

# PROTECTION ANALYSIS UPDATE – Q2 2022



## AFGHANISTAN



# PROTECTION ANALYSIS UPDATE – Q2 2022



## REPORT SUMMARY

The current operational context shows both significant opportunities as well as risks and challenges for exploring durable solutions for IDPs. IDPs have decreased since August 2021 and access has been expanded throughout the country, while meaningful access, particularly related to restriction on freedom of movement of women and girls, is still hindered. The safety and well-being of women, girls and other vulnerable groups remains one of the most important protection issues in Q2. Restrictions on freedom of movement of women and girls continues to be a major access issue in the second quarter of 2022. The closure of schools for girls above grade six in most regions of the country has continued and is still a major concern for the humanitarian community in Afghanistan and the civil society. Due to the various challenges including the economic crisis and the lack of livelihood opportunities, vulnerable populations are adopting negative coping mechanisms such as child marriage, forced marriage, child labor, etc.

Preventing the negative coping mechanisms necessitates the engagement of the De facto Authorities, Donors, humanitarian agencies, civil society organization and community particularly female representatives. Finally, the promotion and support of women's and girls' rights and the equal participation of female staff in the humanitarian responses require a serious and collaborated effort from all fronts including diplomatic channels.

## METHODOLOGY

The report was prepared in collaboration with six partners undertaking protection monitoring: DRC, INTERSOS, IOM, IRC, NRC, and UNHCR (in partnership with WAW, ARAA and WSTA), using the

data collected in the second quarter from 6,022 Household-level Surveys (HH), 597 Focus Group Discussions (FGDs) and 946 Key Informants Interviews (KII). In Q2, 29% of respondents were the Host Community, 24% IDPs, 28% undocumented returnees and 17% IDP returnees. 57% of the respondents were male while 43% were female. The analysis is guided by the Global Protection Cluster [Protection Analysis Framework](#) (PAF). Other sources of data that are referenced include OCHA Displacement Trends, UNHCR 2021 Multi Sectorial Rapid Assessments, UNHCR CFM (Complaints and Feedback Mechanism)– Analysis, IOM Return of Undocumented Afghans Situation Reports, and Human Rights Watch.

### KEY PROTECTION FIGURES

#### *Displacement trends:*

Over **800,000 people** were newly displaced due to conflict between 01 January and 30 November 2021, while more than **1,2M IDP** returned in 2021 to the place of origin mainly after August 15 - <https://data.humdata.org/dataset/afghanistan-conflict-induced-displacements-in-2021>

From 10 April 2022 to 13 September 2022, **32,410 individuals** fled their homes due to conflict. A total of 3 (Sar-e-Pul, Baghlan and Panjshir) out of 34 provinces recorded the highest rate of forced displacement. - <https://response.reliefweb.int/afghanistan/internal-displacement-due-conflict>

#### *Main driver of the humanitarian need:*

Increase in acute food insecurity, with almost **23 million people facing acute hunger**, with 8.7 million people at emergency levels (IPC4). All **34 provinces** are facing crisis or emergency levels of acute food insecurity

#### *Protection PIN/AoR PIN*

Overall Protection Cluster PIN: **16.2 M** while **4.5M** of people are targeted for protection services.

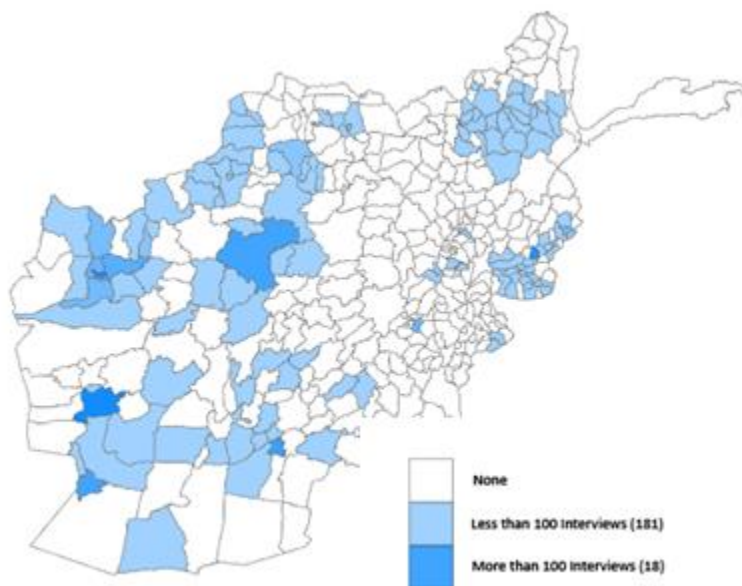
CPIE PIN: <b>5 M</b>	GBV PIN: <b>9 M</b>
HLP PIN : <b>6 M</b>	MA PIN : <b>4.4 M</b>

