

AFGHANISTAN PROTECTION ANALYSIS UPDATE – Q4



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REPORT SUMMARY

The people of Afghanistan are facing a humanitarian, human rights and protection crisis. The numbers are overwhelming: 97% of Afghans could potentially plunge into poverty by mid-2022¹ and half the country's population is in need of humanitarian assistance. Following the record displacement of nearly 700,000 people in 2021, some 9.2 million IDPs and returnees remain in some form of displacement² and in need of support to return where possible. These staggeringly high levels of displacement are fueling a range of protection risks, particularly for undocumented Afghans returning to the country, including those deported from neighbouring countries.

Protection concerns have persisted in Quarter four. Massive economic contraction along with crisis in banking and financial system, severe drought and rising food prices, has meant people have resorted increasingly to negative coping strategies. Despite the significant decrease in the overall level of conflict and number of civilian casualties following the changes in the political environment since 15 August 2021, threats to the civilian population in Afghanistan persist including the killing and injury of civilians, high levels of explosive ordnance contamination, forced displacement, gender-based violence and violations against children.

KEY PROTECTION FIGURES

Civilian casualties

From 1 October to 31 December 2021, UNAMA and OHCHR documented at least 836 civilian casualties, with at least 273 killed and 563 injured which represents 70% a significant reduction in civilian casualties compared to the same period in 2020. Women and children comprised up to 17% of all civilian casualties in the fourth quarter of 2021, with women comprising 2% of all civilian casualties and children nearly 15%. Suicide and non-suicide improvised explosive devices were the leading cause of civilian casualties, followed by UXOs.

Despite significant reduction in number of child casualties as the results of ground engagements and aerial attack, children are still exposed to harm as a result of Unexploded Ordinance (UXO) and Explosive Remnants of War (ERW). The country task force on monitoring and reporting on children and armed conflict, verified the killing and maiming of 235 children (at least 64 killed and 171 maimed) from 1 October to 31 December 2021. The leading causes of child casualties during the quarter were UXO/ERW, 42.4% (100 casualties), followed by non-suicide IEDs 22.5% (53 casualties) and suicide attack 20.3% (48 casualties).

¹ UNDP's projections based on its rapid appraisal, September 2021

² Afghanistan Humanitarian Needs and Planned Response 2022

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Damage to civilian infrastructure

The Country Task Force on Monitoring and Reporting (CTFMR) verified 62 incidents affecting health-care facilities and health related personnel in 2021.

Displacement trends

Between 1 January and 31 December 2021, conflict in Afghanistan displaced over 700,180 people, in addition to the 5 million who remain displaced since 2012.

Cross-border movements continued at high rates in the last quarter of 2021, with outward irregular movement estimated at 4-5,000 persons per day since August (NRC, November 2021)³.

IOM Afghanistan during Round 3 of the Emergency Event Tracking (EET) identified⁴:

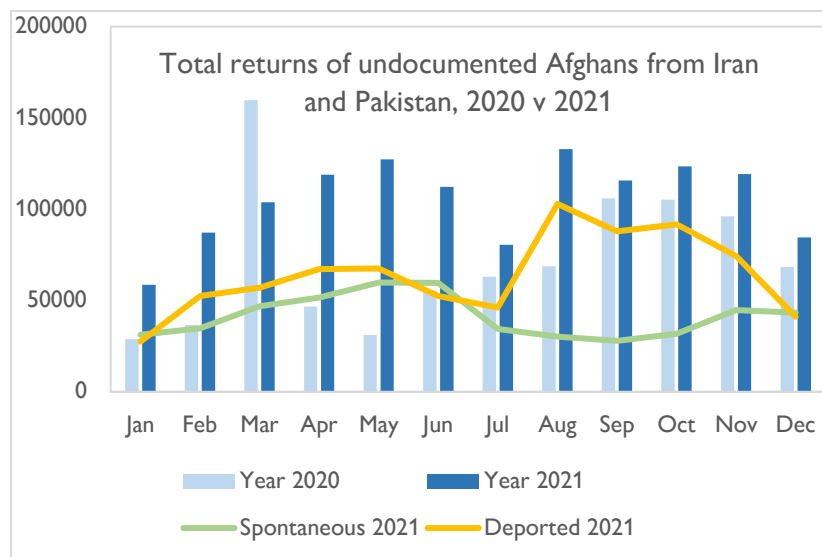
- 988,817 individuals who arrived in the assessed communities as a result of displacement
- 1,292,109 individuals who fled their communities to other locations within Afghanistan
- 2,194,472 individuals who had fled prior to August 2021 and returned since August 2021.
- 89,253 individuals who migrated abroad.

- 989,492 individuals who returned to their home communities after having migrated abroad
- Rates of undocumented returns continued at record highs (327,096 total, including 310,626 returnees from Iran and 16,470 returnees from Pakistan), highest during the reporting period when 75% of returns from Iran were deportations. (IOM) These figures represent an increase of more than 20% on 2020 returns numbers for the same period (269,777 in Q4) and come at a point when non-refoulement directives have been issued and should be in effect.
- Undocumented returnees consistently report exposure to excessive use of force and inhuman and degrading treatment by Iranian and Turkish authorities in the process of irregular migration, detention and deportation. Returnees' report being subject to physical beatings and psychological abuse, sustaining gunshot wounds, as well as experience of exploitation and abuse at the hands of criminal elements.

³ <https://www.nrc.no/news/2021/november/humanitarian-needs-in-iran-rise-as-300000-afghans-arrive-since-taliban-takeover/>

⁴ <https://dtm.iom.int/reports/afghanistan-%E2%80%94-emergency-event-tracking-round-3-1-19-december-2021>

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Source: IOM

LIMITATIONS

In quarter 4, many partners including those involved with protection monitoring, continued to diversify the modalities of data collection as the context changed. For example, in remote locations instead of in-person interviews, case management with clients and multisectoral programming, took place by phone. Protection partners revised their approaches, tools, and some terminology to adapt to the new context, to continue highlighting the on-going protection-related concerns. From August 2021, many UNAMA national staff members were relocated within the country due to the deteriorating security situation. Consequently, UNAMA and OHCHR supplemented their regular working methods with remote

monitoring and focused fact-finding and reporting mainly on credible allegations of violations and abuses committed during and following large-scale Taliban offensives.

