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AFGHANISTAN & PAKISTAN: RAISE VOICES FOR CIVILIAN PROTECTION

The humanitarian situation has severely deteriorated over the past year in Afghanistan and Pakistan, creating more displacement and vulnerability. To promote stability, the international community must better balance development and humanitarian assistance and target returnees to Afghanistan as well as displaced people in both countries. Donor governments must allocate budgets based on need, not on political objectives. The UN must raise its voice on concerns related to protecting civilians. Whether by establishing an independent OCHA office or appointing dedicated senior humanitarian staff, the UN must talk to all factions and send a clear message that it is determined to fulfill its humanitarian mandate.

AFGHANISTAN

Increase Humanitarian Budgets

After seven years of international presence, Afghanistan still faces tremendous challenges. Despite tangible progress, most notably in infrastructure construction, the security and humanitarian situation has considerably deteriorated over the past 36 months. According to a senior UN official, 50 to 60 percent of the country is not controlled by anyone. The government of Afghanistan is losing the trust of its people, and the international presence is increasingly seen as an occupation.

Afghanistan faces a very serious humanitarian situation – one whose gravity changes over time and from province to province – yet one the international community should recognize and address. Just in the past year, the World Food Program has added five million beneficiaries to its programs, as many families who were already food insecure were forced to seek assistance. A combination of natural disasters, high food prices, and conflict has exacerbated an already fragile situation.

POLICY RECOMMENDATIONS

- The U.S. administration should increase the Office of U.S. Foreign Disaster Assistance's budget to fund programs targeted at internally displaced people in both Afghanistan and Pakistan.
- UNDP should establish and chair the early recovery cluster in Afghanistan.
- The UN should be more vocal about the protection of civilians in both Afghanistan and Pakistan.
- The U.S. should contribute to Refugee Affected Host Areas programs and humanitarian appeals in Pakistan.
- The UN humanitarian agencies and NGOs should engage with all factions to secure access to vulnerable populations in Pakistan.
- The UN should establish an independent OCHA office in Pakistan or appoint a senior deputy Humanitarian Coordinator based in Peshawar.

In response, the humanitarian community issued a Humanitarian Action Plan for 2009, presenting 112 projects totaling \$604 million. Donors must acknowledge the severity of the humanitarian situation and respond to this plan accordingly. The European Commission's Humanitarian Aid Office is the only major contributor to humanitarian projects. The Office of U.S. Foreign Disaster Assistance (OFDA) has a paltry budget of \$19 million for FY09, the bulk of which is spent on a shelter project in Kabul. OFDA needs to have a sizeable budget to respond to humanitarian needs, in particular internal displacement in conflict areas.

Returnees Need Targeted Programs

The five million Afghans who have returned home since 2001 face challenges of their own, most notably access to land and jobs. Programs targeted at these returnees are still inadequate. Donor governments must increase their allocation of funding towards programs in high returns areas that focus on livelihoods, housing, health and education. However, the U.S., the lead donor in Afghanistan, still spends a disproportionate amount of its aid money on large infrastructure projects. Of USAID's budget of \$1.1 billion in FY08, \$398 million were allocated to road construction alone. This does little to meet the primary needs of the millions of people who are returning home and attempting to rebuild their lives.

A similar gap is found in the UN's response. While the UN Refugee Agency (UNHCR) provides a basic package to returnees upon arriving in Afghanistan, the agency is unable to provide livelihood support to more than extremely vulnerable families. The UN Development Program (UNDP), whose mandate extends to early recovery activities, should be more involved in the design and implementation of projects that bridge the gap between assistance and self-sufficiency. The early recovery cluster should be established in Kabul, and UNDP must lead it.

Protection of Civilians and Internal Displacement

The conflict between NATO/ISAF forces and armed opposition groups has severe consequences on the humanitarian situation. The violence destroys crops and homes, generates displacement, and hampers the ability of humanitarian actors to intervene. Moreover, civilians are often caught in the middle of military operations. According to the UN Assistance Mission to Afghanistan (UNAMA), there have been more than 2,000 civilian deaths in 2008, including approximately 800 caused by pro-government forces (international and Afghan security forces). This is a 30 percent increase over 2007. These incidents have a devastating impact on

Afghans' perception of the foreign presence. The UN, and in particular UNAMA's Human Rights Unit, should be given support by donors and aid organizations to be vocal on civilian protection and adherence to international humanitarian law.

The conflict forces families to leave their villages in the search for safety. An estimated 100,000 to 300,000 Afghans are newly displaced within their own country. The pattern of displacement and the number of displaced are difficult to document for humanitarian organizations that lack access to conflict areas. In addition, families who move to urban centers such as Kabul are often not provided assistance as they join the ranks of the urban poor. There is no government structure to address this problem, and no humanitarian structure to monitor new cases and respond to the needs.

