



AFGHANISTAN PROTECTION CLUSTER

Protection Overview
Eastern and South-Eastern Regions
2010 / 2011

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I. Introduction

The South Eastern Region (SER) and the Eastern Region (ER) are at the heart of the current military conflict between Pro-Government Forces (PGF) and Anti-Government Elements (AGEs). They have also served as strategic battlefields during the Soviet invasion due to proximity with Pakistan and the rugged terrain they encompass.

Paktya, Khost and Paktika (SER) and Nangrahar, Kunar, Nuristan and Laghman (ER) border Pakistan and its volatile agencies of Khyber Pukhtoon Khwa (KPK). The Pakistani South and North Waziristan Khoram Agency, as well as the Khyber Mohmand and Bajaur Agencies that form the Federally Administered Tribal Areas (FATA), are reported ridden with insecurity and active insurgency impacting both Pakistan and Afghanistan. The Durand line is not recognized officially by the two States and the border that divides a predominantly Pashtun area is porous¹.

The ER is also strategic for the International Military Forces (IMF) and the Afghan National Security Forces (ANSF) as most of their supplies travel through the Pakistan - Afghanistan border crossing at Torkham. Control of the area surrounding the road linking Jalalabad with Kabul, is of immense strategic importance. The same route is used for essential imported economic goods for the country. Reports indicate that the AGE supply-chain of weapons and support also travel through these areas.

Due to their geopolitical situation the SER and the ER are not only at the heart of the armed conflict, but are also exposed to the consequences of Pakistani military operations in FATA. Stability is further threatened by the presence of armed groups and inter-tribal feuds. In addition, in the summer 2011, the IMF indicated that their strategic military focus would shift to the “East” (that is to say the ISAF East Command, composed of South East and Eastern Regions), with increased use of air strikes and ground troops². In October 2011, military “clearance” operations were conducted in Paktya, Paktika, and Khost (as well as in Logar, Ghazni and Wardak provinces) against AGEs under the leadership of the ANSF and the support of the IMF³.

In both regions, between 2010 and 2011, the consequences of the conflict on the civilians and on regional stability have intensified. Increasing internal displacement and rising numbers of civilian casualties compel the civilians to continue bearing the brunt of the armed conflict. The spill-over impact of the conflict on food, nutrition, health care, education and livelihoods among others, also has a bearing on their overall protection.

Natural disasters including seasonal hazards affecting the ER and SER include floods, occasional earthquakes, landslides, severe winter and drought. The July 2010 devastating floods in Pakistan also impacted the neighboring provinces of Kunar, Laghman and Nangrahar. Flooding has frequently occurred in 2011 requiring immediate humanitarian intervention. Due to lack of capacity and prevailing vulnerability of the communities, natural and often seasonal hazards often result in disasters.

The security situation remains highly volatile in both regions resulting in limited humanitarian access in Kunar and Nuristan, as well as in parts of Nangrahar, Laghman, Khost and Paktya. As direct access by UN agencies is limited, agencies mainly operate through government counterparts and implementing partners. The Red Cross movement has broader access, although

¹ For detailed and updated overview of the Eastern and South- Eastern Regions, please see from the Tribal Liaison Office (TLO) “Socio-political assessment of Kunar and Nangrahar, 2011” and Socio- Political Assessment of Paktia, Khost and Paktika” 2011.

² See “US looks east for Afghan war end game”, AFP, July 2011, 11. ISAF East Command is composed of what this report considers as the South East and Eastern Regions (<http://www.chinapost.com.tw/international/americas/2011/07/11/309428/US-looks.htm>)

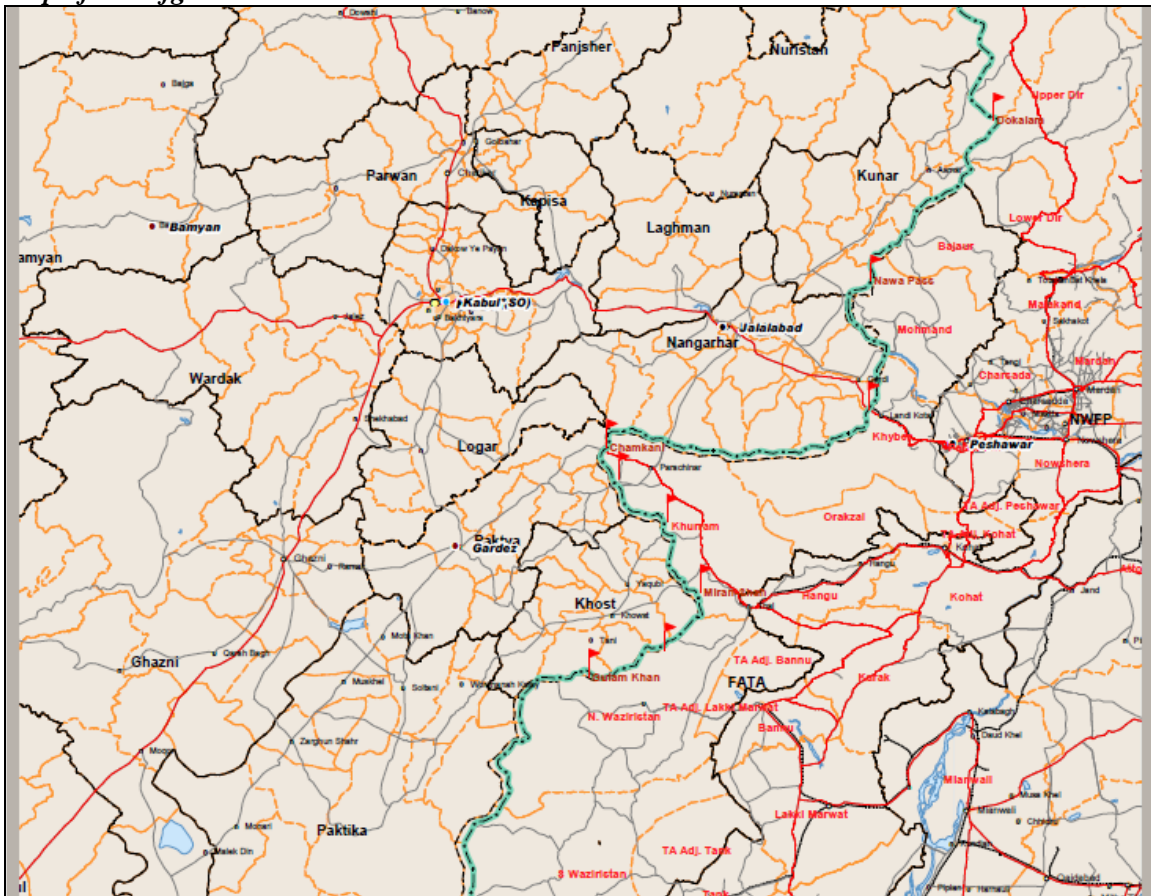
³ <http://english.aljazeera.net/news/asia/2011/10/2011102415575819318.html>

they do not have full coverage either. Humanitarian space continues to shrink due to the on-going armed conflict and worsening security conditions. Humanitarian challenges are reinforced by prevailing under-development and chronic vulnerabilities reflected in various sector-al indicators such as low immunization coverage, high child/ maternal mortality, malnutrition, sporadic outbreaks of diseases, limited access to basic social infrastructures including potable water and sanitation facilities and limited livelihood opportunities.

Number of individuals living in the 7 provinces of the Eastern and South Eastern Regions (in thousands)⁴:

Province	Male	Female	Total
Kunar	480.8	497.4	978.2
Laghman	224.0	216.9	441.0
Nangarhar	769.3	749.9	1,519.3
Nooristan	70.4	61.6	132.0
Total ER	3586.1	3459	7045.1
Paktika	236,4	202,5	438,9
Paktya	307,2	242,9	550,1
Khost	293,0	252,6	545,6
Total SER	836,6	698	1534, 6
TOTAL SER+ER	4422,7	4157	8579,7

Map of the Afghanistan SER and ER/ Pakistan border areas



⁴ National Risk and Vulnerability Assessment 2007/2008, <http://nrva.cso.gov.af/population.html>

II. Security situation

The ER and SER face serious security challenges that directly impact the civilian population and hinder humanitarian responses in affected areas. Particularly high risk areas are those bordering Pakistan. Key challenges impacting overall regional security include the following sometimes mutually reinforcing factors:

- Increased military operations in both ER and SER since July/ August 2011⁵ combined with military operations across the border in Pakistan;
- Long standing and current tribal differences and disputes over land;
- Previous predictions on the reduction of intensity of the conflict, based on extreme weather conditions no longer seem pertinent. The insurgency was active through the winter with no pause as in the past. However, seasonal harvests remain a factor in influencing the intensity of the ongoing conflict in some instances. In Paktika province, the insurgency reportedly declared a truce to facilitate pine-picking by locals in September 2011⁶.
- Presence of armed militia (*Arbakai*) and armed tribal elements perpetuated in the SER, continues to feed the insecurity. Although their influence was reported to have brought stability in the 1980s and in 2001, they remain an easy-to-mobilize force in inter-tribal feuds and a potential destabilizing element.
- Afghan Local Police (ALP) are reportedly present in three SER districts of Paktya namely, Chamkany, Dand-a-Patan and Jaji Aryob and two districts of Paktika (although little is known about their impact). In ER, ALP are currently being recruited for Kuz Kunar (Khewa), Kama, Gushta of Nangarhar and newly established district of Laghman i.e. Bad Pakh in addition to Khas Kunar of Kunar Province.

1. Impact of the Deteriorated Security on Civilians:

Armed Conflict - Military operations have impacted civilians, resulting in casualties, inducing displacement and affecting civilian properties and livelihood. During January-October 2011, an estimated 1,583 families (10,532 individuals) were displaced due to active combat operations in the ER. In 2010, an estimated 367 families (2,176 individuals) were displaced due to similar fighting⁷. However, it is noteworthy that the number of IDPs in 2010 mainly originated from Nuristan. New displacements from/ within Nuristan are currently being assessed.