The range of security challenges and operational constraints including movement restrictions imposed by the Taliban administration while negotiations continued made it difficult for people in need to reach services and impeded the capacity of protection monitoring partners to collect high quality data and to provide equitable protection.

METHODOLOGY

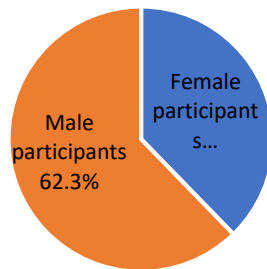
The report was prepared in collaboration with six partners undertaking protection monitoring: DRC, INTERSOS, IOM, IRC, NRC and UNHCR, using the data collected in Q4 from 12,722 Household-level interviews (HH), 589 Focus Group Discussions (FGDs) and 2,177 Key Informants Interviews (KII). 38% of respondents were IDPs, 13% undocumented returnees, 42% members of the host community and IDP returnees 7%. 58% of the respondents were male while 42% were female, which is an indication of limited access to women. This however has slightly improved compared to Q3 where female respondents represented only 37% of those interviewed. The analysis is guided by the Global Protection Cluster [Protection Analytical Framework](#) (PAF). Other sources of data that are referenced include OCHA Displacement Trends, WFP Countrywide Monthly Market Price Bulletin, IOM Return of Undocumented Afghans Situation Reports, and Human Rights Watch.

Populations groups assessed included IDPs, IDP returnees, refugees, refugee returnees to Afghanistan, undocumented returnees and host community members. The main population group assessed at HH

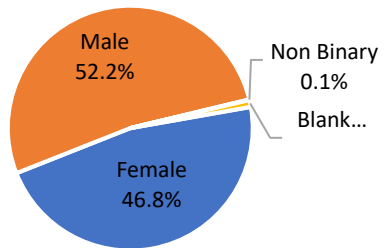
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level and FDG levels were IDPs, with host community members predominating amongst KIIs.

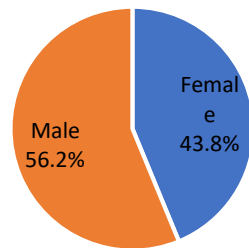
Respondents Gender - FGD



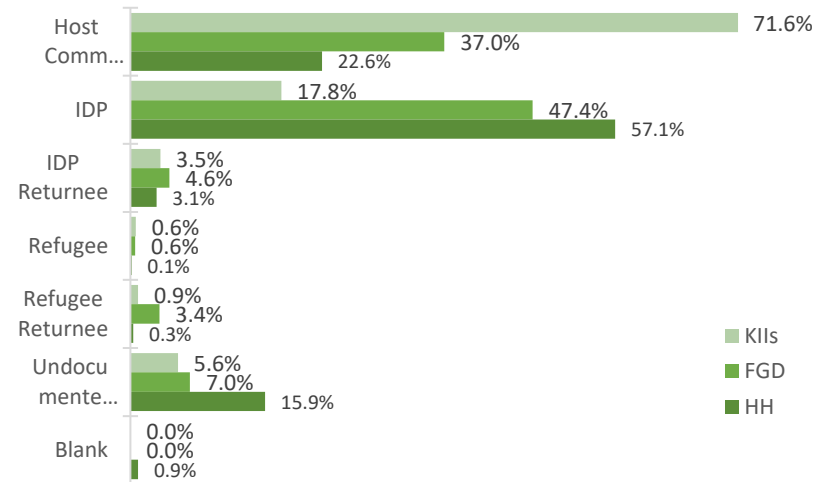
Respondents Gender - HH level



Respondents Gender - KII



Respondents Status (KII, FGD and HH)



Fourth Quarter 2021 protection monitoring (HHs, FGDs, KIIs)

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1. CONTEXT OVERVIEW

Prior to August 2021, millions of Afghans were seeking out an already precarious existence based on subsistence level livelihoods. The economic collapse and liquidity crisis the country continues to experience, coupled with severe drought and rising food prices, has meant people are facing a new level of economic desperation, largely unable to access salaries or cash, unable to cultivate crops, sell livestock or engage in basic income generating activities. Hunger is estimated to now impact half the population.⁵ For women previously engaged in a range of economic activities and sectors, their ability to pursue work and earn an income has been severely hampered in light of formal and informal restrictions, further exacerbating the economic crisis faced by many households. In addition, women have been disproportionately impacted by the collapse of several government services such as health care and education.

Many of the coping mechanisms available to people across Afghanistan, like the selling of household assets, have largely been exhausted after months of deep economic crisis. People are now left with an incredibly narrow range of largely harmful options in their efforts to survive, with such negative coping mechanisms creating their own protection risks. Reports of households resorting to the use of child labour (particularly for boys), the sale of children, recruitment of children into armed groups, early and forced marriage of adolescent girls and risky, undocumented migration and drug abuse are now widespread.⁶ Children are being recruited and

deployed by armed groups and are increasingly visible operating checkpoints and acting as security guards. With the collapse of rule of law, rising levels of criminality are also reported.⁷ While education is known as a critical protective factor for children and youth, access to education for girls remains highly restricted and where education is available, many children are being forced to drop out due to rising levels of poverty, as families require children to work in order to support households.



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⁵ UNHCR, UN Partners Launch Plans to Help 28 million people with acute need in Afghanistan

⁶ OHCHR, Statement by Nada Al-Nashif UN Deputy High Commissioner for Human Rights and UNICEF, Statement by Executive Director Henrietta Fore, Girls increasingly at risk of child marriage in Afghanistan

⁷ Al Jazeera, Drug addiction – a big challenge for Taliban government, January 2022.