The establishment of the UN Office of Coordination for Humanitarian Affairs (OCHA) is a positive step forward, and should ensure that humanitarian issues receive greater attention. For an independent OCHA to be credible it needs to be well funded; headed by an experienced and vocal leader with the complete support of the Humanitarian Coordinator; and have a line of reporting to the UN's Emergency Relief Coordinator in New York. Moreover, OCHA will also have to recognize that it lacks the credibility to play an immediate and meaningful role when it comes to negotiating humanitarian access with militant groups. The presence of OCHA will not change the perception that humanitarian actors have a western agenda, but at the very least it should be a powerful voice for the separation of humanitarian response from political objectives.

Aid Must not be Politicized

The fundamental aim of humanitarian action is to alleviate the suffering of civilians by providing necessary and adequate assistance. Similarly, development aid should aim to sustainably meet the long-term needs of a particular community. The ability of aid organizations to abide by those principles is severely compromised in Afghanistan, where aid money is politicized. A more principled disbursement of aid is the only way to ensure effective projects that positively impact the lives of the beneficiaries.

For example, the small size of the OFDA budget was described by an official as a "political statement," since providing relief funding more commensurate with the need would not fit with the overarching U.S. narrative that Afghanistan is a stable country under reconstruction. Moreover, donors direct aid money to areas where they have military operations.

These projects are often designed to advance a political and military agenda and are not needs-based. The presence of military actors and for-profit contractors in the development field has created confusion on the perceived independence of aid organizations. In addition, the willingness of certain NGOs to work alongside Provincial Reconstruction Teams (PRT) has undermined the perception of impartiality and the humanitarian space vital for aid organizations to operate.

For NGOs to operate in Afghanistan, their impartiality and adherence to humanitarian principles need to be conveyed to all, including insurgents. In August 2008, USAID requested applications for a five-year, \$150 million project. The request contained several alarming objectives for any independent aid organization. Among others, USAID asked for organizations to demonstrate programmatic flexibility to implement “post-battlefield cleanup” operations, essentially requesting that they work with communities in the aftermath of a battle, operate alongside PRT officials and communicate to the general public a U.S. government story regarding alternative development. Refugees International also heard of donors funding soccer fields in villages with the intention of using them as helicopter landing pads.

PAKISTAN

Acknowledge the Severe Humanitarian Situation

For decades, Pakistan has been host to a large Afghan refugee population. An estimated two million Afghans remain in the country, most of them unlikely to return to Afghanistan. Although they are largely integrated within Pakistani society, many of them still need assistance. Yet UNHCR’s budgets keep shrinking, and the agency is no longer able to provide basic services in refugee villages and camps. Afghan refugees who live in urban areas are left to fend for themselves.

Pakistani officials are increasingly exasperated by what they perceive as indifference on the part of international donors. Nevertheless, Pakistan has indicated its willingness to renegotiate the terms of a tri-partite agreement that anticipated the return of all Afghans by the end of 2009. Donors must support all efforts to assist with the longer-term integration of Afghan refugees in Pakistan.

The humanitarian situation in Pakistan is further compounded by the ongoing conflict in the North West Frontier Province (NWFP) between government forces and pro-Taliban militants. Since August 2008, the government of Pakistan has conducted intensive military operations, resulting in civilian casualties and displacement. More than 50,000

displaced Pakistanis are in camps, and more than 117,000 have sought refuge with host families. The total number is likely to be much larger, as access to conflict areas is limited and the registration exercise is ongoing. Over 20,000 Pakistanis have crossed the border into Afghanistan, and Afghan refugees living in conflict areas have had to return to Afghanistan or be relocated in refugee villages in the NWFP.

Allocate Aid Differently

Donors must work to better allocate the aid they provide to Pakistan. Development programs must be more strategic in the areas and the populations they seek to impact. In 2004, UNHCR and UNDP initiated a \$135 million, five-year RAHA project (Refugee Affected Host Areas) to support the integration of Afghan refugees and help rehabilitate the regions that have been affected by the presence of large refugee populations in the past decades.

This project has been in the works for years, and the delays in funding and implementation frustrate Pakistani officials. “UNHCR has been talking about it for three years,” one government official told Refugees International. “It is so little money when compared to the needs.” The U.S. has been a large development donor to Pakistan, most prominently through its \$750 million livelihoods project in the Federally Administered Tribal Areas. The U.S., along with other donors, should commit to fully fund RAHA to ensure a more predictable future for Afghans in Pakistan.