## LIMITATIONS

Data on human rights violation and (but not limited to) GBV incidents is a particular concern capable of putting both clients and service providers at risk. Some issues related to GBV, and human rights violations may also be underreported due to cultural barriers to reporting.

Due to the current restrictions on freedom of movement imposed to female staff and other challenges, fewer women were included in the joint monitoring. Although more women were included as informants in KII in Q2 compared to Q1 (43% in Q2 versus 38% in Q1).

*Districts where interviews were conducted during the Q2 2022*



## 1. CONTEXT OVERVIEW

The human rights situation has been exacerbated by a nationwide economic, financial and humanitarian crisis including natural disaster like earthquake, drought and flooding of unprecedented scale. At least 59% of the population is now in need of humanitarian assistance; an increase of 6 million people compared with the beginning of 2021. Despite an overall, significant reduction in armed violence, between mid-August 2021 and mid-June 2022<sup>1</sup>, UNAMA recorded 2,106 civilian casualties (700 killed, 1,406 wounded). The majority of civilian casualties were attributed to targeted attacks by the armed group self-identified “Islamic State in Iraq and the Levant – Khorasan Province” against ethnic and religious minority communities in places where they go to school, worship and go about their daily lives. The erosion of women’s rights has been one of the most notable aspects of the de facto administration to date. Since 15 August, women and girls have progressively had their rights to fully

<sup>1</sup> Human Rights in Afghanistan: 15 August 2021 to 15 June 2022, UNAMA Human Rights Services

[https://unama.unmissions.org/sites/default/files/unama\\_human\\_rights\\_in\\_afghanistan\\_report\\_-\\_june\\_2022\\_english.pdf](https://unama.unmissions.org/sites/default/files/unama_human_rights_in_afghanistan_report_-_june_2022_english.pdf)



participate in education, the workplace and other aspects of public and daily life restricted and in many cases completely taken away. The decision not to allow girls to return to secondary school means that a generation of girls will not complete their full 12 years of basic education. At the same time, access to justice for victims of gender-based violence has been limited by the dissolution of dedicated reporting pathways, justice mechanisms and shelters.

## 2. PRIORITY PROTECTION RISKS

### 2.1. CURRENT THREATS TO THE POPULATION

#### a. Arbitrary Arrest, and Extrajudicial Killing

Afghanistan's population continues to witness and be subject to arbitrary arrest, extrajudicial killing and violation of fundamental rights. UNAMA has recorded of (from 15 Aug 2021 through 15 June 2022):

- 160 extrajudicial killings, 178 arbitrary arrests and detentions, 23 instances of incommunicado detention and 56 instances of torture and ill-treatment of former ANDSF and government officials carried out by the de facto authorities.
- 59 extrajudicial killings, 22 arbitrary arrests and detentions and 7 incidents of torture and ill-treatment by the de facto authorities of individuals accused of affiliation with self-identified “Islamic State in Iraq and the Levant – Khorasan Province”.
- 18 extrajudicial killings, 54 instances of torture and ill-treatment and 113 instances of arbitrary arrest and detention and 23 cases of incommunicado detention of

individuals accused of affiliation with self-identified “National Resistance Front”.