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2. PRIORITY PROTECTION RISKS

a. CURRENT THREATS TO THE POPULATION

Arbitrary arrest, disappearances and killings

The General Amnesty announced by the Taliban leadership upon taking power on 15 August 2021 has not been fully respected. There are credible allegations of enforced disappearances, unlawful detentions and extrajudicial killings of personnel from the previous government, human rights defenders and civil society activists, journalists and media workers and persons belonging to minority groups, including minority religious and ethnic groups and women and girls.⁸ Between 15 August and 15 November, UNAMA and OHCHR received credible allegations of more than 110 such killings, of which at least 80 extrajudicial killings were reportedly attributed to the de facto authorities.⁹ Furthermore concerns have been raised about the extrajudicial killing of individuals suspected of affiliation with ISIL-K, mostly from Nangarhar province. The United Nations has documented at least 50 such killings, including beheadings, and the public display of corpses. According to HRW, “Taliban forces have killed or forcibly disappeared more than 100 former security force members in just four provinces [Ghazni, Helmand, Kunduz, and Kandahar] in the three months since their takeover of Kabul, on

⁸ [Executions and Enforced Disappearances in Afghanistan under the Taliban | HRW and Afghanistan: Government collapse marked by 'repeated war crimes and relentless bloodshed' – new report - Amnesty International.](#)

August 15. They have also targeted family members of former security force members.”

In the period from 16 August to 30 November 2021, UNAMA and OHCHR documented incidents affecting 23 civil society activists due to their work. Eight were killed (three by the de facto authorities, three by ISIL-K and two cases could not be attributed). The remaining 15 cases involved temporary arrests, beatings and threats by the de facto authorities. In the same period, UNAMA and OHCHR documented incidents affecting 48 journalists and media workers, including 2 women, and one radio/TV station due to their work. Two of the victims were killed (one by ISIL-K and one could not be attributed), and two were injured by unknown armed men. The remaining 44 cases involved temporary arrests or deprivation of liberty, beatings and/or threats or intimidation, attributed to the de facto authorities. Although the overall number of casualties decreased following the takeover of the country by the Taliban, they are continuing and there is a significant increase in temporary arrests and beatings by the de facto authorities, with 28 arrests and 10 beatings recorded since 16 August 2021.

Discriminatory and Punitive Gender Norms

The discernible narrowing of the space for the rights of women and girls is underpinned by protection monitoring data which highlights worrying trends in the worsening situation for women and girls across Afghanistan. In all areas of their lives, women and girls are

⁹ https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_49_90_E.pdf

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increasingly disproportionately affected by the stressors of conflict, economic hardship, displacement and changing social norms, facing the increased threat of violence, coercion and deliberate deprivation. Violence against women and girls in Afghanistan has further increased due to restrictions in women and girls' enjoyment of their rights and freedoms, particularly women's right to work.¹⁰ While the need for services has increased, access to essential services for survivors of violence has been greatly impacted.



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UNAMA reports that the rate of violence against women and girls in Afghanistan is the highest in the world, with 9 out of 10 women experiencing at least one form of intimate partner violence in their lifetime, noting that the recent restrictions against women in Afghanistan, especially on their right to work and education, has increased the level of violence against them.¹¹ In this connection, Amnesty International issued a statement on 6 December 2021 calling on the Taliban to reopen the Ministry of Women's Affairs and also to allow for safe houses to function again in Afghanistan.¹² Amnesty describes the actions of the Taliban, whereby it not only threw open prison doors releasing many who had been convicted of crimes against women, while closing down shelters for women survivors of domestic violence, as decimating the services available to survivors of gender-based violence and placing many survivors, as well as shelter staff, lawyers, judges, government officials, and others involved in protective services, at risk.

2021 has been described by HRW as an unfortunate year for women mostly because of developments in Afghanistan, as the Taliban had rolled-back access to rights by women.¹³ Furthermore, the Ministry of the Prevention of Vice and Promotion of Virtue (MoPVPV) issued a new directive which requires women to be accompanied by a close male family member for journeys of more than 72 kilometers, which will inevitably limit their freedom and choice of movement.¹⁴

¹⁰ [UN calls for solidarity and commitment to end violence against women and girls amidst humanitarian crises | UNAMA \(unmissions.org\).](#)

¹¹ [UN Calls for Solidarity to End Violence Against Women and Girls | TOLONews](#)

¹² [Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover – new research - Amnesty International.](#)

¹³ [2021 'Hasn't Been a Good Year' for Afghan Women: HRW | TOLONews.](#)

¹⁴ [Afghanistan's Taliban ban long-distance road trips for solo women - BBC News](#)

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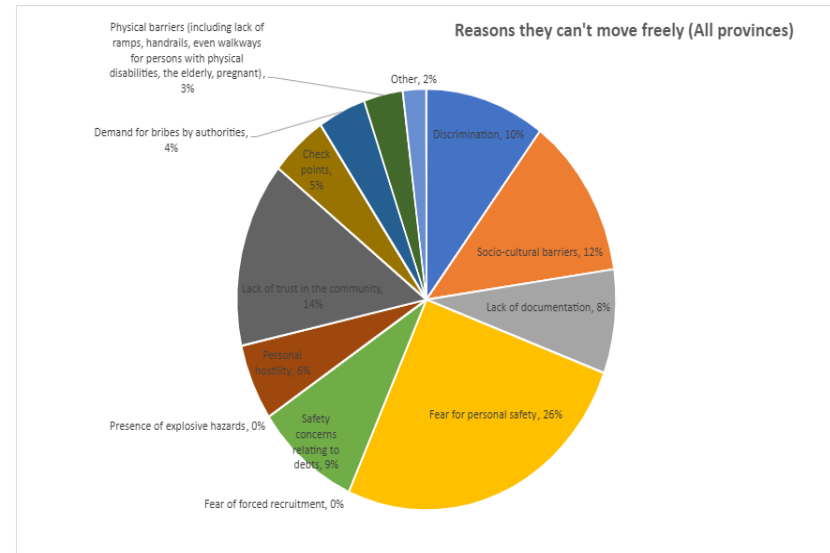
Feeling of Safety

Generally, the perception amongst respondents in Q4, based on protection monitoring finding indicates greater feelings of safety. The increased sense of security according to 75% of respondents in Q4 (39% increase from the Q3, 62% from Q2 and 66% Q1) could be explained by the fact that wide-spread armed conflict ceased with the change in authorities since August. This is largely not the case however for persons with specific profiles and protection risks: 12 – 29% of the population still indicated that they do not feel safe and that the security situation has worsened.