In its 2010 Annual Report on Protection of Civilian in Armed Conflict, United Nations Assistance Mission in Afghanistan (UNAMA) reported 243 civilian deaths and 686 civilian injuries in the ER and 1389 civilian casualties (513 deaths and 876 injuries) in the SER in 2010⁸. Between January and October 2011, UNAMA verified that conflict related violence in ER killed 343 civilians and injured 688. During the same reporting period in SER, 949 civilians were killed and 1247 injured (2196 civilian casualties). Civilian deaths in SER and ER account for 48% of all civilian deaths in the country. This confirms the trend of rising insecurity in both regions. While the greatest number of reported civilian deaths occurred in 2010 in the South of Afghanistan, the SER/ ER's account for the second and third highest casualties.

⁵ According to to AAN's Fabrizio Foschini "Conflict going East, conflict going on", <http://aan-afghanistan.com/index.asp?id=2023>.

⁶ <http://www.nytimes.com/2011/10/07/world/asia/harvesting-cease-fire-offers-respite-in-afghanistan.html?ref=global-home>

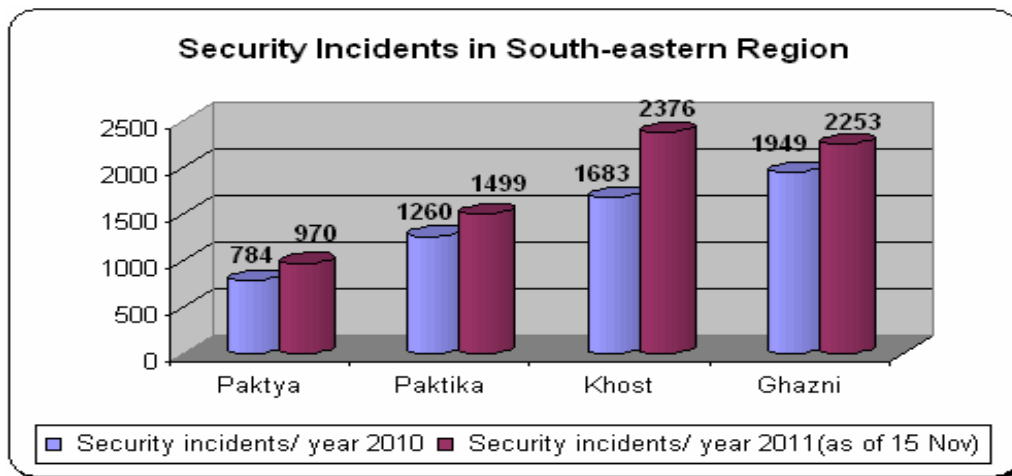
⁷ Conflict-induced IDP data come from combined source from UNHCR and DoRR.

⁸ Annual Report 2010 Protection of Civilian in Armed Conflict, UNAMA and AIHRC, March 2011, p. xi

In the SER, security incidents including stand-off attacks, armed attacks, military operations, IEDs, assassinations, intimidations and reported by UNAMA HR and UNDSS have steadily increased since 2009. UNAMA’s 2009 yearly statistics indicated a total of 366 civilians killed and 593 others injured. This was surpassed by 2010 which reached a total of 513 civilians killed and 876 injured. A similar trend is apparent in 2011, with a dramatic increase in civilian casualties in Southeast region, most of which may be attributed to anti-government elements.

Security incidents in the South-Eastern Region in 2010 – 15 Nov.2011

Provinces	Security incidents/ year	
	2010	2011(as of 15 Nov)
Paktya	784	970
Paktika	1260	1499
Khost	1683	2376
Ghazni	1949	2253
Total	5676	7098



AGE Presence - The presence of insurgents in a region, a province or a village does not automatically, of course, lead to security risks. In areas largely dominated by the AGEs, for example, the likelihood of security incidents is less significant than in places claimed by both parties, where civilians are caught in the midst of fighting.

However, both the SER and ER have several provinces and villages claimed by both parties, constituting greater risk to civilians who are trapped between IMF/ ANSF and AGE operations. With the increased presence of AGEs in places where PGF remain present and active, or try to regain some form of control⁹, the likelihood of civilians being caught in the cross fire with the IMF is high. This is especially the case in Nuristan, Kunar, Nangarhar and Khost, where AGE initiated attacks⁷ increased drastically and was above the average country rate in the first quarter of 2011 compared to that of 2010¹⁰. This is a clear indication of both parties’ efforts to assert their control on the said provinces and the dangers posed to civilians.

⁹ See the strategic shift to the East reported by AFP, US looks east for Afghan war endgame, AFP, July 2011, 11.

¹⁰ ANSO Quarterly Data Report, Q.1 2001, January 1st – March 31st 2001, p. 9

“The **porous border with the Federally Administered Tribal Areas (FATA)** in Pakistan still constitutes one of the insurgents’ major assets, even after the Pakistani army has been reluctantly making inroads into some of the areas (for instance in South Waziristan, Bajaur and Mohmand in the past years, and in Kurram at present – however without significantly reducing cross-border movement of insurgents in any of these areas). The **aggressive attitude by insurgents has led the situation in the east and south-east to slowly but steadily grow worse**. This development is coupled with the inability of the Afghan government to extend its presence among rural communities, some of which were antagonized at an early stage due to targeting by foreign troops and abuses by local officers. Currently, the whole arc following the border with Pakistani FATA shows similar signs of an increased volatility, with its farthest ends – Paktika and Nuristan – representing the worst-case scenarios: those of insurgents potentially threatening to take over the entire province.”¹¹

In the SER, since the fall of Taliban in 2001, the presence of AGEs has steadily increased, and is attributed to the long, uncontrolled frontier with Pakistan¹². SER is also considered by political analysts to be the heart of the Haqqani network, one of the leading AGE affiliates operating in Afghanistan. In particular, AGE are particularly active in the western-central Paktya (Gardez, Zurnat, Lija Ahmad Khel and Shwak), some districts of Paktika (Barmal, Neka, Gayan, Ziruk) bordering Ghazni and Pakistan and in eastern Khost (Sabari, Bak and Tere Zayi).

In addition to military operations, it is reported that AGEs pose a security threat to any individuals affiliated (or perceived as such to) the Afghan government, the ANSF or the IMF. Since May 2011, threats against civilians associated with the Government surfaced in Nuristan, Kunar and Nangarhar provinces, with reports of abductions, restrictions on freedom of movement and night letters warning civilians to resign from government jobs.¹³ In 2010, The Taliban claimed responsibility for the abduction, beheading and mutilation of a civilian on the allegation of spying for IMF in Sirkanay district, Kunar province. Reportedly, the AGEs also killed the victim's two sons on the same allegation. On 2 November, AGE reportedly killed two abducted ANP members in Pusht Dag area, Sirkanay district, Kunar province. The victims were beheaded and their corpses were thrown in a ditch in a remote desert of Sirkanay district.¹⁴

The frequent use of road blocks and check points also severely disrupts the lives of civilians, as well as their access to livelihoods and greatly undermining freedom of movement, and civilian access to basic services, such as education and schools. The on-going conflict continued to impact on education and provisions of health services for children. The Country Task Force on Children and Armed Conflict continued to receive reports of both education and health facilities suffering collateral damage as a result of on-going operations. In addition the burning of schools, armed attacks against schools, and the occupation of schools by armed groups were reported in the east and south-east region. Of concern additionally were reports that the international military forces had conducted search operations within schools and health facilities.

Reportedly, numerous checkpoints have been established by AGEs in the ER. In 2010, the Afghan Independent Human Rights Commission (AIHRC) and UNAMA HRU documented many incidents of civilians harassed, abducted and in some cases killed when their vehicles were stopped at checkpoints between June and December in Kunar province. In August 2011, a tribal elder from Azra district was abducted, as were four elders from Sirkanay district who were

¹¹ Fabrizio Foschini, AAN, “Conflict going East, conflict going on”, <http://aan-afghanistan.com/index.asp?id=2023>

¹² Several reports and books are available on this topic. See for example AAN’s Fabrizio Foschini “Following Petraeus’s guidelines and moving further East, one arrives in what has sometimes been termed Loy Nangrahar (Nangrahar, Laghman, Kunar, Nuristan - we can better call this part of the country the eastern region, according to the old administrative divisions). Here, insurgents are not under the sway of a major and highly distinctive network, but rather belong to several different groups, which, although cooperating in the fight against foreign troops, show a high degree of autonomy and unpredictability.” <http://aan-afghanistan.com/index.asp?id=2023>

¹³ UNAMA midyear 2011, p. 5

¹⁴ UNAMA 2010, p. 14 -15

returning from a funeral and four other civilians, including a Wolesi Jirga candidate, all at checkpoints. The latter were released following interventions by community elders.¹⁵

Another significant impact which demonstrates the fragility of the security of civilians was the attack on Kabul Bank in Jalalabad city on 19 February 2011. A group of six AGEs entered the Bank dressed in ANSF uniforms, armed with automatic weapons, grenades and explosives and opened fire on all present. Around 48 people were reported killed and another 92 were wounded as a direct consequence of the attack creating significant fear amongst civilians although the targets were police personnel collecting their salaries.

The security situation has further hindered opportunities for work and livelihoods, as in remote districts, most civilians are wary of government or related jobs in fear of potential retaliation.

Although widespread in the ER, insecurity does not affect all provinces the same way if one considers the result of the UNHCR Snap Short Survey for reintegration¹⁶. While 13.24% of the surveyed returnee communities in Nangarhar province faced insecurity one month before, and 9.6% six months did so in Laghman province, one person out of faced insecurity in Kunar the month before the conduct of the survey¹⁷.

“The **Haqqani family**, and the network around it, has a long history of survival. They have benefited politically from the conflict situation in Loya Paktia and the neighbouring FATA more than anybody else in the last thirty years. **They have not only consolidated their hegemonic role among the insurgency of Loya Paktia, but have managed to expand their presence into Logar, Wardak, Kabul and parts of Nangrahar and even Kapisa.** Although consisting mainly of a relatively narrow and localized core leadership, they enjoy wide respect and economic support among regional and international islamist groups as local facilitators for non-Afghan jihadis from Waziristan and beyond. They are actually becoming the main providers of access to jihad, an increasingly sought after commodity in this region. They also seem to have become Pakistan’s ‘best horse’ in Afghanistan, and increasingly in the FATA itself. The Haqqanis have not only survived the collapse of the Taleban Emirate, they have actually made their political fortunes over it.” *Fabrizio Foschini, AAN, “Conflict going East, conflict going on”*
<http://aan-afghanistan.com/index.asp?id=2023>

2. Security issues at the Afghanistan/Pakistan Border:

Of the four ER Provinces, all except Laghman border Pakistani areas of FATA region where military operation against AGEs is on-going. There are two official border crossing points between Pakistan and Afghanistan, at *Torkham* and *Nawa Pass* borders, monitored by DoRR. Due to military activities in FATA the border areas are considered as high security risk areas and districts on the border such as Goshta and Lal Pur in Nangarhar and Sarkani, Shigal Nari and other districts in Kunar often produce internal displacement while these districts also often receive cross border displaced Pakistanis. (*see below for more information on cross-border displacement*).

