimately prove sustainable or revert to prior trends of out-migration back to the South. Both UNHCR and the MoRR—the latter adamantly refusing to consider local integration as an alternative durable solution—appear anxious to close Zhari Dasht camp due to lack of access, insecurity, and host population opposition. The head of the provincial department of MoRR confirmed in an interview that the rumor among IDPs that the camp was soon to be closed originated in his office in an effort to force IDPs out of the camp.<sup>88</sup>

Interviews with IDPs indicate that many view the current return exercise as a final opportunity to “cash out” of the system. With few exceptions, IDPs believe that they will eventually be forced to leave Zhari Dasht camp. They view the current transportation package, amounting to \$50 per person, as perhaps the best and final opportunity to trade their status as IDPs, which carries few benefits and little protection, and use the funds to re-establish themselves on their own. Some IDPs, however, indicated that they intend to stay in Zhari Dasht camp, as they still hope for a permanent solution (local integration) in the district. It is alleged that some of them have established contacts with the insurgency to assure their interests within the Taliban's governance structures. According to UNHCR, specific efforts are

<sup>83</sup> UNHCR, 2009, *Zari Dasht IDP Camp House to House Survey*.

<sup>84</sup> *Ibid.*, p.6.

<sup>85</sup> Interview, Afghanistan Representative, UNHCR, Kabul, 4 June 2009.

<sup>86</sup> IDP Task Force Meeting, 4 June 2009.

<sup>87</sup> UNOCHA, 2009, *Afghanistan: Monthly humanitarian update No. 8* (July) [http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/EDIS-7UKLLP-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/EDIS-7UKLLP-full_report.pdf/$File/full_report.pdf)

<sup>88</sup> Interview, Head, Department of Refugees and Repatriation, Kandahar-city, 30 May 2009.

underway in coordination with the regional IDP Task Force (and with the guidance of the National Task Force) to engage closely with remaining IDPs to assess local integration as a durable solution for the remaining caseload.<sup>89</sup> The provincial head of MoRRR also acknowledged “those remaining in Zhari Dasht camp after the return exercise will be resettled,” but “only if UNHCR gives us money. Then we will build a township and give them government land.”<sup>90</sup>

### ***Kandahar-city***

The provincial capital’s strategic location along trade routes between Iran, Central Asia and the Indian subcontinent has made it an important trading hub for many centuries. Today, the economy of the city is largely based on import/export businesses and trade in automobiles and spare parts, fresh and dry fruits, and medicines. Kandahar-city counts as the main money exchange market of southern Afghanistan. Kandahar-city has also been the center of political power in southern Afghanistan, and was the first national capital until Afghanistan’s kings moved it to Kabul in search of a safer haven. During their brief reign, the Taliban re-established Kandahar as the capital city of Afghanistan.

The population of Kandahar-city is 500,000 according to the Afghan Central Statistics Office and 1.5 million according to local estimates. This number includes significant numbers of urban poor squatters, settled Kuchi and unregistered IDPs.<sup>91</sup> In addition the city’s economy has attracted a considerable rural-urban migration from across Kandahar province and neighboring provinces.

As of July 2009, Kandahar-city remains one of the few areas in the entire province under full government control. While support for the Afghan government tends to be greater in urban areas, the presence of government institutions and authority have made it a prime target for insurgents’ attacks on international military convoys and targeted assassinations of local pro-government leaders. The security of the city is closely linked to the surrounding districts, and the city’s proximity to the Taliban insurgency strongholds in the west of the province (Maywand, Panjwayi, Zhari) leaves it vulnerable.

While livelihood options are relatively numerous, Kandahar-city has the highest cost of living and often attracts IDP communities (e.g., land owners, khans) with relatively higher degrees of wealth. The availability of day labor opportunities, however, lures poorer families as well. In addition, accommodation is available, for those who can afford it. An average house, for instance, rents for \$60-100 per month, and must be paid 3-6 months in advance. There are also abandoned houses of those of who remain abroad or in Kabul, where IDPs are allowed to find shelter. IDPs without funds, especially Kuchi and new-arrivals, tend to squat on government land in tents.<sup>92</sup>

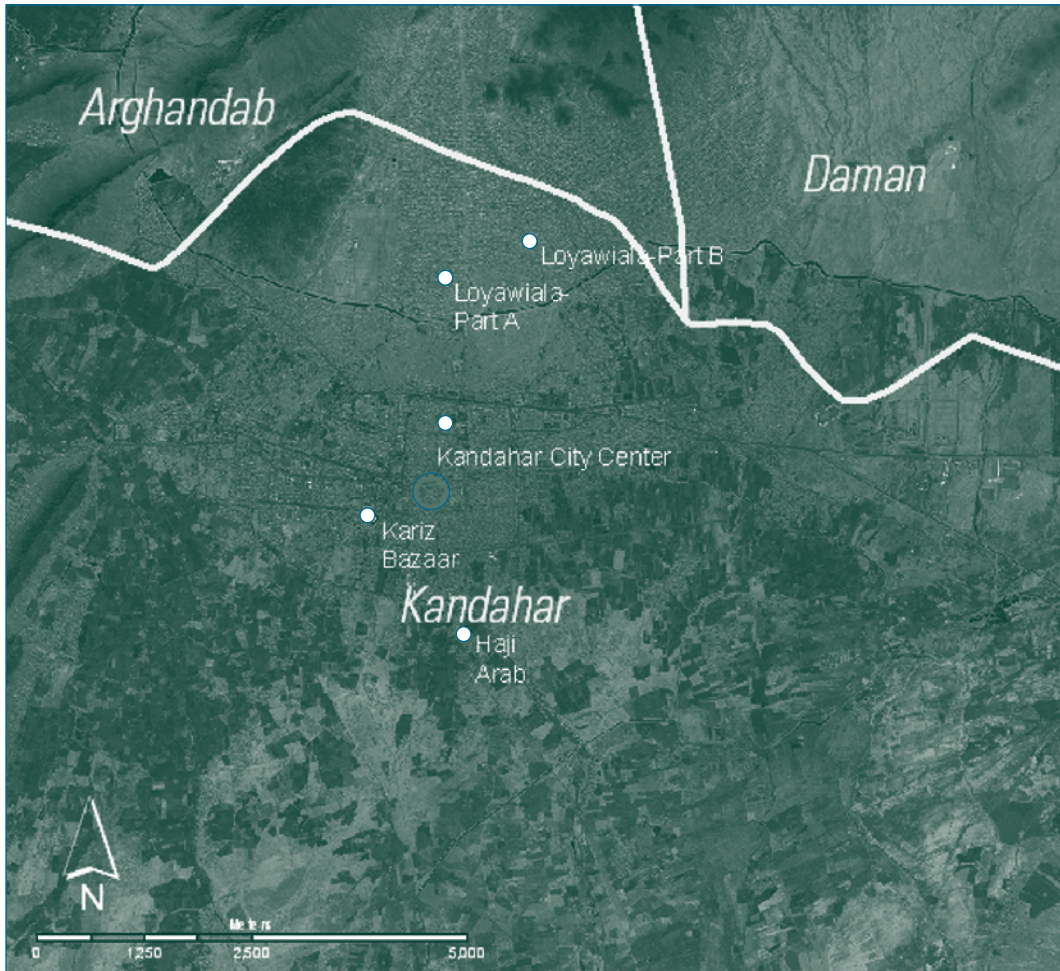
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<sup>89</sup> UNHCR Communications, 5 and 22 October 2009.

<sup>90</sup> Interview, Head, Department of Refugees and Repatriation, Kandahar-city, 30 May 2009.

<sup>91</sup> Central Statistics Office, 2008.

<sup>92</sup> Interview, Laborer, from Badghis, Kandahar-city, 30 May 2009.

**Figure 6:** IDP Concentrations in Kandahar-city

Source: *The Liaison Office, 2009*

The main destination for the newly arriving population from different provinces or tribes since then (be they migrants or internally displaced persons) has been the Loya Wiala area (see Figure 6) located to the north of the “old town” where housing is available and rent is cheaper than in the rest of the city.

Considered the melting pot of the city, urbanization of this area began during the government of Dr. Mohammad Najibullah (1986-92). About 80 percent of all IDPs in Kandahar-city reside here. The IDPs in Loya Wiala come from different provinces of Afghanistan and have fled to Kandahar

<sup>93</sup> About 80-100 households receiving assistance from The Afghan Red Crescent Society. Interview, Representative, Afghan Red Crescent Society, Kandahar-city, 30 May 2009.

in different phases since 1992. Since 2006, IDPs from the Zhari Dasht IDP camp (about 150 families<sup>93</sup>) and conflict induced IDPs from other provinces, notably Helmand, Uruzgan and Zabul, have moved to Loya Wiala, adding to the larger mosaic of the urban poor. A majority of recent IDPs (2,000 families) come from several Uruzgan districts (Gizab, Chora, Khas Uruzgan, Deh Rawud), and from Shar-e Safa district in Zabul (1,700 families).

Parts of Loya Wiala are considered to be among the most insecure areas of the city, where there is less social control and infiltration by Taliban insurgents and networks is easier.<sup>94</sup> In this area, the distinction between IDPs and other residents is sometimes blurred because the displaced often rent houses and thus blend in with the rest of the population.

In addition to the Loya Wiala area, more visible IDP camps in Kandahar-city, where IDPs live in tents, are found in the following three areas (see Figure 6).

- ❖ **Karez Bazaar, *nabiya* 2:** IDPs from Badghis live here in tents and in small houses. They blend in with the local population. They engage in daily laboring in the fruit market or in its surrounding areas of Kandahar-city, Herat Darwaza and Charsu Chowk.
- ❖ **Haji Arab area, *nabiya* 3:** About 13 families from Dila district of Paktia province who live on the land of the host communities in tents and houses.
- ❖ **Haji Mirza Khan Kalacha, *nabiya* 7:** IDPs from Shahr-e-Safa district of Zabul province live on government land very close to Peerpaimal Mountain where there are no local inhabitants nearby.

According to an UNOCHA report, there are also approximately 33,000 Kuchi nomads currently settled on the outskirts of Kandahar and there is concern that they may be forced to move.<sup>95</sup> They arrived during the Taliban times when drought led to loss of animals and livelihoods. Unlike the Kuchi of Panjwayi and Maywand, they are unassisted.<sup>96</sup>

<sup>94</sup> The Liaison Office, 2009, *District Assessment: Kandahar-city, Kandahar*, Kabul: TLO (internal report).

<sup>95</sup> UNOCHA, 2009, *Afghanistan: Monthly humanitarian update No. 6* (May), [http://reliefweb.int/rw/RW-Files2009.nsf/FilesByRWDocUnidFilename/PSLG-7SUJGB-full\\_report.pdf/\\$File/full\\_report.pdf](http://reliefweb.int/rw/RW-Files2009.nsf/FilesByRWDocUnidFilename/PSLG-7SUJGB-full_report.pdf/$File/full_report.pdf)

<sup>96</sup> According to UNHCR, Landell Mills Development Consultants have a project for Kuchis in Panjwayi and Maywand funded by DFID with provision of 2,250 sheep distributed to 150 primary beneficiary families who will in turn make in-kind repayment to secondary beneficiaries; UNHCR Communication, 5 October 2009.

<sup>97</sup> Interview, UN Official, Kandahar-city, 27 May 2009.

<sup>98</sup> *Ibid.*

<sup>99</sup> Interview, Afghanistan Representative, UNHCR, Kabul, 4 June 2009.



The acknowledgement by humanitarian agencies of internal displacement in Kandahar-city is controversial much like with IDPs in Spin Boldak. A senior humanitarian worker in Kandahar initially argued that there were no long-term IDPs in Kandahar-city.<sup>97</sup> He noted that many people see the tents around town and assume they are IDPs, when in fact they are Kuchi.<sup>98</sup> This view was shared among UNHCR officials in Kabul, noting that after roughly a decade it might be time to take Kuchi off the displacement list.<sup>99</sup>

According to ICRC, of the 4,500 IDP households they assist in Kandahar province, approximately 1,500 were located in Kandahar-city.<sup>100</sup> In ICRC's view, these mostly conflict-induced IDPs will stay in Kandahar-city for the long-term. ICRC provides limited assistance through its national partner, ARCS, with recent conflict-induced populations assuming priority over protracted caseloads previously assisted by UNHCR.<sup>101</sup>

The provincial department of the MoRR in Kandahar does consider new arrivals of conflict-induced IDPs but it lacks the means to accurately track them and provide assistance.<sup>102</sup> According to UNHCR, the agency, in collaboration with other organizations, has been engaged in enabling population tracking mechanisms and the provision of assistance to displaced populations across the south.<sup>103</sup>

Much of this assistance so far is short-term as displacement is considered temporary. A prominent example supporting this view is Arghandab, where in 2008 when the Taliban took control, about 10,000 families came to Kandahar-city, but then returned after the government retook control of the district.<sup>104</sup> In 2009, UNHCR assisted about 8,600 families, most of which, according to their information, have returned to their areas of origin.<sup>105</sup> This notwithstanding, there is beginning to be a recognition that internal displacement to urban areas is increasing.

According to the provincial head of MoRR, some agencies are providing one-off assistance, but the Afghanistan Disaster Management Authority (ANDMA) has assumed primary responsibility for assisting these new arrivals.<sup>106</sup> The local representative of the Afghan Red Crescent Society con-

<sup>100</sup> Interviews, Representatives, ICRC, Kabul, 23 May 2009 and Kandahar-city, 28 May 2009.

<sup>101</sup> Nevertheless, ARCS did assist between 80-100 IDP households from Zhari Dasht camp who resettled in Kandahar-city when IDP representatives approached them. Interview, Representative, Afghan Red Crescent Society, Kandahar-city, 30 May 2009.

<sup>102</sup> Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>103</sup> UNHCR Communication, 5 October 2009.

<sup>104</sup> Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>105</sup> UNHCR Communication, 5 October 2009. In 2008, UNHCR assisted 673 families in Kandahar-city and surrounding areas.

<sup>106</sup> *Ibid.*

<sup>107</sup> Interview, Representative, Afghan Red Crescent Society, Kandahar-city, 30 May 2009.

<sup>108</sup> UNOCHA, 2009, *Afghanistan: Monthly humanitarian update No. 7* (June) <http://www.reliefweb.int/rw/rwb.nsf/db900sid/PSLG-7TRCV2?OpenDocument>

firmed the recent distribution of one-off humanitarian assistance provided to 1,000 IDP households under the auspices of ANDMA supported by various agencies (e.g., WFP, United Nations Assistant Mission to Afghanistan - UNAMA, MoRR, MRRD, ARCS, etc).<sup>107</sup> Of these, ARCS provided food packages, including supplies of wheat and oil, to 450 families. Since April 2009, assistance to about 1,179 families from Zabol province and 1,505 families from Helmand and Uruzgan displaced in Kandahar-city was also reported by ANDMA.<sup>108</sup>

As noted earlier, this study found that internal displacement in Kandahar-city is not limited to Kuchi or short-term displacement, but includes thousands of more recently displaced persons as a result of conflict in neighboring provinces, primarily Uruzgan. Many indicated that they do not consider their displacement as short-term, as the situation in their areas of origin did not look promising. Table 5 below provides an overview of the mostly self-settled IDP populations in Kandahar-city.

**Table 5:** Main IDP Groups in Kandahar-city (Approximately 10,030 families)

Protracted northern caseload	Conflict-induced	Disaster-induced
<p><b>Direct Flight</b></p> <ul style="list-style-type: none"> <li>• Badghis – 95 families</li> <li>• Ghor – 25 Families</li> </ul> <p><b>Secondary displaced returning refugees</b></p> <ul style="list-style-type: none"> <li>• Badghis – 30 families</li> </ul>	<p><b>Post 2004/5</b></p> <ul style="list-style-type: none"> <li>• Uruzgan – 2,000 families</li> <li>• Helmand – 550 families</li> <li>• Zabol – 1,700 families</li> <li>• Kandahar – 300 families</li> <li>• Paktika – 50 families</li> </ul> <p><b>Sub-Total: 4,600 families</b></p> <p><b>Post 2001</b></p> <ul style="list-style-type: none"> <li>• Paktika – 60 families</li> <li>• Helmand – 20 families</li> </ul> <p><b>Total: 80 families</b></p> <p><b>Secondary displaced returning refugees</b></p> <ul style="list-style-type: none"> <li>• Uruzgan</li> <li>• Nangarhar</li> <li>• Zabol</li> </ul> <p><b>Total: 100 families</b></p>	<ul style="list-style-type: none"> <li>• Paktika: 40-families of Suliman Khail (overlap with conflict-induced)</li> <li>• Garamsir, Badghis and Kuchi who used to migrate between Kandahar and Ghazni: 60 families (Nurzai, Barakzai former and Taraki Kuchi)</li> </ul> <p><b>Sub-Total: 100 families</b></p> <ul style="list-style-type: none"> <li>• Kuchi (5,000 families)</li> </ul>
<b>Total: 150 families</b>	<b>Total: 4,780 families</b>	<b>Total: 5,100 families</b>

Source: TLO/Brookings–Bern Project Field Estimates, 2009



## GAPS IN THE PROTECTION OF IDPs IN AFGHANISTAN

Conflict and displacement remain central to the daily lives of many Afghans. As ICRC notes, “there has been no interruption in armed conflict in Afghanistan for a very long time.”<sup>109</sup> The ethnic violence in the North that followed the fall of the Taliban and the more recent deterioration of security in the South has left Pashtuns in rural areas disproportionately affected, with 31% having had a personal experience with conflict, 25% of whom in the past two years alone.<sup>110</sup> In addition to insecurity, licit agricultural livelihoods have been disrupted due to years of drought. Access to basic social services has also dramatically declined due to many years of conflict.

The protection of internally displaced persons is, first and foremost, the responsibility of national authorities. If a government is unable (or unwilling) to live up to its protection responsibility, international actors may step in to fill the gap, particularly in situations of armed conflict. All states have specific obligations under international law, and those pertaining to IDPs are reflected in the *Guiding Principles on Internal Displacement* endorsed by the United Nations General Assembly in 1998.<sup>111</sup> The *Guiding Principles*, though not legally binding, are drawn from relevant aspects of international humanitarian and human rights law and are considered an important tool in addressing situations of internal displacement.

The concept of national protection is complicated in the Afghan context. The fledgling central government lacks capacity and has limited reach in rural areas, the rule of law is weak, and government institutions are ineffective and little trusted by the majority of the Afghan people. A recently released index of the world’s 141 weakest states in the developing world compiled by the Brookings Institution ranks Afghanistan second only to Somalia,<sup>112</sup> while the UN Human Development Index ranks it 174<sup>th</sup> out of the 178 countries profiled.<sup>113</sup> The Brookings State Weakness Index also ranks Afghanistan at the bottom of the scale when it comes to security and social welfare. At present, the government functions essentially as a *rentier* state, reliant on international patrons for funding and technical assistance, many of whom are also considered party to the conflict. The increasing strength of the insurgency and subsequent rise in civilian casualties and forced internal displacement, have

<sup>109</sup> ICRC, 2009, p.15.

<sup>110</sup> *Ibid.*

<sup>111</sup> UNOCHA, 2001, *Guiding Principles on Internal Displacement*.

<sup>112</sup> All 141 developing countries are ranked according to their relative performance in four critical spheres: economic, political, security, and social welfare. Susan E. Rice and Stewart Patrick, 2008, *Index of State Weakness in the Developing World*, Washington, D.C.: The Brookings Institution, [http://www.brookings.edu/reports/2008/~//media/Files/rc/reports/2008/02\\_weak\\_states\\_index/02\\_weak\\_states\\_index.pdf](http://www.brookings.edu/reports/2008/~//media/Files/rc/reports/2008/02_weak_states_index/02_weak_states_index.pdf)

<sup>113</sup> “Beset by War, Beleguared by Poverty,” *CBC News*, 21 August 2009.

magnified the impotence of the Afghan government and the inability of its international allies to respond to the worsening humanitarian and security crisis. The presence of international military forces in Afghanistan since 2001 has so far failed to stabilize the country. At the same time, traditional international guardians of the rights of civilians affected by armed conflict and displacement, including the ICRC and UNHCR, have seen their ability to operate and provide protection decrease as security worsens.

It is not surprising, therefore, that the protection scorecard of national and international actors in Afghanistan is mixed at best. While the Afghan government has made progress in meeting many of the benchmarks outlined in the *Framework for National Responsibility* over the past years, at least on paper, the situation on the ground in the provinces tells a different story.<sup>114</sup> Protection failures are often linked to a lack of capacity and political will, incomplete information about displacement issues, limited access as a result of worsening security in vast parts of the country, and a fundamental unwillingness, among national and international actors, to come to terms with the increasingly obvious failure of the post-2001 state-building enterprise.

### **ASSESSING NATIONAL PROTECTION OF IDPs**

The Afghan government, supported by protection-oriented international agencies and non-governmental organizations, has taken a series of steps to assert its protection responsibilities for IDPs. It designated institutional focal points for IDPs, giving responsibility for conflict-induced IDPs to the Ministry of Refugees and Repatriation (MoRR) and for IDPs affected by natural disasters to the Afghan Natural Disaster Management Agency (ANDMA).

As previously mentioned, a National IDP Task Force, co-chaired by the MoRR and UNHCR, was established in early 2008 in order to coordinate with other national and international actors. UNHCR leads the South Regional IDP Task Force and this initiative is currently being strengthened with the engagement of Afghan government representatives for joint assessments of displaced populations and necessary protection responses.<sup>115</sup> In addition, a profiling of known IDP populations was undertaken in 2008, a series of trainings on key tenets of the human rights framework was conducted for government officials by the Internal Displacement Monitoring Centre in 2009, an *Afghanistan National IDP Task Force Strategy* 2009 to 2010 was adopted on 30 August 2009, and durable solutions are actively being pursued for the protracted IDP caseload (see section 6). Furthermore, the Afghanistan Independent Human Rights Commission (AIHRC) deals with IDP issues in their annual reports on social and economic rights, and the provincial directorates of the MoRR are in contact with IDP representatives about their situation.

<sup>114</sup> Brookings-Bern Project on Internal Displacement, 2005, *Addressing Internal Displacement: A Framework for National Responsibility*. Washington DC: The Brookings Institution-University of Bern, Project on Internal Displacement, April 2005. [http://www.brookings.edu/fp/projects/idp/20050401\\_nframework.pdf](http://www.brookings.edu/fp/projects/idp/20050401_nframework.pdf)

<sup>115</sup> UNHCR Communication, 5 October 2009.

While the 2004 Afghan Constitution does not explicitly address IDP rights, it does grant every Afghan “the right to travel or settle in any part of the country except in the regions forbidden by law” (Article 39).<sup>116</sup> Furthermore, Presidential Decree 104 on *Land Distribution for settlement to eligible returnees and IDPs*<sup>117</sup> tries to address land needs of IDPs (and returning refugees), while Decree 297 guarantees dignified return for Afghan refugees.<sup>118</sup> Despite the considerable protection gaps that remain, the first steps to establish a legal framework for upholding rights of IDPs have been taken.

Much of this progress, however, is blunted by realities on the ground in conflict-affected provinces as well by the recurrent intransigence among local officials to adhere to national policies and the weak capacity of the central government to reign in provincial authorities. The implementation of Presidential Decree 104 has been marred by corruption<sup>119</sup> and a Presidential Decree that established a Special Land Disputes Court in 2002 to specifically deal with the claims of returnees and IDPs has largely proven unsuccessful.<sup>120</sup>

As early as 2002, an inter-agency mission assessing durable solutions for IDPs in Afghanistan observed:

“While the central Government has endorsed a National Reintegration Strategy with the declared objective of mainstreaming returnees and has accepted the overall principle of streamlining the reintegration of IDPs into national development programmes as a declared priority, it appears that finding durable solutions for IDPs is not yet high on the agenda of key provincial authorities. There appears to be little coordinated effort by such authorities to address IDP solutions, despite the continued attempts by UNHCR to engage with representatives of relevant ministries, governors’ offices and influential commanders in the various regions, and particularly in the south. Greater priority, understanding and cooperation by national authorities in addressing the gap between agreed policies and poor implementation at the provincial level is, therefore, essential to finding durable solutions. International assistance actors thus need to pay greater attention to such a gap.”<sup>121</sup>

For instance, the refusal of some local authorities to allow the transformation of Zhari Dasht camp into a permanent settlement underscores an unwillingness to recognize the basic right of IDPs to

<sup>116</sup> *The Constitution of Afghanistan*, 3 January 2004, [http://www.supremecourt.gov.af/PDFFiles/constitution2004\\_english.pdf](http://www.supremecourt.gov.af/PDFFiles/constitution2004_english.pdf)

<sup>117</sup> President of the Islamic Republic of Afghanistan, 2005, *Decree: On Land Distribution for settlement to eligible returnees and IDPs*.