The overall contributing factors for the decreasing sense of safety in 2021 include increased criminality (34%) conflict between government and anti-government elements (28%), targeted attacks (19%), competition for resources (12%), and increased protests/civil demonstrations (9%). The level of criminality during the fourth quarter is indicated to have increased from 23% in the 3rd quarter to 34% in the 4th, which is consistent with the degradation in the general security environment with the devastating economic crisis, leading to an increase in criminality.¹⁵ The increased fear and worry for safety are supported by findings from UNHCR, which received 7,270 queries through its hotline phones and emails during November 2021, expressing their safety/security issues. Based on a random sampling analysis, it was found that 38% of queries were from former-government officials, including high ranking officials, with 87 % of the queries requesting support with evacuations and relocations.¹⁶

¹⁵ [Kabul Residents Urge Govt to Tackle Crime | TOLONews](#).

Freedom of Movement

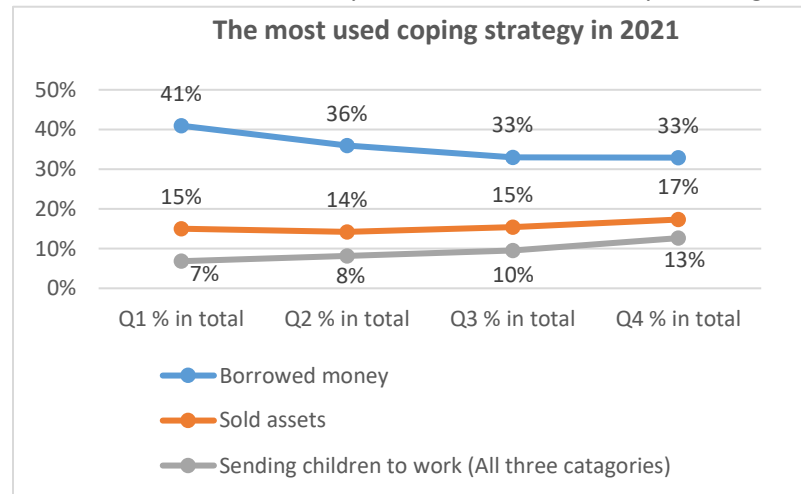


From a gender comparison, 44.5% males indicated they can move freely, while only 39% of females indicated the same. During FGDs, the significant majority of respondents mentioned that men and boys are free to move within their community, whereas this was a much smaller majority for women and girls. However, when comparing the fourth quarter with previous quarters, there is a reduction in the percentage of men and boys who said that they are free to move within the community (69%) compared to the third quarter (78%).

¹⁶ *Accountability to Affected Populations Working Group*, [feedback digest issue 03.pdf \(humanitarianresponse.info\)](#).

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On the other hand, and consistent with the reality on the ground, only 49% of women and girls said that they are free to move within the community which shows a 12% decrease on the previous quarter (61%). The reasons provided for not being able to move freely range from fear for personal safety, discrimination, socio-cultural barriers to physical barriers (including lack of ramps for persons with physical disabilities). Furthermore, majority of KII respondents in 2021 mentioned that men and boys are able to move freely, 19% higher



than women and girls (55%). The main contributing factors for not being able to move, according to KIIs, are different for women and girls and men and boys. For women/girls, the main reasons include

social/cultural barriers (26%), lack of trust in the community (20%), discrimination (16%), lack of trust in the community (15%), discrimination (11%) and social cultural barrier (10%).

COPING MECHANISMS

2021 finished with unprecedented levels of need amongst ordinary women, men and children in Afghanistan. 24.4 million people are in need of humanitarian assistance – more than half the population¹⁷. 22.8 million people are projected to be acutely food insecure in 2022, including 8.7 million at risk of famine-like conditions¹⁸. Years of compounded crises topped with the Taliban takeover and the biggest economic collapse the country has known, sent prices skyrocketing, while simultaneously diminishing people’s purchasing power. People are increasingly desperate, have exhausted nearly all regular coping strategies and have resorted to taking on unmanageable debt burdens and relying on dangerous coping mechanisms to survive.

In quarter four as previous quarters, the same three coping strategies (borrowing money, sale of asset and child labour) remain the top coping strategies.

Due to the economic crisis and lack of cash liquidity, increased unemployment and the unpredictable circumstances and uncertainty in the country, less money is available for loans and borrowing. As a consequence, an increasing percentage of respondents report selling assets and relying on child labour. Including sending children to work in other parts of the country, to neighboring countries - as strategies

¹⁷ HRP 2022

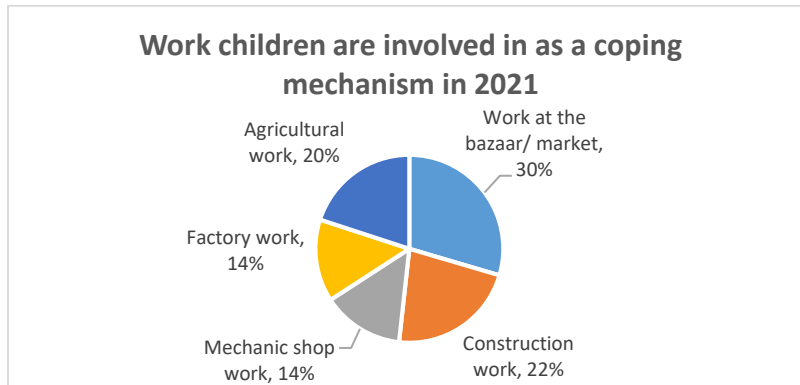
<https://www.humanitarianresponse.info/en/operations/afghanistan/document/afghanistan-humanitarian-response-plan-2022>

¹⁸ WFP Afghanistan situation report 19 January 2022

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to cope with low income and limited livelihood opportunities. According to both HH and KII surveys, child labour and other coping strategies involving children – child labour, child marriage, selling children, and child recruitment- predominate as means of resort for households coping with the crisis in Afghanistan.

