

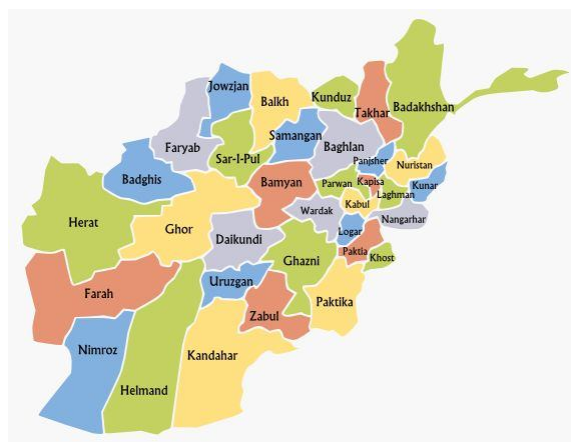
# The International Protection Needs of Asylum-Seekers from Afghanistan

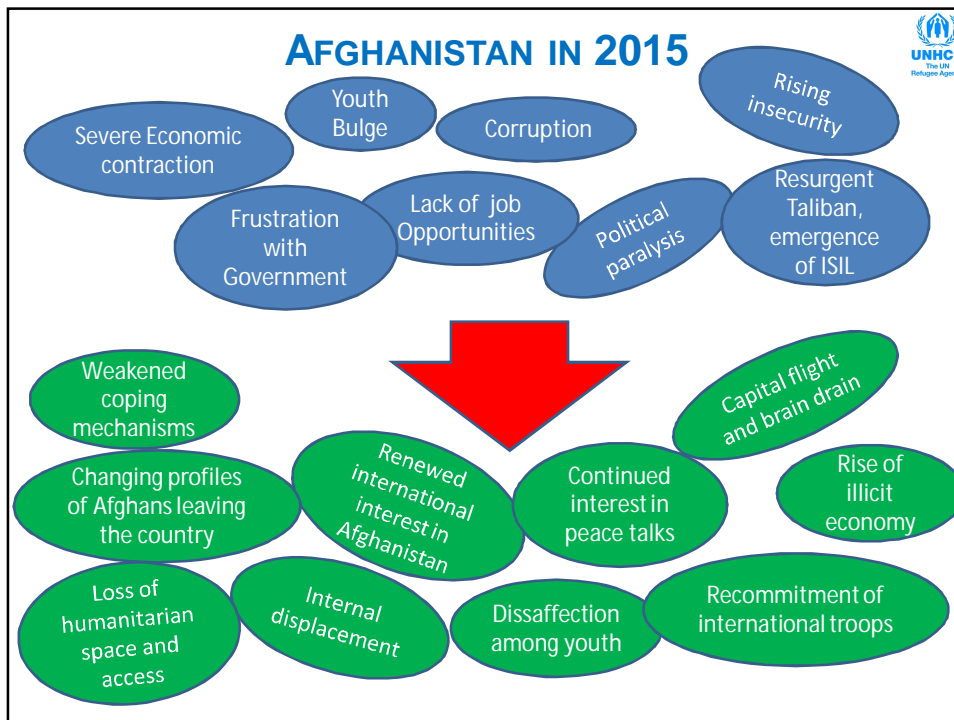
UNHCR, Division of International Protection  
December 2015



## Afghanistan today

### 1. Overview





## International protection needs of Afghan asylum-seekers



- **Political situation**
- **International engagement**
- **Security situation**



## International protection needs of Afghan asylum-seekers



### Political situation:

- **National Unity Government**
- **Peace negotiations with the Taliban: halted after the announcement of the death of Mullah Omar**

## International protection needs of Afghan asylum-seekers



### Changes in the international engagement with Afghanistan:

- **Withdrawal of foreign combat troops in 2014; security transition.**
- **Since then: intensification of the conflict between Afghan National Security Forces (ANSF) and anti-government elements (AGEs).**
- **Reduction in development assistance.**

## International protection needs of Afghan asylum-seekers



### Security situation:

- Conflict now affects most parts of the country, including areas previously considered stable.
- Presence of Islamic State / Daesh has complicated the conflict dynamics.
- Proliferation of local militias and armed groups, leading to increased human rights abuses and reduced civilian protection.
- *Media reports* of violence are often about urban areas. But rural areas are heavily affected by violence too.



## Afghanistan today

### 2. Civilian casualties



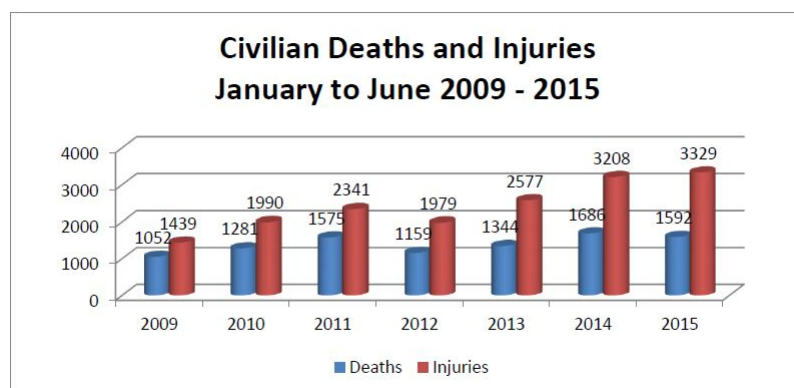
© 2015/Reuters

## Civilian casualties (UNAMA)



- Civilian casualties increased every year from 2009 to 2011
- Small (4 per cent) drop in 2012
- In 2013 and 2014 the upward trend was re-established
- **The period of January-June 2015 saw the highest number of civilian casualties compared to previous years**