While many areas of the country are conducive for development programs, humanitarian needs must not be neglected. As the conflict in the NWFP generates more displacement and needs, UN agencies and other humanitarian actors must be prepared to respond. The UN country team in Pakistan needs to strengthen its in-country capacity to deal with both conflicts and natural disasters. Preparedness needs to be looked at in all sectoral components of the current cluster system.

A three-month humanitarian response plan was also prepared by the UN to respond to the latest conflict in the NWFP. It is likely to be revised soon and changed to a six-month plan. Donors, OFDA in particular, must fully fund all humanitarian appeals to respond to the conflict and increase their presence in the country.

Improve the Humanitarian Response and Secure Better Access

The humanitarian response in the NWFP is currently suffering serious gaps because of the increasing difficulties the

UN and NGOs have in accessing individuals in conflict areas. Access is made more difficult when relief agencies are not perceived as independent. The international community's support of Pakistan's crackdown on militancy, UN agencies working alongside Pakistani ministries, and international NGOs implementing projects with political aims, have all contributed to the perception of humanitarian workers as partial actors.

The consequence has been more attacks on local and foreign aid workers. Some agencies have been able to continue to operate in highly insecure areas by establishing a dialogue with anti-government actors. Interlocutors can be identified in many of the conflict zones, and should be approached by UN humanitarian agencies and NGOs. Ultimately, the UN and humanitarian agencies will only be effective if they gain the trust of the Pakistanis and if they are seen as delivering services regardless of the beneficiaries' political affiliations. Donors must support these efforts and be cognizant of the difficulties agencies face when selecting beneficiaries.

Because of the problems of access, and the central role that the government of Pakistan plays in the coordination of relief activities, a lot of assistance has been channeled through government agencies in the NWFP. This is problematic, because the government is a party to the conflict and has a political interest in favoring some groups over others. Indeed, one humanitarian agency noted that the government was delivering aid along political lines in Swat, one of the areas most affected by the conflict. In addition, the Pakistani government has been downplaying the humanitarian impact of its military offensive from the beginning. It refused to acknowledge the number of displaced, and insisted the UN call its appeal for internally displaced Pakistanis a "humanitarian action plan." Finally, government officials are not trained in providing humanitarian assistance to victims of conflict. Their knowledge of appropriate standards and protection principles is limited.

Advocate for the Protection of Civilians

The Pakistani army's crackdown on militants has been heavy-handed, and has disproportionately harmed civilians. Refugees International has learned of "carpet-bombings" of areas believed to be infiltrated by militants, resulting in the destruction of entire villages, civilian casualties and displacement. The army warns of impending attacks, but many villagers have nowhere to go. "They told us to leave," a woman in a displaced persons camp told Refugees International. "But we could not leave our house and our cattle. We had nowhere to go. Now, my husband and two of my children are dead."

Pakistan is a pilot country for the "One UN" framework. Confronted with the deteriorating humanitarian situation, the UN appointed the Resident Coordinator to be the Humanitarian Coordinator as well. This person is based in Islamabad, and is responsible for carrying out the country team's agenda. Although OCHA staff work for his office, there is no separate OCHA agency. The coordinator has to balance his role of supporting the long-term development initiatives of the government with sometimes conflicting humanitarian concerns. As a result, there is no dedicated voice to speak out on protection of civilians.

The UN must make civilian protection a priority, either by establishing an independent OCHA office, like in Afghanistan, or by appointing a senior deputy Humanitarian Coordinator based in Peshawar. This person would need to have support from OCHA in New York and the Resident Coordinator's office in Islamabad, as well as adequate resources to engage with all factions, facilitate humanitarian coordination and information management, and lead advocacy efforts in favor of protecting civilians by all parties to the conflict. International donors must also provide their full support for an increased UN advocacy role, and must raise these issues with the Pakistani Government. Providing funds for UN appeals is not enough. Since the international community is supportive of the military operations in the NWFP, it must ensure that humanitarian law is respected and that civilians are protected.

CONCLUSION

Afghanistan and Pakistan face distinctive challenges, not least because of the two governments' widely different abilities to monitor, assess and respond to crises. Nevertheless, the conflict is no longer confined to Afghanistan. The narrative of Afghan refugees returning home hides a more complex two-way migration driven by safety and economic considerations. Moreover, the operations of aid organizations in Afghanistan affect those in Pakistan, and vice-versa. Humanitarian agencies should be aware that perception of political affiliation to one party to the conflict has implications on both sides of the border. To increase the stability of this strategically important region, aid should be allocated based on a thorough analysis of community needs, not on politically-motivated goals. As for the UN, if it wants any credibility in the region, it needs to reclaim its rightful place as the voice for civilians affected by conflict. Right now, nobody is speaking for them.

Senior Advocate Kristele Younes and Advocate Patrick Duplat assessed the situation for displaced people in Afghanistan and Pakistan in December 2008.