According to all four quarters of household data in 2021, the prevalence of negative coping mechanisms involving children was highest in Sar-e-Pul province, followed by Ghazni, Kapisa, Uruzgan and Kandahar. The most prevalent type of child labour recorded in the past two quarters were employment at a bazaar/market, agricultural work, construction or industrial work followed by sending children to other countries.



Protection monitoring (HHs) Jan-Dec 2021

Below are some harmful coping mechanisms representing a high percentage in the household survey by province:

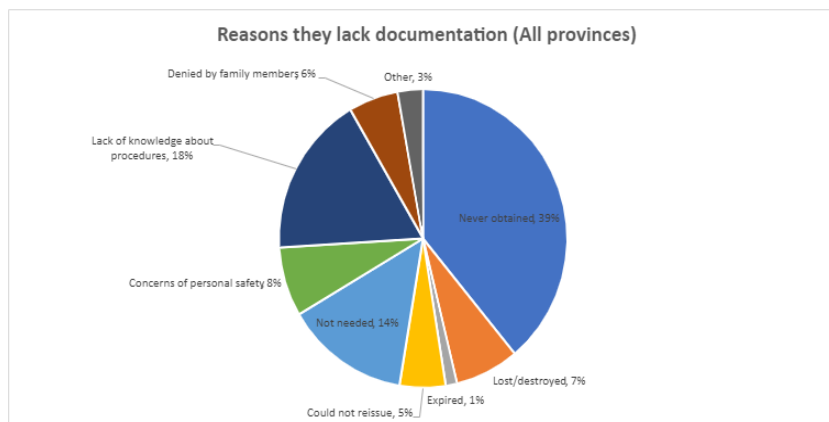
- Selling child/ exchanging child for debt relief: Ghazni3%, Kandahar3%
- Forced marriage: Kandahar 4%, Sar-e-pul 4%
- Child marriage: Sar-e-pul 11%, Hilmand 9%
- Begging on the street: Zabol 10%, Hilmand 8%

As per the household level data, it seems that migration as a mechanism to cope with the crisis has drastically increased in quarters three and four. While migration – inside and outside the country - represented 4% of the mechanisms reported at the beginning of 2021, it had increased to more than 9% at the end of 2021. Quarters three and four have seen high levels of displacements which are likely to continue as households have exhausted the majority of regular coping mechanisms. This will most likely increase family separation and increase the vulnerability of both individuals migrating and the ones left behind. The situation of female-headed households is particularly dire as women and girls' rights and opportunities have become increasingly restricted.

Lack of Civil Documentation

According to the protection monitoring conducted at the household level from January to December, 36% of respondents reported lack of at least one form of civil documentation. The percentage of people lacking documents was higher amongst females (57%) than male (43%). The findings indicate that Tazkiras (both paper and electronic) were the most prominent document people lacked (39%), followed by passports (15%), marriages certificates (12%), and birth certificates (11%). The collected data indicate that women and girls have less access to civil documentation than men and boys.

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The most frequently cited reasons for lacking documentation were: ‘never obtained’ (39%), lack of knowledge about procedures (18%), and perceived as ‘not needed’ (14%).

Among the different population groups, IDPs have the highest rate of lacking documents (61.4%), followed by host community (23.4%) and undocumented Afghan returnees (11.3%). Amongst the top five provinces monitored, Herat had the highest rate of respondents lacking documentation (54.7%), followed Kandahar (11.8%), Ghazni (7.5%), Wardak (5.4%) and Ghor (3.1%). Lack of access to civil documentation for women has reportedly increased according to FGD feedback. During the fourth quarter, only 38% of respondents mentioned that women and girls have Tazkiras and other types of documents, which shows a 23% decrease on the previous quarter (61%).

Reasons for women/girls not obtaining civil and other



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documentation include cultural and traditional barriers, family restrictions, discrimination, insecurity including presence of AGEs, economic constraints and no information about the importance and the procedure to obtain it. It is assumed that the collapse of the previous regime and closure of the relevant offices, restrictions on freedom of movement for female and lack of female staff at administrative offices could be the contributing factors for this sudden decrease.

Lacking documentation has multiple and serious impacts on people. According to protection monitoring findings, 41% reported not being able to access basic services, 16% reported not being able to access assistance, (humanitarian and government) and unable to move

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freely, and 14% reported not being able to access education due to lack of documentation.

Presence of Mine and Explosive Hazards

Presence of mines and leftover pressure-plate improvised explosive devices (IEDs) and other explosive remnants of war (ERWs) have increased across the provinces surveyed. Data collected in 2021 shows that improvised mines are the leading cause of civilian casualties accounting for 72% of total civilian casualties followed by ERWs (26%). Children are particularly vulnerable to fall victim to ERWs and (79 %) of the ERW casualties. Out of School children are also considered specifically at risk, given they often play outdoors or have a role in supporting their families (such as collecting scrap metal, fire wood, water etc).

The Household Survey revealed that a majority 89% (compared to 82% in Q3) of households lack awareness about mines and other explosives and 75% indicated that they lack awareness on where to report explosives (which shows a 10% increase compared to Q3). HHS also report that children were particularly at risk of death or serious injury with impacts of mine presence in area which effect the access

and wellbeing child such as children cannot play safely and children cannot access school safely (19%) and other reported concerns were people not being able to access services (17%), and effects on livelihood such as restrictions on animal grazing (20%), and household chores such as collecting water (13%). This highlights the

need for increased efforts towards mine risk education and clearance.