<sup>118</sup> President of the Islamic Republic of Afghanistan, 2002, *Decree: On the Dignified Return of Refugees*, 13.03.1380 (3 June 2002).

<sup>119</sup> AIHRC, 2008.

<sup>120</sup> Liz Alden Wily, *Looking for Peace on the Pastures: Rural Land Relations in Afghanistan*, Synthesis Paper, Kabul: Afghanistan Research and Evaluation Unit (AREU), December 2004.

<sup>121</sup> Inter-agency IDP Mission to Afghanistan, 2003, *The Internally Displaced in Afghanistan: towards durable solutions*, Report of the Inter-agency Mission, May 2003; <http://www.icva.ch/doc00000994.html>

resettle in any part of the country. It also reveals the limited understanding of national protection responsibilities. Local officials continue to view protection through a provincial, rather than national, lens and view their main responsibilities as limited to assisting those who originate from within the province.

Similar to landless refugee populations, which were intended as the primary beneficiaries of Presidential Decree 104, IDPs themselves lack even a basic understanding of the land allocation program and their right of potential inclusion, either in areas of origin or displacement. While many IDPs had heard about the decree, none could name a single person who had benefited. A female teacher from Paktika in Kandahar-city noted: “We are aware of land allocation, still it is not distributed in our area, because our people are displaced not refugees.”<sup>122</sup> A village elder from Zabul in Spin Boldak echoed: “The land and allocation scheme is only for Afghan refugees coming from outside the country,”<sup>123</sup> and a laborer from Faryab in Zhari Dasht camp added: “People who are returning from Pakistan are said to have been receiving a piece of land from the government, but I myself don’t know and haven’t seen anyone who has received it yet.”<sup>124</sup>

Many IDPs also attribute the failure of implementation to corruption and nepotism, underscoring the lack of faith in authorities to provide protection and assistance in good faith. For instance, one female medical doctor from Helmand stated, “We heard that the government distributes land among the refugees; if there was no corruption and nepotism, as refugees, we would also be given a plot of land.”<sup>125</sup>

The realization of two crucial benchmarks of national responsibility, namely the allocation of adequate resources to address displacement<sup>126</sup> and the requirement to prevent displacement and minimize its adverse effects<sup>127</sup> remain largely unfulfilled. The former is difficult for a *rentier* state completely dependent on funds from external actors, lacking institutional fiscal capacity, and a pronounced inability or unwillingness to reign in corruption. Prevention of displacement is highly problematic, if not impossible, for historically weak government authorities with little reach outside urban areas that are unable to provide security and services for its population or reign in a growing insurgency. Furthermore, until recently, the national government has had little success in convincing its international military allies to adjust counter-insurgency tactics that have the paradoxical effect of increasing anti-government sentiment, primarily the use of aerial bombardment and culturally-insensitive and intrusive house searches.

<sup>122</sup> Interview, Female Teacher, from Dila, Paktika, Haji Arab area, Kandahar-city, April 2009.

<sup>123</sup> Interview, Village elder, from Sha-re Safa, Zabul, in Haji Shir Mohammad village, 9th district, Loya Wiala, Kandahar-city, April 2009.

<sup>124</sup> Interview, Laborer, from, Qisar, Faryab, in camp 11, Zhari Dasht, Zhari District, May 2009.

<sup>125</sup> Female Medical Doctor, from Naw Zad, Helmand, in Spin Boldak, April 2009 (fled in 2001).

<sup>126</sup> Benchmark 11, *Framework for National Responsibility*.

<sup>127</sup> *Ibid.*, Benchmark 1.

### ***Understanding gaps in national responsibility***

The continuing inability of the central government to assert its authority outside of Kabul, coupled with the unwillingness of local authorities to accept responsibilities for the protection of their citizens is a fundamental obstacle to dealing effectively with internal displacement and finding durable or interim solutions. Corruption is rampant within government institutions<sup>128</sup> and those interviewed during the course of this study expressed little confidence in the formal structures of governance. National and sub-national protection mechanisms in rural areas of return are tenuous at best. The police remain among the most mistrusted of all government institutions, while the rule of law and formal judicial organs are weak or non-existent. Local legal aid counselors of the Norwegian Refugee Council (NRC) confirmed that disputes between returning IDPs and local residents in some northern provinces tend to be resolved in favor of the latter because local power holders and government officials support them instead of the returnees.<sup>129</sup> These interventions, mostly through traditional *jirgas* rather than formal judicial processes, have largely kept a tenuous peace but have inhibited returning IDPs from successfully re-establishing themselves and reclaiming lost lands.

The current weakness of the central government in Afghanistan is a result of both unintended political consequences of the 2001 military intervention as well as deep historic limitations of state authority.<sup>130</sup> The reach of the Afghan state, constantly contested over the past three decades, has evolved little since its creation. Now as then, the power of the central government is essentially restricted to cities, with rural areas under the control of non-state power holders (some nominally integrated or co-opted into the Afghan government).<sup>131</sup> Under the monarchy, tribal notables held power. During the communist government and the period of the *jihad*, *mujabideen* faction or single strongmen held sway, a trend that has resurfaced post-2001.

While past Afghan kings and, to some extent, the past Taliban regime were able to implement certain national policies in rural areas, the current central government appears unable to influence events at the provincial level, let alone convince provincial and district government officials to assume protection responsibilities or hold them accountable for rights violations. Despite efforts after

<sup>128</sup> In 2008, of 180 countries surveyed by Transparency international, Afghanistan ranked in the bottom five (176); [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2008](http://www.transparency.org/policy_research/surveys_indices/cpi/2008); cf. UNODC, 2007, *Fighting Corruption in Afghanistan: A Roadmap for Strategy and Action*, Informal Discussion Paper by staff of Asian Development Bank, UK Department for International Development, United Nations Development Programme, The World Bank, United Nations Office on Drugs and Crime (UNODC), 16 February 2007, [http://www.unodc.org/pdf/afg/anti\\_corruption\\_roadmap.pdf](http://www.unodc.org/pdf/afg/anti_corruption_roadmap.pdf)

<sup>129</sup> Focus Group Discussion, Legal Counselors, Norwegian Refugee Council, Marzar-i-Sharif, Balkh, 21 May 2009.

<sup>130</sup> "Neither the empires of the Safavids and Mughals of the sixteenth and seventeenth centuries nor the Dur-rani rulers of the eighteenth and nineteenth centuries managed to preserve their rule permanently or extend state structures beyond the few urban centers." Andreas Wimmer and Conrad Schetter, 2002, *State-Formation First. Recommendations for Reconstruction and Peace-making in Afghanistan ZEF Discussion Paper* 45 <http://www.zef.de/publications.htm>, p 8.

<sup>131</sup> Cf. Wimmer and Schetter, 2002, pp.8-9.



2001 to establish a unified state, many provincial and district-level power-holders continue to run their areas very much as fiefdoms. The exercise of national protection responsibilities in a context of continued political fragmentation in which individual responsibilities or allegiances are linked primarily to smaller kinship, tribal or ethnic patronage networks, is difficult. Furthermore, as demographic pressures (i.e. rapid population growth and the return of millions of refugees) have exhausted absorption capacity and stretched limited resources (especially land), it is more politically palatable for local government officials to share with longstanding kinship networks rather than new arrivals. Examples of this abound. For instance, one provincial official in a northern province lamented that he was unable to provide effective protection for returning Pashtun IDPs from Kandahar as he exerted little influence on locally appointed provincial and district-level officials (mostly Uzbeks) who held Pashtuns in contempt.<sup>132</sup> In addition, an official in Kandahar-city refused to challenge the head of the provincial *shura* who had sided with the host community in Zhari district against the permanent settlement and local integration of IDPs.<sup>133</sup>

The twin failures to address weak sub-national governance in post-2001 Afghanistan on the one hand,<sup>134</sup> coupled with an incomplete military victory over Taliban forces on the other, have hindered the Afghan government's ability to exercise its sovereign authority and led to a "mismatch between *de jure* and *de facto* state power," with the latter being exercised not only by local strongmen (e.g., Abdur Raziq in Spin Boldak) but also the Taliban insurgency (e.g., in Zhari Dasht),<sup>135</sup> and arguably in some areas by international military actors. Large swathes of territory remain outside government control and have limited the ability of national and international actors to provide adequate protection to IDPs. The International Council on Security and Development (ICOS) assessed in late 2008 that the Taliban has a permanent presence in over 70 percent of the country.<sup>136</sup> Prior TLO research found that even in areas with a strong government presence, its control was often limited to a small radius around the district center (likely even more limited at night).<sup>137</sup> Garrison towns,

<sup>132</sup> Interview, Head DoRR, Jawzjan, Shiberghan, 19 May 2009.

<sup>133</sup> Interview, Head DoRR, Kandahar, Kandahar-city, 30 May 2009.

<sup>134</sup> Andrew Wilder and Sarah Lister, 2007, "State-building at the Subnational Level in Afghanistan: A Missed Opportunity," in: Wolfgang F. Danspeckgruber and Robert Finn (eds.). *Building State and Security in Afghanistan*. Princeton: Princeton University, 85-102.

<sup>135</sup> Schmeidl, Susanne (with Masood Karokhail), 2009, "Prêt-a-Porter States': How the McDonalidization of State-Building misses the Mark in Afghanistan" Pp.67-76 in Martina Fischer and Beatrix Schmelzle (eds.) *Building Peace in the Absence of States: Challenging the Discourse on State Failure*. (Berghof Handbook Dialogue No. 8.) Berlin: Berghof Research Center. [http://www.berghof-handbook.net/uploads/download/dialogue8\\_schmeidl\\_karokhail\\_comm.pdf](http://www.berghof-handbook.net/uploads/download/dialogue8_schmeidl_karokhail_comm.pdf), p.68; c.f. Wilder and Lister, 2007.

<sup>136</sup> International Council on Security and Development (ICOS), 2008, *Struggle for Kabul: The Taliban Advance*. London: ICOS, December 2008, [http://www.icosgroup.net/documents/Struggle\\_for\\_Kabul\\_ICOS.pdf](http://www.icosgroup.net/documents/Struggle_for_Kabul_ICOS.pdf) (accessed 22 December 2008).

<sup>137</sup> Cf. "WARDAK PROVINCE, Afghanistan - During the day, US soldiers and their Afghan allies set up checkpoints here along Highway One, halting traffic for hours to search for explosives and evidence of Taliban connections. But at night, those checkpoints disappear, and the Taliban erect their own roadblocks, illustrating how the struggle over Afghanistan's future is not so much a pitched battle as a grinding tug-of-war." Farah Stockman, 2009, "Shifting Afghan loyalties test US bid for permanent gains", *Boston Globe*, 14 July 2009.

a common phenomenon under the Soviet occupation, are once again a defining feature in much of Afghanistan's South and parts of the East, Southeast, as well as some central provinces surrounding Kabul, all areas currently producing IDPs seeking refuge in Kandahar.<sup>138</sup>

The Afghan government has continued to lose ground to insurgents over the past three years, despite support from international military forces and a consolidated international 'military surge' in Afghanistan's South, including Kandahar. Voting irregularities during the August 2009 presidential elections underscored these trends. Many reported that voting in the insecure South, East and Southeast of Afghanistan was mainly limited to urban areas. According to the Free and Fair Election Foundation of Afghanistan (FEFA), at least 650 women's polling centers did not open on election day, with only six out of 36 opening in Uruzgan province,<sup>139</sup> and only about 10-15 percent managing to vote in neighboring Helmand.<sup>140</sup>

This limited reach and weakness of the Afghan government has not escaped the notice of IDPs, many of whom express little faith in its ability to protect them. "In this country, there is no government," said one IDP plainly.<sup>141</sup> Efforts to establish a strong rule of law have been particularly problematic, attributed at least in part to an inefficient and understaffed Afghan National Police (ANP) beset by corruption and distrusted by the population. Many IDPs in Zhari Dasht camp, for example, view the police as most responsible for a deteriorating security situation. Rather than providing protection they extort money from IDPs. When one IDP working at a local clinic refused to pay a bribe, the police accused him of being a Taliban and incarcerated him overnight. After this incident, he quit his job in order to avoid further confrontation.<sup>142</sup>

### ***International military forces: Undermining or strengthening national responsibility?***

Paradoxically, the international military intervention which has been designed, at least in part, to establish and develop the capacity of a new Afghan state, has inadvertently compounded historic weaknesses in areas of governance and hindered the ability of the Afghan government to exercise national protection responsibilities. Many IDPs, painfully aware of the weakness of their own government through direct experience, question its sovereignty vis-à-vis its international supporters. In the words

<sup>138</sup> Cf. UNAMA, 2009, *Afghanistan: Annual Report on Protection of Civilians in Armed Conflict, 2008*; United Nations Assistance Mission to Afghanistan, Human Rights Unit, January 2009; [http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/JBRN-7PCD3P-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/JBRN-7PCD3P-full_report.pdf/$File/full_report.pdf)

<sup>139</sup> Carlotta Gall, 2009, "Intimidation and Fraud Observed in Afghan Election," *The New York Times*, 23 August 2009.

<sup>140</sup> Jeremy Page, 2009, "Hamid Karzai accused by rival candidate of rigging Afghanistan election," *The Times*, 24 August 2009; <http://www.timesonline.co.uk/tol/news/world/Afghanistan/article6807248.ece>

<sup>141</sup> Interview, Kuchi from Paktiak, Kandahar-city, 30 May 2009.

<sup>142</sup> Interview, Former head of district clinic (DoPH), from Shiberghan, Jawzjan, in Zhari Dasht IDP camp, Kandahar, 28 May 2009.

of a tailor from Sha-re Safa, Zabul, “the Americans are ruling us in our homeland and the government is not capable to prevent wars and bombardments. If they cannot stop Americans from bombing us how can they help IDPs.”<sup>143</sup> A tribal elder from Saripul added, “the international community has spent millions and millions, but still the government here cannot stand on its own feet.”<sup>144</sup>

The seeds of discontent with the current government were sown in 2001 with the US-led intervention that toppled the Taliban. In an attempt to minimize American casualties and enhance the prospects of military success, Coalition Forces during Operation Enduring Freedom (OEF) chose to ally themselves with militias belonging to the loosely connected group called the Northern Alliance “who had been engaged in fierce inter-factional fighting after the defeat of the Soviet-backed government in 1992.”<sup>145</sup> While this may have made sense from a strictly military operational perspective,<sup>146</sup> it proved extremely costly to the longer-term political development of Afghanistan.<sup>147</sup> According to a tribal elder from Saripul, “the Americans did not think about the North. They just gave power back to the warlords.”<sup>148</sup>

Without sufficient international troops to ensure law and order in the wake of the invasion, the ensuing power vacuum led to violence and reprisal killings by non-Pashtun militia and groups (e.g., Tajik, Uzbek) against Pashtun civilians, many of whom fled to the south and currently constitute the bulk of the protracted caseload IDPs in Kandahar. In an area called Dasht-e-Lali outside Shiberghan-city in Jawzjan, the atrocities of the Uzbek warlord Rashid Dostum are still remembered (he stands accused of suffocating hundreds of Taliban-fighters in metal containers).<sup>149</sup> Political power in the North still rests with individuals associated with the Northern Alliance who are reluctant to allow the sustainable reintegration of Pashtun returnees or provide for their protection.<sup>150</sup>

As international military engagement has deepened in Afghanistan, confusion and ambivalence regarding their presence has also continued to grow, fed by the inherent conflict between the various mandates of the forces—e.g., provision of security vs. counter-terrorism/insurgency. (See Box 4).

<sup>143</sup> Focus Group Discussion, Taylor, from Sha-re Safa, Zabul, in Kandahar-city, May 2009; For disappointment with Afghan government cf. Interview, Laborer, from Maqur, Ghazni, in Zhari Dasht camp, Kandahar, May 2009 and Focus Group Discussion, Tribal elder, from Shiberghan, Jawzjan, in Zhari Dasht camp, Kandahar, May 2009 for disappointment with Afghan government.

<sup>144</sup> Interview, tribal elder, from Saripul, in Spin Boldak, Kandahar-city, 29 May 2009.

<sup>145</sup> Susanne Schmeidl, 2007, “The Emperor’s New Cloth: The Unravelling of Peacebuilding in Afghanistan.” *Friedens-Warte – Journal of International Peace and Organizations* 1-2(2007):69-86.

<sup>146</sup> Richard B Andres, Craig Wills and Thomas E. Griffith Jr., 2006, “Winning with Allies: The Strategic Value of the Afghan Model.” *International Security*. 30(3).

<sup>147</sup> J. Alexander Thier, 2006, “Afghanistan.” Pp.467-572 in William J. Durch (ed.) *Twenty-First-Century Peace Operations*. Washington, D.C.: United States Institute of Peace and The Henry L. Stimson Center.

<sup>148</sup> Interview, Tribal elder, from Saripul, Spin Boldak, in Kandahar-city, 29 May 2009; cf. Philip Smucker, 2002, “Afghan War Crimes a Low Priority”, *Christian Science Monitor*, 12 September 2002; <http://www.csmonitor.com/2002/0912/p06s01-wosc.html>

<sup>149</sup> Interview, tribal elder, Bashi Kot, Jawzjan, 20 May 2009.

<sup>150</sup> Interview, Head DoRR, Shiberghan-city, Jawzjan, 19 May 2009, Focus group, Legal Counselors, Norwegian Refugee Council, Mazar-i-Sharif, Balk, 21 May 2009.

**Box 4: Overview of Military Operations in Afghanistan – the two Coalitions*****US-led Coalition Forces (CF) under Operation Enduring Freedom (OEF)***

Mandate is counter-terrorism and counter-insurgency oriented in contrast to ISAF/NATO's security mandate.<sup>151</sup> Clear figures and information about CF/OEF are hard to obtain, especially as they include Special Forces, which in theory are under a strict US chain of command under the US Forces Afghanistan (USFA). However, there is a lot of secrecy about their operations and regular military forces are not kept in the loop.<sup>152</sup> Neither is the Afghan government. A recent report estimated CF/OEF strength to be at about 23,000 troops, "including many paramilitary and intelligence [forces]."<sup>153</sup>

***NATO-led Coalition***

Security Mandate is "to assist the Afghan Government in exercising and extending its authority and influence across the country, paving the way for reconstruction and effective governance."<sup>154</sup>

***International Security Assistance Force (ISAF)***

The UN Security Council-mandated ISAF started operating in Afghanistan shortly after the 2001 Bonn Peace agreement with a relative small force of 5,000 troops in order to main security in Kabul and surrounding areas. Not strictly a peacekeeping force, it is a self-described "coalition of the willing" with "peace-enforcement mandate under Chapter VII of the UN Charter."<sup>155</sup> ISAF then and now was considered a key component of the international community's engagement in Afghanistan, assisting the Afghan authorities in providing security and stability, and creating the conditions for reconstruction and development.

In August 2003, on the request of the UN and Afghan Government, ISAF was put under NATO command. Under this new arrangement, NATO/ISAF began expanding operations outside Kabul, with the ultimate mission to cover all of Afghanistan, mostly by taking control over initially independently-run PRTs but also adding new ones. In the South, in 2006, NATO for the first time also took over from US-led Coalition forces (CF/OEF). Out of the current 64,500 troops from 42 countries (including all 28 NATO members), nearly half (29,400) are stationed under the regional command South (Kandahar, Helmand, Uruzgan and Zabul).<sup>156</sup>

<sup>151</sup> *Ibid.*

<sup>152</sup> *Ibid.*, Cimic Representative, ISAF/NATO, Kabul, 7 June 2009.

<sup>153</sup> CIVIC, 2009, *Losing the People: the Costs and Consequences of Civilian Suffering in Afghanistan*, Washington, DC: Campaign for Innocent Victims in Conflict (CIVIC); <http://www.civicworldwide.org/storage/civic/documents/afghan%20report%20final.pdf>, p.8

<sup>154</sup> NATO's role in Afghanistan, [http://www.nato.int/cps/en/natolive/topics\\_8189.htm](http://www.nato.int/cps/en/natolive/topics_8189.htm)

<sup>155</sup> The following nine UN Security Council Resolutions relate to ISAF: 1386, 1413, 1444, 1510, 1563, 1623, 1707, 1776 and 1833 (on 23 September 2008). In January 2002, a detailed Military Technical Agreement was developed between the ISAF Commander and the Afghan Transitional Authority in order to provide additional guidance for ISAF operations; *Ibid.*

<sup>156</sup> <http://www.nato.int/isaf/docu/epub/pdf/placemat.pdf>

**Box 4:** Continued*Provincial Reconstruction Teams (PRTs)*

Due to the lack of coverage of ISAF across Afghanistan, individual country-led Provincial Reconstruction Teams (PRTs) have been established, with an ambiguous (or dual) mandate of supporting reconstruction and development efforts in Afghanistan, while also securing areas in which other national and international actors conduct reconstruction work.

At the same time, coupled with discontent concerning the government's failure to provide access to essential services, Afghans increasingly began to question the motives of the international actors in supporting a government widely seen as inefficient and corrupt. Exhausted and traumatized by incessant conflict, many IDPs now consider the international military forces, specifically those of the United States, to have failed in the key task of restoring security and establishing a competent, responsive government. According to a tribal elder from Khas Uruzgan, "The US and its allies are not interested in bringing security to Afghanistan."<sup>157</sup> The recommendations of IDPs to international actors are simple: "We just want the war to stop. We don't want them to disturb people and instead build and assist and help with roads, schools, hospitals etc."<sup>158</sup>

Civilian casualties as a result of aerial bombardments have been a key factor in the increasing levels of displacement and a constant source of friction between President Hamid Karzai and US military commanders, with the Afghan president repeatedly speaking out against such incidents and requesting moderation. While a US army representative asserted "the US army is here on invitation of the Afghans,"<sup>159</sup> the inability of Karzai to effectively limit aerial bombardment highlights his dependency on and relative subordination to international geopolitical goals and military strategy. The government, therefore, has little ability or influence to prevent further displacement in accordance with the *Guiding Principles on Internal Displacement* – neither over an insurgency that is willing to use civilians as shields, nor over its international allies.

## **UNDERSTANDING GAPS IN INTERNATIONAL RESPONSIBILITY FOR IDP PROTECTION**

Many of the challenges associated with creating an effective protection regime in Afghanistan are not unique: a complex insurgency, the lack of government capacity, an insufficient legal framework to protect the rights of IDPs, a multiplicity of international actors with differing interpretations of protection and an instinctive hesitancy to infringe on state sovereignty are all common elements of conflicts around the world. However, Afghanistan also poses distinct challenges for military and humanitarian actors in trying to balance civilian protection with larger geopolitical goals.

<sup>157</sup> Interview, tribal elder, from Khas Uruzgan, Uruzgan, Kandahar-city, 30 May 2009.

<sup>158</sup> Focus group discussion, Tribal elder, from Musa Qala, Helmand, in Kandahar-city, May 2009.

<sup>159</sup> Interview, Representative, US army, Kabul, 14 June 2009.

Although ICRC and other agencies have advocated a "working consensus" as to the meaning of protection,<sup>160</sup> the lack of a universally accepted definition allows different actors (state, humanitarian, political, military) to apply very different standards. For example, the US-led intervention into Afghanistan (and continuing military presence and activity) was rationalized on 'protection' grounds in addition to the more obvious retaliatory, state-security grounds following the 9/11 attacks on the United States by Al Qaeda. "To the extent that these interventions [Iraq and Afghanistan] were rationalized as protective, they appeared to rest on boarder concepts of *political* protection—through the deposing of abusive regimes, creation of newly accountable political structures and reconstruction of national law enforcement and security mechanisms."<sup>161</sup>

### ***Military actors and the protection of civilians***

While "civilian protection is increasingly included in PKO [peacekeeping operation] mandates... [it] has not been accompanied by clear, defined expectations about the use of force, who should be defended against whom and when the job should be considered done; furthermore, many military actors are not yet accustomed to identifying and protecting civilians in hostile environments as part of an international or third party intervention".<sup>162</sup> Due to mounting anger and increasing pressure from the Afghan population and government, but also as a result of harsh media coverage, international military forces have begun to focus on decreasing civilian casualties. The pledge of the new American Commander, General Stanley McChrystal, to make "the number of Afghans shielded from violence" rather than the number of insurgents killed a measure of their effectiveness reflects the growing recognition that the prior strategy had largely failed to bring peace and security to Afghanistan.<sup>163</sup>

New guidelines have been issued to limit aerial bombardment—a key source of civilian casualties and subsequent popular resentment<sup>164</sup>—and to institute more culturally sensitive procedures for

<sup>160</sup> ... all activities, aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights, humanitarian and refugee law). Human rights and humanitarian actors shall conduct these activities impartially and not on the basis of race, national or ethnic origin, language or gender.... (1999) <http://www.icva.ch/doc00000663.html> as cited in Droege, 2008.