The SER shares border with South/ North Waziristan and Kuram Agency of KPK, areas marred with violence, military operations, inter-tribal tension between Shias and Sunnis in Khoram Agency and general instability since 2007, triggering cross-border displacement of Pakistani

¹⁵ Annual Report 2010 Protection of Civilian in Armed Conflict, UNAMA and AIHRC, March 2011, p.19

¹⁶ A snap-shot survey conducted by UNHCR Sub-Office Jalalabad during May-August 2011. A total of 531 returnee communities were surveyed, representing 1/3 of the returnee population as recorded in the UNHCR voluntary repatriation database maintained at country level. The main purpose of the survey is to collect baseline data on the dynamics of the returnee population and the level of reintegration in places of return.

¹⁷ Some of snap shot survey findings rely heavily on key informant interviews and people’s perception, and may therefore not totally reflect the security situation.

nationals and mixed with Afghans into Paktya, Khost and Paktika provinces. (*see below for more information on cross-border displacement*).

3. Cross border shelling:

Cross border shelling in the border areas reportedly started in March but intensified on 15 June 2011 mainly into districts in Kunar Province including Dangham, Shigal, Marawara, Khas Kunar, Asmar, Nari and Sirkanay districts. Intensive shelling ceased at the end of July 2011 although sporadic shelling were still reported in August, but resumed with intensity in September. Shelling during March-August 2011 impacted a number of districts in Kunar, namely Bar Kunar, Dangam, Shigal, Sarkanay, Nari, Khas Kunar, Marawara, Asmar.

The exact number of rockets or shells that landed in Kunar Province is not confirmed, but reportedly around 600 to 790 shells have been launched into Afghanistan during this period. Most severely affected districts appear to be Shigal, followed by Dangam and Sarkanay districts considering the number of rockets which landed there.

In September 2011, cross border shelling re-intensified and caused new displacement in Kunar and Nuristan. Between September and 12 November 2011, reportedly 467 rockets are reported to have impacted mainly in Dangam District of Kunar Province where 225 families/ 1,508 individuals were displaced during September. The rockets also affected other districts in Kunar province i.e Shigal, Sarkanay, Bar Kunar and Nari; as well as Kamdesh district of Nuristan. In addition, several casualties including children are reported while damages to houses, shops, vehicles and livestock are indicated. (*For details on the impact on civilians, please see III.3*)

4. Propensity to Natural Disasters:

The ER is also a natural disaster prone region, regularly affected by floods, earthquakes, landslides, severe winter and droughts. The 2010 floods affected nearly 35,000 persons in the ER and left many houses demolished and household items lost.¹⁸ The July 2010 devastating floods in Pakistan had an impact on neighboring provinces of Kunar, Laghman and Nangahar¹⁹ and flooding has frequently occurred in 2011 as well, requiring immediate humanitarian intervention. Seasonal floods routinely cause severe destruction of homes and livestock and the severe winter also contributes to vulnerabilities in the ER and SER. This in turn makes access more difficult for the period of November until March. Winter affects the entire province of Nuristan and up to half of the total districts in Kunar, Nangarhar and Laghman are affected.

III. Human Rights Violations

1. Casualties resulting from AGE activity:²⁰

In 2010, the Afghan Independent Human Rights Commission (AIHRC) and UNAMA Human Rights for the ER documented 7 cases of suicide attacks, out of these the AGEs claimed responsibility for 4. In the same year, also documented were 18 cases of execution, of which 14 were claimed by the Taliban.

¹⁸ HRT, Inter-Agency Contingency plan for the Eastern region, 2011, p. 8

¹⁹ The 2010 monsoon rain in Pakistan resulting into massive flooding impacted significantly on neighboring provinces of Nangahar and Kunar. River volumes in these provinces swelled up leading to floods which affected approximately 8000 population and destroyed physical infrastructure as well as damaging agricultural lands", from Eastern Region Inter Agency Contingency Plan 2011

²⁰ The UNAMA Protection of Civilian Report for 2010 and UNAMA 2011 PoC Mid Year Report

Increased use of Improvised Explosive Devices (IEDs) in 2010 led to a disproportionate number of civilian casualties. In the ER a civilian casualty rate of 57 was reported in November 2010. IEDs cause more harm to civilians due to its indiscriminate impact²¹ and their placing in busy commercial areas, along roads and bazaars. In one incident, an IED exploded in a music shop on 10 November in Jalalabad city, injuring nine civilians. These incidents had a knock-on effect throughout the business community in other parts of Nangahar province, with the result that other shops stopped playing music for fear of retaliatory attacks by AGEs. On 17 April in Jalalabad city, Nangarhar province, 11 civilians were wounded when an IED targeted a music shop. Music shops were a regular target of IED attacks in Jalalabad in 2011.

The widespread use of IEDs that impact without discrimination military personnel and civilians in civilian areas is considered a violation of international humanitarian law. In the SER, approximately 70-80% of 2011 (January to June) security incidents impacting civilians were attributed by UNAMA HR in its mid year report to the AGE.

2. Casualties resulting from Recent Pro-Government Force (PGF) actions:

Aerial attacks involving Apache helicopters are reportedly responsible for the majority of civilian deaths from air strikes. Sometimes the victims were children killed as they were doing farm work. As it is a common practice in Afghanistan and in the ER, children farm at night so that the water from irrigating their fields does not evaporate in the hot Afghan days. On March 14 in Chawki district, Kunar province, an Apache helicopter fired a Hellfire missile and canon rounds at two children, killing both. The boys had been irrigating their farm when the Apache mistook them for planting IEDs. On 1 March in Manogay district, Kunar province, an Apache helicopter strike reportedly targeting AGE killed nine children and injured one. The children were collecting firewood when they were killed.²²

In the SER, reports of arbitrary arrest and detention of individuals when military operations are completed, are frequent and of great concern. Men present in the scene of military operations are reported to be indiscriminately arrested and detained by ISAF/ ANSF, before being interrogated by the ISAF and then handed over to the ANDS and/ or to the ANP. Some prisoners are allegedly detained without charges against them and for unlimited time, in gross violation of domestic law and international principles. IMF detained under-18s on alleged association with armed groups and subsequently handed them over to ANDS and/ or to the ANP and to the Juvenile Rehabilitation Centres. There were concerns over due process for these children in ANSF detention. In some instances the children were reportedly from Pakistan and had allegedly received training in *madradas* along the border areas.

3. Humanitarian impact of Cross Border shelling in the Eastern Region (March-August & September 2011)

Civilian Casualties: Although, it is extremely difficult to estimate the overall number of “affected population” by cross border rocket shelling, casualty figures are estimated as of 06 October to be 16 deaths and 17 injured among civilians following the two waves of rocket shelling (March-August 2011 & September 2011)²³. In addition, MACCA reported two UXOs incidents with four casualties due to remnant of cross border shelling

²¹ Annual Report 2010 Protection of Civilian in Armed Conflict, UNAMA and AIHRC, March 2011, p. 6

²² UNAMA midyear PoC Report 2011, p. 24

²³ Information provided by provincial and district authorities and from UNAMA HR

Displacement: Both waves of shelling also led to the estimated displacement of around 500 families/ 3,744 individuals²⁴:

Place of Displacement		Place of Origin		Total Displaced	
Province	District	Province	District	Fam	Ind
Nangarhar	Kuz Kunar	Kunar	Shigal	24	136
	Beshud	Kunar	Shigal	10	62
	Kama	Kunar	Shigal	2	10
	Khas Kunar	Kunar	Dangam	6	38
Kunar	Shigal	Kunar	Shigal	76	475
	Khas Kunar	Kunar	Khas Kunar	24	159
	Sarkani	Kunar	Sarkani	130	1339
	Assad Abad	Kunar	Shigal	3	17
	Dangam	Kunar	Dangam	33	230
	Asmar	Kunar	Dangam	192	1278
Total:				500	3744

- (i). March-August 2011: 275 families/ 2,236 individuals were internally displaced due to cross-border rocket shelling;
(ii). In September, 225 families/1,508 individuals were displaced from Dangam district within the same district as well as to Asmar district.

Impact on livelihood and shelter - The impact on livestock by the shelling causes challenges for the affected population which relies heavily on livestock for their livelihood. It is also reported that agricultural land has also been affected by the shelling which deters continued farming besides the challenge of Un-exploded Ordnances (UXOs). Furthermore, damage to shelters is also reported, which implies the need for support when displaced return to their place of origin. MACCA has conducted mine risk education toward IDPs at their places of displacement and they are planning to conduct the same training in the places of origin for those who have reportedly already returned. UNHCR and MACCA will conduct a joint mission when the shelling ceases so that it is safe to visit their places of origin. MACCA will conduct MRE during the mission and assess the UXO risks.

Cross Border rocket shelling during March-August 2011

- (a) Loss of Livestock: 68
(b) Damaged houses: 10

Cross border rocket shelling during September 2011²⁵

- (a) Loss of livestock: 84
(b) Damaged houses : 4-5 houses
(c) Damaged vehicles: 3
(d) Damaged shops : 4 shops are damaged during September

Emergency humanitarian response - Inter-agency efforts coordinated by UNHCR led to assessment of the needs and timely emergency humanitarian response. The assistance provided included NFIs by UNHCR (plastic sheets, blanket, jerry can, kitchen sets), NRC (mosquito nets), IRC (family kits), ICRC (NFI and FI package), while WASH intervention was conducted by NRC (emergency latrine) and food provided by WFP and ICRC. Furthermore, MACCA conducted MRE at the places of displacement A joint assessment team also managed to reach affected areas in Kamdesh in Nuristan where it was found those displaced due to cross border shelling have already returned to their places of origin after a short displacement..