Province disaggregation indicates that Badakhsahan and Hilmand had the highest rate of respondents who reported lack of awareness about mines (97 %), followed by Parwan (96%), Hirat and Uruzgan (93%), Ghor and Kandahar (89%), Kabul (87%), Ghazni and Frayab (86%) and Wardak (69%). The top ten provinces of high concern from a mine action perspective are: Kandahar, Hilmand, Zabul, Nangarhar, Ghor, Ghazni, Paktya, Balkh, Uruzgan and Sari-e-Pul.

Housing, Land & Property Concerns

16% of the respondents indicated their communities experience land related issues during the reporting period mostly in Hilmand, Zabul, Nangarhar, Kabul and Ghor provinces. The main HLP issue reported by household survey respondents arise from rental disputes, inheritance dispute and access and use issues come second. According to the Key Informant Interviews, the rent issues is partly due to the household inability to pay their rent on time resulting in harassment and eviction from property owners. Some also mentioned abusive practices used by landlords - sudden increase of rent or rent asked before the end of the month. Most households do not have rental agreements with landlords, hence increasing their vulnerabilities to eviction and abuse.¹⁹ Households affected by displacement also mentioned the issue around land use and occupation (government and private). Displaced persons and returnees commonly rent or live in makeshift settlements

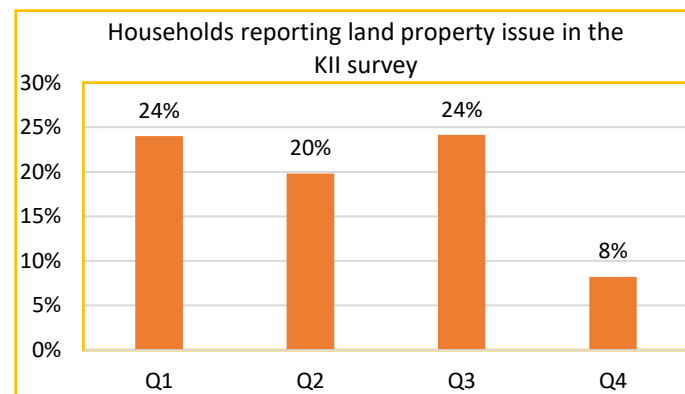
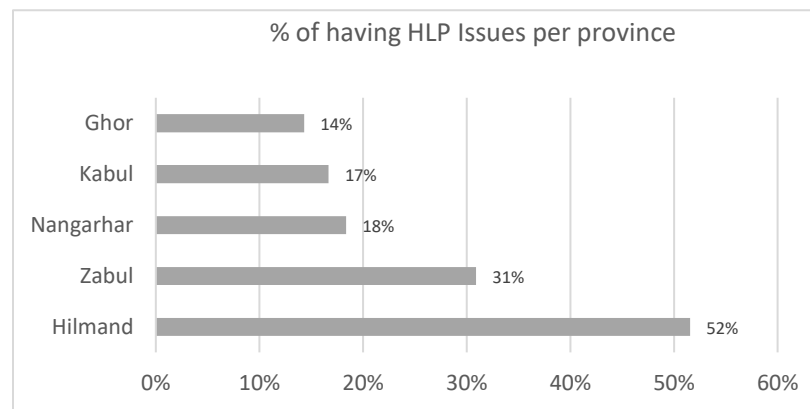
¹⁹ NRC conducted an assessment in Balkh province in March 2021 and the results indicated that over half the respondents lived in rental houses and 83% of those did not have a rental agreement with the landlord.

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immediately after displacement and into prolonged periods of displacement and often without written agreements, placing them at increased risk of forced eviction and other abuses.²⁰

Inadequate shelter and access to services in these areas can spur conflict with host communities, drive households into debt and limit opportunities for durable solutions. Issues around inheritance rights also came out strongly from the KI interviews. It especially affects women as communities and, families discriminate against women’s

inheritance rights and informal justice systems discriminate in the application of the related legal frameworks. Many households live in very precarious situations with inherent instability and their rights not protected. This situation pushes them towards even more uncertainties and makes them especially vulnerable to abuse and exploitation. There is a need to continue support households especially vulnerable ones—female households, protracted displaced family – by providing HLP assistance as well as cash for rent for households are risk of eviction.



²⁰ NRC assessment conducted in March 2021 in Herat province in informal IDP settlements, 63% of residents had experienced a threat of forced eviction in the last few years

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2.2. EFFECTS ON POPULATION

Denial of Access to Services

35% of Household Survey respondents reported denial of access to services in Q4 which shows an increase of 4% compared to Q3. This was mainly livelihood support (12%), health (11%), support for persons with specific needs (8%), WASH (8%), education (7%), and child protection, legal aid and rehabilitation services to person with disabilities (6% each). The reasons for denial of access to services included assistance not free (24%), followed by assistance not being what community needs (18%), assistance not reaching people in need (17%), people lacking the required documentation (12%), discrimination (11%) and harassment and or exploitation (4%). Compared to the HHS data the KIIs show 23% reporting communities denied access to services with highest of denied to livelihood services. Importantly, the Province disaggregation indicates that Ghazni had the highest rate of respondents who reported denial of access to services (60%), followed by Parwan (58%), Wardak (50%), Sar-e Pul (45%), Hirat (39%), Ghor (34%), Nimroz (31%), Takhar (22%) and Kabul, Kandahar and Badakhshan (12%).

Inability to Access Existing Services

Overall, 62% of KIIs respondents reported that their community members were unable to access existing services (compared to 36% in household survey), mainly livelihood support (13%), health (12%), support for persons with special needs, women protection and psychosocial support (8%), education, WASH and rehabilitation for

persons with disabilities (7%), documentation (6%) and shelter (4%). The most affected groups are female headed-HHs (12%) persons with disabilities, women at risk-HHs, child headed-HHs and elderly person headed-HHs (10% each), persons with life-threatening health issues (9%), single male headed-HHs (6%), and unaccompanied and separated children (4%).