## Civilian casualties (UNAMA)



## Afghanistan today

### 3. Anti-government elements (AGEs)



Photo: Reuters/Omar Sobhani

### AGE control of territory

- In some parts of the country, AGEs reportedly control entire districts or even provinces (apart from district and provincial capitals).
- Kunduz city, the capital of Kunduz province, briefly fell to the Taliban in late September / early October 2015.
- Areas that are (partially) controlled by AGEs see a prevalence of human rights abuses

## Targeting of civilians



- **Announcements of Taliban Spring Offensives explicitly list civilians as targets of attack**
- **Targeted attacks by AGEs became the leading cause of civilian deaths in the first six months of 2015**

## Human rights abuses by non-State agents



### **Widespread human rights abuses by AGEs:**

- **extrajudicial killings**
- **torture and other forms of ill-treatment**
- **restrictions on access to education**
- **restrictions on access to health care**
- **limitations on free movement**
- **limitations on freedom of expression and freedom of religion**

## Human rights abuses by non-State agents



- **In 2015, dissent between and within AGEs has led to the rise of armed groups that pledge allegiance to Daesh / Islamic State.**
- **Fighting between Taliban fighters and groups claiming allegiance to Daesh has led to civilian casualties and forced displacement.**

## An evolving protection context



- **Resurgence of ethnic violence and discrimination**
  - **Persecution/targeting of Hazara**
- **Shrinking space for women in the public sphere**
- **Increased evidence of forced recruitment of young men and boys**
- **Rise in lawlessness and criminality**
- **Changing perceptions of the 'enemy'**
  - **Taliban, Daesh / Islamic State, militias and warlords...**
  - **Aggressive tactics, targeting of urban areas**
  - **Expanding reach of AGE networks and ability to target individuals in displacement**
  - **New forms of violence tearing at the traditional social fabric**



# Assessing the international protection needs of Afghan asylum-seekers

## 1. Risk profiles



## 1951 Refugee Convention:

**A refugee is someone who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.**

## People may flee Afghanistan:

- Because they are individually targeted for persecution (examples: high-profile politicians, journalists, human rights activists, etc.)
- Because they are members of a group that is targeted for persecution



## Risk profiles

- Individuals associated with, or perceived as supportive of, the Government and the international community**
- Journalists and other media professionals**
- Men and boys of fighting age**
- Civilians suspected of supporting AGEs**

## Risk profiles



- (v) Members of minority religious groups, and persons perceived as contravening Sharia law;**
- (vi) Individuals perceived as contravening the Taliban's interpretation of Islamic principles, norms and values**
- (vii) Women**
- (viii) Women and men perceived as contravening social mores**
- (ix) Children**

## Risk profiles



- (ix) Victims of trafficking or bonded labour and persons at risk of being trafficked or of bonded labour**
- (x) Lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals**
- (xi) Members of (minority) ethnic groups**
- (xii) Individuals involved in blood feuds**
- (xiii) (Family members of) business people, shopkeepers and other people of means**

## Assessing the international protection needs of Afghan asylum-seekers

### 2. State Protection



### State protection against human rights abuses

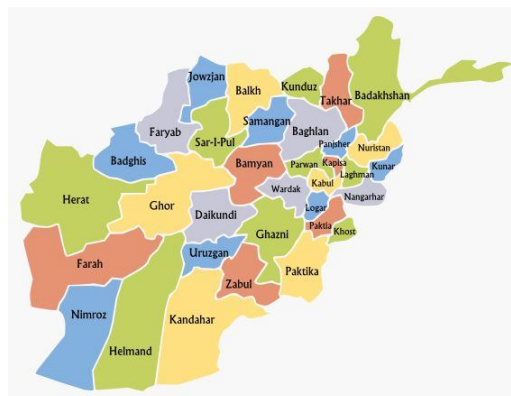
- Limited State capacity to provide protection against human rights abuses, and/or to provide an effective remedy for abuses that have already happened.
- Governance is weak, and corruption is reported to be endemic (including in the police and the justice system).
- In many areas, the state's capacity to provide protection is undermined by insecurity.

## Human rights violations by State agents

- State actors tasked with protecting human rights, including the police (ALP and ANP), are themselves reported to commit widespread and serious human rights violations, including unlawful killings and torture.
- Persistent problem of impunity for violations by state agents.

## Assessing the international protection needs of Afghan asylum-seekers

### 3. Internal Flight Alternative



## No internal flight alternative:

- in areas of active conflict
- in areas under the effective control of AGEs

## Internal flight to urban areas

- Is the proposed area accessible?
- Is the proposed area *durably* safe?
  - ⇒ Consider the implications of the volatility and fluidity of the conflict

## Internal flight to urban areas

- Availability of support networks: members of the applicant's extended family or ethnic group must be able and willing to provide *genuine* support
- Access to adequate shelter
- Access to essential services: water, sanitation, health care, education
- Access to livelihoods opportunities

Consider scale of internal displacement in cities and towns.

## Internal displacement

- Estimated total **1 million IDPs** (including protracted populations, secondarily displaced returnees, populations in inaccessible areas).
- 29 out of 34 provinces affected by conflict-induced displacement in 2015.
- 196,700 individuals (30,450 families) newly displaced in 2015 (**70% increase** compared to 2014)
- **Projected new displacement may reach 250,000** by end of 2015.
- Similar displacement trends are anticipated in 2016
- Lack of solutions for existing IDPs
- Loss of traditional coping mechanisms, increase in negative coping strategies