²⁴ Confirmed by UNHCR and DoRR

²⁵ Information provided to Eastern Region Protection Cluster

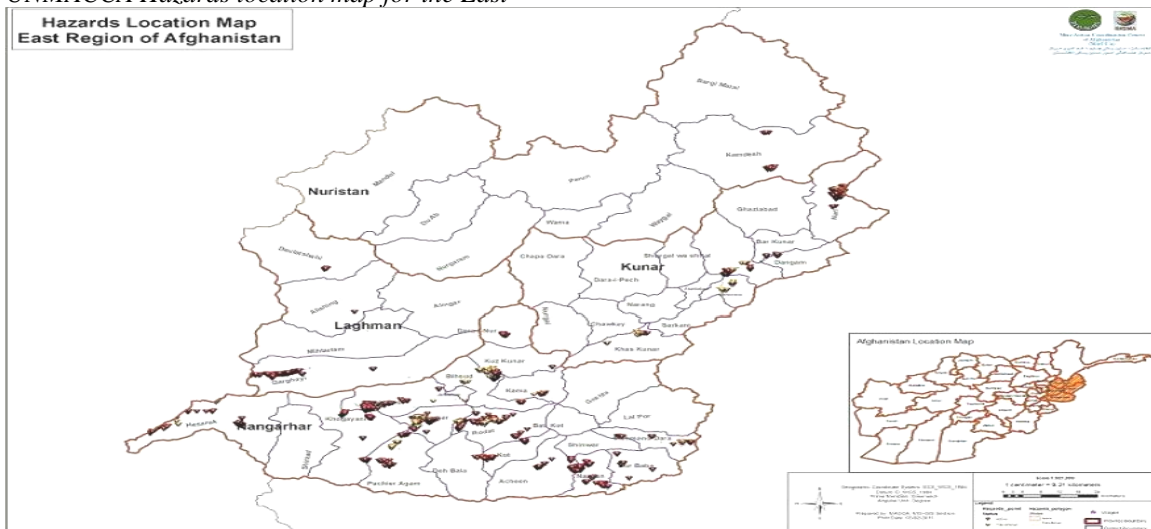
4. Humanitarian impact of the military operation in FATA

Military operations in FATA (as well as inter-tribal tension between Shia and Sunni sects) have resulted in displacement of Pakistani and Afghans residing in Pakistani border areas into Paktya, Khost and Paktika and Kunar provinces. Under the leadership of UNHCR, all caseloads are assessed and verified upon arrival in Afghan territory, needs assessment undertaken and provided with one-time assistance of Food/ Non Food packages. Despite the difficult task of accessing these groups and identifying their nationality UNHCR coordinates assistance to un-registered (non-refugee) Afghans living in Pakistan and uprooted by military operations. UNHCR coordinates assistance to un-registered (non-refugee) Afghans living in Pakistan and uprooted by military operations. UNHCR and its partners have identified and assisted 1,728 cross-border displaced Pakistani families (11,882 individuals) in 2010 & 2011 in the eastern (1,281 families/7,928 individuals) and south-eastern (447 families/3,954 individuals) regions.

5. Landmines & Explosive Remnants of War (ERW, UXOs):

According to Mine Action Coordination Centre of Afghanistan (MACCA) in the ER, 3 square km of UXOs and 35 square km of mines are still considered to contaminate the region having a direct impact on 872,172 communities. In 2010, more than 15 civilians were killed and 73 injured as a result of mine/UXO. In average, 7 individuals are victims of UXO/ mines every month in the ER and it is reported that 73% of the victims are children. Between April 2010 to March 2011 MACCA implementing partners have cleared more than 15 square km contaminated area and destroyed 179 anti-tank mines, 1,810 anti-personnel mines and more than 41,252 UXOs. In total, since the inception of the clearance programme under MACCA (year 1989) 410 square km have been cleared from mine/UXOs and around 3 million people received mine risk education.

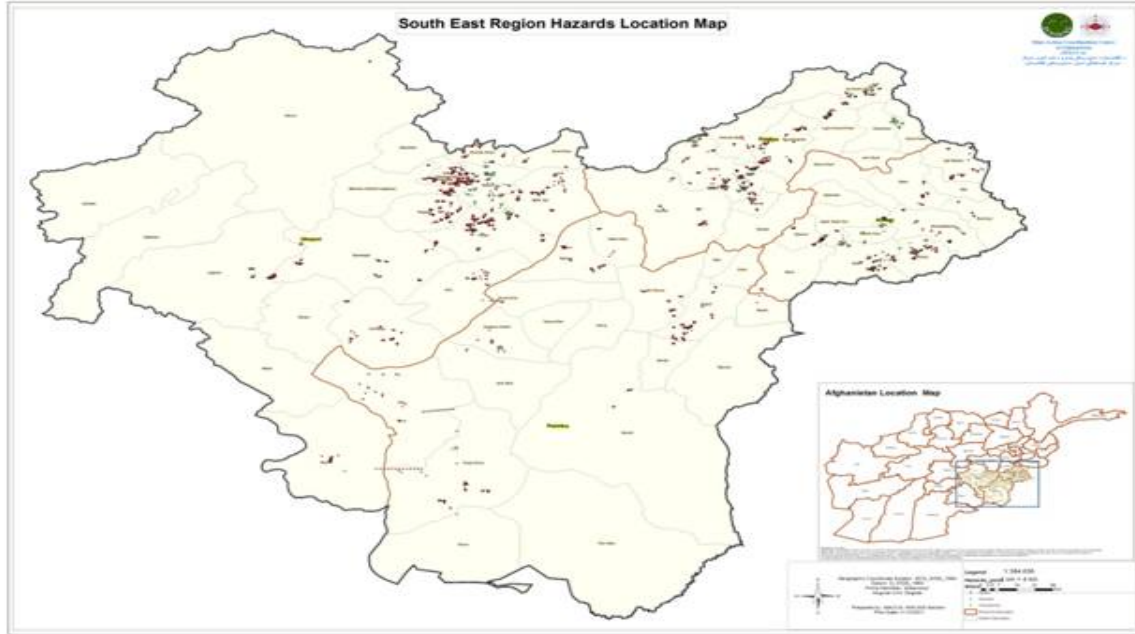
UNMACCA Hazards location map for the East



In the SER, about 68.3 square km area is still contaminated by landmines, according to the data of the MACCA. About 1.5 square km area is contaminated by UXO and landmines and directly impact 250 communities located across the region. From January 2010 to September 2011, 106 victims have been reported in this area, with 30 dead and 76 injured, all of whom were civilians. Based on the recorded victims from January 2010 to September this year, in the SER on average 5 civilians a month have become victims of landmines and other ERW (Explosive Remnants of War). Of the recorded victims, 63% are children. From January 2010 to September 2011, mine action organizations have cleared about 17.6 square km landmine and UXO contaminated areas,

and found and destroyed 312 anti-vehicle mines, 5,066 anti-personnel mines and 52,975 UXO during de-mining operations in SER. Since the beginning of mine action activities in this region, a total of 100,7 square km mines and UXO contaminated areas have been cleared and 1,5 million people have received mine risk education.

UNMACCA Hazards location map for the South East:



6. Access to Basic Services:

Access to basic services including basic social infrastructure is limited in the ER mainly due to under development but also due to the impact of the conflict. An example from Kamdesh district of Nuristan Province where elders, community leaders and district *shura* members informed the AIHRC and UNAMA HR that as a result of insecurity patients experienced a lack of access to medical treatment and to education for children.²⁶ Areas with insecurity highlighted under section 4 imply that besides humanitarian actors, development agencies also have limited access negatively impacting the communities already under the burden of chronic under-development.²⁷

The linkage between insecurity and access to basic services are highlighted in the indicators below. Areas which are considered to be at high security risks such as Nuristan have the worst social indicators such as access to safe drinking water and time taken to reach any health facilities in comparison to Laghman and Nangarhar Provinces. In addition to unstable security situation, Nuristan Province also faces geographical challenges due to mountainous locations and lack of basic infrastructure (roads, communications etc).

Population with access to safe drinking water by (a) residence, (b) province (in thousands)²⁸

Province	Yes	No	Total	% access
Kunar	147.6	830.6	978.2	15.1%
Laghman	140.3	300.7	441.0	31.8%
Nangarhar	363.1	1,157.0	1,520.1	23.9%

²⁶ Afghanistan Annual report on Protection of Civilians in Armed Conflict, 2010

²⁷ See TLO Socio- Political Reports on the SE and ER from 2011 for further details on Human Security Needs

²⁸ National Risk and Vulnerability Assessment 2007/2008 , <http://nrva.cso.gov.af/housing.html>

Nooristan	13.3	118.7	132.0	10.1%
Paktika	155,8	283,1	438,0	35,5 %
Paktya	97,5	453,0	550,4	17,7 %
Khost	194,2	351,6	545,8	35,6%
National	6,791.8	18,178.3	24,970.1	27.2%

Access to Land by Households²⁹

Province	Owning and cultivating	Owning only	Cultivating only	No access	Total	% of households with no access to land
Kunar	48.6	12.8	9.7	47.0	118.1	39.7 %
Laghman	24.9	1.5	3.8	20.7	51.0	40.58%
Nangarhar	64.7	9.2	11.9	65.6	151.3	43.35%
Nooristan	18.3	0.1	0.1	1.3	19.8	6.56 %
Paktika	39,9	0,0	1,4	9,9	51,1	19,37%
Paktya	14,4	0,1	0,1	4,1	18,7	21,92%
Khost	46,7	1,5	0,1	22,8	71,1	32,06%
National	1,566.8	181.9	126.9	1559.1	3434.8	45.369%

Population, by time to reach any public health facility by foot, and by province (in percentages)³⁰

Province	1 Hour or less	More than 1 hour	No access
Kunar	81.1	18.9	0
Laghman	67.1	29.8	3.1
Nangarhar	65.4	23.8	10.8
Nooristan	33.5	56.4	10.1
Khost	82,5	12,6	4,9
Paktika	59,9	27,9	12,2
Paktya	77,4	22,6	0
National	68.3	28.2	3.5

Illiterate population 15 years and over, by sex, and by province (in thousands)³¹

Province	Male	Female	Total
Kunar	166.4	225.9	392.3
Laghman	62.4	95.9	158.3
Nangarhar	218.3	334.4	552.7
Nooristan	32.0	34.0	66.0
Khost	98,9	122,3	221,2
Paktika	57,9	92	149
Paktya	121,2	117,6	238,7
National	3,975.2	5,482.8	9,458

In the SER, lack of security for judges and prosecutors constitute one of the primary reasons fuelling the informal justice system, to the detriment of regular government institutions. UNAMA in Gardez reports that judges, prosecutors and Department of Justice staff are solely working in district centres of Gardez, Jaji Aryoub, Chamkani and Dand-e-Patan districts of Paktya with no presence elsewhere. In Khost those officials are confined to the Khost city center and in the

²⁹ National Risk and Vulnerability Assessment 2007/2008, <http://nrva.cso.gov.af/agriculture.html>

³⁰ National Risk and Vulnerability Assessment 2007/2008, <http://nrva.cso.gov.af/health.html>

³¹ National Risk and Vulnerability Assessment 2007/2008, <http://nrva.cso.gov.af/edu.html>

districts of Mandozai, Dwa Manda and Nadir Shah Kot. In Paktika, Government supported justice institutions solely function in the city centre of Sharana and Urgun districts.