<sup>161</sup> James Darcey, 2007, "Political and humanitarian perspectives on the protection of civilians", Prepared for the HPG Geneva Roundtable on Protection, 22 January 2007, p.1.

<sup>162</sup> The Protection of Civilians during Peacekeeping Operations, Brussels: European Parliament, 2008. <http://www.europarl.europa.eu/activities/committees/studies.do?language=EN>, p.9; drawing from Victoria Holt, 2006, "The military and civilian protection: developing roles and capacities", in: *Respecting the rules of engagement. Trends and issues in military-humanitarian relations*. Humanitarian Policy Group (HPG) Report n. 21, March 2006, p. 53.

<sup>163</sup> Thom Shanker, 2009, "A new Afghanistan Commander rethinks how to Measure Success." The New York Times, 20 June 2009; <http://www.nytimes.com/2009/06/20/world/asia/20military.html>

<sup>164</sup> Official communication, Headquarters, International Security Assistance Force, Kabul, Afghanistan, HQ ISAF, 6 July 2009; Cf. Commander International Security Assistance Force (COMISAF), 2009, *Counter*

the searching of private homes.<sup>165</sup> However, IDPs remain skeptical of the sincerity of the promises made by international military actors, with one laborer from Uruzgan asserting: “The international military does not care about civilian casualties. If they hear shots fired in a village, they will bomb the entire village,”<sup>166</sup> and an elder from the same province providing the following anecdote: “A couple of weeks ago, international military forces raided a village, but didn’t find anything, still they had the village bombed and two women were killed.”<sup>167</sup>

Broader protection concerns, particularly the plight of IDPs affected by counterinsurgency and counter-terrorist operations involving Afghan National Security Forces and international military forces, remain somewhat invisible and largely unacknowledged. The possible negative repercussion of increased levels of population displacement is at times an afterthought in some of the current political and military discourse. Interviews with ISAF/NATO and US military representatives during the course of this study revealed that the range of consequences of large-scale forced internal displacement as a result of increased military activities is not yet being fully considered by all international military actors.<sup>168</sup> However, some reportedly do consider the effect of their operations and discuss the issue with civil organizations as part of the planning process. The initial reaction to this issue in interviews with representatives of international military forces was frequently that displacement was not part of the security mandate of ISAF/NATO. During the course of the interviews, however, an ISAF representative did acknowledge that internal displacement is an indicator of security and insecurity, while a US military representative conceded that increasing troops sent to Afghanistan’s south would increase “kinetic activity” (i.e., fighting) and likely result in further population displacement.<sup>169</sup>

The renewed counter-insurgency strategy of “clear, hold and build,”<sup>170</sup> assumes that displacement is a short-term phenomenon, linked only to the more visible aspects of military engagement. During operations, civilians are either warned of activities (including aerial bombing) as long as this does not jeopardize the mission, enabling them to move out of harm’s way,<sup>171</sup> something that was confirmed by some IDPs.<sup>172</sup> The international military does not, for reasons of capacity and mandate, track internal displacement resulting from military operations, but they do share relevant information gathered on an ad hoc basis with UNHCR and other humanitarian actors. Some humanitarian actors, however, are of the opinion that ISAF/NATO should have much more detailed information on population displacements as a result of their access to areas inaccessible to or otherwise off-limits to humanitarian actors, and may simply not be willing to share it. ISAF/NATO disputes this, noting

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<sup>165</sup> Cf. COMISAF, 2009, Counterinsurgency Guidance.

<sup>166</sup> Interview, Laborer, Khas Uruzgan, Uruzgan, in Spin Boldak, 30 May 2009.

<sup>167</sup> Interview, tribal elder, Khas Uruzgan, Uruzgan, in Kandahar-city, 30 May 2009.

<sup>168</sup> Interview, Civic Representative, ISAF/NATO, Kabul, 7 June 2009.

<sup>169</sup> Interview, Representative, US army, Kabul, 14 June 2009.

<sup>170</sup> Mainly applied by Coalition Forces and selected PRT lead nations.

<sup>171</sup> Interview, Representative, US army, Kabul, 14 June 2009.

<sup>172</sup> Interview, Laborer, Garamsir, Helmand, in camp 4, Zhari Dasht camp, Kandahar, from, May 2009.

that their radius of coverage in Afghanistan is far narrower than outsiders may assume, given limited troop numbers.<sup>173</sup>

The findings of this study suggest that key assumptions regarding conflict-induced IDPs are flawed in at least three key, interrelated respects. First, the estimates of conflict-induced displacement are grossly underestimated. Second, the real reasons for displacement are more complex than those commonly held. Third, the short-term nature of displacement and their immediate return to villages of origin is the result of a lack of realistic alternatives among rural poor rather than their preference.

The assumption that displacement triggered by military operations in Afghanistan is short-term and results only from actual combat and aerial bombardment tends to ignore the nature of the armed conflict and its effects on the lives of civilians in affected areas. Many areas are much more contested, and the insecurity and dangers do not immediately dissipate as areas are often captured, lost and re-captured. Control over an area is rarely decided in well-defined military operations or battles that would make immediate return a realistic alternative as the following anecdote from a tribal elder from Dehrawud, Uruzgan illustrates (see also life stories 3 and 4, Annex V):

The Taliban captured the district in 2008 and the war between the international military, Afghan government and Taliban started; there were bombardments during the night. We fled the place, but left one or two members of our families to look after our properties. Almost six hundred homes were destroyed in bombardments, which were conducted within three month time period. About 150 people were killed. The second time, the government started to regain the district, 80 people were killed.<sup>174</sup>

Acknowledging prolonged periods of displacement, however, might contradict the much-needed success stories to placate war-weary domestic constituencies. This study actually found that among conflict-induced populations the duration of displacement is more closely related to wealth than military operations. Relatively wealthier households, for example, can afford to flee conflict-affected areas for prolonged periods, while those without sufficient means tend to remain in or return to insecure environments due to the absence of means and resources to go elsewhere.<sup>175</sup>

According to internally displaced persons, many also flee either proactively in fear of anticipated fighting or as a result of increasing intimidation and harassment by Taliban or pro-government elements. The more subtle aspects of the conflict—the breakdown of law and order, loss of livelihoods, and a lack of access to critical social services—have left rural inhabitants with few options to ensure their safety and survival. A tribal elder from Gizab, Uruzgan explains: “There are no short-term IDPs in this district because it is entirely under the control of the Taliban—there is no fighting right

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<sup>173</sup> Interview, Cemic Representative, ISAF/NATO, Kabul, 7 June 2009.

<sup>174</sup> Focus Group Discussion, Tribal Elder from Dehrawud, Uruzgan, Kandahar-city, May 2009.

<sup>175</sup> This is elaborated further in Section 5 on Coping Strategies, cf. Oxfam International, 2009.



now. There is no police, no government. All people working for the government fled, all tribal elders fled, and anyone with money fled.”<sup>176</sup>

In contested areas, IDPs have to deal with an inept, and often corrupt, Afghan government unable to provide basic security and access to services. In addition, they are confronted by a growing and highly mobile insurgency well known for its brutality. A comment from a tribal elder from Khas Uruzgan, Uruzgan illustrates this dilemma:

There are now six governments—PRTs, Hazara Militias, ANA, ANP, district government, and the Taliban. We are caught in the middle of all of them. If you side with the government, then the Taliban will kill you. If you side with the Taliban, the government will take you or the bombs will fall.”<sup>177</sup>

This problem also prevents IDPs from returning home, as the story of an IDP from Panjwayi district in Kandahar illustrates:

Musa Jan who left the [Zhari Dasht] camp to return home was forced to come back after 20 days. The reason why he came back was that the Taliban regularly threatened him. Eventually, he received a written death threat from the Taliban in the mosque where he went to pray. He was unable to seek protection from any governmental or non-governmental actors, as the government has yet to establish security.<sup>178</sup>

These difficulties are compounded by international military forces with the conflicting objectives of, on the one hand, providing security for the local population (i.e., ISAF/NATO) while on the other hand and at the same time pursuing an intensified counter-terrorism strategy (i.e., CF/Special Forces). This creates a difficult relationship between counter-terrorism/insurgency forces and the local population, as many assume that civilians in rural areas support the insurgency. A tribal elder from Gizab, Uruzgan, however, explain that the members of his community that were forced to remain support the Taliban because they have no other choice: “It is the only way they can stay alive.”<sup>179</sup> A shopkeeper from Sangin, Helmand, adds “the international military cannot distinguish between Taliban and local people when they search local houses.”<sup>180</sup> All this puts undue pressure on civilians in need of protection, as the following statement from a landowner from Chora, Uruzgan illustrates:

“When there were mine explosions on the road or attacks on ANA and international army convoys, the internationals kept asking us to stop them. But the Taliban is not somebody

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<sup>176</sup> Interview, Tribal Elder, from Gizab, Uruzgan, in Kandahar-city, 30 May 2009.

<sup>177</sup> Interview, Tribal elder, from Khas Uruzgan, Uruzgan, in Kandahar-city, 30 May 2009.

<sup>178</sup> Interview, Woman, from Ghormach, Badghis, in camp number 9, Zhari Dasht, Kandahar, April 2009.

<sup>179</sup> Interview, Tribal Elder, from Gizab, Uruzgan, in Kandahar-city, 30 May 2009.

<sup>180</sup> Interview, Shopkeeper, from Sangin, Helmand, in Spin Boldak, Kandahar, June 2009.

we can control; they do not listen to us, just as little as it is in our power to tell the foreigners to stop killing civilians either. We are a people without defense and cannot stop military people from fighting.”<sup>181</sup>

The following anecdote of an elder from Bala Murghab, Badghis in Zhari Dasht camp illustrates this problem even for areas of refuge:

“When the government comes to the area then the Taliban come during the night and ask: ‘Why did the governmental officials come? What did they say? What is your relation with them?’ Then they hit and beat us. Similarly if the Taliban come to the area, then the government will ask the same question: ‘Why did the Taliban come here? To whose home did they come? Where did they go?’ Then they take us to the prison of Kandahar-city.”<sup>182</sup>

To date, responses to and compensation for civilian casualties and destruction of property has been after the fact, ad hoc, and largely inadequate when compared to the scale of losses (see Section 6.3 for further details).<sup>183</sup> There is neither sufficient protection in areas of origin to prevent displacement, nor safe passage to areas of exile, nor protection in exile. One explanation for not directly assisting civilians in emergencies, unless absolutely necessary,<sup>184</sup> is to avoid further critique of mixing humanitarian with military activities (see further discussion in the next section).<sup>185</sup> Recently, however, an influential counter-insurgency specialist with prior military experience argued that the international community has a “moral obligation” in Afghanistan to the civilian population, especially in the Pashtun South, given that previous military activities have contributed to increasing insecurity.<sup>186</sup> This does suggest, particularly in light of the revised military strategy, that the concept of an ethical responsibility toward the protection of civilians is gaining steam with more emphasis placed on adherence to obligations under international humanitarian law.

### ***International humanitarian actors and the limits of IDP protection***

Humanitarian organizations have taken steps in recent years to respond to a deteriorating humanitarian situation. As noted earlier in section 2.2, in 2008, in an attempt to better support the Afghan government to fulfill its national protection responsibilities and improve coordination among

<sup>181</sup> Interview, Land Owner, from Chora, Uruzgan, in Loya Wiala, Kandahar-city, 16 July 09.

<sup>182</sup> Interview, Tribal elder, from Bala Murghab, Badghis, in camp 3, Zhari Dasht, Kandahar, May 2009.

<sup>183</sup> For details of the different programs in this area cf. CIVIC, 2009, *Losing the People: the Costs and Consequences of Civilian Suffering in Afghanistan*.

<sup>184</sup> They provide medevac services and emergency medical care to Afghans; email communication, Development Advisor, ISAF/NATO Headquarter, 8 June 2009.

<sup>185</sup> Interview, Representative, US army, Kabul, 14 June 2009.

<sup>186</sup> David Kilcullen, 2009, *Defeating Global Terrorism: Counter-terrorism, modern warfare & rule of law in countries of war*, Wallace Wurth Memorial Lecture, John Niland Scientia Building, UNSW Kensington campus, Sydney, Australia, 3 September 2009.

humanitarian actors, the “cluster approach,”<sup>187</sup> designed to standardize the international response to emergencies by mandating key agencies with leadership over specific sectors, was rolled out in Afghanistan. Under this approach, UNHCR took the lead of the Afghanistan Protection Cluster (APC),<sup>188</sup> with the National IDP Task Force forming an APC sub-group. The following year (2009), UNOCHA reopened in Afghanistan in an effort to strengthen the interagency response, re-negotiate humanitarian space and access with belligerents, and coordinate the allocation of resources. The same year, a Humanitarian Action Plan (HAP) was published, highlighting the depth of the loss of security and its impact on civilian populations. Finally, a new *Afghanistan National IDP Task Force Strategy 2009 to 2010* was adopted on 30 August 2009. Despite these and other positive steps taken to refocus resources on emergency needs, the worsening security situation has reduced the humanitarian space and limited access by international actors to conflict-affected areas. As a result, most aid workers remain trapped in Kabul and protection initiatives have been limited to mere talking points at meetings.

Humanitarian organizations, including ICRC, currently have less access to IDPs in conflict-affected areas than at any time in the past 28 years. In 2008 alone, 38 aid workers, mostly Afghan NGO staff, were killed by insurgents, who increasingly perceive humanitarian organizations as being aligned with military and political interests.<sup>189</sup> Seventy-nine southern districts, out of a total of 376, are currently inaccessible to aid workers, impeding both the collection of accurate information on the numbers of displaced and efforts to provide humanitarian assistance to those in need.<sup>190</sup> That traditional aid groups are now viewed as legitimate targets by insurgents has much to do with the blurring of lines between political-military and humanitarian-development actors, especially PRTs and the for profit development contractors who implement for PRTs.<sup>191</sup> With the fundamental humanitarian principle of impartiality of assistance compromised, insurgents are no longer able or care to distinguish among groups attempting to deliver aid to victims of conflict, irrespective of political affiliations.

The problem of humanitarian access brings into question protection efforts that seem to fail to adequately assist new conflict-induced IDPs. The *National IDP Profile*, while acknowledging the

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<sup>187</sup> This approach aims to fill capacity and response gaps in up to 11 critical sectors by designating global and country-level “cluster leads.”

<sup>188</sup> UNAMA Human Rights (OHCHR) and the NGO Norwegian Refugee Council (NRC) serve as deputy co-chairs.

<sup>189</sup> Antonio Donini, 2009, *Afghanistan: Humanitarianism Under Threat*, Briefing Paper; Feinstein International Center, Tufts University, 18 March 2009; <http://wikis.uit.tufts.edu/confluence/display/FIC/Afghanistan+++Humanitarianism+under+Threat>

<sup>190</sup> UNOCHA, 2009, *Afghanistan: Monthly Humanitarian Update: January 2009*, <http://www.humanitarian-reform.org/humanitarianreform/Portals/1/cluster%20approach%20page/Afghanistan/Humanitarian%20Update%20-%20January%202009.pdf>

<sup>191</sup> Barbara J. Stapleton, 2007, “A Means to what End? Why PRTs are Peripheral to the Bigger Political Challenges in Afghanistan”, *Journal of Military and Strategic Studies*, Fall 2007, Vol. 10(1): 1-49; <http://www.jmss.org/2007/2007fall/articles/stapleton.pdf>

existence of IDPs affected by the growing struggle between the Afghan government, international military actors and the insurgency, its increasing numbers, and likelihood to transition from short-term to long-term displacement, highlights the problem of gaps in information, which renders this population “invisible”. As a result, international humanitarian actors are caught in a vicious cycle. “Limited access to ‘war zones’ makes verification [of IDP figures] impossible,”<sup>192</sup> leading to a situation where international actors are uncomfortable to speak with authority about a problem they do not fully understand, let alone implement or advocate for an adequate protection response. Furthermore, long conditioned to view Afghanistan through a post-conflict reconstruction and stabilization lens, many humanitarian actors want to avoid the creation of pull factors and aid dependency that often accompany an emergency.

In the absence of established camps, IDPs have little or no access to humanitarian assistance, leaving them to fend for themselves, either staying with relatives or blending into the urban poor.<sup>193</sup> While there are sound reasons to avoid the creation of new IDP camps, few viable alternatives—which would provide physical protection and access to necessary humanitarian assistance—have been put forward. A tribal elder from Gizab, Uruzgan pleads: “People are crying for help: we need food, education for our children, please do something for us.”<sup>194</sup>

While Kandahar is currently one of the most dangerous provinces in Afghanistan, the two main sites hosting IDPs—Kandahar-city and Spin Boldak—are among the only four relatively safe zones in Kandahar. Security ranks among the main concerns guiding IDP decisions on areas of refuge, suggesting that some form of protection and assistance, and indeed access by humanitarian agencies and their partners in these areas is feasible. Despite the provision of minimal, *ad-hoc* assistance by several humanitarian agencies, a more realistic discussion on appropriate protection strategies and levels of assistance is needed.

National and international relief agencies, as a result of access restrictions and the subsequent lack of information, or a wariness of longer-term aid dependency, have tended to reinforce the simplistic view of displaced communities eager to return once the bombs have stopped falling. This has created a paradoxical situation. While the 2009 Humanitarian Action Plan foresees “an increase in displacement resulting from conflict, civilians continued to be affected by fighting and (a deterioration in) the security situation,”<sup>195</sup> the objectives of the APC outlined in the HAP remained geared primarily towards meeting protection and assistance needs in places of origin and addressing return and reintegration challenges rather than emergency response to new displacements as a result of conflict.<sup>196</sup> This reflects, to a large extent, a reluctance to fundamentally shift resources away from the

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<sup>192</sup> *National Profile of Internal Displaced Persons (IDPs) in Afghanistan*, 2008, p.8.

<sup>193</sup> Interview, Commissioner, Afghanistan Independent Human Rights Commission, Kabul, 23 June 2009.

<sup>194</sup> Interview, tribal elder, from Gizab, Uruzgan, in Kandahar-city, 30 May 2009.

<sup>195</sup> United Nations, 2009, *Humanitarian Action Plan for Afghanistan*, p. 18.

<sup>196</sup> *Ibid*, pp. 43-45.

post-conflict development framework. For example, the US Agency for International Development budget for Afghanistan in 2009 exceeds \$1 billion, but only 2.9% (\$29 million) is earmarked for humanitarian assistance through USAID's Office of Foreign Disaster Assistance (OFDA).<sup>197</sup>

Furthermore, there is a tendency by humanitarian actors to go along with the perception of local officials that many IDPs are economically motivated. This has translated into a widespread view that assistance needs should be met in areas of origin, rather than in urban centers to avoid the creation of pull factors. While this might make sense for victims of slow-onset natural disasters like drought, it is dangerous in the case of conflict-induced IDPs and may result in the denial of their basic right to seek assistance and protection in safe areas.<sup>198</sup>

While such politicization of displacement is by no means new, neither internationally<sup>199</sup> nor in the Afghan context,<sup>200</sup> the pendulum seems to have swung from accommodating displacement to trying to downplay it, with dangerous consequences for displaced populations. During mass-displacement that followed the Soviet invasion of Afghanistan, assistance and protection was quickly forthcoming in Pakistan and Iran. Even though donor fatigue set in after many years of the ensuing conflict, refugee camps remained open. This has drastically changed in recent years, perhaps because displacement is no longer considered the 'welcomed' indicator it was when it was used to discredit the Soviet-backed communist government during the Cold War and the repressive Taliban government in the late 1990s.<sup>201</sup>

In 2001, the new wave of refugees and IDPs that resulted from the US-led intervention that brought down the Taliban was viewed as an unfortunate byproduct of the liberation of Afghanistan, and the assumption was that it would be of short duration. The rapid repatriation that peaked in 2002, with over 2 million refugees returning from Pakistan and Iran—a majority of them assisted—seemed to prove that no 'permanent' damage had been done. Moreover, the return of Afghan refugees was used to justify not only international action but also the legitimacy of a fledgling new government supported by the international community.<sup>202</sup> The fact that refugee return leveled off in the years thereafter and became increasingly linked to push factors did not dissuade many in the international community from its insistence that repatriation had been a successful durable solution both in the

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<sup>197</sup> Refugees International, 2009, *Afghanistan: Open Eyes to Humanitarian Needs*, Washington, DC: Refugees International, 20 July 2009; <http://www.refugeesinternational.org/policy/field-report/afghanistan-open-eyes-humanitarian-needs>.

<sup>198</sup> Principle 3, article 2. *UN OCHA, 2001, Guiding Principles on Internal Displacement*, p.2.

<sup>199</sup> Cf. contributions in Stephen John Stedman and Fred Tanner (eds.), 2003, *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*, Washington, DC: Brookings Institution Press.

<sup>200</sup> Cf. Schmeidl and Maley, 2008, Frederick Grare, 2003, "The Geopolitics of Afghan Refugees in Pakistan", Pp.57-95 in S.J. Stedman and F. Tanner (eds) *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*; Washington, DC: Brookings Institution Press.

<sup>201</sup> Cf. *Ibid*, Schöch, 2008, Loescher, 1993, Zolberg *et al.* 1989.

<sup>202</sup> Cf. Turton and Marsden, 2002, Schmeidl and Maley, 2008.

interest of Afghan refugees and Afghanistan. Critiques questioning this interpretation were raised as early as 2002<sup>203</sup> and continue to appear<sup>204</sup> but they are frequently ignored as unfounded.

Despite obstacles to providing ‘hard’ protection to IDPs, there is a possibility of ‘soft’ protection tools, such as advocating for strategies and resources to effectively respond and better protect the rights of IDPs in accordance with relevant international standards.<sup>205</sup> “Humanitarian advocacy is a core area of protection practice for both humanitarian and human-rights agencies.”<sup>206</sup> While there are some signs of positive movement in terms of advocacy via the National IDP Task Force, the training of local officials on the rights of IDPs, and the widespread recognition that humanitarian space and the basic operating principles of impartiality and neutrality should be restored, far more needs to be done.

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<sup>203</sup> Turton and Marsden, 2002.

<sup>204</sup> Schmeidl and Maley, 2008, Koser and Schmeidl, 2009.

<sup>205</sup> Cordula Droege, 2008, “Developments in the legal protection of IDPs”, Pp.8-9 in *Forced Migration Review*; <http://www.fmreview.org/FMRpdfs/GP10/GP10.pdf>, p.8.

<sup>206</sup> Hugo Slim and Andrew Bonwick, 2005, *Protection: An ALNAP guide for humanitarian agencies*, London: Overseas Development Institute, <http://www.alnap.org/pool/files/alnap-protection-guide.pdf>



## COPING WITH DISPLACEMENT

In the absence of adequate protection by either national authorities or international actors, IDPs in each of three sites of this study—often displaced for different reasons over different periods of time—frequently live side-by-side with non-displaced communities and engage in similar coping strategies. In a phenomenon repeating itself throughout Afghanistan, the IDP populations in Kandahar-city and Spin Boldak often constitute an invisible or hidden population (at least to many outsiders) as they blend in with the urban poor (as in Kandahar-city) or well-established previously displaced communities, no longer considered as IDPs (as in Spin Boldak).<sup>207</sup> Their protection needs and related coping mechanisms may become indistinguishable from those of the larger Afghan population in terms of economic survival and access to services. Many traditional IDP coping mechanisms, such as engagement in informal employment, differ little from their host counterparts, especially in poor urban neighborhoods. Many IDPs also engage in some form of migrant labor to ensure survival of their families, such as IDPs from Zhari Dasht camp working in Kandahar-city. Some are forced to go as far as Helmand to earn money in the poppy harvest, or to Pakistan and Iran.<sup>208</sup>

Similarities in coping strategies help to blur the lines between IDPs, economic migrants and the urban and rural poor. They also lead many to assume that IDPs have locally integrated and are no longer in need of assistance. Some in the humanitarian community argue that interventions on behalf of IDP populations would ultimately prove counterproductive and unfair to the urban poor. Instead, they suggest, what is needed is a more holistic urban poverty strategy that would rely on vulnerability indicators, rather than the mere fact of displacement.<sup>209</sup> While not without merit, these views ignore the problems associated with a lack of political integration and special protection needs, which disproportionately affect IDP populations, resulting in what are often precarious or even negative coping mechanisms, such as seeking physical protection from strongmen or insurgent actors. While in some cases the urban poor may also seek similar protection, the failure to integrate IDPs politically leaves them often no other option than that available to urban poor (such as appealing to provincial or district *shuras*). In none of the locations studied did IDPs have representation in any of the local *shuras* that looked out for local communities.