The main reasons for being unable to access these services are being unable to pay for the service 21% (compared to 22% in the Q3), assistance not being what people need 19% (compared to 14% in Q3), assistance not reaching people in need 17% (compared to 16% in Q3), facing discrimination/exclusion (16%), and lacking documentation 14% (compared to 19% in Q3). While 65% of IDPs reported on inability to access available services upon arrival to displacement location, specifically on health and livelihood services, the barrier for access is indicated as a lack of information on available service and required documentation to get access. Furthermore, the protection monitoring household data indicated that IDPs plan to integrate to the existing community due to have access to services and infrastructure (9%).

Social Cohesion

Similar to the third quarter of 2021, quantitative data gathered through HHS and KIIs indicates populations of concern experience generally positive relationships within communities and between different groups. However, FGDs and qualitative findings convey a more complex picture with strains much more evident, particularly in Eastern provinces of Kandahar and Zabul. The deterioration in the economy is impacting social cohesion with HHS showing increased

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reports of fighting for resources (increasing 5% on the last quarter to 17%) as a reason for worsened security in their community.

Debt-related harassment and competition for jobs are some of the driving factors according to KIIs, reported most between host community members, whilst HHS findings show that lack of trust within communities is the key reason movement is restricted for men and boys. IDP and host community FGDs in particular cite strains on local infrastructure, the impact of drought, and debt-related issues causing friction to build. Female FGDs cite overcrowding and [intra-]familial violence as contributors with mental health problems going unaddressed, whilst males point more to political differences and economic tensions. Women and girls are increasingly the subject of discrimination and exclusion from public spaces and their own communities.

FGD data indicates that unifying factors including cultural/religious bonds, family ties, common language, and mutual respect remain strong in the majority of locations.

Dispute Resolution Mechanisms

During October to December, 16% of household survey respondents reported having challenges in accessing dispute resolution mechanisms, showing a 2% increase on the previous quarter. Women are facing more challenges as compared to men with 22% of female respondents – twice the number of males – reporting access difficulties. The impact of barriers and a reluctance to turn to external or formal mechanisms as currently available is demonstrated in KIIs which report women tend towards reliance on

family and relatives or choose to resolve issues amongst themselves.

Key barriers reported by all demographics are fees, followed by discrimination and lack of trust in the mechanisms, with IDPs and host community most likely to report unfair treatment. The findings also show a 2% increase in lack of female representation this quarter, dovetailing with the removal of female staff from security and justice sectors. Reports have also circulated this period of female former judiciary members forced into hiding due to threats to life from those allied with the de facto authorities and prisoners sentenced by them and now released.²¹

Surveys show that informal mechanisms, namely elders, Mullahs, and family and relatives, are most popular among all demographics. Since the fall of the former government, the de facto authorities have not been able to re-establish rule of law or a formal justice system across all parts of the country, but the long established ‘shadow courts’ system of the Taliban is now preminent. The use of punishments such as public shaming, torture and public executions have been reported with de facto officials announcing plans to reinstate amputation and execution as sentences for certain crimes, which constitute violations of

“We try to solve our problems between ourselves, else the elders will gather to resolve the issue. If the elders couldn’t resolve we will go to the Taliban.”

Female KII, IDP Returnee, October 2021

“Tension between different groups in the community is due to political alignments.”

²¹ <https://www.aljazeera.com/news/2021/10/18/afghanistan-female-judges-hiding-taliban-takeover>

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international law and Afghanistan’s treaty obligations. Various reports of public executions without any orders issued by the Supreme Court were widespread in the media. Most notably, the bodies of four men hanged in Herat were put on public display, and in Badakhshan, three men accused of theft were reportedly tortured and shamed in public.²² Despite the brutal nature of sentencing and discrimination in this justice system, HHS respondents report an increase in the satisfactory resolution of their issues this quarter which may be indicative of the swift decisions reached both by informal and de facto mechanisms in the absence of a comprehensive legal framework and due process.

EXISTING CAPACITIES TO ADDRESS PROTECTION RISKS

Invest in ongoing relationships and trust building with communities and authorities

The humanitarian community in Afghanistan has made real strides over the past months in terms of opening up space for essential negotiation with the de facto authorities, enabling humanitarian services and staff to safely operate. Such engagement, with local decision-makers, religious and community leaders, and broader communities themselves, must continue to be priorities and it must be premised on the shared aims of protecting the rights and wellbeing of all Afghans, including women and girls. Such engagement can support the establishment of greater trust and inclusive dialogue, of continued negotiation for improved access to

services and programme implementation, and of opportunities for regular sensitisation with regards to humanitarian and protection principles.

Local partner NGOs and Civil Society Organisations

Substantial and sustained investment in local and national protection capacities is needed now. Afghanistan has a long history of impactful leadership by protection and human rights-focused organizations, based on strong national legal frameworks and constitutional grounds. However, many have lost critical staff capacity and are struggling to fully re-establish or scale-up operations in safe ways for staff and communities. Their current efforts in fostering IHL compliance at province level roundtables with de facto authorities are crucial to safeguard humanitarian space, for instance. More support is needed for their participation in UN national coordination mechanisms, in-country member states briefings and strategies for engagement with the de facto authorities at national level.