Number of judges, prosecutors and advocates in Afghanistan by province, 2008/2009³²

Province	Profession	Male	Female	Total	For 100.000 inhabitants
Kunar	Judges	42	0	42	4.3
	Prosecutors	50	0	50	5.1
	Advocates	10	0	10	1.0
Laghman	Judges	25	0	25	5.7
	Prosecutors	28	0	28	6.3
	Advocates	1	0	1	0.2
Nangarhar	Judges	44	0	44	2.9
	Prosecutors	72	0	72	4.7
	Advocates	29	2	31	2.0
Nooristan	Judges	15	0	15	11.4
	Prosecutors	17	0	17	12.9
	Advocates	0	0	0	0.0
Paktia	Judges	11	0	11	2,0
	Prosecutors	25	0	25	4,5
	Advocates	3	0	3	0,5
Paktika	Judges	0	0	0	0,0
	Prosecutors	8	0	8	1,8
	Advocates	2	0	2	0,5
Khost	Judges	17	0	17	3,1
	Prosecutors	21	0	21	3,8
	Advocates	1	0	1	0,2

7. Basic Rights of Children:

The UN-led Country Task Force on children and armed conflict has continued to receive reports that IM/ ANSF detained and arrested children with alleged association with armed groups, including as suicide attackers in the ER. On 20 May 2011, in Nuristan province, Parun district, Chatras area, a 12-year-old child died when a suicide vest accidentally detonated during his training session.³³ Such instances have also been reported from the SER too, where AGEs have reportedly used children between the ages of 10-14 years as suicide bombers. It was reported that in some instances children detained in the SER on alleged association with armed groups were from other provinces in Afghanistan, and in some instances were Afghan children who had received training in Pakistan, or were children from Pakistan sent to Afghanistan in order to conduct operations. Reports were also received of:

- Increase in reported incidents of under-18 recruitment by ANP in SER.
- Denial of humanitarian access for children in parts of the ER and SER. The recent example is the kidnapping of de-mining staff in different areas of SER.
- Killing and maiming of children. According to the SER Task Force on Children and Armed Conflict, from Jan-July/2011 a total of 68 children were killed while 95 others injured due to conflict-related violence.

³² UNDP, UNAMA, Provincial Justice Coordination Mechanism Overview of Assistance to the Justice System in the Provinces of Afghanistan, December 2009, Annex 3, p. 42-45

³³ UNAMA, Report on Protection of Civilians in Armed Conflict, 2011, p. 15

8. Gender based Violence (GBV):

Capturing the full picture on the extent of gender based violence³⁴ in the SER and the ER is challenging due to significant under-reporting and the lack of effective reporting and response mechanisms prevalent across Afghanistan. It is well known fact that “Gender-based violence is especially problematic in the context of complex emergencies and natural disasters, where civilian women and children are often targeted for abuse, and are the most vulnerable to exploitation, violence, and abuse simply because of their gender, age, and status in society”.

The only available source of information comes from the International Medical Corps (IMC) database, which, although focuses only on refugee returnees, it still helps provide a picture of gender based violence in the ER³⁵. Covering 12 returnee settlements and 11,000 individuals, IMC survey shows a total of 274 GBV cases reported between November 2009 and August 2010. 3.64% of total survivors were less than 18 years old whereas 12% are male and 88% are female survivors. The breakdown of the total is as follows: 239 cases of domestic violence, 15 cases of physical violence, 9 cases of psychological/emotional abuse and 5 cases of denial of resources opportunities & services. During the IMC’s reporting period September 2010 up to end of June 2011, a total of 141 cases were reported where 10 % of total survivors were less than 18 years old. 0.7% is male and 99.3% are female survivors. The breakdown is as follows: 113 cases of physical assault, 7 cases of forced marriage, 15 cases of psychological/emotional abuse and 6 cases of denial of resources opportunities & services.

UNAMA also noted the use of females in attacks, including as suicide bombers. On June 4, the Taliban claimed responsibility when a 20-year-old female suicide bomber attacked an international military convoy in Marawara district, Kunar province.³⁶

9. Land Issues:

Land and property disputes in South-East and Eastern Afghanistan remain a major cause of tension and instability and pose a significant threat to peace, security and the rule of law. This in turn, is an obstacle to the sustainable return of refugee returnees and it further fuels the instability of the region. Since 2003, the Jalalabad Information and Legal Aid Center (ILAC) managed by NRC registered over 2,000 legal cases related to land and property disputes. This, however, represents only a small proportion of the total number of such disputes in the region³⁷.

The main causes of land disputes in the regions can be summarized as follows:

- **Conflict:** Since the invasion by the Soviet Union in 1979 Afghanistan has experienced 30 years of almost continual conflict causing millions of individuals to flee. During their absence, these people’s land and properties were often occupied, or bought and sold and now, as they return home, they are demanding its restitution.
- **Regime changes:** Successive governments have violently replaced one another over the last 30 years and different regimes have pursued different land policies, often based on rewarding their own supporters through favorable land allocations.

³⁴ Gender-based violence is especially problematic in the context of complex emergencies and natural disasters, where civilian women and children are often targeted for abuse, and are the most vulnerable to exploitation, violence, and abuse simply because of their gender, age, and status in society, Guideline for GBV interventions in humanitarian settings, IASC, September 2005

³⁵ IMC GBV Department Dictated Case report (internal information)

³⁶ UNAMA, Report on Protection of Civilians in Armed Conflict, 2011, p. 5

³⁷ This report is based on cases registered in the ER by the Jalalabad Information and Legal Aid Center (ILAC), which was established by the Norwegian Refugee Council (NRC) in March 2003.

- **Unclear ownership:** The unorganized land registration system, the large number of missing title deeds, and the fact that disputed land has often been sold many times over, makes it very difficult to determine who owns what.
- **Reliance on customary documents and mechanisms:** Many land and property transactions take place without being officially approved by the courts, using customary documents or traditional dispute resolution mechanisms, such as *Shuras* and *Jirgas*.
- **Land shortage:** Only 12% of land in Afghanistan is suitable for agriculture. Of this 45% is currently used as pastureland by both settled and nomadic farmers, but tenure arrangements over these are often unclear and disputes frequent. Land pressure is exacerbated by high birth rate and the return of large numbers of refugees in recent years.
- **Landlessness:** A large number of Afghans possess no land and when they return from exile they sometimes occupy other people's land or government-owned land because they have nowhere else to go. There have been large refugee returns to the SER and ER. According to the Government Ministry of Refugees and Repatriation (MoRR) and its Provincial Department (DoRR) up to date, approximately 125,000 returnees have applied for plots in the ER, but there is no capacity to provide them with plots. There are three official Land Allocation sites in the Eastern Region, namely Chamtala, Sheikh Misri New Township and Kas Aziz Khan but its absorption capacity is much less than needed.
- **Tribal and Ethnic disputes:** Competition for scarce resources, such as land and water, is often linked to ethnic or tribal tensions or to other political conflicts.
- **Corruption:** There are numerous reports that members of the judiciary and executive organs abuse their positions for personal or political interests, or due to pressure exercised by other powerful members of society.
- **Lack of Rule of Law:** Even where the courts, public authorities or customary dispute resolution mechanisms issue fair decisions, there is no guarantee of enforcement. Powerful commanders and their supporters consider themselves to be 'above the law' and the lack of an effectively functioning legal system means that many people rely on the use of force to settle disputes.

The following cases provide a sample of the land issues occurring in the regions, but reflect the land-related challenges affecting both the ER and SER:

Khost – (approximately 1780 refugee returnee families) *Qalamwal* settlement is the official LAS site inaugurated by the Minister of MoRR in September 2005. It is located 9km northeast of Khost city on the main road to Sabari and Jaji Maidan districts which also goes to Gorgorai Tana Border. The land is a deserted piece, not suitable for cultivation with limited livelihood facilities. But the neighboring tribe of *Kondi* claims ownership of this land as it is close to their village. The Land Allocation Commission (LAC) identified the site as eligible for housing in this settlement, which is progressing very well, but the beneficiaries are not yet allowed to move to the site.

Gardez, Paktya – (Approximately 3,000 returnee families) The Robat returnee settlement is located 8 km northwest of Gardez town between Robat & Niazi villages. The land was identified by DoRR Paktya as an official LAS site based on the Presidential Decree no. 104. Later in 2005, during the process of transfer of property from Ministry of Agriculture (MoA) to MoRR the land was officially inaugurated by MoRR minister. In 2006 the provincial LAC was established and started verifying the applications of landless returnees for land. In the meantime, the neighboring tribes Robat & Niazi claim the ownership of the land determined for settlement and obstructed the provincial authorities from handing over the plots to the identified beneficiaries.

Gardez, Paktya – (314 returnee families). A group of 314 families returned from refugee camps in Khuram Agency of Pakistan in August 2004 and were allocated plots of land by the Provincial authorities of Paktya in September 2004 prior to the issuance of 104 Presidential Decree on the

Land Allocation Scheme. Since January 2005, this piece of land is under dispute between Ministry of Defence and MoRR affecting the proper reintegration of the 314 families.