Ironically, the fact that IDPs make rational choices in selecting safe havens—often relying on the same considerations as economic migrants—has led national and international agencies to question the nature of their displacement. The fact that many IDPs provide multiple explanations for their flight does

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<sup>207</sup> AIHRC, 2008, p.45.

<sup>208</sup> Interview, Laborer, from Almar, Faryab, Zhari Dasht camp, Kandahar, May 2009.

<sup>209</sup> Interview, Afghanistan Representative, UNHCR, Kabul, 4 June 2009.



not help. In the words of one IDP, “I came here to prevent my family from being bombed and to save their respect. I also did not work in my home area and had land without any harvest.”<sup>201</sup>

The utilization of ‘smart coping behavior’, however, should not distract from the fact that conflict lies at the root of economic disruption and subsequent forced displacement. A representative of the Afghanistan Independent Human Rights Commission confirmed what many IDPs themselves reported that the key distinguishing factor between IDPs and economic migrants is whether entire families had been uprooted, subjecting women and children to the dangers of flight and casting aside rigid cultural norms.<sup>211</sup> A teacher from Helmand explained: “People are IDPs because they take their women and children and whole families. This is a big humiliation for Pashtun families. People going only for economic reasons would only go themselves and leave their families at home, on the land of their fathers.”<sup>212</sup>

### FLIGHT AS SURVIVAL STRATEGY

Afghans learned long ago to spread risk (both economic and political) through strategic mobility.<sup>213</sup> Yet, while mobility may have emerged as an accepted and integral livelihood and survival strategy in Afghanistan,<sup>214</sup> it is not universally embraced as a positive phenomenon. Forced displacement, in particular, often polarizes opinions and Afghanistan is no exception. On the one hand it can be considered “an abuse to be condemned”, and on the other as “a rational response to the threat of violence and one that should be facilitated.”<sup>215</sup> After all, in life-threatening situations brought about by violent conflict or environmental pressures, civilians have two choices: stay put and endure the risks to physical well-being or survival, or escape to more secure areas.

Nearly all IDPs interviewed for this study spoke of deaths of immediate family members and of individuals in their community, close proximity to aerial bombardment, and harassment by parties to the conflict including extortion of food and shelter, beatings by the Taliban, and house searches and arrests by Afghan and international military forces.<sup>216</sup> Some displacement appears to have been pre-emptive, rather than responding to actual violence, as an IDP from Khas Uruzgan, Uruzgan explained: “There

<sup>210</sup> Focus Group Discussion, Shopkeeper from Sha-re Safa, Zabul, in Kandahar-city, May 2009.

<sup>211</sup> Interview, Commissioner, Afghanistan Independent Human Rights Commission, Kabul, 23 July 2009.

<sup>212</sup> Interview, Teacher, from Helmand, in Spin Boldak, Kandahar, 29 May 2009; cf. Kuchi, from Paktika, Kandahar-city, 30 May 2009.

<sup>213</sup> Alessandro Monsutti, 2008, “Afghan Migratory Strategies and the Three Solutions to the Refugee Problem”, *Refugee Survey Quarterly* 27(1):58–73.

<sup>214</sup> *Ibid*, Fariba Adelkhah and Zuzanna Olszewska, 2007, “The Iranian Afghans”, *Iranian Studies* 49(2):137–65; UNHCR, 2004, “Afghanistan: Challenges to Return”, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=4231bc0d4>

<sup>215</sup> James Darcy, 2007, “Political and humanitarian perspectives on the protection of civilians”, Prepared for the Humanitarian Protection Group (HPG) Geneva Roundtable on Protection, 22 January 2007, p.2.

<sup>216</sup> Cf. ICRC, 2009, Still about a third of all Afghans report looting experiences (33%), conflict-related deaths (35%), torture (28%), and food extortions (27%). p.12.

is too much unpredictability and you never know when the bombing will start. You will be sleeping at home and all of sudden there are bullets flying and then the bombs start dropping.”<sup>217</sup>

Those interviewed during the course of this study unanimously identified ‘flight’ as their primary coping strategy in situations of violent conflict, harassment or natural disaster, even if loss of property and family members was mourned (see Box 5).

### **Box 5: Flight as coping strategy**

#### *Protracted Northern IDP Caseload*

- ❖ “If we had remained in our areas, by now we would have been killed. Now we are alive.” Focus Group Discussion, Watchman from Bal Chirgh, Faryab, in Zhari Dasht camp, Kandahar, May 2005
- ❖ “I would have died of hunger in our original area, due to the death of our livestock because of drought and no harvest of our lands.” Focus Group Discussion, Tribal elder, from Shibeghan, Jawzjan, in Zhari Dasht camp, Kandahar, May 2009
- ❖ “If we would have stayed there, we might have been killed. Our dignity and honor would have been violated by local Uzbeks.” Focus Group Discussion, Bakery owner, from Daulatabad, Faryab Province, in Zhari Dasht camp, Kandahar, May 2009

#### *Recent conflict-induced IDPs*

- ❖ “If we had remained in our own areas, then we had to beg or join either the government or the Taliban.” Focus Group Discussion, Laborer from Maqur, Ghazni, in Zhari Dasht camp, Kandahar, May 2009
- ❖ “I went to Spin Boldak to save my dignity. We don’t want to see our wives and daughters without their shawls, searched in front of us. We were humiliated.” Tribal elder, from Khas Uruzgan, Uruzgan, in Spin Boldak, 30 May 2009
- ❖ “I was displaced about 6 months ago from Musa Qala district of Helmand due to fighting between international security forces, Afghan security forces and Taliban in the district. My younger brother who was about 10-12 years old was killed by the Afghan National Army while he was harvesting alfalfa. After my brother’s killing we came to Kandahar-city.” Ex-government employee, Musa Qala, Helmand, in Kandahar-city, 19 July 2009
- ❖ Share Safa village was heavily under bombardments by foreigners. Many people were killed; others were very brutally taken out from their homes at nights. We left our area for our safety and to protect our honor. Educated woman, from Shah-re-Safa, Zabul, in Loya Wiala, Kandahar-city, April 2009

<sup>217</sup> Interview, tribal elder, from Khas Uruzgan, Uruzgan, in Kandahar-city, May 2009.

Some IDPs even question the extent to which real alternatives exist, characterizing the dilemma as follows: “The fighting was getting worse, so we left. There is no choice.”<sup>218</sup> As additional international military forces arrive and the intensity of conflict in the South increases, internal displacement is likely to rise, perhaps dramatically, depending on the military strategies employed.

Yet, while conflict and displacement are by no means new to most Afghans, what is new is the reduced levels of assistance being extended (often linked to lack of recognition) as well as diminishing flight options. In recent years, the limits of a subsistence-based economy, fuelled by repeated droughts, growing hostility to Afghans in neighboring countries, increasing insurgency and counterinsurgency activities in the South, and latent ethnic tensions in the North and West have begun to narrow the choices that Afghans have in terms of using mobility as a coping strategy.

First, flight abroad as refugees, primarily to either Pakistan or Iran, which in the past were the main exit routes for Afghans are no longer considered viable options. Many IDPs interviewed said they initially considered going to Pakistan until relatives advised against it.<sup>219</sup> With Pakistan closing down refugee camps, increasing harassment of refugees, deteriorating security and increasing internal displacement within Pakistan, it is no longer a safe or reliable option for Afghans. The same is increasingly true for Iran, which deports and openly mistreats illegal immigrants and refugees. As one Afghan stated, “We are truly in trouble. During the Taliban we at least could still go to Pakistan. This is no longer an option, we are stuck.”<sup>220</sup> The choice not to go abroad, due to limited options, suggests that the increasing insecurity in Afghanistan will result in further internal displacement.

Second, in the absence of humanitarian assistance in areas of refuge, many are not able to flee due to their limited financial and human resources (i.e., family or clan members in areas of possible safe havens). High rents and associated costs of living in urban areas often render flight a feasible option only for families with some degree of financial means.<sup>221</sup> The class-based dynamics of forced displacement are mirrored in other migrant populations: the poorest and most-dependent on land for subsistence stay behind while better-off are able to leave and build a new (even if temporary) existence in safer areas. In conflict situations, the poorest and most vulnerable are left to fend largely for themselves. Unable to flee an unpredictable conflict situation, they are often forced to make compromises with whichever side holds the upper hand in the shifting power dynamics between the insurgency and pro-government forces. As insecurity increases, poverty and the inability to afford the “luxury” of flight will increase vulnerable populations in areas of origin and also possibly increase the recruitment pool for the insurgency.

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<sup>218</sup> Interview, Tribal elder, from Khas Uruzgan, Uruzgan, Kandahar-city, 30 May 2009.

<sup>219</sup> Interview, Land Owner, from Chora, Uruzgan, in Loya Wiala, Kandahar-city, 16 July 09.

<sup>220</sup> Informal discussion, former Afghan Cadastral Official and NGO worker, Kabul, 30 May 2009.

<sup>221</sup> Cf. Oxfam International, 2009.

### **RATIONAL CHOICES REGARDING SAFE HAVENS**

All IDPs interviewed for this study made (and are still making) informed choices about where they believe they may be best off. The current lack of national and international assistance to IDPs in Afghanistan actually forces them to consider very carefully where to go, as a wrong choice could only worsen their situation. The following factors were all identified by IDPs as influencing their choice:

- ❖ Economics—where they can afford to go (distance of flight, living costs);
- ❖ Security—where they believe it is most secure (this tends to rule out capitals in many of the provinces IDPs come from, as they also do not consider it safe);
- ❖ Livelihoods—where they believe they can find a job to support their families;
- ❖ Existing enclaves/networks, either family, other IDP communities, or camp environments; and
- ❖ Cultural similarities with population of host communities (which often rules out Herat or Kabul for Pashtun-speakers).

Spin Boldak and Kandahar-city are the preferred destinations for many IDPs because of security, livelihoods and existing enclaves. In Spin Boldak, for example, IDPs living in Naw-e Kalay can usually find work as laborers (e.g., off-loading commercial trucks) for 3-5 days per week and earn an average of approximately \$3 per day, considerably higher than the \$1.25 poverty threshold established by the World Bank.<sup>222</sup> In some cases, IDPs who have been displaced for over ten years now own property and shops in Spin Boldak and are able rent out houses to new IDP families arriving daily.

Until individual assistance was terminated in 2006, Zhari Dasht camp was also a magnet for IDP settlement and there was a thriving black market in extra ration cards. According to one IDP, “One of our friends in Zhari [Dasht] camp [an IDP from Helmand] told us that he had three ration cards and he had lands for homes. I bought one ration card from him that cost 13,000 PKR [about USD 220] and I bought a second card from an IDP from Badghis province for 15,000 PKR [about USD 250] who had four ration cards. A piece of land was given to me by an IDP from Naw Zad district [Helmand].”<sup>223</sup> Although the withdrawal of individual assistance in 2006 lessened its appeal for new IDP settlement, many camp residents considered themselves semi-permanently settled and have developed alternate survival strategies to compensate for the loss of regular humanitarian assistance. For instance, many of the men in IDP households relocated to Kandahar-city during the workweek, and returned to their families in the camp on weekends.

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<sup>222</sup> <http://www.globalissues.org/article/4/poverty-around-the-world>

<sup>223</sup> Interview, Laborer, from Deh Rawud, Uruzgan, Zhari Dasht camp, Kandahar, May 2009.

Since 2006, with security deteriorating in Zhari district and assistance diminishing for IDPs in Zhari Dasht camp, Spin Boldak and Kandahar-city have been the main magnets for IDPs, as they offer the best security and livelihood opportunities. That IDP enclaves have been established in these two areas (e.g., for IDPs from Uruzgan in Spin Boldak and for IDPs from Zabul in Kandahar-city) will likely serve as pull-factors as word travels back to areas of origin and kinship networks develop and facilitate further movement. It is well established in migration theory<sup>224</sup> that tested migratory paths and enclaves reduce the costs of migration through reliance on assistance from other 'migrants' in areas of destination. The same is true for those forcibly displaced. Thus, Spin Boldak and Kandahar-city (like Kabul) will continue to attract IDPs until security improves and concomitant livelihood opportunities increase in areas of origin or assistance is provided elsewhere. During interviews, some IDPs even suggested that the enclaves helped create economically motivated migration.

### UTILIZING FAMILY AND TRIBAL NETWORKS

Family and tribal networks play an important role in aiding new IDPs not only to choose their destination but also to reduce the cost of displacement by providing assistance in destination areas. Many IDPs tend to stay with family members until they are able to rent their own accommodation. Families often pool resources to afford accommodation in areas of refuge, which results in over-crowding, such as 6-7 individuals per room on average and at times as many as 12-15 per room or even 15-25 per house.<sup>225</sup> Families also facilitate livelihoods by helping one another to find jobs, or join existing businesses (e.g., shops, trade, and smuggling). The fact that many IDPs in Spin Boldak have joined their tribal networks to smuggle goods (e.g., Indian drugs and Japanese and Chinese clothes, radios or tape recorders) across the border into Pakistan<sup>226</sup> has led many Afghan government officials and international actors to believe that an illicit livelihood, rather than conflict, is the primary motive for relocation to Spin Boldak.

Extended families also help establish and provide household security, enabling adult males to seek odd jobs and employment opportunities elsewhere, leaving wives and children under the protective care of a brother or uncle. In Zhari Dasht camp, households with more than one adult male tended to remain in the camp after assistance was cut-off, while those with only one male were forced to relocate either to Kandahar-city or Spin Boldak to avoid prolonged absences as a result of livelihood-related commutes. In many instances, the IDPs who left Zhari Dasht camp in 2006 without returning home are now among the most vulnerable, forced to give up free shelter and ac-

<sup>224</sup> Cf. Douglas S. Massey, 1990, "The Social and Economic Origins of Immigration," *Annals of the American Academy of Political and Social Sciences* 510:60-70; Douglas S. Massey and Felipe García España, 1987, "The Social Process of International Migration," *Science Vol. 237*(4816): 733 - 738; Alejandro Portes (ed.), 1995, *Economic Sociology of Immigration, The: Essays on Networks, Ethnicity, and Entrepreneurship*; New York: Russell Sage Foundation.

<sup>225</sup> Interview, tribal elder, from Khas Uruzgan, Uruzgan, Kandahar-city, 30 May 2009.

<sup>226</sup> Interview, Educated person, from Malik Lal jan village Shibergan, Jawzjan, in Mullah Hanif area, Spin Boldak, April 2009.

cess to limited services in the camp to find rental or tented accommodation closer to market centers. Ironically, because they left in search of greater security, they are no longer protected as IDPs and were not considered in the 2009 UNHCR/HAPA camp-based survey.<sup>227</sup>

Vulnerable IDP households also rely on children and female family members to generate income, something common among poor families throughout Afghanistan. However, among Pashtuns, it is generally considered dishonorable to allow wives and daughters to work outside the home. Only in extreme conditions does this occur. IDP communities displaced for longer periods of time and lacking even interim solutions were more likely to have as many family members as possible, including women and children, working to ensure family survival. An educated woman from Almar, Badghis stated, “We are much in trouble for obtaining food. Our entire family works. Men working on the fields and women are busy with handicrafts, children sell water and cigarettes in the bazaars, and they left behind their education.”<sup>228</sup> A nurse from Bala Murghab, Badghis added: “This displacement brought a lot of changes in our [women’s] life and also confuses us. We go to the houses of the people of the area to bake bread or wash their clothes in exchange for money.”<sup>229</sup>

The arranged marriages of underage girls, especially to less attractive suitors, are also an indication of a certain level of desperation and vulnerability. According to a female teacher from Sayat, Saripul, “Since some of them are compelled [by circumstance], they marry their daughters, ages 14 or under, to old men in order to obtain some money. We can simply say that they sell them to make a living. Some of them even exchange their daughters for animals.”<sup>230</sup> In the absence of assistance, the most vulnerable displaced populations are often forced to employ harmful coping strategies that sacrifice their children’s education and increase the vulnerability of women and girls.

Family and tribal networks also serve as important sources about information on events and conditions in areas of origin. For the protracted caseloads from northern Afghanistan, UNHCR organized “go-and-see” visits in 2008 to enable IDPs to make accurate and informed decisions regarding return, but many IDPs relied on their own sources of information on conditions in areas of origin, much of which contradicted the ‘official’ views of IDP representatives taking part in the UNHCR-facilitated visits. Almost all of those interviewed were far more skeptical about the prospects for safe and sustainable return to the North than the official views of elders suggest.

Even longer-term displaced families still receive information from home, or go themselves to visit their homes and property.<sup>231</sup> According to a farmer’s wife from Tulak, Ghor, “people who have ar-

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<sup>227</sup> UNHCR, 2009, *Zari Dasht IDP Camp House to House Survey*.

<sup>228</sup> Interview, Educated woman, from Almar, Badghis, in camp number 3, Zhari Dasht, Kandahar, April 2009.

<sup>229</sup> Interview, Nurse, from Bala Murghab, Badghis, in Haji Aziz Maina, Kandahar-city, April 2009.

<sup>230</sup> Interview, Female school teacher, from Ghormach, Badghis, in Tajo camp, Spin Boldak, April 2009; Cf. Interview, Nurse, from Sayat, Sari Pul, in Abdullah and Mullah Rozi Khan area, Spin Boldak, April 2009.

<sup>231</sup> Interview, Educated person, Nawa, Ghazni, in camp 10, Zhari Dasht camp, Kandahar, April 2009.

able lands, go there to see and collect their harvest”.<sup>232</sup> More recently displaced persons may go quite frequently, as a tribal elder from Sha-re Safa, Zabul explains: “People who have lands and properties go once per month to their own areas, and they collect harvest, look after their lands and negotiate with government to bring security;”<sup>233</sup> or if there are houses or shops to check on.<sup>234</sup> More long-term displaced may do this only once or twice a year for up to 15–20 days at a time, and it is mostly only the head of the family or eldest son who goes.<sup>235</sup> If the distance is long, some may also stay for as long as one or one month and a half.<sup>236</sup>

IDP households with land to protect often make difficult choices of leaving loved-ones, mostly young men, behind to guard the property while bringing the majority of family members to safety.<sup>237</sup> At best, this helps to protect family assets; at worst it can lead to loss of life. As a laborer from Garamsir, Helmand recounts: “My nephew also died in the bombings—he remained in the village to look after the lands and our home.”<sup>238</sup> An elder from Khas Uruzgan explained how two of his brothers remained in the area of origin to look after the family property, while their wives and children went to Spin Boldak with him. However, they have rented a room in the bazaar to avoid remaining overnight in a rural, unprotected environment. “This way, neither the government nor the Taliban can bother them at night.”<sup>239</sup> Other families turn over their land temporarily to sharecroppers (many often too poor to flee) and divide the proceeds of the harvest.

### SEEKING PROTECTION FROM STRONGMEN AND THE INSURGENCY

In situations where national authorities are unable to assume protection responsibilities and international actors are unable fill the gap, IDPs are left to fend for themselves and find mechanisms to ensure their physical protection. As previously noted, IDPs have increasingly resorted to seek such protection from local strongmen and powerbrokers. From conversations with IDPs, two commanders in Kandahar province, Abdur Raziq (current head of the Afghan Border Police) in Spin Boldak, and the late Habibullah Jan in Zhari Dasht, emerged as key guarantors of IDP protection. In addition, IDPs have also sought the assistance of Ahmad Wali Karzai, the head of the Provincial Council in Kandahar and brother of President Hamid Karzai. In contested areas (e.g., Zhari district), substantial numbers of IDPs have found that their best chances for survival lay in accommodation with

<sup>232</sup> Interview, Farmer’s wife, from Tulak, Ghor, in Haji Aziz Maina, Kandahar-city, April 2009.

<sup>233</sup> Interview, Village elder, from Sha-re Safa, Zabul, in Haji Shir Mohammad village, 9<sup>th</sup> district, Loya Wiala, Kandahar-city, April 2009.

<sup>234</sup> Interview, Female IDP, Ghormach, Badghis, in camp number 9, Zhari Dasht, Kandahar, April 2009.

<sup>235</sup> Interview, Nurse, from Sayat, Sari Pul, in Abdullah and Mullah Rozi Khan area, Spin Boldak, April 2009; Cf. Interview, Clerk, from Sayat, Sari Pul, in Tajo area, Nawi Kalay, Spin Boldak, May 2009.

<sup>236</sup> Interview, Female IDP, Ghormach, Badghis, in camp number 9, Zhari Dasht, Kandahar, April 2009.

<sup>237</sup> Interview, Female medical doctor, from Khogiyani, Nangarhar, in Naimatullah area, in Spin Boldak, April 2009.

<sup>238</sup> Interview, Laborer, from Garamsir, Helmand, in camp 4, Zhari Dasht, Kandahar, May 2009.

<sup>239</sup> Interview, Tribal elder, from Khas Uruzgan, Uruzgan, in Spin Boldak, 30 May 2009.

the insurgency, whether through active support, coerced support, or simply a pragmatic response in a difficult situation. As a coping strategy, the patronage of strongmen is often precarious, and while initially attractive, it may prove not to be in the best long-term interests of IDPs. While IDPs may gain security and physical protection from these strongmen, it is often at the expense of surrendering their individual rights and freedoms. IDPs and returning refugees may thus fall victim to the internal politics of Kandahar and the strong patronage relationships that have been built up there.

Abdur Raziq, for example, does not have strong support in Spin Boldak from his own Achekzai tribe. Therefore, he has sought to strengthen his power-base with a new constituency—the IDPs. To achieve this, he used his authority as head of the Afghan Border Police in the South to sell government land to IDPs, integrate them into the border police force, and allow their involvement in cross border trade. While land provides IDPs with a better chance for local integration, the legal status of the land deeds is often dubious and open to future dispute. With the inflow of increasing numbers of IDPs and subsequent economic expansion, property values in Spin Boldak have tripled, increasing the attractiveness of a reverse land grab by powerful actors. IDP landowners have also found themselves caught in the middle of disputes between Nurzai and Achekzai landowners from the district, who have competing ownership claims on land sold to IDPs. As a result, IDPs are, to some extent, part of the larger power-equation between the two competing host community tribes. Some Nurzai in Spin Boldak, for example, have accused Raziq of playing tribal politics by encouraging displaced Achekzai communities to come to the district in order to increase the overall numeric strength of his tribe, which currently is only slightly more populous (55% Achekzai vs. 45% Nurzai). To date, Raziq has managed to keep a lid on conflicts and maintain the balance of power. The host community is unwilling to reclaim land and risk a potential backlash from well-established IDP communities, who presently make up half of the population of Spin Boldak district. The political situation of the IDPs, however, remains fragile and dependent on retaining the favor of key powerbrokers.

In addition to providing land, Raziq also allowed IDPs access to the licit and illicit cross-border trade that he and the Achekzai tribe controls, adding to his personal profit. In addition he has recruited many IDPs into the border police, which provide him with loyal staff, and IDPs with protection. As an IDP from Shah-re Safa, Zabul explained, “I am a member of the Afghan National Police and working under the supervision of Commander Abdul Raziq. Above all, my family is fully protected and I can easily manage my daily life with my salary.”<sup>240</sup>

The widespread fraud (mainly in the form of stuffing ballot boxes and invalidating ballots cast for rivals of the incumbent President) during the August 2009 presidential elections is a good example of Raziq’s power and the use of IDPs as a political constituency.<sup>241</sup> In Spin Boldak, the elections

<sup>240</sup> Interview, Shopkeeper, from Shah-re Safa, Zabul, Naw-e Kalay, in Spin Boldak, Kandahar, June 2009.

<sup>241</sup> Cf. for example, Martine van Bijlert, 2009, “If no one saw it, did it happen? - AAN recommended election reading” (UPDATED), *Afghanistan Analysts Network (AAN)*, Election Blog No. 26, 29 August 2009; <http://aan-afghanistan.com/index.asp?id=292>



were allegedly controlled by Raziq, who took all ballot boxes home after elections for safekeeping.<sup>242</sup> Nevertheless, IDPs leaders in interviews prior to elections had quite openly suggested that their vote was for sale to the highest bidder, meaning to whomever would promise them protection and better political and economic rights and assistance.<sup>243</sup> Some IDPs reportedly had even discussed this with Ahmad Wali Karzai, the head of the Provincial Council. Thus, part of the election fraud in Spin Boldak might very well be due to buying the allegiance of IDPs, while IDPs used their votes to buy protection. While strongmen may also buy votes from settled communities, the latter are less vulnerable to having to use their vote in order to be able to stay in an area.