RESPONSES

OPERATIONAL CONTEXT INCLUDING ACCESS ISSUES

Humanitarian Access

According to the Humanitarian Access Group (HAG) report, overall, with 2,085 access impediments, the number of incidents impacting humanitarian actors doubled in 2021, as compared to 2020 (1104 access constraints). After 15 August, the peak in the number of access

²² <https://www.washingtonpost.com/world/2021/09/26/taliban-bodies-herat-square/>;
<https://www.jurist.org/news/2021/11/afghanistan-dispatches-taliban-reintroduce-public-shaming-as-criminal-punishment/>

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constraints was seen between the end of August and the beginning of September 2021, while the new de facto authorities were transitioning from an armed group to a de facto authority, establishing control over broad areas as well as establishing liaison with humanitarian actors. Interference constituted the principal impediment to humanitarian access during Q4 2021, marking a distinct difference to hostilities that had dominated Q3 particularly the earlier part. 64% incidents were reported as interference in programming, de facto authorities were responsible for 59 and Taliban armed forces for 5 incidents. Half of the total interference in programming incidents were recorded in Badghis (9), Kandahar (8), Hirat (8), Balkh and Kabul (5 each). Most common incidents were attempts to influence assessments and distributions processes, and selection of areas, requests for confidential details, and demands for coordination and prior agreement for resuming programs.²³



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Female engagement in humanitarian action fluctuated over 2021, with a significant increase in the number of constraints recorded from mid-summer and through August –November following the events of 15 August. Overall, from October to the end of 2021, the number of provinces in which a full agreement has been secured regarding the participation of women in humanitarian action increased from three to twenty-five, while the number of provinces in which no agreement was secured decreased from six to none. However, despite these agreements the capacity to address certain protection risks or implement standalone protection activities remained limited.

²³ Humanitarian Access Group Q4 Quarterly Report

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3.1.1 Operational Constraints

- Operational challenges for organizations have also been a reality, as some interventions had to be put on hold, shifted or be repackaged while the enormity of need, particularly in the absence of even basic government services, has simply ballooned. Coupled with rising needs is the loss of enormous capacity across civil society. Human rights and women’s rights leaders, protection experts, GBV specialists, community organizers, campaigners and beyond have all been faced with particular uncertainty and risk since the political power shift and many have been forced to leave the country in search of safety.
- Cash restriction and the current economic crises are expected to continue driving up food costs, which will likely further increase food insecurity, debt, unemployment and reliance on negative coping strategies.
- Many protection activities, including community-based protection monitoring, identification of PSN and those who need of GBV and MHPSS services were impacted by the restrictions on work placed on female staff. The limitations in working remotely do not ensure sufficient space and privacy to guarantee full protection of female clients.
- Serious concerns exist about keeping data safe and its protection generally in the country. Data on GBV clients is a particular concern capable of putting both service providers and clients at risk. For this reason, recording and keeping GBV related data was postponed until its collection can be ensured in a safe and feasible manner in accordance with

GBViE Minimum Standards and global standards for data protection.

- Despite indications that these and other protection risks are growing, access to related assistance and services were already constrained and the past months have seen further challenges. This reflects a mix of factors, including restrictions on services, such as the shutdown of shelters, and insecurity, including in relation to the presence or perceived presence of explosive hazards, limiting the ability of those in need to access services and assistance. The collapse of basic state systems is further curbing available supports, including in light of the non-functioning of child welfare system and the collapse of the social service workforce

3.2 POPULATION REACHED & FUNDING DATA

From January to December 2021, Protection Cluster partners reached around **3,257,465 individuals** out of the total target of **3,969,191 (82 % achieved)**. In 2021, protection partners received around **\$71.6 million (62%)** out of the total funding required for 2021 HRP \$114.6 million.

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RECOMMENDED ACTIONS

For Donors & Members States:

- Strengthen engagement and advocacy with neighboring governments and key member states in the region and globally to support safe border crossings and meaningful access to asylum within and beyond the region.
- Use all available leverage points and diplomatic channels to **protect and promote women’s and girl’s rights**. This must also include joined-up, non-negotiable support for the equal participation of female staff as part of the humanitarian response.
- Step up **multi-year, flexible funding streams, capacity building platforms and area-based modalities**, all aimed at supporting the long-term viability and effectiveness of national civil society stakeholders, including protection partners, women’s rights organizations and human rights defenders.
- Guarantee that all NGOs have access to the Humanitarian Exchange Facility and Humanitarian Financial Corridors, ensuring low transfer costs and securing insurance to reduce the liability of NGOs for dealing with cash in Afghanistan.

For HC/HCT & Humanitarian partners:

On protection

- Engage in **advocacy and in continuous dialogue** with the de facto authorities to:
 - Promote the full participation of women and girls in public life.

- Resituate the formal justice system and respect for international human rights law.
- Enable the independent and fulsome implementation of protection programmes and services, including specialized GBV services and mine action.

- Ensure that alongside specialized and stand-alone protection services, **integrated protection interventions** are embedded across different areas of humanitarian action, from nutrition, emergency food assistance and health programmes to shelter initiatives and WASH services to increase reach and coverage. This will enable the promotion of food for peace contributions, social cohesion, and will support the use of food assistance for protection outcomes.
- Identify ways to further support **protection monitoring and human rights reporting**, particularly in light of decreasing UNAMA capacity.
- Make meaningful **investments in local partners operations** and capacity, with the aim of longer-term rebuilding and support to protection organizations, leaders and networks, and women’s rights organizations.
- Pursue opportunities to open up space within humanitarian coordination system for local protection and women’s rights organizations’ greater participation and leadership.

On mine action

- Provide **unconditional access for humanitarian mine action** personnel, including Quick Response Teams and women staff, to previously restricted areas for demining, risk

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education, ERW removal and other mine action activities to ensure that civilians returning to their areas of origin and humanitarians deploying to those areas can do so in a safe manner.

On accountability and PSEA

- Ensure a **principled approach to the targeting and delivery of protection and humanitarian assistance**, with strong accountability to affected population. This includes ensuring groups facing particular risks are receiving the specific supports they need, based on disaggregated data and strong intersectional analysis, as well as setting-up/reinforcing localized and responsible accountability mechanisms.
- Ensure **localized and responsive accountability mechanisms** are in place for all demographics, particularly as women and girls may be more hesitant to give feedback on humanitarian assistance or make complaints about exploitation and abuse due to decreased respect for women's rights.