Also see TLO Report on “*Socio-Political Assessment of Kunar and Nangrahar- 2011*”, Chapter 6 on Major Resource Conflicts.

10. Communities and AGEs:

Many communities are not sympathetic to the AGEs but will not oppose them. First, it may be economically unsustainable for a community to levy a community defence group to keep armed groups out over an extended period of time. Also the security risks may be too great and the willingness to fight for the government may be weak if the government has been largely absent in the lives of people or played a negative role. In Nangarhar, the local tribes, particularly the Mohmand and Shinwar, have a certain power in relation to insurgents. For example, insurgents have asked the Shinwar in Achin and Nazyan for permission to cross their territory which goes to show that in some areas AOG are also dependent on local tribes and cannot simply do what they want³⁸.

IV. Humanitarian Access

Insecurity has deeply affected the identification of humanitarian issues including protection and assistance needs as well as delivery of aid in the ER and SER. This directly impacts the ability of humanitarian workers to play their role effectively. According to ANSO, 25% of NGO attacks occurred in the 8 provinces of the ER and SER during the first quarter of 2011. The threats to humanitarian staff include collateral damage due to proximity to IED and suicide and rocket attacks, threats of direct loss in suicide and IED attacks and abduction for either criminal or political motives.³⁹ In 2010, AGEs reportedly abducted 13 health care workers all of whom were later released.⁴⁰

Analyzing the possible risks to UN staff (with 5 indicators being armed conflict, terrorism, crime, civil unrest and hazards), UNDSS estimated in January 2011 that Nuristan’ security level was ‘extreme’, ‘important’ for Paktya, Khost, Paktika and Nangarhar provinces and ‘substantial’ for Laghman and Kunar. Risk of abductions of humanitarian personnel and frequent check points are now tangible threats impeding the mobility and the work of humanitarian actors in both regions.

In the ER, 65% of the region is considered as inaccessible to UN agencies due to insecurity. Humanitarian access is only possible to 11 out of 22 districts in Nangarhar, 2 out of 5 in Laghman and 5 out of 15 in Kunar while Nuristan remains a No-Go area for UN agencies. Even for the districts to which UN has access, the geographical coverage within the districts is often very much limited only to District Administrative Centre (DAC) or along the main roads.

Humanitarian access to and within Nuristan, particularly to the districts in the eastern areas of Bargi Matal and Kamdesh as well as to parts of Kunar Province especially the areas bordering with Pakistan, is extremely challenging due to high security risks. Access is also hindered by Nuristan’s mountainous geographical locations without proper roads. There is no direct route from the Provincial capital Parun to the Eastern parts of Nuristan. Access is possible only through other districts which pose severe logistical challenges for humanitarian relief to Nuristan.

³⁸ TLO Report on “*Socio-Political Assessment of Kunar and Nangrahar- 2011*”, pg 66, chapter 5 on Security and Stabilisation

³⁹ Interagency Humanitarian Contingency Plan Eastern Region, January-December 2011

⁴⁰ UNAMA, Afghanistan Annual report on Protection of Civilians in Armed Conflict, 2010, p. 17

Humanitarian access is hindered at several stages. Firstly, it is difficult to verify preliminary information of the humanitarian situation and to conduct a proper assessment to identify emergency humanitarian needs in these high risk areas. Secondly, even when the needs are communicated by local representatives or identified through risky assessments, assuring a safe route for delivery of aid to the affected areas is another challenge. For example, in order to reach Kamdesh and Bargi Matal, relief transportation needs to be organized through Kunar Province, but the Gaziabad and Nari districts of Kunar Province *en route* are considered high risk areas. There are also number of districts in Nangarhar and Laghman Province to which humanitarian access is rather limited.

Since 2004 humanitarian access in the SER has been steadily shrinking, with UNDSS now assessing access for UN programs between 62-68% for the whole region. It is estimated that humanitarian agencies can access 11 districts out of the 15 of the Paktya province. Most of the UN agencies are based in Gardez, Paktya's capital. In Khost, only UNAMA maintains a base amongst the UN agencies. Paktika province overall is now generally considered a no-go area with the exclusion of Sharana, its capital, where a few humanitarian projects are based

To respond to the pressing humanitarian needs of civilians affected both by the conflict and natural disasters, as well as the humanitarian and reintegration needs of refugee returnees in both regions, international humanitarian organizations have altered their traditional assistance mechanisms. New partnerships with local actors are the norm as these partners enjoy greater access and knowledge of the affected communities. In parallel, humanitarian organizations sometimes have re-located their humanitarian relief distribution to district centers which are relatively safer in order to guarantee an effective and timely aid distribution. However this poses an extra burden to the beneficiaries as they are required to travel long distances to access aid and also face risks en route including extortion and intimidations. The Eastern and South Easter Protection Clusters have been instrumental in devising new humanitarian assistance approaches for the timely identification of needs and assistance of needy populations in locations otherwise inaccessible by UN agencies.

Given that local knowledge of the area vests substantially in NGOs, therefore, coordination and cooperation with such non-UN actors are crucial in addition for UN agencies to expand coverage through its remote monitors. This collaborative approach among protection cluster members recently enabled for a joint assessment team to reach Kamdesh district in Nuristan and to conduct an assessment on the IDP situation. This was a breakthrough to physically reach the affected areas and conduct direct assessment rather than reviewing second hand information. On the other hand, response phase in comparison to assessment phase is considered facing more challenges due to lack of secured warehousing facilities within the Province and difficulty to secure safety/security of relief items en route as well as at the destinations (distribution points).

V. Afghan Returns

Vast numbers of Afghans frequently travel to neighboring countries for a range of reasons. These primarily include livelihoods and refuge. As the SER and ER border Pakistan, the return of Afghans from Pakistan falls into two broad categories:

1. Afghan Returning Refugees

Consistently high returns of Afghan refugees from Iran and Pakistan have been evident in the Eastern Region in particular. *Below please see chart and map on figures in both the ER and SER.*

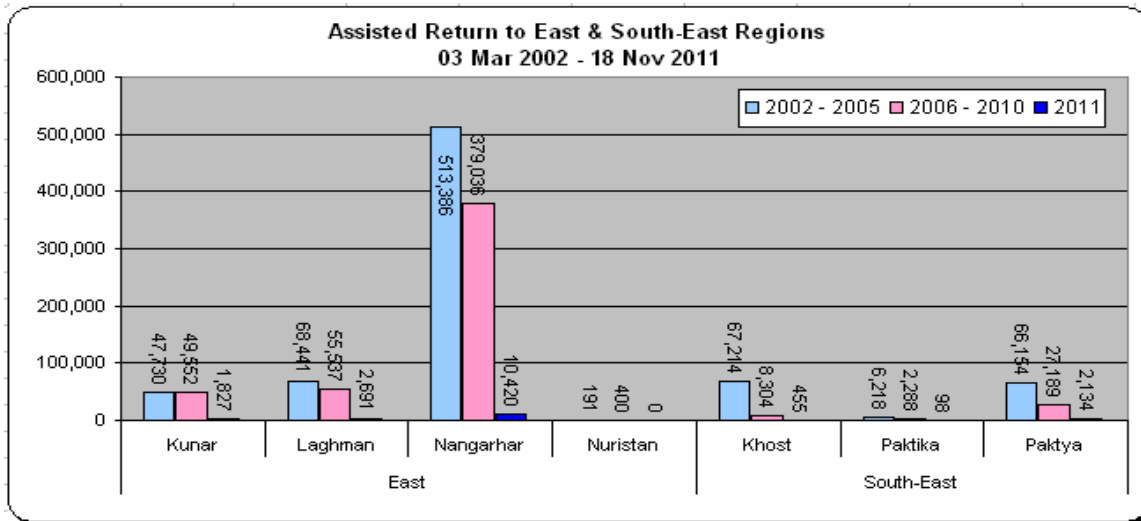
Key protection issues related to returning refugees (returnees) are:

(1) Protection issues identified by UNHCR at the Mohmandara Encashment Centre (MEC). This mainly relates to **security/ protection issues occurring in Pakistan** rather than in Afghanistan. Extortion during repatriation is reportedly a common protection risk which the returnees face. Arrest and detention by police in Pakistan is also often reported. Reports of police search and arrests as well as pressure to leave camps are increasingly a significant push-factor especially in specific camps in KPK Province, in addition to deteriorating security situation in Pakistan. The problem of bonded-labour is also sometimes identified. The key barriers for return are considered to be landlessness and lack of livelihood opportunities in addition to unstable security situation in Afghanistan, which hinders Afghan refugees in Pakistan to return.


(2) Key protection issues identified through the returnee monitoring in returnee villages/ site was identified by UNHCR are **SGBV and child labour**. UNHCR is currently holding focus group discussions in several reintegration sites, two of which have been completed and an additional 18 potential reintegration sites will be accessed in coming weeks.

According to the preliminary results of Snap Shot survey conducted in Eastern Region in July 2011 led by UNHCR, returnees face various reintegration challenges. Finding employment is a major challenge as well as lack of access to land and basic services such as electricity, potable water, education and health facilities. The vast majority of the returnees appear to be landless. In general, the security situation is not conducive to sustainable return, with predominance of insurgency, military operations, and tribal tensions.

UNHCR assisted returns of Afghan refugees from Iran and Pakistan



**Assisted Returns to East & South-East Regions
03 Mar 2002 - 18 Nov 2011**

Year	East				South-East		
	Kunar	Laghman	Nangarhar	Nuristan	Khost	Paktika	Paktya
2002	11,721	39,058	327,777	67	123	899	2,100
 2003	7,848	11,486	71,716	37	3,796	1,479	6,075
2004	8,563	9,963	51,258	51	4,471	936	14,840
2005	19,598	7,934	62,635	36	58,824	2,904	43,139
2002 - 2005	47,730	68,441	513,386	191	67,214	6,218	66,154
2006	2,716	3,518	22,947	187	3,653	753	8,911
2007	9,640	21,498	203,866	63	1,060	1,275	4,059
2008	32,109	22,638	115,624	102	1,673	121	8,358
2009	2,020	1,878	10,102	20	196	38	1,224
2010	3,067	6,005	26,497	28	1,722	101	4,637
2006 - 2010	49,552	55,537	379,036	400	8,304	2,288	27,189
2011	1,827	2,691	10,420	0	455	98	2,134
Total	99,109	126,669	902,842	591	75,973	8,604	95,477

2. Other forms of return

An example of other Afghan nationals returning from Pakistan in 2011 are those who were evicted in early 2011 and compelled to return from Landi Kotal, Khyber Agency reportedly after the local authorities announced on 11 December 2010 that all unregistered Afghan nationals in the area should leave the area within three days. This announcement was followed by physical action of eviction including destruction of houses by bulldozers. This eviction caused return of Afghan nationals in large numbers for a short period of around 2 months (January-February 2011).