When the Zhari Dasht camp was created, the late strongman Habibullah Jan of Zhari District seized the opportunity to expand his power base beyond his own Pashtun Alizai tribe. As Raziq did in Spin Boldak, he used the IDPs to increase his constituency. Habibullah Jan may have used promises of land allocation and assistance to IDPs—promises which later failed to materialize—to convince them to move to Zhari Dasht camp.<sup>244</sup> There are tribal elders who claim they were promised assistance for 15 years if they relocated to the camp and that they would be given land in the area at the end of this 15-year period.<sup>245</sup> UNHCR maintains that no such promises were made. Habibullah Jan's plan initially worked: IDPs believed his promises, as he appeared to have the support of the regional leader and then Governor of Kandahar province, Gul Agha Sherzai.

As noted earlier in section 3.1.2, the IDP population, numbering nearly 40,000 at its peak also played a major role in the creation of Zhari district. Habibullah Jan used the increased population to justify the creation in April 2003 of the new Zhari district (joining together territory that belonged to different districts, including Arghandab, Maywand and Panywai). Habibullah Jan's claim was supported by former provincial governor of Helmand Sher Muhammad Akhundzada, an Alizai from Kajaki who has family relations with the Karzai family.

Habibullah also enlisted the support of the IDPs to consolidate the influence of the Alizai tribe prior to the presidential election of 2004, and for his successful candidacy in the 2005 parliamentary elections. IDPs may have been inclined to believe promises he made of additional lands which held out the prospect of permanent local settlement, inasmuch as Habibullah Jan had previously seized government land close to the highway which links Kandahar-city to Zhari Dasht camp, and there was speculation that the value of this land would increase once the camp was turned into a regular town.

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<sup>242</sup> Alex Strick van Linschoten, 2009, "Go tell the world about our fake election," *Frontline Club*, 21 August 2009, <http://frontlineclub.com/blogs/alex/2009/08/go-tell-the-world-about-our-fake-election.html>

<sup>243</sup> Interview, IDP Shura leader, from Nawi Kalay, Spin Boldak, in Kabul, 8 June, 2008.

<sup>244</sup> Some IDPs from Zabul also claim that Ahmad Wali Karzai made promises of assistance that lead them to go to Kandahar-city. Focus-group discussion, Kandahar-city, June 2009.

<sup>245</sup> Interview, IDP, from Faryab, Zhari Dasht camp, Kandahar, 28 May 2009.

But Sherzai was removed as provincial governor in 2003 and, with the simultaneous rise in importance of Ahmad Wali Karzai, the regional balance of power shifted. As Habibullah Jan's influence weakened, the host community of Zhari district began to strenuously oppose the permanent settlement of IDPs, who they perceived to be enjoying access to land and services that should have been reserved exclusively for the benefit of the host community. The protection of IDPs and prospects for permanent settlement consequently dimmed. With a crumbling power base, Habibullah Jan focused increasingly on his position as Member of Parliament and gradually withdrew his support for the IDPs in Zhari Dasht camp.

Once IDPs lost the patronage and protection of Habibullah Jan, any hopes they had for permanent local integration were lost; the issue became moot with his death in 2008. The host community, backed by local and provincial government officials such as Ahmad Wali Karzai, became increasingly aggressive towards the IDPs. They lobbied against a permanent settlement in Zhari and began to seize lands adjacent to Zhari Dasht camp for themselves. Moreover, by 2006, with an increase in insurgent activity in the district and a worsening security situation which cut off access by UNHCR and other agencies, IDPs found themselves under pressure from multiple actors to choose sides, as is illustrated by the two anecdotes in Box 6.

**Box 6: Between a rock and a hard place in Zhari Dasht IDP camp**

- ❖ “Security in the site is not settled, therefore, infiltration of any outsider is dangerous for us. If governmental people come to the site, then we are punished by the Taliban. If Taliban come to the site, then foreigners start bombing the area. One of our friends called Akhtar Mohammad rented his car to the vaccine campaign. On the way, the car was taken by the Taliban and after a period of time he was released in exchange for money.” *Educated woman, from Almar, Badghis, in camp number 3, Zhari Dasht, Kandahar, April 2009*
- ❖ “When the ANA or international forces come to the area, the Taliban pressure us. When the Taliban come to the area, government and foreign forces bombard us. For example, a few weeks ago government authorities came to the camp and someone in the camp fed them. A few days later the Taliban kidnapped the oldest son and his whitebeard father. They were later released by the support of tribal elders. The residents of Afghanistan are pounded between two stones.” *Female school teacher, from Qisar, Faryab, in camp number 2, Zhari Dasht, Kandahar, April 2009*

Some IDPs decided to leave Zhari Dasht camp, either to return to places of origin, or to seek shelter in Spin Boldak or Kandahar-city. Those who remained in Zhari Dasht camp—often the poorest, as housing in Spin Boldak and Kandahar-city is available for rent only—were forced to make arrangements with the insurgency, which began to recruit inside and around Zhari Dasht camp. This has provided the provincial representative of the MoRR in Kandahar with an excuse and rationale for

closing Zhari Dasht camp—arguing that IDPs have become a form of ‘refugee warriors’ that support the insurgency.<sup>246</sup>

Zhari Dasht camp thus illustrates well the perils of relying on local strongmen or insurgency. It clearly shows that protection and promises for land can be short-lived and are tied to the relative influence of local strongmen. Likewise, seeking protection from the insurgency can lead to the branding of IDPs as insurgents themselves and diminish their chances of ever affording the protection of government actors. Lastly, forcing IDPs into the arms of strongmen and insurgency by not providing them adequate assistance and protection also carries a significant cost for national authorities, international military forces, and humanitarian and development actors as it increases (even if only in the short-term) the constituency strongmen and insurgency can draw from in order to increase their own power base.

### DEVELOPING POLITICAL REPRESENTATION

IDPs carefully weigh the pros and cons of displacement. They fully understand that they may gain security and physical protection, but lose access to traditional livelihoods and find their rights diminished in safe havens. One tribal elder from Chora complained “economically speaking, displacement is very harmful for me because I lost my home and land.”<sup>247</sup> A schoolteacher from Saripul stated “for security, we gave up our rights—it is a compromise,” adding “we do not feel like IDPs, but when it comes to support from the government, then we are IDPs,”<sup>248</sup>—therefore not entitled to whatever protection or assistance is available. This relegates even those IDPs who bought land long ago and have lived in Spin Boldak for more than a decade to a permanent underclass with few political rights.

Of the three IDP communities, those IDPs in Spin Boldak and to a lesser extent in Kandahar-city, have managed to *de facto* integrate (mostly economically). However, they are unable to achieve *de jure* political integration, such as by obtaining representation in district councils, which are considered the true sources of local power. Political representation is crucial for IDPs to be able to assert their rights vis-à-vis a host community, especially if the local communities are unwilling to share sub-national development resources, such as projects of the National Solidarity Programme of the Ministry of Rural Rehabilitation and Development, or rights to communal and government land. The IDPs in Zhari Dasht are worse off than those in Spin Boldak and Kandahar-city, considering the recent decision to close the camp, the growing hostility from the host community, and the speculation that has started for the land on which the IDP camp is currently built.<sup>249</sup> The host community

<sup>246</sup> Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>247</sup> Focus Group Discussion, Tribal Elder, Chora, Uruzgan, in Kandahar-city, May 2009.

<sup>248</sup> Interview, Schoolteacher from Saripul, in Spin Boldak, Kandahar, 29 May 2009.

<sup>249</sup> Interview, Educated woman, from Almar, Badghis, in camp number 3, Zhari Dasht, Kandahar, April 2009; Cf. interviews, Former MPs wife, Bala Murghab, Badghis, in camp number 10, Zhari Dasht, Kandahar, April 2009; Laborer, Ghormach, Badghis, in camp 5, Zhari Dasht, Kandahar, May 2009.

has taken their case up with the Kandahar governor and the provincial council as well as with the MoRR<sup>250</sup> and the UNHCR.<sup>251</sup>

Regardless of the duration of their displacement or whether they have purchased the land on which they are living, former IDPs in Spin Boldak are not able to obtain provincial identification (ID) cards, the basic form of personal identification in Afghanistan. Nor are they allowed to participate in the District *Shura*, which is comprised solely of non-elected indigenous elders. “Whatever they say, we say ‘okay.’ We have no choice,”<sup>252</sup> said a schoolteacher from Saripul in Spin Boldak.

Many IDPs lost their ID cards during displacement and to get replacement documents, they would have to return to insecure areas where many still fear persecution. Others—notably returnees born in Pakistan or nomadic Kuchi—may never have had Afghan ID cards. The lack of an ID card often leads to discrimination—not only politically, but sometimes also economically. As one Kuchi IDP from Paktika noted: “some jobs in Kandahar are only open to people with ID cards—even some daily wage labor. You get respect and more opportunities with the card.”<sup>253</sup> A lack of identification and other documentation can also make it more difficult for IDPs to cross the border to Pakistan in search of work. A tribal elder from Saripul laments, “Without an ID card, one cannot get a passport. Also, the police harass people who do not have ID cards.”<sup>254</sup> Genuine local integration, would mean that IDPs could obtain Kandahar ID cards that would allow them to vote in provincial and district council elections, which in many ways are of greater consequence to the daily lives of IDPs than presidential elections.

In Spin Boldak, problems arise mainly as a result of competition over resources, such as land,<sup>255</sup> but also business opportunities<sup>256</sup> and access to the labor market.<sup>257</sup> Some host community members go as far as accusing IDPs of being harmful to the local economy.<sup>258</sup> The host community has taken their complaints to Ahmad Wali Karzai, although he has made a decision to allow the IDPs to remain until they are able to go home.<sup>259</sup> It also appears that IDPs that have already bought land are under less pressure from the host communities than landless new arrivals.<sup>260</sup> The host community of Spin Boldak tells different things about IDPs to different people. The ‘double-talk’ that seems to occur is summed up by an IDP *shura* leader as follows: “They [host community] say you are our brothers and you can live here and we don’t have any problems with you. But when officials from Kandahar

<sup>250</sup> Interview, Former MP’s wife, Bala Murghab, Badghis, in camp number 10, Zhari Dasht, Kandahar, April 2009.

<sup>251</sup> Interview, Shopkeeper, Shamulzai, Zabul, in camp 7, Zhari Dasht, Kandahar, May 2009.

<sup>252</sup> Interview, Schoolteacher from Saripul, in Spin Boldak, Kandahar, 29 May 2009.

<sup>253</sup> Interview, Kuchi, from Paktika, in Kandahar-city, 30 May 2009.

<sup>254</sup> Interview, Tribal Elder, From Saripul, in Spin Boldak, 29 May 2009.

<sup>255</sup> Interview, Female school headmaster, from San Charak, Sari Pul, in Amir Khan area, Spin Boldak, April 2009.

<sup>256</sup> Interview, Vaccinator, from Sangin, Helmand, in Haji Naimatullah area, Spin Boldak, May 2009.

<sup>257</sup> Interview, Teacher, from Deh Chopan, Zabul, in Zor Awami camp, Spin Boldak, May 2009.

<sup>258</sup> Interview, Village elder, from Sayat, Sari Pul, in Mullah Hanif camp, Spin Boldak, May 2009.

<sup>259</sup> Interview, Vaccinator, from Sangin, Helmand, in Haji Naimatullah area, Spin Boldak, May 2009; Cf. Interview, Educated woman, from Arghistan, Kandahar, in Haji Naimatullah Kalay, Spin Boldak, April 2009.

<sup>260</sup> Interview, Female medical doctor, from Khogiyani, Nangarhar, in Naimatullah area, Spin Boldak, April 2009.

come they tell them, these are IDPs and refugees—we have no relations with them.”<sup>261</sup> There is also resource competition in Zhari Dasht camp, although only one farmer’s wife from Tulak, Ghor reported that the host community had tried to remove them forcefully in Kandahar-city.<sup>262</sup>

As noted in the previous section, IDPs in Spin Boldak are in the unique position of being under the protection of the head of the Afghan Border Police, Abdur Raziq. He protects the IDP community, who make up his core constituency, as he lacks support from his own tribe. He reminds IDPs, that as Afghans, they can live wherever they want and reminds the host community of the same.<sup>263</sup> As an educated woman from Arghistan, Kandahar reported, “He says this is governmental land and the host community has no rights to ask you to leave—otherwise, the host community has petitioned the provincial council and other local authorities on many occasions to withdraw us from here.”<sup>264</sup>

The establishment of *shuras* among displaced communities is not a new development, but had already occurred in refugee camps in Pakistan when refugees sought to re-establish their local governance and dispute resolution bodies.<sup>265</sup> The same phenomenon seems to be occurring on a smaller scale among IDP *shuras*. Most of these *shuras*, however, work on conflict resolution matters within IDP communities, but sometimes also between IDPs and host communities or between IDPs and communities in the area of origin. For example, an influential Tokhi elder assisted IDPs to resolve some conflicts with Hotak in their native Zabul province, thereby enabling them to return.<sup>266</sup> The IDP shura in Zhari Dasht camp mainly served to represent the IDPs vis-à-vis UNHCR and the Afghan government, for example, on return issues (i.e., go and see visits).<sup>267</sup> They, so far, however, have not pushed strongly for local integration.

Some IDPs that left Zhari Dasht camp seem also to have formed a *shura* to lobby with the government for durable solutions (ideally resettlement). A tribal elder from Paktia explained: “We are not going to live as Kuchi, one day here another day there. Therefore we have formed a *jirga* to lobby the government to solve our problems.”<sup>268</sup>

<sup>261</sup> Interview, IDP Shura leader, from Nawi Kalay, Spin Boldak, in Kabul, 8 June, 2008.

<sup>262</sup> Interview, Farmer’s wife, from Tulak, Ghor, Haji Aziz Maina, Kandahar-city, April 2009.

<sup>263</sup> Interview, Elected IDP Representative, from Sayat, Sari Pul, in Awami camp, Spin Boldak, May 2009.

<sup>264</sup> Interview, Educated woman, from Arghistan, Kandahar, Haji Naimatullah Kalay, Spin Boldak, April 2009.

<sup>265</sup> Cf. Pierre Centlivres, 1993, *A State of the Art Review of Research on Internally Displaced, Refugees and Returnees from and in Afghanistan*, Report prepared for the *Planning Committee of the Fourth International Research and Advisory Panel Conference on Forced Migration (IRAP)*, Oxford, January 1994 ; Pierre Centlivres and Micheline Centlivres-Demont, 1988, “Hommes d’influence et hommes de partis: L’organisation politique dans les villages de réfugiés afghans au Pakistan” Pp.29-43 in Erwin Grötzbach (ed.) *Neue Beiträge zur Afghanistanforschung*, Liestal: Stiftung Bibliotheca Afghanica ; Pierre Centlivres and Micheline Centlivres-Demont, 1988, “The Afghan Refugees in Pakistan: A Nation in Exile”, *Current Sociology* 36: 2, 71–92.

<sup>266</sup> Focus Group Discussion, Laborer, from Almar, Faryab, in Zhari Dasht camp, Kandahar, May 2009.

<sup>267</sup> Focus Group Discussion, Laborer, from Almar, Faryab, in Zhari Dasht camp, Kandahar, May 2009.

<sup>268</sup> Interview, Tribal elder, from Paktika, in Haji Arab area, Kandahar-city, April 2009.

Only two *shuras* seem to specifically address political representation and function as lobbying bodies. In an effort to integrate politically, the IDPs in Naw-e Kalay (Spin Boldak) established an IDP *shura* composed of 50 tribal elders, selected by the IDP community through a system based on proportional representation. The IDPs have even nominated a young person to the post of provincial council member in the upcoming elections. However, the *shura* has little official power in relation to the district government. It was established mainly as a conflict resolution body, although it does voice IDP concerns to local strongman and Commander of the Border Police Abdur Raziq. The *shura* also represents IDPs with the “government and international organizations”<sup>269</sup>

IDPs from all districts in Uruzgan (mostly Achekzai) who have settled in Kandahar-city have formed a *shura*, known as the “Uruzgan Provincial Refugee Council” (or *mohajerin shura*) with its seat in Kandahar-city.<sup>270</sup> This *shura* consists of 30-36 members but has not established a leadership structure. The *moharjerin shura* is linked to smaller *shuras* in Kandahar province that represent specific districts such as the “Khas Uruzgan Refugee Council of Naw-e Kalay”, which represents the Achekzai families from Uruzgan in Spin Boldak. The *shura* seems to be accepted by the Provincial Council and by its head, Ahmad Wali Karzai, who reportedly provides some form of financial support.<sup>271</sup>

The function of the IDP *shura* is to lobby the provincial government on matters of interest to Achekzai IDPs, primarily to access assistance. In February 2009, for example, the *shura* approached Ahmad Wali Karzai requesting improved access to assistance and provision of water points, canals, access to education, flood protection, etc. As a consequence, the local department of the MoRR has undertaken a survey of the situation of IDPs in Spin Boldak. According to Achekzai *shura* members, information on numbers and needs of the displaced Achekzai in Spin Boldak were also presented to international agencies such as UNAMA and WFP in early April 2009.<sup>272</sup>

Ahmad Wali Karzai also seems to have assisted the development of a tribal association for IDPs from Zabul, but assistance appeared to have been made conditional on support in the 2009 presidential elections. Funds for the Uruzgan IDP *shura* are reported to be conditioned on electoral support as well.<sup>273</sup> This suggests that political representation of IDPs tends to depend on the ability of local IDP communities to successfully negotiate with local power holders for support and make concessions.

<sup>269</sup> Interview, Vaccinator, Sangin, Helmand, in Haji Naimatullah area, Spin Boldak, May 2009.

<sup>270</sup> Interview, Founder of Achekzai IDP *shura*, from Khas Uruzgan, Uruzgan, in Spin Boldak, interviewed in Kabul 4 May 2009.

<sup>271</sup> Focus Group Discussion, Kandahar-city, May 2009.

<sup>272</sup> At the time interviews were conducted, one month later to when the request was made, no response had been received yet.

<sup>273</sup> Focus group discussion, Kandahar-city, May 2009.



## DURABLE SOLUTIONS<sup>274</sup>

The question of when displacement ends, or more specifically, when IDPs are no longer considered vulnerable as a result of their displacement, is particularly relevant in the Afghan context. The answer carries significant consequences for the targeting of appropriate assistance and the development of advocacy strategies that will ultimately lead to durable solutions. *The Framework for Durable Solutions* seeks to answer this question from a rights-based perspective.<sup>275</sup> Fourteen criteria are enumerated that should be satisfied to ensure that the rights of IDPs are respected in the pursuit of durable solutions. The goal of providing assistance to IDPs—whether for return to areas of origin, local integration, or resettlement in another part of the country—is to enable IDPs to achieve parity with non-displaced populations, both in terms of the exercise of their rights and freedoms as well as socioeconomic conditions.

With its mixture of protracted and more recent conflict-induced displacement, the notion of finding durable solutions for IDPs in Afghanistan in the midst of worsening conflict seems highly ironic and, at the same time, long overdue. A Provincial/District Threat Assessment of the Afghan National Security Forces (ANSF), developed in association with the UN Department of Safety and Security (UNDSS) in late April 2009, classified nearly one-third of Afghanistan’s 376 districts as high risk, with eleven districts having “enemy contact.” This covers nearly all of the South and Southeast, and parts of the East of Afghanistan—the areas of origin of most newly displaced persons in Kandahar.<sup>276</sup> While Kandahar province may still be less volatile than several of its southern neighbors, only four areas within the province can be considered relatively secure, with recent security trends indicating a downward spiral. Zhari district in particular, where many of the protracted IDP caseload from the North still remains, has experienced a drastic deterioration in security over the last three years.

These circumstances would normally prompt an emergency humanitarian response rather than a coordinated effort to find durable solutions, at least for those more recently displaced by conflict. This process is complicated by limited engagement among humanitarian agencies and government departments, either for lack of access or a sense of powerlessness or impotence, to provide protection and anything other than one-time distribution of food and non-food items. The reluctance to create

<sup>274</sup> Principle 14: (1) Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence. Principle 15: Internally displaced persons have (a) the right to seek safety in another part of the country; (b) and the right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

<sup>275</sup> *When Displacement Ends: A Framework for Durable Solutions*, 2007.

<sup>276</sup> ANSF Provincial/District Threat Assessment Map, 30 April 2009.



potential pull factors through the provision of humanitarian assistance has seemingly trumped all other protection concerns among agencies and government counterparts in Kandahar-city. In short, assistance has been neither extensive, adequate nor successful enough to enable IDPs to live normal lives and ensure a reasonable standard of living pending their return to villages of origin.

Interviews with protracted caseload IDPs suggest that the focus on durable solutions is neither misplaced nor premature, but that the process of achieving them is flawed in several key respects that undermine their sustainability. Conceptually, options for durable solutions for IDPs closely mirror those for refugee populations: return to areas of origin, local integration, or resettlement elsewhere. In practice, however, the refusal of the Afghan government, to realistically consider the latter two options has left return as the single, *de facto* durable solution for protracted caseloads that is currently being pursued.<sup>277</sup> Again, similar to the circumstances guiding the return of refugees, larger political concerns restrict the search for any durable and temporary solution for IDPs. For example, while UNHCR in particular has demonstrated a strong interest in local integration (e.g., Zhari Dasht), the Afghan government has never demonstrated enough political will to push for this solution, especially in light of local resistance. Neither have they seriously explored reconciliation programs nor national development assistance programs as possible carrots to reduce resource competition or to entice host communities to see local integration as beneficial to them.

From the standpoint of durable solutions, the experiences of IDPs in Zhari Dasht camp, including those who have returned or attempted to do so, and unofficial (or not officially recognized) IDPs in Spin Boldak provide insight into when displacement ends as well as the process through which durable solutions have been pursued and promoted by international agencies and the Afghan government. In evaluating past efforts to achieve durable solutions, the *Framework for Durable Solutions* mentioned earlier, provides a useful starting point.<sup>278</sup> It suggests two sets of criteria, one relating to the *processes* through which durable solutions are achieved and the second relating to changed *conditions* that mark a successful end to displacement.

## **RETURN AS THE PREFERRED DURABLE SOLUTION**

The insistence on return as the preferred, and often only, solution, both for refugees and IDPs, illustrates yet another shortcoming of the protection regime, which should provide displaced populations with realistic choices and take into consideration their preferences. Return as a durable solution is undermined, however, by the lack of a coherent policy that bridges gaps between development efforts and durable solutions for IDPs or returning refugees. The flow of development funds to the insecure South, in an effort to win ‘hearts and minds,’ and the corresponding relative lack of

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<sup>277</sup> Communications at National IDP Task Force, Kabul, 12 May 2009; 4 June 2009. Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>278</sup> *When Displacement Ends: A Framework for Durable Solutions*, 2007.

development efforts in northern provinces, where peace is taken for granted, create little incentive to return to areas of origin and does little to address the gaps in services and livelihood opportunities necessary to sustain return.

The experience of IDPs in Spin Boldak, where the purchase of land and some degree of economic integration have been achieved, suggests that there are potential alternatives to return, as viable interim or durable solutions. Although the *de jure* local integration of IDPs in Spin Boldak has so far been incomplete, as IDPs remain unable to exercise political rights on par with residents, their ability to purchase land and economically integrate suggests potential for supporting spontaneous attempts by IDPs to permanently settle.

There are parallels between how the pursuit of durable solutions for refugees on the one hand and IDPs on the other has been handled. As early as 2002, experts argued that in addition to genuine interests to go home, return was also linked to the assistance packages offered (including cash and non-food items) as well as later commitments for longer-term reintegration and development in areas of origin. In many cases assistance did not materialize as anticipated<sup>279</sup> leading to considerable disappointment amongst IDPs and returning refugees, particularly in the North, where the disparities in development aid was most sharply felt. Many returnees to the North found it difficult to reclaim lost agricultural and pasture lands and were unable to find replacement livelihoods. Among the former IDP elders interviewed in the northern region, there were few who did not regret their decision to return, with one stating simply: "If we had had another option, we would have stayed. If we had not been promised more than we received, we would not have returned."<sup>280</sup>

The disproportionate allocation of development funds, closely tied to military and political objectives with a tendency to target insecure areas, particularly impacts protracted IDPs in Kandahar, many of whom cite the lack of livelihoods and access to services as impediments to return to the North or West. Whereas violence-plagued provinces in the South, such as Kandahar, Helmand and Uruzgan, have received as much as \$150 per capita in development funds, provinces in the North have received as little as \$30.<sup>281</sup> A more equitable distribution of development funds would likely improve prospects for reintegration and, if properly implemented, could be used as a powerful tool to bring about reconciliation. Furthermore, IDPs are also often excluded from development initiatives in areas of displacement, which exclusively target local host communities.

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<sup>279</sup> Turton and Marsden, 2002, p.22.

<sup>280</sup> Focus Group Discussion, Village elder, Tarnaw village, Shiberghan, Jawzjan, 20 May 2009.

<sup>281</sup> Matt Waldmann, 2008, *Falling Short: Aid Effectiveness in Afghanistan*. Kabul, Agency Coordinating Body for Afghan Relief (ACBAR), March 2008; [http://www.reliefweb.int/rw/RWFFiles2008.nsf/FilesByRWDocUnidFilename/LRON-7CWJ4A-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFFiles2008.nsf/FilesByRWDocUnidFilename/LRON-7CWJ4A-full_report.pdf/$File/full_report.pdf)

A key element in ensuring the voluntariness of any return process is the absence of coercion—including physical force, harassment, intimidation, denial of basic services, or closure of camps or facilities without an acceptable alternative.<sup>282</sup> However, on two occasions, the closure of camps or suspension of humanitarian assistance was used to force IDPs in Kandahar to make decisions regarding interim or durable solutions. As previously noted, aid agencies stopped providing humanitarian assistance to IDPs in Spin Boldak in 2004 as the camp was to be relocated further inland to Zhari district. Those who decided not to move ceased to be considered IDPs and *de facto* locally integrated. This also meant surrendering the protection of international agencies and material assistance. While IDPs were presented with a viable option for relocation in this case, little attention was paid or support given to ensure that remaining IDPs would achieve adequate economic integration or the restoration of political rights on par with the local community.

Two years after IDPs had moved to Zhari Dasht camp, humanitarian agencies suspended individual assistance to IDPs there, at the request of the Government of Afghanistan, in an effort to encourage return to areas of origin after efforts at local integration had failed. “Full security was restored in the North,” according to the provincial head of the MoRR in Kandahar, adding, “Why should people stay in Kandahar?”<sup>283</sup> The withdrawal of individual assistance coincided with a deteriorating security situation in Kandahar province. International humanitarian agencies, including UNHCR, have been unable to access the camp since 2006. When individual assistance was cut, a wave of returnees did attempt to return home with the assistance of UNHCR and MoRR, but in many cases reintegration proved difficult.

Assumptions regarding the success of the return from Zhari Dasht camp tend to be erroneous in several respects. Despite the significant number of households which attempted to return to areas of origin (nearly 11,000 individuals), the incidence of sustainable return appears far lower than the government or humanitarian community acknowledges. Interviews with UNHCR protection staff in the North suggest that a majority of these IDP households cannot be located in areas of origin and return.<sup>284</sup> Some IDPs may have accepted UNHCR return assistance either as an income-generating strategy or to facilitate visits to relatives, but they returned to Zhari Dasht camp or blended in with the large populations of the urban poor and economic migrants in Kandahar-city and Spin Boldak.

When pressed about the lack of sustainability of prior returns, the provincial head of MoRR in Kandahar plainly said: “Even if people do not stay in the North and come back to Kandahar, they will no longer be IDPs. We can’t stop people from coming back, but they will not be our problem anymore.”<sup>285</sup> A UNHCR official in Kandahar did not discount the possibility that IDPs would “cash out” and remain in the South or eventually return to Kandahar. This official also acknowledged that

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<sup>282</sup> *When Displacement Ends: A Framework for Durable Solutions*, 2007.

<sup>283</sup> Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>284</sup> Interview, Senior Field Assistant, UNHCR Mazar-i-Sharif, 19 May 2009.

<sup>285</sup> *Ibid.*

IDP would lose UNHCR protection when they hand in their registration cards and receive the return assistance package.<sup>286</sup>

In 2008, rumors circulated among IDPs that Zhari Dasht camp was to be demolished. The provincial head of MoRR confirmed that the rumors originated in his office in a calculated effort to force IDPs, many of whom he claimed had links to the insurgency, to return to areas of origin.<sup>287</sup> That these rumors coincided with visits to UNHCR offices by representative of elders from Zhari Dasht camp expressing their ‘voluntary decision’ to return and requesting assistance for this is said to be a coincidence although that is difficult to credit. Again the IDP population is divided; while some may genuinely want and attempt to return home in light of the deteriorating security situation in the area, others may take the assistance package and cash out,<sup>288</sup> with some contemplating to shift to Kandahar-city or return to Spin Boldak. Some, however, cling to the hope of becoming locally integrated and retain the land and shelter already provided to them. Those are often the ones with the least resources, such as landless laborers or Kuchi, and with no hope to ever return home. As a tribal elder from Bala Murghab, Badghis explains:

“If we go to the city we cannot afford the rent. If we go to any other districts then we need funds to build houses. Then there won’t be security and no schools and also the work opportunity will not be provided. So we decided we will not go anywhere until our problems are resolved.”<sup>289</sup>

As noted earlier in this study, the 2009 UNHCR/HAPA survey in Zhari Dasht camp updated the registration figures to account for movements into and out of the camp, both as a result of spontaneous migration as well as fraud and the black-market for IDP identity and ration documents. The survey established a figure of approximately 14,000 residents (down dramatically from the official registration figure of 28,000) and found that approximately 75% of the roughly 9,000 protracted IDPs wanted to return to villages of origin in the North and West.<sup>290</sup> Interviews conducted for this study support the approximate numbers of camp residents, but strongly contradict the UNHCR/HAPA findings regarding intentions to return. Without exception, the interest in immediate return expressed during in-depth interviews was exceedingly low.

A survey that asks a single “yes or no” question of whether IDPs want to return to areas of origin often does not necessary elicit the “correct responses.” An IDP answering “yes” about wanting to return to his or her place of origin, for example, may communicate a deep felt desire about their homeland (*watan*), which was also found among Afghan refugees in Pakistan,<sup>291</sup> even if they real-

<sup>286</sup> Interview, UN Official, Kandahar-city, 27 May 2009.

<sup>287</sup> Interview, Head of DoRR, Kandahar-city, 30 May 2009.

<sup>288</sup> Interview, laborer, from Faryab, in Zhari Dasht camp, 28 May 2009.

<sup>289</sup> Interview, Tribal elder, from Bala Murghab, Badghis, in camp 3, Zhari Dasht, Kandahar, May 2009.

<sup>290</sup> UNHCR, 2009, *Zari Dasht IDP Camp House to House Survey*, p.12.

<sup>291</sup> Cf. Turton and Marsden, 2002, Schmeidl and Maley, 2008.

ized from a more pragmatic perspective that return may no longer be feasible or desirable. The answer, however, may also mean that the IDPs in question may not be telling the entire truth, such as wanting to return in the distant future, but not necessarily now, or possibly not even knowing what they want, given none of the available options are particularly enticing. These nuances often emerge easier when engaging IDPs in in-depth interviews, where questions can be asked from multiple angles. The interview then may also highlight existing contradictions that can be clarified.

A May 2009 visit by authors of this study to one of the provinces of highest potential IDP return in the North confirmed that many of the fears (i.e., inability to reclaim occupied lands, not having their rights respected by host communities, poor livelihoods and employment opportunities) expressed by residents in Zhari Dasht camp are not misplaced, at least for certain areas in the North. In the village of Eadhan Afghanai, some 150 families had been assisted over the last few years by UNHCR and the MoRR to return, but only 30-40 remained amidst a sea of abandoned houses.<sup>292</sup> Another village, Hassanabad, which is located near the provincial capital of Shiberghan, remains totally abandoned, despite the fact that approximately 20 IDP families have recently returned. According to a village representative, displaced persons prefer the safety of Shiberghan's main bazaar to the deep-seated antagonism of neighboring Arab villages in Hassanabad, whose residents have claimed the surrounding farm and pastureland as their own.<sup>293</sup> In another village—Bashi Kot<sup>294</sup>—a village elder explained that the government-owned pastureland, which had previously been shared among ethnic groups, had been taken over by neighboring non-Pashtun communities for cultivation, leaving little land for traditional animal grazing and agricultural production by Pashtun returnees.<sup>295</sup> The only water point in the area, an ancient deep well that spews boiling hot, salty water, is more than two hours' walk from his village.<sup>296</sup> IDPs from other parts of Afghanistan's North and Northwest still in Kandahar tell similar stories. A Member of Parliament from Faryab also indicated that it would be difficult for Pashtuns to return to homes in the North as this could potentially ignite conflict and put lives at risk.<sup>297</sup>

This situation, coupled with an increase in insurgency and counter-insurgency violence in Baghdis Province and parts of Faryab, has prompted UNHCR to focus on facilitating return to areas deemed relatively safe.<sup>298</sup> It is also increasing its monitoring capacity in areas of high return to mitigate or

<sup>292</sup> Interview, UNHCR Senior Field Assistant, UNHCR North, in Shiberghan, May 2009.

<sup>293</sup> Interview, Village elder, Hassanabad, 20 May 2009.

<sup>294</sup> Located In the Dasht-e Lali where the infamous massacre of Taliban fighters occurred, see Footnote 126

<sup>295</sup> About 45 percent of the total land area in Afghanistan is pastureland designated to support livestock of settled and non-settled populations. It is for this land, however, that "land tenure arrangements are least well developed ... and most subject to contention and even armed conflict." Liz Alden Wily, 2003, *Land Rights in Crisis: Restoring Tenure Insecurity in Afghanistan*.

<sup>296</sup> Early assessments by UNAMA with an international NGO had already shown that most water in this region was linked to salty hot springs; hence while there was a lot of land, water would always be a problem. Already then, in 2002, it was clear that sustainability of return could be a problem. Interview, Ex-UNAMA North official, Kabul, 22 May 2009.

<sup>297</sup> Informal discussion, Member of Parliament, Faryab Province, Kabul, 12 June 2009.

<sup>298</sup> Communication, IDP Task Force Meeting, 4 June 2009.

mediate potential sources of conflict and to mobilize additional resources from the international community.<sup>299</sup> These are welcome and long-overdue initiatives, but they do not alter the basic fact that provincial level formal and informal governance structures in northern provinces are still geared towards the interests of non-Pashtun (Uzbek and Arab) communities; nor can they mitigate the historic ethnic antipathy and ongoing resentments over old land distribution policies and, in some cases, collaboration with the Taliban.<sup>300</sup> Return to areas of origin in the absence of meaningful reconciliation initiatives and a strong rule of law could endanger the physical security of returning IDPs and imperil the sustainability of return.

### THE IMPORTANCE OF LAND FOR DURABLE SOLUTIONS

Given that Afghanistan is a traditionally rural society with agriculture as its primary means of subsistence, it is not surprising that access to land is at the heart of finding durable solutions. Not only is Pashtun identity and pride closely linked to land ownership, it is also the traditional source of power and influence in society. However despite the fact that over seventy percent of Afghanistan's population inhabits rural areas and relies on agricultural production, only 12 percent of the land is considered suitable for cultivation. Approximately 45 percent of the total land area is pastureland designated to support animal husbandry of settled and nomadic communities. For this latter category, land tenure arrangements are considered the least developed and have traditionally been the source of contention and conflict.<sup>301</sup> For the bulk of the protracted caseload in the South, accessing former lands remains a key obstacle to return. Given the centrality of the land question, it is interesting that the recent UNHCR/HAPA survey did not address the land access and/or ownership question in assessing the willingness to return.

The assumption that all IDPs from the North either owned their own land prior to displacement or could access communal lands without significant problems lies at the heart of the un-sustainability of many prior returns from Zhari Dasht camp. Many IDPs reported that their lands had been seized by others and had little confidence that it would be willingly returned. Furthermore, sharecroppers are unlikely to return if the Pashtun landowners did not precede them, as there is little chance for them to be hired by non-Pashtun groups who prefer to employ members of their own ethnic or tribal group. As one unemployed IDP returnee in Jawzjan noted, "Uzbeks only hire Uzbeks, Pashtuns only hire Pashtuns."<sup>302</sup>

That IDPs are willing to consider permanent resettlement in other parts of the country and forego their rights to traditional lands is a potential opportunity for finding durable solutions, at least from

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<sup>299</sup> Interview, Afghanistan Representative, UNHCR, Kabul, 4 June 2009.

<sup>300</sup> Focus Group Discussion, Legal Counselors, Norwegian Refugee Council, Marzar-i-Sharif, Balkh, 21 May 2009.

<sup>301</sup> Liz Alden Wily, 2003, *Land Rights in Crisis: Restoring Tenure Insecurity in Afghanistan*.

<sup>302</sup> Focus Group Discussion, Village elder, Tarnaw village, Shiberghan, Jawzjan, 20 May 2009.

the perspective of having to force a solution in areas of origin that could fuel further conflict. One farmer from Faryab describes this wish for land in the following fashion: “We don’t care about North, West, South. We just need a place where we can eat three meals a day and no one knocks on our door at night and says, ‘this is our land, get off’.”<sup>303</sup>

In conflicts elsewhere, attachment to land and subsequent issues of identity are often key obstacles to pursuing other, possibly less politicized durable solutions. While the fact of owning land remains important, it appears that many IDPs (especially from the protracted case load) are willing to forego traditional lands in exchange for resettlement in other parts of the country, provided they are given their own plots of land and have access to services and livelihoods. For many former IDPs in Spin Boldak, the purchase of land is an implicit recognition that they will not return to villages of origin. These former IDPs were much less likely to see themselves as displaced but as locally integrated. This said, land scarcity is a problem throughout Afghanistan at this time, and can also hinder local integration (as the Zhari Dasht example illustrates) and resettlement in other areas of Afghanistan.

Unfortunately, the willingness of IDPs to accept local integration is not matched among government officials, who continue to view return as the only durable solution. The efforts of humanitarian agencies and international donors to press for land allocation reforms, which link further funding to successful implementation scheme programs established under Presidential Decree 104, suggest that opposition to local integration remains squarely with the government giving in to pressures (or siding with) from host communities, especially at the local level where it needs to be implemented.<sup>304</sup> To date, land allocation has been mired in mismanagement, corruption, misinformation among intended beneficiary populations, and has also been subject to intra- and inter-group resource competition. As a result, it has yet to emerge as a viable answer to the issue of landlessness. The failed effort to transform Zhari Dasht camp into a permanent settlement illustrates the power of local officials and traditional tribal structures to obstruct national policy priorities. In 2004, soon after the establishment of the Zhari Dasht camp, the option of transforming the camp into a permanent settlement was explored by UNHCR and MoRR. This initiative met fierce resistance from the local community, which did not object to temporarily hosting IDPs, but to government land and associated development funds being allocated to outsiders rather than for the benefit of the local villagers:

“We are not against the refugees but we really want these people to leave whenever the situation gets better (...) Zhari Dasht is government land but if the government wants to sell or distribute the land, the permanent villagers of the district should be the first people to benefit. We do not agree with the permanent settlement of refugees in Zhari district because they would probably take our benefits.”<sup>305</sup>

<sup>303</sup> Interview, Farmer, from Faryab, Zhari Dasht camp, 28 May 2009.

<sup>304</sup> Interview, UNHCR Associate Reintegration Officer and Senior Technical Advisor, Kabul, 3 June 2009.

<sup>305</sup> The Liaison Office, 2008, *Rapid assessment of Zhari Dasht camp*, internal document shared with UNHCR.

As numbers in Zhari Dasht camp have now been reduced due to the recent return program, UNHCR, in co-ordination with the Regional IDP Task Force and with guidance from the National Task Force, has initiated specific efforts to engage closely with remaining IDPs to re-consider local integration as a durable solution. Success seems to rely on two issues: first, to negotiate with the host population about the land they claim as theirs, and second, funding provided by UNHCR to build a township. The latter requirement was made very explicit by the provincial head of MoRR.<sup>306</sup> Considering earlier resistance, it remains to be seen this welcomed efforts are successful.

The failure to facilitate local integration is a national phenomenon, and not just something found in Kandahar province. As there are no land allocation schemes in Kandahar, and none planned for the future, it appears that the Spin Boldak model, wherein IDPs have used informal channels to purchase land, appears the most realistic option in the medium term to allow for local integration—pending a legalization of their land deeds. A Housing Land and Property Task Force also jointly led by UNHCR and NRC in Kabul is closely reviewing issues of land allocation for displaced and returnee populations across the country including the South.<sup>307</sup> The experience in Spin Boldak, however, also illustrates, land ownership and economic integration are insufficient to establish political and civil rights or provide sufficient protection to ‘locally integrated’ IDPs.

The acquisition of land by individuals, as evidenced in Spin Boldak, may also help to eventually transition individuals away from the ‘IDP label’ – even if only for the generation that follows. This sentiment, however, was not universally shared among all IDPs, with some holding the view that the fact that they had purchased land made them a permanent resident of the area, while others continued to distinguish between newly acquired land and that of their fathers.<sup>308</sup> Those who have never owned land before (e.g., Kuchi) find it easier to feel integrated after having purchased land, regardless of the views of the host community. According to one IDP, “I do not care if the host community considers me an IDP. I’m Afghan and free to live anywhere and be considered a resident.”<sup>309</sup> Also, more educated individuals are aware of and are able to recite the rights of IDPs set forth in Article 39 of the Afghan Constitution.<sup>310</sup> In the words of a female medical doctor from Helmand, “The country is a home for everyone so it doesn’t matter where we reside even if some people consider us as IDP.”<sup>311</sup> This may also sometimes be reiterated by local power holders. For instance, “General Abdur Raziq says ... that Afghanistan is home for all Afghans and each Afghan can be settled and

<sup>306</sup> Interview, Head, Department of Refugees and Repatriation, Kandahar-city, 30 May 2009.

<sup>307</sup> UNHCR Communication, 5 October 2009.

<sup>308</sup> Interview, School teacher, from Saripul, in Spin Boldak, 29 May 2009.

<sup>309</sup> Interview, Kuchi, from Chardara, Kunduz, in Spin Boldak, 29 May 2009; cf. Kuchi, from Shiberghan, Jawzjan, in Sin Boldak, 29 May 2009.

<sup>310</sup> “Every Afghan has the right to travel or settle in any part of the country except in the regions forbidden by law.” [http://www.supremecourt.gov.af/PDFfiles/constitution2004\\_english.pdf](http://www.supremecourt.gov.af/PDFfiles/constitution2004_english.pdf)

<sup>311</sup> Interview, Female medical doctor, from Naw Zad, Helmand, in Awami camp, Spin Boldak, April 2009.



live in any place within the county,”<sup>312</sup> although his views are likely based more on political expedience than a belief in the *Guiding Principles on Internal Displacement*.

### CONFLICT-INDUCED IDPs AND THE SEARCH FOR INTERIM SOLUTIONS

For conflict-induced populations that have arrived in Kandahar (Spin Boldak and Kandahar-city, in particular) since 2004, the issue has less to do with finding durable solutions, but rather practical interim solutions—as part of a broader protection strategy—to allow IDPs to exercise rights and access livelihood options on par with host community residents, especially in Kandahar-city where IDPs have joined the urban poor. The UN Representative for the Human Rights of IDPs recently elaborated a notion of interim solutions using the example of IDPs in Abkhazia following “a two-pronged approach based, on the one hand, on the right to return and, on the other hand, allowing internally displaced persons to live normal lives and join the mainstream of Georgian life while awaiting the moment when return in safety and dignity becomes possible.”<sup>313</sup> In some cases, IDPs may have achieved this on their own, including some in Spin Boldak and Kandahar-city, where IDPs have semi-permanently established themselves, but lack political rights and representation.

This has reinforced the simplistic view of displaced communities eager to return once the bombs have stopped falling. This was recently illustrated when fighting intensified in Helmand in July 2009 and President Hamid Karzai instructed to national actors “to provide assistance, including temporary settlement and emergency food aid, to people who are displaced as a result of the recent joint military operation.”<sup>314</sup> With the strong backing of UNHCR, the MoRR resisted Karzai’s appeal, quoting unnamed officials as stating that, “in order to curb internal displacement and prevent a protracted emergency, new camps must not be established.”<sup>315</sup> Neither UNHCR nor the MoRR mentioned the protection of civilians trapped in the midst of the conflict.

In addition to programs by humanitarian actors (most ICRC through ARCS, UNHCR and ADMA), the US utilizes Commander’s Emergency Response Program (CERP) funds for rebuilding homes and community development projects to affected areas. Similarly, ISAF national troops have access to the Post-Operations Emergency Relief Fund (POERF)—which are also used for post operational repairs.<sup>316</sup> “The USAID/PRT Office also administers the Afghan Civilian Assistance

<sup>312</sup> Interview, Female medical doctor, from Khogyani, Nangarhar, in Naimatullah area, in Spin Boldak.

<sup>313</sup> Walter Kaelin, 2007, “Legal Aspects of Return of Internally Displaced Persons and Refugees to Abkhazia, Georgia,” Statement at Panel on the *Legal Aspects of Return of IDPs and Refugees to Abkhazia*, Georgia, 29 November 2007.

<sup>314</sup> Statement issued by Karzai’s office on 8 July 2009 cited in “Afghanistan: President issues aid instructions for Helmand”, Kabul: IRIN, 9 July 2009; <http://www.irinnews.org/Report.aspx?ReportId=85204>

<sup>315</sup> *Ibid.*

<sup>316</sup> Email communication, Development Advisor, ISAF/NATO Headquarter, 8 June 2009.

Program (ACAP),” which supports “Afghan families and communities that have suffered losses from U.S. and Coalition military operations since 2003.”<sup>317</sup> ISAF is also actively engaged in assisting the ANDMA in pre-positioning humanitarian response items (blankets, tents, etc.,) to prepare for crisis, but they wait for requests on crisis interventions to come from UNOCHA and ANDMA since they are the designated first responders.<sup>318</sup>

Those who do not immediately return to their areas of origin are often considered economic migrants, rather than IDPs, as a result of the positive, and apparently voluntary, return trends of other populations affected by the conflict between the Afghan government/international military actors and the insurgency with more limited flight options. For those able to settle semi-permanently in safer-areas, assistance tends to be *ad-hoc* and limited to single distributions of food and non-food items to avoid creating pull factors. One tribal elder from Saripul in Spin Boldak asked: “Why is there no help for the IDPs? What is the problem with us? We had big expectations that international agencies would help us.”<sup>319</sup>

The fears of those humanitarian agencies reluctant to establish temporary settlements are not entirely misplaced. The temporary conflict-induced IDP populations who remain within conflict areas as a result of financial constraints or lack of options are far more likely to become aid dependent should they relocate to safer areas. But the ethical questions of who should receive assistance, what type, and where cannot be entirely avoided, particularly given that the rights of those forcibly displaced by fighting to seek safety and humanitarian assistance are gaining international acceptance. Added to this is the responsibility of international military actors in contributing to the displacement, even if involuntary, through the nature of warfare they are engaged in. In Afghanistan, however, military actors and many within the humanitarian community have apparently decided, sometimes arbitrarily and based on little accurate information, that the security situation in areas of origin is sufficiently stable to avoid large-scale internal displacement.

Information collected during the course of this study suggests that this assumption is problematic for several reasons. Historically, the existence of IDP camps and provision of assistance have been factors in influencing the directionality of displacement, but not one of its causes. Several of the longer-term displaced populations confirmed that access to humanitarian assistance influenced their movements, at least initially, as they moved first to Chaman in Pakistan and later to established IDP camps in Spin Boldak and Zhari Dasht. Many IDPs that did choose to relocate to Zhari Dasht camp appear to have done so based on promises by local strongman Habibullah Jan that the camp

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<sup>317</sup> Customized aid, including home rehabilitation and construction, medical care, and vocational and business training, particularly for families who have lost a primary income earner, helps restore lives and communities. To date, ACAP has assisted nearly 1,000 families impacted by more than 70 incidents in 13 of Afghanistan’s most volatile provinces. <http://afghanistan.usaid.gov/en/Program.31a.aspx>

<sup>318</sup> Email communication, Development Advisor, ISAF/NATO Headquarter, 8 June 2009.

<sup>319</sup> Interview, Tribal Elder, from Sari Pul, in Spin Boldak, Kandahar-city, 29 May 2009.

would eventually be developed as a permanent settlement and thus a durable solution for those displaced by fighting in the North and unable to return would be provided. The fact that nearly twice as many IDPs chose to remain in Spin Boldak rather than relocate to Zhari Dasht when the option was on the table in 2004, however, also suggests that international assistance is only one of many factors influencing choice of refuge.