Those interviewed at the *Torkham* border as a part of protection monitoring are all considered to be non-Proof of Registration (POR) card holders (unregistered Afghans). In response to this large return of Afghan nationals, inter agency teams conducted rapid assessment and provided assistance to 2,321 families who were scattered in different districts in Nangarhar Province in terms of NFIs, food, winterization package, emergency shelter as well as WASH intervention and education support to facilitate enrolment of children in school age. Considering increasing pressure on unregistered Afghans in Pakistan, similar return due to compelling reasons may continue in 2012.

VI. Internal Displacement

Increasing internal displacement has taken place throughout 2011 in both the ER and SER. Much of this has been caused by the armed conflict between IMF/ PGF and AGEs and this also includes the impact of military operations on the border areas in Pakistan. In comparison to 2010⁴¹ when UNHCR and DoRR recorded new conflict-induced displacements to an estimated 2,176 persons, UNHCR and DoRR records indicate that 10,532 persons have already been displaced afresh in 2011 between January and October in the ER showing a significant increase.

⁴¹ Here 2010 = Reporting period from January 2010 till December 2010.

Prolonged displacement is another trend since the situation in the places of origin is often not considered conducive for speedy voluntary return. The deteriorated conditions in such prolonged displacement need continued review and response by humanitarian actors.

1. New Conflict Induced IDPs in 2011:

In the ER, 1,583 families /10,532 individuals are estimated to be newly displaced as of October 2011 (see breakdown in table below). Of which 878 families/ 5,499 individuals are in Nangarhar, 16 families/ 114 individuals in Laghman, 664 families/ 4,769 individuals in Kunar and 25 families/ 150 individuals in Nuristan province. In comparison to January –December 2010 where UNHCR and DoRR recorded 367 families / 2,176 individuals as conflict-induced IDP families, a steady increase in conflict-induced displacement has been observed in 2011 four times higher than that of 2010.

In the SER the situation has been particularly difficult with severe under reporting due to the conflict and insecurity. However what reporting was enabled indicates the following: Through the course of 2011 an estimated 312 families/ 2,199 persons were reported to have been displaced due to the conflict and insecurity in Paktya, Paktika and Khost provinces. Of this total, 198 families/ 1,437 persons were displaced within Paktika, 85 families/ 539 persons displaced in Paktya and 29 families/ 223 persons in Khost province. In 2010, total displaced families reported as 1,676 families/ 9,808 persons only in Paktika and Khost, while no displacement was recorded in Paktya. Due to under reporting, new displacement due to the conflict and insecurity the figures cannot be considered as reflective of the situation as IDPs in the SER decreased by 86% compared to 2010 contrary to civilian casualty trends.

In addition to newly displaced families, under UNHCR coordination, humanitarian organizations tend to the needs of a group of Afghans previously displaced in 2005 in FATA and who live now in the suburbs of Khost waiting for the government to provide them with land under the Land Allocation Scheme.

ANNEX 1: IDP Populations in the Eastern and South Eastern Regions

Eastern Region – NEW conflict induced IDPs in 2011 (January-October)

EASTERN REGION								
NEW Conflict-induced Displacements in 2011 (October 2011)								
Profile				Current Location		Reason for displacement	Place of origin	
No	Fam	Ind	Date of displacement	District	Province		District	Province
1	250	1414	Feb-11	Gushta	Nangarhar	Operation in Mohmand agency of Pakistan	Gushta	Nangarhar
2	16	122	Feb-11	Kama		Operation in Mohmand agency of Pakistan	Gushta	Nangarhar
3	203	1477	Feb-11	Gushta		Operation in Mohmand agency of Pakistan	Gushta	Nangarhar
4	24	136	Jun-11	Kuz Kunar		Cross Border Shelling	Shigal	Kunar
5	10	62	Jun-11	Bihzud		Cross Border Shelling	Shigal	Kunar
6	2	10	Jun-11	Kama		Cross Border Shelling	Shigal	Kunar
7	233	1439	Feb-11	different *		Land dispute	Achin	Nangarhar
8	6	38	May-11	Kuz Kunar		Cross Border Shelling	Dangam	Kunar
9	3	19	May-11	Kuz Kunar		Operation in Mohmand agency of Pakistan	Gushta	Nangarhar
10	17	34	Jul-11	Gushta		AGE harassment and intimidation	Gushta, Lalpur	Nangarhar
11	12	77	Jul-11	Gushta		AGE harassment and intimidation	Gushta, Lalpur	Nangarhar
12	47	288	Jul-11	Gushta		AGE harassment and intimidation	Lalpur	Nangarhar
13	18	105	Jul-11	Mohmandara		AGE harassment and intimidation	Lalpur	Nangarhar
14	14	65	Oct-11	Behzud		AGE harassment and intimidation	Shigal	Kunar
15	10	54	Oct-11	Kama		AGE harassment and intimidation	Marawara	Kunar
16	7	33	Aug-11	Mohmandara		Land dispute	Achin	Nangarhar
878		5439		Total Nangarhar				
1	7	56	Feb-11	Khaz Kunar	Kunar	Operation in Mohmand agency of Pakistan	Gusht	Nangarhar
2	76	475	Jun-11	Shigal		Cross Border Shelling	Shigal	Kunar
3	53	300	Jun-11	Watapur		Conflict between IM/ANA and AGEs	Watapur	Kunar
4	71	450	Jun-11	Azad Abad		Conflict between IM/ANA and AGEs	Watapur	Kunar
5	6	28	Jun-11	Asmar		Conflict between IM/ANA and AGEs	Watapur	Kunar
6	14	78	Jun-11	Khaz Kunar		Conflict between IM/ANA and AGEs	Watapur	Kunar
7	3	20	Jun-11	Narang		Conflict between IM/ANA and AGEs	Watapur	Kunar
8	3	15	Jun-11	Khaz Kunar		Conflict between IM/ANA and AGEs	Watapur	Kunar
9	24	153	Jul-11	Khaz Kunar		Cross Border Shelling	Khaz Kunar	Kunar
10	130	1333	Jun-11	Sarkani		Cross Border Shelling	Sarkani	Kunar
11	3	17	Jul-11	Azad Abad		Cross Border Shelling	Shigal	Kunar
12	33	230	Sep-11	Dangam		Cross Border Shelling	Dangam	Kunar
13	132	1278	Sep-11	Asmar		Cross Border Shelling	Dangam	Kunar
14	3	17	Sep-11	Marawara		AGE harassment and intimidation	Marawara	Kunar
15	2	13	Sep-11	Kuz Kunar		AGE harassment and intimidation	Narang	Kunar
16	44	234	Oct-11	Narang		Conflict between IM/ANA and AGEs	Asmar	Kunar
664		4769		Total Kunar				
1	25	150	Jun-11	Duab	Nuristan	Conflict between IM/ANA and AGEs	Duab	Nuristan
2	16	114	Jan-11	Mikhteram	Laghman	AGE harassment and intimidation	Alishang	Laghman
1583		10532						

* Mohammadara, Bati Kot, Nazyan

South Eastern Region – NEW conflict induced IDPs in 2011 (January-October)

SOUTH-EASTERN REGION								
NEW Conflict-induced Displacements in 2011 (October 2011)								
Profile				Current Location		Reason for displacement	Place of origin	
No	Fam	Ind	Date of displacement	District	Province		District	Province
1	180	1317	2011	Sharana	Paktika	Conflict and insecurity	different	Paktika
2	1	8	2011	Sharana		Conflict and insecurity	Waghaz	Ghazni
3	3	19	2011	Urgon		Conflict and insecurity	Zurmat	Paktya
4	10	69	2011	Sarobi		Conflict and insecurity	Ghorband	Parwan
5	4	24	2011	Khairkot		Conflict and insecurity	Chak	Wardak
6	75	491	2011	Gardez	Paktya	Conflict and insecurity	Gardi Sari	Paktya
7	10	48	2011	Gardez		Conflict and insecurity	Musa Gala	Helmand
8	29	223	2011	Mandozai	Khost	Conflict and insecurity	Gardi Sari	Paktya
312		2199		Grand Total				

SER – Conflict induced IDPs (2005 – 2010)

SOUTH-EASTERN REGION									
Conflict-induced Internal Displacement (2005 - 2010)									
Profile				Place of Displacement		Reasons for displacement	Place of Origin		
No.	Fam	Ind	Dat of displacement	District	Province		District	Province	
1	1422	8284	2005	Khost	Matoon, Terizai, Baak	Due to Military Conflict and Insecurity	different *	Khost, Paktya, Paktika	
2	254	1524	2006	Paktika	Terwi	Due to Military Conflict and Insecurity	Zabul	Shamulzayi	
		1676	9808	Total Khost & Paktika					

* Tirizai, Matoon, Mandozai and Gorboz districts of Khost, Gerda Sara district of Paktija and Orgoon district of Paktika

ER – Conflict induced IDPs (2007 – 2010)