Forced displacement will lessen only when the underlying problems in the areas of origin are addressed and security is restored, not by denying assistance to those affected by armed conflict. With the present status quo of minimal, short-term assistance only, interviews with IDPs suggest that they do not view international actors and the protection they provide as particularly beneficial or something they felt drawn to. In general, IDPs felt ignored by their own government and its international supporters and left largely to fend for themselves. The fact that many IDPs in Zhari Dasht camp are currently willing to 'cash out' of the IDP registration rolls, in essence trading their status as IDPs for \$50 per person, illustrates how little value is currently placed in the ability of national or international agencies to protect them.

Finally, mixed migratory patterns and staggering levels of urban poverty have also inhibited progress on interim solutions. Both government and humanitarian agencies face the quandary of whether it makes sense to even attempt to disaggregate IDPs from the larger populations of poor, particularly in urban areas. Many, including UNHCR, have persuasively argued that protection and assistance policies focused exclusively on IDPs would be counterproductive, particularly given the similarities of vulnerabilities among economic migrants, IDPs, and the urban poor. While this is undoubtedly true in Kabul, where the population has skyrocketed in recent years from less than one million in 2002 to nearly 4.5 million today, with over three-quarters living in irregular settlements, it makes less sense in the smaller peripheral cities where identifying internal displacement is more manageable. In Kandahar-city, for instance, the Afghan Red Crescent Society has encountered little trouble identifying, accessing and assisting newly displaced populations, nor has the provision of limited material assistance created massive, uncontrollable pull-factors from the countryside. This warrants the need for a "better understanding of the specific group-based protection needs of IDPs as a separate issue from their material needs (which may or may not vary significantly from those of non-displaced populations), and more must be done to ensure that the specific protection needs of internally displaced populations are effectively assessed, monitored and responded to."<sup>320</sup>

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<sup>320</sup> Sarah Collinson, 2009, "The emergent status of 'internally displaced person'" pp.39-55 in Sarah Collinson, James Darcy, Nicholas Waddell and Anna Schmidt (eds.) *Realising protection: The uncertain benefits of civilian, refugee and IDP status*; London: Humanitarian Policy Group, Overseas Development Institute; HPG Report 28, September 2009, p.51; <http://www.odi.org.uk/resources/download/4205.pdf>

## CONCLUSION

With a dramatic spike in violence and civilian casualties and a presidential election marred by credible allegations of fraud, Afghanistan in 2009 has reached a tipping point. Most of the country is now off-limits to aid workers, often viewed as pro-government by the insurgency and therefore legitimate targets for attack. This study has highlighted the complex circumstances confronting national and international (humanitarian) actors in Afghanistan and the response to these circumstances on behalf of IDPs as well as by IDP themselves. In addition, this study has endeavored to explain and analyze the existing protection and assistance gaps. As a case study, Kandahar province represents a microcosm highlighting the current problems with security and governance in Afghanistan. It furthermore illustrates many of the larger dilemmas of national and international responsibility when it comes to addressing internal displacement in a country with a weak government and volatile armed conflict.

First, this study has demonstrated that those displaced by the growing conflict between Afghan National Security Forces, international military actors, and the insurgency has been on the rise since 2004 and have begun to significantly outnumber the protracted caseload on which national and international protection efforts have focused so far. While Kandahar province has been a magnet for IDPs for decades, Spin Boldak and Kandahar-city are witnessing an ever-increasing inflow of conflict-induced IDPs joining a protracted caseload that has been displaced for 8-17 years. The broad spectrum of international military, political and humanitarian actors will therefore have to reassess the displacement situation as they attempt to redefine mandates and roles in Afghanistan.

The decreasing access to many areas of conflict and displacement, including Kandahar province over the past three years, by Afghan government and international actors, as well as the corresponding loss of humanitarian space, has made information about IDP data and trends incomplete, limited to either second-hand accounts or best guesses. The National IDP Task Force co-led by UNHCR and MRRD acknowledges this problem in the *National IDP Profile*, yet is compelled to mainly highlight known protracted IDP caseloads living in contained camp environments for whom data is more readily available. Assessments of reliable numbers of new conflict-induced IDPs are increasingly difficult to achieve as the security situation worsens. This has given rise to flawed assumptions about the numbers of IDPs, their motivations, and possible solutions to their displacement, which has, in turn, created an impasse within the international community over how best—or, in some cases, whether at all—to protect and assist conflict-affected populations.

Second, notwithstanding the rise in internal displacement related to the increase in violence and the loss of effective control of the Afghan government, both Afghan and many international actors downplay new conflict-induced displacement as a result of a lack of access to reliable numbers of conflict-induced

IDPs and flawed assumptions about the nature and duration of displacement. This has contributed to a shying away from traditional modes of providing assistance to internally displaced persons, out of fear that camps and regular “care and maintenance” types of support would serve as pull factors and contribute to the creation of yet another protracted displacement crisis. However, pull factors already exist (e.g., level of security, existing family networks and enclaves of displaced communities, job opportunities) and humanitarian assistance is merely one of many considerations for potential IDP households when deciding on their destination. Nevertheless the fear of creating pull factors seems to frequently outweigh basic protection responsibilities, leaving IDPs to fend for themselves.

The limited assistance in places of exile has created a situation where mainly the more affluent are actually able to seek refuge in Kandahar, while many others are forced to remain in conflict areas, with a majority of poorer IDPs returning to their homes after aerial bombardment or ground combat. This in turn has led to the flawed assumption that displacement caused by military operations is of a short-term nature as a matter of preference among IDP communities themselves. The vicious cycle of misconceptions is complete when such assumptions influence the levels and types of assistance extended to known conflict-induced populations, which tends toward immediate reconstruction and reintegration packages in areas of origin rather than sustained assistance in places of refuge.

The process of finding interim solutions, which take into account the anticipated worsening of the conflict and the need for physical security of individuals, is thus complicated by a lack of engagement among humanitarian agencies and government departments to provide protection and anything other than one-time food and non-food assistance. Yet, even in insecure areas, assistance is possible through implementing partners. This could even include, as ICRC at times does, negotiations with parties to the conflict, including the Taliban, to prevent displacement and assist those affected by the conflict. While the lack of access explains why international actors often refrain from direct humanitarian and development assistance, they have done little to proactively change the operating environment. However, it is also unclear if they realistically could make this change until the provision of assistance in insecure environments has been rethought.

Third, there is a fundamental need to address and acknowledge the limited capacity of the Afghan government to provide security and protection. The continued weakness of the national government was on full display during the 2009 presidential election, which witnessed voter apathy, fear of reprisals, political horse-trading among provincial strongmen, and widespread irregularities and allegations of fraud among government officials, especially in Kandahar province. None of this bodes well for improved national responsibility for the protection of IDPs. Until the Afghan government is able to fulfill its basic sovereign responsibilities, others need to step in more forcefully to protect civilians affected by armed conflict.

UNHCR maintains that it has highlighted IDP protection and “intervened wherever possible and merited” and acknowledged that some efforts may not have been as extensive or successful as they

would have wished.<sup>321</sup> This study has tried to demonstrate that UNHCR's delimitation of the possibilities is too narrow or its standard of what merits protection intervention has placed the bar far too high. Key protection tasks, for example, are not just limited to preventive and responsive actions (i.e., stopping a pattern that leads to protection concerns or the alleviation of immediate effects) and remedial action that "restores people's dignity and ensures adequate living conditions through reparation, restitution, and rehabilitation," but also environmental-building activities that foster a respect for rights "in accordance with the relevant bodies of law."<sup>322</sup> An important step, therefore, is to challenge the often narrow views of the Afghan government regarding who is an IDP and hence deserving of protection and assistance.

As security deteriorates in Kandahar, especially in Zhari Dasht camp, but also Kandahar-city, IDPs are increasingly forced to determine what constitutes the least bad option for them. In the absence of national and international protection, IDPs cope by bargaining for the protection of strongmen, often giving up their rights for security. The most dangerous coping mechanism may be the seeking of protection by insurgency actors as this makes IDPs extremely vulnerable to subsequent harm by Afghan and international security forces.

Furthermore, the protection and assistance needs among protracted IDPs are heterogeneous and require examination on a more individual basis. A long-time observer of the situation in the North noted that most of the IDPs able to return and smoothly reintegrate did so long ago.<sup>323</sup> A general level of security in the North does not guarantee sustainable return in the absence of the rule of law and an impartial justice system. The overall lack of development in the North may accentuate the already existing competition over scarce resources. Many IDPs who attempted to return from Kandahar to areas of origin the North eventually went back to Kandahar because of unresolved ethnic tensions, occupation of land and the lack of sustainable livelihoods in areas of origin. The Afghan government has been unable or unwilling to guarantee safety and sustainable livelihoods for Pashtun IDPs, something that only reinforces existing ethnic tensions. The insistence on return as the only durable solution for the protracted caseload thus may do more harm than good.

Fifth, it is important to acknowledge that durable solutions will not be sustainable unless more general political issues are addressed at the national and regional levels. Not only does this concern return to areas of origin in the North, but it also affects potential local integration in the South, which has become an increasingly realistic scenario in some cases, such as Spin Boldak. Amidst the worsening conflict, both conflict-induced IDPs as well as protracted caseloads seek the relative security and livelihood prospects available in Kandahar-city and Spin Boldak. For the remaining caseload of IDPs in Zhari Dasht camp, while the conflict is making travel between Kandahar-city and the camp

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<sup>321</sup> UNHCR Communication, 5 October 2009.

<sup>322</sup> Cordula Droege, 2008, "Developments in the legal protection of IDPs", Pp.8-9 in *Forced Migration Review*; <http://www.fmreview.org/FMRpdfs/GP10/GP10.pdf>, p.8.

<sup>323</sup> Interview, Ex-UNAMA North official, Kabul, 22 May 2009.

more difficult and is constricting livelihood options, the ongoing availability of rent-free accommodation, and the lingering hope that they may one day own the land, continues to provide a powerful incentive to remain in the camp. Therefore, options for local integration need to be considered more seriously, especially as the situation in Spin Boldak, where IDPs have been able to purchase land, proves that *de facto* economic local integration seems possible in some cases.

Yet, the government needs to officially recognize land deeds of IDPs to protect them from losing acquired land in potential future land disputes. For those IDPs without land, the land acquisition Presidential Decree 104 should be applied consistently. Moreover, the scope of the land allocation scheme created by this Decree should be expanded to include IDPs from outside the province of displacement, which are presently excluded. The success of local integration in the South depends on resolving tensions between IDPs and host communities that result from competition over resources; especially land. Unless win-win situations are created and reconciliation efforts are started, IDPs in Afghanistan will remain second-class citizens in their own country. As a school teacher from Saripul laments, “I should be treated like an Afghan, not always told: ‘you are not from this province’.”<sup>324</sup> The international community should focus on joint host/IDP projects such as those offering additional development schemes for communities that develop integration programs, offering host communities with added benefit, such as better health care and schools that are made possible through increased population numbers served, and supporting reconciliation programs to address the sharing of scarce resources.

Last and most importantly, what has also become increasingly apparent is the tension between the dual mandates of international actors, including that of the diplomatic, development, and humanitarian communities to rebuild Afghanistan (supported by ISAF/NATO), and the mandate to combat terrorism by segments of the Coalition Forces. Rather than consolidating a fragile peace, international actors, both military and civilian, have become party to a worsening conflict, with Afghan civilians often caught in the crossfire. Thus, both the Afghan government and international military forces are responsible for collateral damage, including displacement, and need to more fully embrace their protection responsibilities. This is very explicit in international human rights and humanitarian law, which expressly prohibits the forced and arbitrary displacement of civilians in armed conflicts, and ensures protection should displacement occur.<sup>325</sup>

International military actors should review their engagement in Afghanistan in two ways: 1) how their presence and actions impact on the sovereignty of the Afghan government and its ability to govern effectively, and 2) on trying to minimize activities that trigger displacement. Reducing aerial

<sup>324</sup> Interview, school teacher, from Saripul, in Spin Boldak, 29 May 2009.

<sup>325</sup> UN OCHA, 2001, *Guiding Principles on Internal Displacement*, drawn from relevant aspects of International Humanitarian and International Human Rights Law, form the basis of the protection regime. Unlike IHL and IHRL, they are not in themselves legally binding, but rather provide a tool for states to effectively address internal displacement in accordance with established law.

bombardment and ground combat is only part of the solution, as counter-insurgency tactics that put pressure on local populations also contribute to displacement. The new US Administration has reviewed and continues to recalibrate the international military strategy, with 22,000 additional American troops deployed and further increases expected. In this context, it should surprise no one that internal displacement is also on the rise.

International military actors should also consider interpreting their security mandate in Afghanistan to include protection in areas of origin to prevent displacement, provision of safe passages to areas of exile, or protection in exile, so that IDPs are not forced to make arrangements with local strongmen or the insurgency. This would not only help IDPs, but it would also strengthen the international military's effort to limit the ability of the insurgency to recruit among the local population, many of whom have few other options. To date, however, international actors have decided either to do the bare minimum (through provision of short-term assistance in areas of armed conflict) or they have not fully grasped the scope of their impact on displacement and subsequently failed to provide adequate protection to civilians.

The international military presence, cognizant of its failure to establish security in much of the country as well as the mounting outrage resulting from civilian casualties, has embarked on a fundamental review of its mission and core objectives, strategy, and required troop levels. While security and counter-terrorism mandates have dominated in recent years, there appears to be a new willingness to consider the protection of the civilian population as a key aim of a revised counterinsurgency strategy. A welcome development in any case, it remains to be seen if the parameters of protection will extend beyond the need to limit civilian casualties to include steps designed to limit and respond to the forced displacement of civilian populations in conflict-affected areas.

All this said, some progress needs to be acknowledged, as do the daunting constraints faced by international humanitarian actors. A new strategy of the National IDP Task Force to address the assistance and protection needs of IDPs was adopted on 30 August 2009 and training of local officials on the *Guiding Principles on Internal Displacement* has commenced in order to ensure that the rights of IDPs are respected across Afghanistan. At the same time, the humanitarian community has taken cautious steps to reassert basic humanitarian principles of impartiality and neutrality and reclaim lost humanitarian space for operations. Nevertheless, the problems of transferring many of these achievements beyond the capital of Kabul are still evident. For example, even though the central government endorsed the reintegration of IDPs into national development programs as early as 2002, it has so far not been implemented in the provinces. One can only hope that the new IDP Strategy will not meet the same fate. For protection to be real in Afghanistan—efforts need to move from rhetoric to action—otherwise IDPs will seek out the protection of others, which may neither be in their best interests nor that of the Afghan government and international community.





## APPENDIX I: METHODOLOGY

Information for this report was collected via 128 semi-structured interviews and 9 focus group discussions (FGDs) conducted over a period of three months (April-June 2009), interviewing a total of 188 individuals. The report also benefited from TLO conflict assessments conducted in the relevant districts where IDP populations are located which is funded by the Canadian Department of Foreign Affairs and International Trade (DFAIT).

Due to reasons of security and access, random sampling could not be used for this assessment. Instead, a mix of the following non-probability sampling techniques was relied upon:

- ❖ *Purposive/stratified sampling*: where a subset of the population is selected that shares at least one common characteristic, in this case IDPs and those working with or with knowledge of IDPs.
- ❖ *Convenience sampling*: where those individuals readily available to participate in the research were interviewed. Surveyors and researchers also relied on *snowballing*, using referrals from initial interview partners to identify additional ones.
- ❖ *Judgment sampling*: where surveyors and researchers used their best judgment to decide whom to include in the interview process. This biased the sample in places to IDP representatives and village leaders (mostly men).

Twelve surveyors comprised of 6 men and 6 women (two per site) were selected to assist in data collection. The surveyors received training on the survey questionnaire and information to be collected. Two phases of data collection focused on site and population profiling and later on zoomed on more specific questions. In addition to the surveyors, TLO staff and the three authors of the final report conducted additional interviews and focus group discussions.

### INTERVIEWS WERE HELD IN THE FOLLOWING THREE REGIONS:

- ❖ **Kabul**: The report authors conducted a total of 21 interviews mainly with representatives of international and UN organizations, Afghan government (incl. one MP from Frayab), the donor and NGO community (both Afghan and international) and representatives of international military forces (see Table 1). These interviews also included two interviews with IDP leaders from Spin Boldak for triangulation purposes.
- ❖ **Kandahar Province**: Internally displaced persons from three sites in Kandahar province were interviewed by surveyors: Kandahar-city, Zhari Dasht Camp and Spin Boldak by surveyors. These interviews break down as follows:

- Overall, 55 semi-structured interviews (37 men, 18 women) and six focus group discussions with (35 men) with IDPs were conducted by surveyors (see Tables 2 and 3).
  - Another 16 individual interviews and one focus group discussion with five elders from Uruzgan were conducted with IDP leaders as part of the profile of the three sites. Fourteen of these interviews and the focus group discussion were conducted in Kandahar-city.
  - In addition, all three authors and two addition TLO researchers conducted a total of 19 semi-structured interviews with IDPs for triangulation purposes (see Table 4) and four interviews, one each with UNHCR, ICRC, the Directorate of Refugees and Return and the Afghan Red Crescent Society (see Table 1).
- ❖ **Northern Afghanistan** (Baghlan, Balkh-Mazar-I-Sharif, Saripul):
- Two interviews with returnees (elders) and two focus group discussions with returnees (5-6 elders) were held in and around Sheberghan-city by two of the authors and one TLO researchers.
  - Two of the authors and one TLO researcher conducted seven interviews with several organizations (see Table 1), in addition to one focus group discussion with four legal counselors from the Norwegian Refugee Council.

**Table 1:** Overview of Interviews with Organizations

Organization Type	TL	Kabul	Kandahar	North
<b>UN Organizations</b>	<b>14</b>	9	1	4 (Mazar)
<b>International Organizations</b>	<b>2</b>	1	1	–
<b>Afghan Government</b>	<b>4</b>	1 (Faryab)	1	1 (Baghlan) 1 (Saripul)
<b>International NGOs</b>	<b>4</b>	3	–	1
<b>Afghan NGO</b>	<b>3</b>	2	1	–
<b>Military (incl. one email interview)</b>	<b>3</b>	3	–	–
<b>Donor</b>	<b>2</b>	2	–	–
<b>Total</b>	<b>32</b>	<b>21</b>	<b>4</b>	<b>7</b>

**Table 2:** Overview of Origin of IDPs Interviewed in Kandahar (semi-structured interviews and focus group discussions)

Region	Province	TL	M	F	Kandahar-city	Spin Boldak	Zhari Dasht
West / Northwest / North	Herat	2	2				Angeal (2M)
	Badghis	12	7	5	Bala Murghab (2M, F) Ghormach (M)	Ghormach (F)	Almar (F) Bala Murghab (M, F) Ghormach (3M, 1F)
	Ghor	4	3	1	Tulak (2M, F)	Tulak (M)	
	Faryab	11	9	2			Qisar (4M, 2F) Daulatabad (M) Bala Buluk (M) Bal Chirgh (M) Qisar (M) Almar (M)
	Sari Pul	10	8	2		Sayat (6M, 1F) San Charak (F) Capital (M) Bekhab (M)	
	Jawzjan	4	3	1		Shiberghan (2M)	Shiberghan (M, F)
	<b>Sub-TL</b>	<b>43</b>	<b>32</b>	<b>11</b>			
South	Helmand	8	7	1	Musa Qala (2M)	Naw Zad (F) Sangin (2M)	Garamsir (2M) Sangin (M)
	Kandahar	8	6	2	Arghistan (F)	Arghistan (2M, F) Maruf (2M) Dand (M) Kandahar-city (M)	
	Uruzgan	13	13	–	Chora (2M) Khas Uruzgan (3M) Gizab (M) Deh Rawud (M)	Shahidi Hassas (M) Chora (2M) Khas Uruzgan (2M)	Dehrawud (M)
	Zabul	11	9	2	Shar-e-Safa (3M, 2F) Shinkay (M)	Deh Chopan (M) Shar-e-Safa (M)	Shah Joy (M) Shamulzai/Qalat (2M)
	<b>Sub-TL</b>	<b>40</b>	<b>35</b>	<b>5</b>			
Southeast/East	Paktika	3	2	1	Dihla (2M, 1F)		
	Ghazni	3	3		Andar (M)		Nawa (M) Maqur (M)
	Nangarhar	1	–	1		Khogiani (F)	
	<b>Sub-TL</b>	<b>7</b>	<b>5</b>	<b>2</b>			
<b>TOTAL</b>		<b>90</b>	<b>72</b>	<b>18</b>	<b>27</b>	<b>32</b>	<b>31</b>

**Table 3.** Professional Breakdown of IDPs Interviewed

	Kandahar-city	Spin Boldak	Zhari Dasht
Women Interviews	Village elder's wife (2) Farmer's wife (1) Housewife (1) Midwife (2)	Medical doctor (2) Teacher/school headmaster (2) Nurse (1) Educated woman (1)	Housewife (2) Teacher (1) Wife of elder (1) Wife of former government representative (1) Educated woman (1)
Men Interviews	Tribal/village elder (7) Land owner (1) Laborer (1) Ex-government employee (1)	Tribal/village elder (3) Shopkeeper (3) Teacher (2) IDP representative (1) Police officer (1) Vaccinator (1) Educated person (1)	Laborer (5) Tribal elder (2) Professional (3) Shopkeeper (1) Mullah (1) Teacher (1)
Men FGD	Laborer (5) Tribal Elder (4) Professional (baker, tailor, 2)	Businessman (5) Shopkeeper (3) Teacher (2) Driver (1) Unemployed (1)	Laborer (6) Tribal Elder (1) Shopkeeper (2) Watchman (1) Medical Doctor (1) Unemployed (1)

**Table 4.** Overview of Triangulation Interviews with IDPs in Kandahar and Kabul

Kandahar-city (5 single interviews, 1 FGD with 5 individuals) = 10	Paktika, Badghis, Uruzgan (3); all elders
Zhari Dasht (4)	Faryab (2), Saripul, Badghis; three elders, one teacher
Spin Boldak (10)	Saripul (3), Uruzgan (3), Helmand, Kunduz; two teachers, eight elders
Kabul (2)	IDP leaders from Spin Boldak
21 INTERVIEWS, 1 FGD, 5 INDIVIDUALS	

### **DATA LIMITATIONS AND MANAGEMENT OF BIAS**

The research was constrained by several factors that reflect the problems of working in an insecure and difficult environment such as Afghanistan. In conflict contexts, the security of surveyors and researchers and the respondents must be balanced against the demands of scientific standards and rigor. As a result, the assessment is, in some respects, an incomplete representation of social reality. For example, the female author of this study was unable to travel to Kandahar out of security reasons, which limited triangulation interviews to men only. In addition, none of the authors were able to visit any of the three IDP sites.

There were several other data limitations:

- ❖ Although surveyors were rigorously screened and subsequently trained, their potential bias towards other tribes/ethnic groups/communities and the Government of Afghanistan might affect their recording of data.
- ❖ Sampling techniques that reduced security risks to the surveyor and researcher and the respondents may have introduced a bias by not producing an adequate cross-section of the IDP population at all sites.



## APPENDIX II: OVERVIEW OF IDP POPULATIONS STUDIED – THREE SITE COMPARISON

**Table 1:** Overview of Protracted Caseload IDPs in All Sites

Kandahar-city	Spin Boldak	Zhari Dasht
Direct Flight Badghis – 95 families Ghor – 25 Families	Direct Flight Ghor, Balkh – 120 families Badghis and Sari Pul – 40 families	Direct Flight Badghis – 130 families Kunduz, Badghis – 130 families Badghis, Farah – 120 families Badghis, Sar-i-Pul, Kunduz – 100 families Faryab – 60 families
Secondary displaced returning refugees Badghis – 30 families	Secondary displaced returning refugees Badghis, Faryab – 340 families Kunduz, Farah, Sari Pul – 750 families Sari Pul, Badghis – 200 families	Secondary displaced returning refugees IDPs: Faryab, Badghis – 180 families Returnees: Faryab, Badghis, Sari Pul – 170 families
<b>Total: 150 families</b>	<b>Total: 1,450 families</b>	<b>Total: 890 families</b>

**Table 2:** Overview of Conflict-induced IDPs in All Sites

Kandahar-city	Spin Boldak	Zhari Dasht
Post 2004/5 Uruzgan – 1,800 families Helmand – 550 families Zabul – 1,700 families Kandahar – 300 families Paktika – 50 families <b>Total: 4,400 families</b>	Post 2004/5 Kandahar – 9,000 families Helmand – 4,000 families Uruzgan – 3,000 families Zabul – 100 families <b>Total: 16,100 families</b>	Post 2004/5 Zabul – 130 families <b>Total: 130 families</b>
Post 2001 Paktika – 60 families Helmand – 20 families <b>Total: 80 families</b>	Post 2001 Paktika – 750 families <b>Total: 750 families</b>	Post 2001 Ghazni – 380 families Helmand – 180 families Kandahar – 80 families Wardak – 30 families Zabul – 60 families <b>Total: 730 families</b>
<b>Secondary displaced returning refugees since 2004</b>  Uruzgan Nangarhar Zabul <b>Total: 100 families</b>	<b>Secondary displaced returning refugees</b>  Since 2004 Kandahar – 2,000 families  Since 2001 Kandahar, Uruzgan – 12,000 families Nangarhar – 20 families <b>Total: 14,020 families</b>	<b>Secondary displaced returning refugees</b>  Zabul – 80 families <b>Total: 80 families</b>



**Table 3:** Overview of Environment (Natural Disaster) -induced IDPs (including Kuchi)

Kandahar-city	Spin Boldak	Zhari Dasht
Paktika: 40-families of Suliman Khail (overlap with conflict-induced) Garamsir, Badghis and Kuchi who used to migrate between Kandahar and Ghazni: 60 families (Nurzai, Barakzai former and Taraki Kuchi)	Kandahar – 1,000 families Ghor – 170 families Kuchi (Helmand-Ghanzi) – 60 families Kuchi (Kandahar – Ghazni) – 500 families Nangarhar (Kuchi) – 40 families  Long-term: Other – 1,800 families, mostly Kuchi	Zabul, Badghis: 250 families (also conflict) Badghis, Ghazni, Zabul, Wardak: 130 families (collapse of Taliban also mentioned) Zabul: 20 families Faryab, Badghis: 180 families
<b>Total: 100 families</b>	<b>Total: 2,770 families</b>	<b>Total: 580 families</b>

## APPENDIX III: DISPLACEMENT ROUTES OF IDPs IN KANDAHAR

**Table 1:** Displacement History of Protracted Caseload IDPs

Kandahar-city	Spin Boldak	Zhari Dasht
<ol style="list-style-type: none"> <li>1. First, we went to Herat province, but our lives were threatened there.</li> <li>2. Then, on the basis of consultation with friends, who had been repatriated from Pakistan to Spin Boldak with UNHCR help) and who informed us about assistance there, we came to Spin Boldak, where we spent 10 months.</li> <li>3. From Spin Boldak we moved to Zhari district with the help of UNHCR and MoRR.</li> <li>4. Finally, when the aid stopped in Zhari district, we moved to Hajji Aziz village in Kandahar-city. We will stay here until the local residents tell us to leave the area.</li> </ol>	<ol style="list-style-type: none"> <li>1. During the time of the Taliban, there was drought in our area and we could not harvest our fields. We moved Herat in 1998 and settled there for 3 years.</li> <li>2. When the Taliban regime collapsed, we went to Shedai camp in Herat, which was established for IDPs. We spent 6 months there.</li> <li>3. We were then informed that camps were established in Iran for Afghans, so we left Shedai camp and went to the Marz Maka camp in Zahidan, Iran. We stayed there for 6 months, until Iranian authorities closed that camp and instructed us to return to Afghanistan.</li> <li>4. We then moved to the DelAram camp in Farah province and stayed there for 4 months.</li> <li>5. Then UNHCR and the Migration Department told us to leave for Zhari camp, otherwise we will not be able to receive additional assistance.</li> <li>6. After its closure in 2006, relatives advised us to come to Spin Boldak. Our final destination is not clear though. Here, we can find employment, and we might be here until the government helps us to return to our area of origin.</li> </ol>	<ol style="list-style-type: none"> <li>1. First, we settled for 6 months in Shedaeii camp in Herat</li> <li>2. Then we went to the Iran (Marz Maka) camp for another 6 months</li> <li>3. When the Marz Maka camp closed, we moved-- with the financial help of UNHCR--to the DelAram district camp in Farah for 6months.</li> <li>4. When the DelAram camp closed we moved to Zhari Dasht with the help of UNHCR and MoRR.</li> </ol> <p><i>Mullah, from Angeal district, Herat Province, in Camp 9, Zhari Dasht, Zhari district, April 2009</i></p>
<p><i>Laborer, from Tulak district in Ghor, in Haji Aziz Kalay, Kandahar-city, April 2009</i></p>	<p><i>Shopkeeper, from Tulak district, Ghor Province, in Amir Khan Area, Spin Boldak, May 2009</i></p>	

**Table 2:** Displacement History of Conflict-induced IDPs

Kandahar-city	Spin Boldak	Zhari Dasht
<p>1. We left our area when the foreigners came to Afghanistan in 2001 because they bombed our areas and killed innocent people. When we moved from Paktika, we stayed for a few days in Zaragang (Kandahar).</p> <p>2. Then, with UNHCR and MoRR help, we were transferred to Zhari camp, no. 9, where we lived for 3 years.</p> <p>3. We came to Kandahar-city in 2006 once humanitarian assistance ended. We chose this place because here we can find daily employment. Each month, we were given rations and when this stopped, we could not manage to stay there anymore.</p> <p><i>Tribal elder, from Dihla district, Paktika Province, in Haji Arab area, Kandahar-city, May 2009</i></p>	<p>1. From Helmand, we went first to Pakistan (Quetta). In Pakistan, the living condition was not good, so we decided to return to our country.</p> <p>2. First, we moved from Quetta to Chaman [a camp in Pakistan directly across the border from Spin Boldak].</p> <p>3. We then moved from Chaman to Afghanistan [Spin Boldak]. We did not have any shelter so we settled in this camp. We received tents provided by the United Nations. Moreover, the Refugees Department decided to allocate land for settlement of refugees.</p> <p><i>Female medical doctor, from Naw Zad in Helmand Province in Awami camp, Spin Boldak, April 2009,</i></p>	<p>1. We fled in August 2005 because Taliban were moving into the area. First, we went to the Loya Wiala area of Kandahar, where we spent 3 months.</p> <p>2. One of our friends in Zhari camp (an IDP from Helmand) told us that he had three ration cards and he had land for homes. I bought one ration card from him, which cost 13,000 PKR, and I bought a second card from an IDP from Baghdis province for 15,000 PKR (this IDP had a total of 4 ration cards). A plot of land was given to me by an IDP from NawZad district.</p> <p><i>Laborer, from Deh Rawud District, Uruzgan Province, in Zhari Dasht Camp, Kandahar, May 2009</i></p>

**Table 3:** Overview of Major Displacement Routes in Comparison

Region	Province	Kandahar-city	Spin Boldak	Zhari Dasht
West/Northwest	Farah/Herat		1. Farah → Pakistan, Muslim Bagh (during <i>jihad</i> ) 2. Pakistan → Spin Boldak (2001/2) <i>some moved on and came back:</i> 1. Spin Boldak → Zhari Dasht Zhari Dasht → Spin Boldak	<b>Angeal, Herat (since 2001/2)</b> 1. Angeal → Shedaieii camp in Herat 2. Herat → Iran 3. Iran → DelAram camp in Farah 4. Farah → Zhari Dasth
	Ghor/Faryab	<b>Tulak, Ghor (since 2001)</b> 1. Tulak → Heart 2. Herat → Spin Boldak (2003) <i>(some went to Pakistan before Spin Boldak)</i> 1. Spin Boldak → Zhari Dasht (2004) 2. Zhari Dasht → Kandahar-city (2006)	<b>Tulak, Ghor (since 2001)</b> 1. Tulak → Heart 2. Herat → Iran 3. Iran → Zhari Dasht 4. Zhari Dasht → Spin Boldak <i>Also some Kuchi</i>	<b>Qisar, Faryab (since 2001)</b> 1. Qisar → Chaman, Pakistan (2/3 months) 2. Pakistan → Spin Boldak (9 months) 3. Spin Boldak → Zhari Dasht <b>or</b> 1. Qisar → Chaman, Pakistan, Chaman (18 months) 2. Pakistan → Zhari Dasht <b>or</b> 1. Qisar → Helmand 2. Helmand → Spin Boldak (1 month) 3. Spin Boldak → Zhari Dasht

Table 3: Continued

Region	Province	Kandahar-city	Spin Boldak	Zhari Dasht
Northwest	Badghis	<p><b>Bala Murghab (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Bala Murghab → (some via Herat) Spin Boldak</li> <li>2. Spin Boldak → Zhari Dasht (2004)</li> <li>3. Zhari Dasht → Kandahar-city (2006)</li> </ol> <p><i>or</i></p> <ol style="list-style-type: none"> <li>1. Bala Murghab → Kandahar-city</li> <li>2. Kandahar-city-Zhari Dasht</li> <li>3. Zhari Dasht → Kandahar-city</li> </ol>	<p><b>Ghormach (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Ghormach → Herat</li> <li>2. Herat → Pakistan, Chaman (some went straight to Pakistan not via Iran)</li> <li>3. Pakistan → Spin Boldak</li> <li>4. some moved on and came back:</li> <li>5. Spin Boldak → Zhari Dasht</li> <li>6. Zhari Dasht → Spin Boldak</li> </ol>	<p><b>Almar (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Almar → Heart (Shedaii camp)</li> <li>2. Herat → Kandahar-city</li> <li>3. Kandahar-city → Spin Boldak (6m)</li> <li>4. Spin Boldak → Zhari Dasht</li> </ol> <p><i>or</i></p> <p><b>Bala Murghab (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Bala Murghab → Spin Boldak (8/9 months)</li> <li>2. Spin Boldak → Zhari Dasht</li> </ol> <p><i>or</i></p> <p><b>Bala Murghab (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Bala Murghab → Heart, Shedaii camp (6 months)</li> <li>2. Herat → Iran, Marz Maka camp (6 months)</li> <li>3. Iran → Pakistan, Delaram camp</li> <li>4. Pakistan → Zhari Dasht</li> </ol> <p><b>Ghormach (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Ghormach → Pakistan (Delaram)</li> </ol> <p>Some via Herat, Shedaii camp → Iran, Marz Maka camp (6 months) → Pakistan</p> <ol style="list-style-type: none"> <li>2. Pakistan → Spin Boldak (2 years)</li> <li>3. Spin Boldak → Zhari Dasht</li> </ol>

**Table 3:** Continued

Region	Province	Kandahar-city	Spin Boldak	Zhari Dasht
North	Saripul/Jawzjan		<p><b>Sayat, Saripul (since 1986 - 1993/4)</b></p> <p><i>Seems went back home in 2001, and then to Spin Boldak</i></p> <ol style="list-style-type: none"> <li>1. Sayat → Muslim Bagh, Pakistan (15 years) or Sayat → Chaman, Pakistan (8 yrs) <i>some skipped this step and went straight to Spin Boldak</i></li> <li>2. Pakistan → Spin Boldak (2001/2)</li> </ol> <p><i>some moved on and came back:</i></p> <ol style="list-style-type: none"> <li>3. Spin Boldak → Zhari Dasht</li> <li>4. Zhari Dasht → Spin Boldak</li> </ol> <p><b>San Charak, (since 1991)</b></p> <p><i>Seems went back home in 2001, and then to Spin Boldak</i></p> <ol style="list-style-type: none"> <li>1. San Charak → Sarkhab Gulistan (Pakistan 10 years)</li> <li>2. Pakistan or San Charak → Spin Boldak (2001)</li> </ol>	<p><b>Shiberghan, Jawzjan (since 1990s)</b></p> <p><i>Seems went back home in 2001, and then to Spin Boldak</i></p> <ol style="list-style-type: none"> <li>1. Shiberghan → Pakistan</li> <li>2. Pakistan or Shiberghan → Spin Boldak (2001)</li> <li>3. Spin Boldak → Zhari Dasht</li> </ol>
			South	Helmand

Table 3: Continued

Region	Province	Kandahar-city	Spin Boldak	Zhari Dasht
South	<b>Kandahar</b>	<p><b>Arghistan (since 2001)</b></p> <p>1. Arghistan → Pakistan (1 ½ years)</p> <p>2. Pakistan → Spin Boldak (2003)</p> <p>3. Spin Boldak → Zhari Dasht (2004)</p> <p>4. Zhari Dasht → Kandahar-city (2006)</p> <p><b>Panjwayi → Kandahar-city (2008)</b></p>	<p><b>Arghistan (during <i> Jihad </i>)</b></p> <p>1. Arghistan → Pakistan (Muslim Bagh)</p> <p>2. Pakistan → Spin Boldak (1996)</p> <p><b>Arghistan, Daman, Panjwayi, Arghistan, Kandahar-city → Spin Boldak (since 2003/4)</b></p> <p><b>Panjwayi → Spin Boldak (since 2005)</b></p> <p><b>Maruf → Spin Boldak (when district fell to Taliban)</b></p>	<p><b>Panjwayi, Shah Wali Kot</b></p> <p>1. Helmand → Pakistan, Chaman</p> <p>2. Pakistan → Spin Boldak</p> <p>3. Spin Boldak → Zhari Dasht</p>
	<b>Uruzgan</b>	<p><b>Gizab → Kandahar-city (2005, 2007)</b></p> <p>1. Chora → Kandahar-city (2006/2007)</p> <p>2. Khas Uruzgan → Kandahar-city (Early-Mid 2008)</p> <p>3. Shahidi Hassas → Kandahar-city (Mid 2008)</p> <p>4. Deh Rawud → Kandahar-city (Dec 2008)</p>	<ul style="list-style-type: none"> <li>• <b>Khas Uruzgan, Gizab, Deh Rawud (since 2005)</b></li> <li>• <b>Chora → Spin Boldak (late 2007)</b></li> <li>• <b>Shahidi Hassas → Spin Boldak (Mid 2008)</b></li> </ul>	<p><b>Dehrawud (since Aug 2005)</b></p> <p>1. Dehrawud → Kandahar-city</p> <p>2. Kandahar-city → Zhari Dasht</p>
South	<b>Zabul</b>	<p>Shah-re-Safa → Kandahar-city (early 2009)</p> <p>Shinkay (M)</p>	<p>Deh Chopan (M)</p> <p>Shah-re-Safa (M)</p>	<p><b>Shah Joy/Shamulzayi (since 2001)</b></p> <p>1. Zabul → Pakistan, Chaman</p> <p>2. Pakistan → Spin Boldak (<i>some skipped this step and went straight</i>)</p> <p>3. Spin Boldak → Zhari Dasht</p> <p><b>Qalat, Arghandab, Shamulzai (early/mid 2009)</b></p> <p>1. Zabul → Spin Boldak</p> <p>2. Spin Boldak → Zhari Dasht</p>

**Table 3:** Continued

Region	Province	Kandahar-city	Spin Boldak	Zhari Dasht
Southeast and East/Central	<i>Paktika/Ghazni</i>	<p><b>Dihla, Paktika (since 2002)</b></p> <p><i>Were displaced in Pakistan for 17 years prior</i></p> <ol style="list-style-type: none"> <li>1. Dihla → Kandahar-city</li> <li>2. Kandahar-city → Zhari Dasht (2004)</li> <li>3. Zhari Dasht → Kandahar-city (2006)</li> </ol> <p><b>Muqur, Ghanzi (since 2001)</b></p> <ol style="list-style-type: none"> <li>1. Muqur → Spin Boldak</li> <li>2. Spin Boldak → Zhari Dasht</li> <li>3. Zhari Dasht → Kandahar-city (2006)</li> </ol>	<p><b>Paktika → Spin Boldak (2001)</b></p> <p><i>Also some Kuchi who used to move between Ghazni and Helmand</i></p>	<p><b>Nawa, Ghazni (since 2001) also Muqur, Nawur</b></p> <ol style="list-style-type: none"> <li>4. Ghazni → Pakistan, Chaman (4 months)</li> <li>5. Pakistan → Spin Boldak</li> <li>6. Spin Boldak → Zhari Dasht</li> </ol> <p><i>(some skipped the Pakistan step and left in 2002)</i></p>
	<i>Wardak/Nangarhar</i>		<p>Khogiyani (1979) → Spin Boldak</p> <p>(1358 to Peshawar, 18 years, shortly after return to Spin Boldak)</p>	<p>Sayedabad, Maydan Waradak (since 2002)</p> <ol style="list-style-type: none"> <li>1. Wardak → Spin Boldak</li> <li>2. Spin Boldak → Zhari Dasht</li> </ol>





## APPENDIX IV: IDP LIFE STORIES

### LIFE STORY 1

#### **PROTRACTED CASELOAD NORTH: WIFE OF A FORMER MP, PASHTUN FROM BALA MURGHAB, BADGHIS, APRIL 09 – PRESENTLY IN ZHARI DASHT CAMP**

**M**y family and I fled when the Taliban regime collapsed and conflicts between Pashtuns, Dari speakers and Uzbeks broke out in northern Afghanistan. Pashtuns were collectively accused of being Taliban supporters and suffered collective discrimination. We were treated badly, our elders were imprisoned, many men and women and girls were raped. When Rashid Dostum's forces killed my two sons, we feared for our own lives. We were afraid of further violence and bombardments by the foreign military forces and immediately fled to the south.

We made our own decision to leave, but many Pashtuns were advised by the Taliban to flee. The Taliban knew that those who had aided them in the North would not be spared. We first left our home for Spin Boldak where camps had been established for refugees. We stayed in Spin Boldak for 9 months. We were then moved to Zhari district by UNHCR and the Department of Refugees. But it has been almost six years since we have settled here. We have not been able to return to our homes in Badghis ever since. Dostum's forces confiscated our land and homes.

At first, we were assisted with food, tents and blankets by UNHCR and WFP, and UNICEF installed water pumps for us. But, now we have nothing: no property or proper houses. We live six persons in one room, a situation that is very difficult. Our children do not have proper education. They seek work all day in order to provide us with some food. Because we live in a desert, there is no work and some of the children and men go to the city to find a job in construction or the hotels. We, the women, have endured much suffering. We are married to elderly men or disabled men, and some of us have been given to a man as a third wife. We have no access to education and health care is difficult.

The security situation is also becoming increasingly difficult. The government cannot provide security for us and insurgents have infiltrated the camp. Sometimes they even take money from us. The host community has a problem with us because they want to settle on the camp land. Many times they have called on the governor of Kandahar, the provincial council and the migration department to remove us. Where should we go? The causes of displacement from the North are not solved. We fear the worst. They will definitely kill us. They call us Talib or Al-Qaeda.

**LIFE STORY 2****SECONDARY DISPLACEMENT OF RETURNEE (CONFLICT-INDUCED) SOUTH: EDUCATED WOMAN, FROM ARGHISTAN, KANDAHAR, APRIL 2009– CURRENTLY IN WESH NAWI CAMP, HAJI NAIMATULLAH KALAY, SPIN BOLDAK**

**W**e migrated to Pakistan in 1982 during the *jihad* and stayed there for 15 years. When we returned to Afghanistan, we had no proper place to live; therefore we decided to come to Spin Boldak. The main reason for our displacement was the war during the Soviet invasion of Afghanistan. When the bombardments by Soviet forces increased, we lost our cousin. Our leaders advised us to leave, so we went to Pakistan with our families. We wanted to move back during the time of the Taliban regime, but at the same time there were tensions over land with the Nurzai tribe. Our lands were destroyed. We did not want to move back, so we decided to go to Spin Boldak because it was a safe area.

We have been living in Spin Boldak for 13 years now. We have a hard time, our children cannot attend school, and our women face many problems and suffer from a lack of education. There are families headed by women and the disabled. They need more help than others in the site, and they need security, food and shelter and education facilities for their children. At the same time, we have employment here and this place is secure— there are no security threats.

I see myself as an IDP because we live far away from our home and we have no relatives with us. The host community also views us as IDPs. The IDP label is not beneficial because all other people look down on us and discriminate against us. Many times, the host community has petitioned the provincial council and other local authorities to make us leave here.

The host community is a threat for us, but the local commander, Abdur Razik, protects us and wants us to stay here until our problems are solved in our home area. He says this is government land and that the host community has no right to ask us to leave.

**LIFE STORY 3****CONFLICT-INDUCED SOUTH: LAND OWNER, FROM CHORA, URUZGAN, 16 JULY 09 – PRESENTLY IN LOYA WIALA, KANDAHAR-CITY**

**I**fled Chora district in Uruzgan in 2007 and came to Loya Wiala in Kandahar-city. During that time, the Taliban took control of our district and we were almost living on a battlefield with the Taliban, international forces and Afghan forces fighting each other. Nearly every night there were bombardments by the international forces. One day, the Taliban attacked the Afghan National Army (ANA) and the international forces very close to our house. At three in the morning, the

ANA and international forces broke our door open and entered our house without permission. They beat the men in the family and put all the women in a room and started searching our house; but they did not find anything. They even searched our women's bags, which is a big humiliation. They then they took my brother and me with them and accused us of accommodating the Taliban in our house. They asked us to give them the Taliban's weapons and tell them where the Taliban came from. When there were mine explosions on the road or attacks on ANA and international convoys, the internationals kept asking us to stop them. But, the Taliban is not somebody we can control; they do not listen to us, just as it is not in our power to tell the foreigners to stop killing civilians either. We are a people without defense and cannot stop military people from fighting.

My brother and I were subsequently imprisoned in Tirin Kot on the basis of a false accusation and we were only released after several discussions between our tribal elders and government authorities in Tirin Kot. In our home village at that time, the foreign forces killed about 50 people, injured another 20 and broke down about 40 houses gates based on the basis of more false accusations that these houses were linked with the Taliban. My brother and I were not the only ones who were imprisoned. Many others from Chora were also imprisoned, some of whom are still being detained, I don't exactly know where.

My brother and I decided then to leave Chora. We were tired of fighting so we left the area and did not fight them, although it is a matter of dignity for us. We heard at the beginning that the internationals want to fight Al Qaida. Now, most of us are confused about whether they want to fight Al Qaida or they want to capture our country.

We were thinking about going to Pakistan, but our relatives and villagers said Pakistan is not a good place for Afghans right now. They suggested that there are different places to settle, such as Kabul, Spin Boldak and Kandahar-city. We then moved to an area in Kandahar called Kariz Bazaar and stayed there for sometime in a rented house. We then moved to Loya Wiala because there is a large number of people from different districts and areas of Uruzgan province.

Right now, I can say that our district (Chora), at least in my opinion, is not a safe place to return. Most children are deprived of going to schools and foreigners are still bombing areas that are out the control of the Afghan government. Our government is unable to provide security in our area. They even make it worse. I am sure that if the government and foreigners leave the Taliban alone, they could bring complete security to our district.

The security situation is worsening day by day in Kandahar. We want to go to Pakistan and want to spend time there in peace. We spent some time there during the jihad times and we had a very good life. Right now, I do not see a place in Afghanistan where someone can spend time in peace.

**LIFE STORY 4****CONFLICT-INDUCED SOUTH: POLICEMAN, FROM SHAHR-E-SAFA, ZABUL, MAY 2009—CURRENTLY IN NAW-E KALAY, SPIN BOLDAK**

**W**e came to Naw-e Kalay in Spin Boldak at the beginning of 2009. We have been living here for about 6 months. The main reason for our displacement is that the Taliban usually came to our house for dinner or lunch. They would also spend the night. From our orchards and lands, they ambushed and fought against the foreign and national troops. I was a member of the Taliban group and worked with Mullah Rozi Khan (now deceased), whose house was in Shah Joy.

Finally, one night, serious fighting erupted between the Taliban and foreign troops. The Taliban sought refuge in our house. A few minutes later, the Americans forcibly entered our house and arrested everyone. They then dragged us with them. The National Directorate of Security in Zabul province imprisoned me for about one month. I was released based on support from the elders. However, the four Taliban were sent to Pulcharkhi prison in Kabul.

The Taliban then accused us of being agents of the government authorities and involved in the arrest of the four Taliban. They sent me a letter which said, "You are a spy, therefore we are going to slaughter you and let you go nowhere. If you are not a spy for the government, then how did Hashim Durrani, the head of the tribal and provincial council, helped you get released from prison?"

This made me flee to Spin Boldak, where I am now a member of the Afghan National Police and am working under the supervision of Commander Abdur Raziq. Most important of all, my family is fully protected and I can easily manage my daily life with my salary.

Our final destination is unknown. We reside in a rented house here. We are unable to return to our original home until the government authorities establishes security and provides us with the land on which we may build and own a home. I am planning to move to Pakistan in order to protect myself from torture by the Taliban because I have received some warnings here too. I received them through my relatives who come to my house and tell us that we may not leave.

I actually want to return. If security is established and nobody is able to threaten us, I will move there, because I possess land, a home, and have enough almond orchards that I may not be able to finish the harvest even using it in my whole life. In fact, I would not need to work with the police anymore.

The main obstacle to my return to my original area is that the Taliban will definitely catch me and force me to confess that I am an agent for the government authorities. This may cause them to kill me. In fact, they have slaughtered many innocent people in Zabul, who were similarly accused of being government agents. They have also killed those who worked in NGOs.



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