EASTERN REGION									
Conflict-induced Internal Displacement (2007 - 2010)									
Profile				Place of Displacement		Reasons for displacement	Place of Origin		
No	Fam	Ind	Dat of displacement	District	Province		District	Province	
1	21	133	2007	Behsood	Nangarhar	Conflict between IMIANA and Taliban	Kamdesh	Nurestan	
2	29	220	2008	Behsood	Nangarhar	Conflict between IMIANA and Taliban	Nad Ali	Helmand	
3	20	150	End of 2007	Behsood	Nangarhar	Conflict between IMIANA and Taliban	Pech	Kunar	
4	15	103	Nov-08	Behsood	Nangarhar	Conflict between IMIANA and Taliban	Mandol	Nurestan	
5	72	445	2001-2009	different *	Nangarhar	Ethnic conflict (hostility toward Gujars)	Farkhar	Takhar	
6	36	186	Oct-09	Centre	Nangarhar	Conflict between IMIANA and Taliban	Musa Qala	Helmand	
7	14	78	Oct-09	Centre	Nangarhar	Conflict between IMIANA and Taliban	Kamdesh	Nurestan	
8	15	94	Nov-09	Behsood	Nangarhar	Threat from Taliban	Chapa Dara	Kunar	
9	12	49	Sep-09	Centre	Nangarhar	Conflict between IMIANA and Taliban	Bargi Metal	Nurestan	
10	5	24	2006	Kama	Nangarhar	Threat from Taliban	Surobi	Kabul	
11	6	46	Feb-10	Behsood	Nangarhar	Physical harassment and attacks by AGEs	Khas Kunar	Kunar	
12	13	66	Jun-10	Behsood	Nangarhar	Conflict between IMIANA and Taliban	Nad Ali	Helmand	
		258	1594	Total Nangarhar					
1	22	132	Aug-08	Qarghaee	Laghman	Fighting between IMIANA and AGEs	different **	Laghman	
2	29	174	Apr-09	Mihtarlam	Laghman	Fighting between IMIANA and AGEs	Mihtarlam	Laghman	
3	77	532	Aug-09	Alingar	Laghman	Tribal land conflict	Alingar	Laghman	
4	39	159	Jun-10	Mihtarlam	Laghman	Targeted persecution and private conflict	Mihtarlam	Laghman	
		167	997	Total Laghman					
1	325	1950	2005 & 2008	Nari	Kunar	Military Operation & treat from Taliban / AGEs	different ***	Nurestan	
2	104	755	Aug & Nov 2009	different ****	Kunar	military operation, risks of future operations	Wata Pur	Kunar	
3	9	62	Apr-07	Asad Abad	Kunar	Threats and harassments from Taliban	Nari	Kunar	
4	9	45	2005 & 2010	Asad Abad	Kunar	Threats and harassments from Taliban	Nari	Kunar	
5	30	240	Dec-10	Sarkani	Kunar	Conflict between IMIANA and AGEs	Sarkani	Kunar	
		477	3052	Total Kunar					
1	100	600	1997-2007-2008	Paroon	Nurestan	Fighting between government and AGEs	Kamdesh	Nurestan	
2	161	966	Aug-09	Bargi Metal	Nurestan	Fighting between government and AGEs	Bargi Metal	Nurestan	
3	270	1620	May & Jun 2010	Bargi Metal	Nurestan	Fighting between government and AGEs	Bargi Metal	Nurestan	
		531	3186	Total Nurestan					

* Mohmadara, Bati Kot, Behsood,

*** Goverdish, Saret, Munda Gul, Kamdesh

** Andror, Badpakh, Shahgulian & Garoch

**** Wat Pur, Shigal and Asad Abad

2. Causes of displacement:

The main cause for internal displacement in the ER in 2011 is the impact of military operations in the border areas of Mohmand Agency in Pakistan which has caused the displacement of the Afghan population in bordering villages of Gushta district in Nangarhar. Statistically, cross border conflicts affected 485 families constituting 38% of the total displacement of the year, to displace to safer parts of the region. It is followed by cross border shelling which targeted different districts in Kunar and Nangarhar provinces, causing displacement of 275 families (21%) between March and August and between 150 and 200 families by the September shelling⁴² (see above for more details), followed by tribal land dispute 233 families (18%), conflict between

⁴² see above for more details

IM/ANSF and AGEs 175 families (14%) and lastly AGE harassment and intimidation causing displacement of 110 families (9%).

In 2010 the main cause of displacement in the SER was the conflict between IM/ANSF and AGE which caused displacement of an estimated 429 families representing 86% of the total displaced in 2010 (497 families). This was followed by targeted persecution causing displacement of 39 families (8%) and AGE harassment and intimidation causing displacement of 29 families (6%).

3. Challenges to Durable Solutions for the IDPs:

It is challenging for IDPs to find durable solutions and many groups remain in protracted displacement, although some have been able to return spontaneously in the aftermath of military operations. Due to deteriorating security situation without prospect of security improvement in a near future, return of entire families to the places of origin is not considered a viable option for many IDP groups. Most prefer to send make members of their families to secure their lands, while the remaining family stays in displacement.

Secondary displacement, often to urban areas is another challenge especially for IDPs in search for livelihoods. Reports of IDP groups even moving to Kabul urban areas for livelihoods are rampant with return to the ER in the winter, for reasons of their inability to cope with extreme weather conditions due to abject poverty and limited access to shelter.

In terms of local integration the biggest obstacle for different IDP groups remains access to land. Due to the fact that their displacement status is considered by the government authorities to be temporary, it is difficult for humanitarian actors to provide medium term support or integration support due to discouragement by the government. The hosting provincial authorities are reluctant towards mid or long-term support in particular for IDPs occupying government land. This includes provision of non-emergency shelter, digging wells to improve access to water or establishing sustainable income generation activities.

In 2011, humanitarian organizations coordinating their efforts within the IDP Task Forces and the regional Protection Clusters are exploring potential sustainable assistance in a participatory manner with different IDP groups under within. Four caseloads have been identified who were struggling with their daily income. Local integration for these IDP caseloads, as for example land rights, was not supported by the government and hindered them to pursue local integration. In response, livelihood support through income-generation projects has been implemented. On the other hand, relocation to another settlement is neither an easy option due to the low capacity of and sometimes the lack of willingness from the local authorities.

4. Emergency needs and assistance:

While the majority of the IDPs usually are able to find accommodation in host communities and receive basic support in the first stage of displacement, the remaining and often the more vulnerable remain unable to access appropriate emergency shelter, sufficient household items and other basic needs. These are forced to inhabit spontaneous settlements and in open areas which renders them further vulnerable. In addition, the host communities who are already constrained in their own access to basic services are with the arrival of new IDPs pushed to the limits of their ability to cope.

Humanitarian actors under the coordination of the regional IDP Task Force managed to assess and provide timely response to most of the IDP cases initially identified or referred to the TF. A

key exception has been Nuristan Province to which humanitarian access is very limited. For groups that are identified, assessment and responses are coordinated under the cluster approach and sectoral needs are referred to other clusters in a timely manner. Joint assessments are becoming standardized approaches which can accelerate the response when the joint assessment is followed by a joint response planning.

Humanitarian actors in the ER and SER need to further manage their ability to assess and respond to medium to long-term needs of IDPs beyond the emergency phase of assistance. The IDP TF needs to systematically re-assess the needs of IDP caseloads in dire situations for medium to long-term support. However, the inconsistent government policy for accommodating IDPs and providing durable solutions remains a key challenge in the process of identifying and implementing adequate durable solutions such as right to land, housing and property besides continuing conflict.

Emergency Shelter/ NFIs - While the majority of IDPs are accommodated with host communities, the rest remain in need of appropriate emergency shelter and sufficient household items. According to the minimum NFI package and selection criteria for emergency shelter set by the Emergency Shelter/ NFI cluster, NFIs and emergency shelters are usually provided in a timely manner. The challenge is more of transitional/ long term shelter provision as their displacement status is considered to be of temporary nature by the government authorities and it is often difficult to receive an authorization to provide shelter support beyond emergency shelter.

Livelihood/access to food - IDPs invariably lose their livelihood when displacement occurs and fully rely on host communities at the first stage of displacement. The host communities receiving IDPs often do not have sufficient coping mechanism or absorption capacity to meet the needs of IDPs for a prolonged period, especially as most IDPs flee without bringing basic NFIs, food or livestock. Influx of IDPs can be a burden to the host community which already suffers from chronic vulnerabilities and lack of access to basic services. Therefore, food assistance for the early stage of displacement is usually recommended and provided by the World Food Programme (WFP). Considering limited timeframe for emergency food assistance, re-establishment of livelihood through small-scale income generation activities is critical especially after the emergency phase.

WASH - Even for IDPs accommodated within host communities, access to water can be sometimes an issue especially when the host families are already facing problems relating to Water, Sanitation and Hygiene (WASH) including access to water, lack of sanitation and hygiene facilities and practices. In such circumstances, WASH needs, such as improving access to water for both host communities and IDPs, have to be holistically addressed. Often sanitary facilities are not in place, and therefore emergency latrines are provided when needed. WASH needs are either responded by partners joining a joint assessment or referred to WASH cluster when further coordination, technical support and resource mobilization is required.

Access to Education - During the emergency phase of displacement, no IDP children attend schools. The prospect of the return and possible timeframe for displacement needs to be carefully assessed and needs for emergency education need reflection by the education cluster. In case of returning Afghans (non-refugees) due to eviction in Landi Kotal in Pakistan which occurred in early 2011, access to education was well addressed to accelerate their enrolment into schooling in their places of origin.

Access to Health - As highlighted above, access to basic services indicate that a high percentage of the population has to travel more than 1 hour to reach health facilities, with increased likelihood for civilians to encounter road blocks and check points on their way impeding access

to health facilities and first aid support. Generally, access to health services is still a challenge in the ER and SER, and this condition is equally applicable to IDPs who usually have to use the existing health facilities which might be located at a long distance.

VII. Conclusion

Within the provinces Nangarhar, Kunar, Laghman, Nuristan, Khost, Paktika and Paktya, humanitarian needs are pressing, but humanitarian access is shrinking. While the conflict continues unabated in both the SER and ER, the region also provides temporary relief and shelter for families crossing the border due to military operations in Pakistan, civilians find themselves caught between two parties struggling to maintain their positions.

The most difficult areas to access are Nuristan province and certain parts of Kunar province. The key hindrances are the insecurity but also to the geographical difficult terrain on the ground. Due to the remoteness of the border areas, information flow is often slow. Sometimes the received information from these border areas on displacement and impact on civilian populations is also inconsistent which leads to inaccurate reporting. However, in recent months various actors are now endeavoring to improve access through expanding implementing partner arrangements or strengthening physical presence. This in turn will further improve protection monitoring in order to address the protection needs of affected families. This expansion of protection networks are very much encouraged at provincial and district level especially in unreachable areas.

Through the Eastern Region Protection Cluster and the South Eastern Protection Working Group, protection partners continue to provide in a timely manner protection and assistance to victims of the conflict through a coordinated approach.