- 217 instances of cruel, inhuman and degrading punishments carried out by the de facto authorities since 15 August 2021
- 118 instances of excessive use of force by the de facto authorities between 15 August 2021 and 15 June 2022.
- Human rights violations affecting 173 journalists and media workers, 163 of which were attributed to the de facto authorities. Among these were 122 instances of arbitrary arrest and detention, 58 instances of ill-treatment, 33 instances of threats and intimidation and 12 instances of incommunicado detention.<sup>2</sup> Six journalists were also killed during the period (five by self-identified Islamic State in Iraq and the Levant – Khorasan Province, one by unknown perpetrators).
- Human rights violations affecting 65 human rights defenders, 64 of which were attributed to the de facto authorities. Among these were 47 arbitrary arrests, 17 cases of incommunicado detention, 10 cases of ill-treatment and 17 cases of threats and intimidation.

However, situation with regards to the protection of civilians, extrajudicial killings, torture and ill-treatment, arbitrary arrests and detentions, the rights of women and girls, fundamental freedoms and the situation in places of detention—is a big concern and must be improved.

#### b. Discriminatory and Punitive Gender Norms

Continued and more stringent restrictions imposed by the De facto Authorities (DfA) continued to affected women and girls throughout

and/or threatened), the number of violations is higher than the number of individuals affected.

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<sup>2</sup> Since one individual may have suffered more than one violation (e.g., one person may have been arbitrarily arrested, held incommunicado, tortured

the quarter, coupled with cultural restrictions imposed by families and communities. Women and girls continue to face difficulty in accessing services due to the *marham*<sup>3</sup> restriction which forces them to be accompanied by a male family member, coupled with dress requirements such as the need for women to wear the burqa and cover their faces. As such, 35% of women KIIs surveyed by the protection cluster during the second quarter of the year indicated that communities were not able to access services. This seemed to affect in particular women headed households as well as other vulnerable households such as elderly households and households with a member with a disability. According to the KIIs, in Q2 female headed household are reported to be unable to access service at a slightly higher percentage (10 %) compared to Q1 (8 %).

Moreover 25% of female KII respondents mentioned that men and girls could not move freely, with socio cultural barriers being the main reason for women's inability to move freely. The other top reasons, for women not being able to move freely for Q1 and Q2, are discrimination and fear of safety (according to the joint protection monitoring). According to the findings from the HH survey, compared to men (9%), more women (14%) reported not being able to move freely and the percentage of women who reported that they cannot moved freely increased in Q2 (14%) compared to Q1 (9%).

Generally, data collected over the quarter show that women are less likely to be able to pay for services, often do not have the necessary documentation to receive services and are more affected by discrimination and exclusion when looking to access services. This also limits their ability to obtain information on services or to report concerns through CFM and dispute resolution mechanisms.

### c. Socio-economic challenges, Poverty, and Coping Mechanisms

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<sup>3</sup> Requirement of a male accompany when female travel

- **Socio-economic challenges and Poverty**

Data shows that the poverty and economic situation of the country is pushing affected populations to adapt negative coping mechanisms. The sense of personal security and safety is majorly proportional to the available economic opportunities hence the scope of socio-economic challenges. For women and girls, socio-cultural barriers remain the main challenge while boys and girls have restrictions on what they may and cannot accomplish, particularly for adolescent girls' access to education has been jeopardized. The drought, high food and other product costs summed up by the economic crisis have all contributed to poverty and hunger in families and communities.

Children are still the ones that suffer the most from socioeconomic problems that compounds their vulnerability in the Afghanistan context emergency. The purchasing power of families to meet the basic household needs and the ever-changing Minimum Expenditure Basket has undermined children to the periphery of the household priority in the context of the current economic challenges. Women were more likely to report that they could not pay for services (76.2% of women respondents for 67% of men respondents). The findings in the Protection monitoring noted that 10% of participants mentioned that child households are a group that is unable to access services after persons with disabilities and elderly persons headed households with 12% and 11% respectively. This is mainly due to discrimination and or exclusion and inability to pay for the cost of basic services included psychosocial and child services at 6% and 6% respectively.

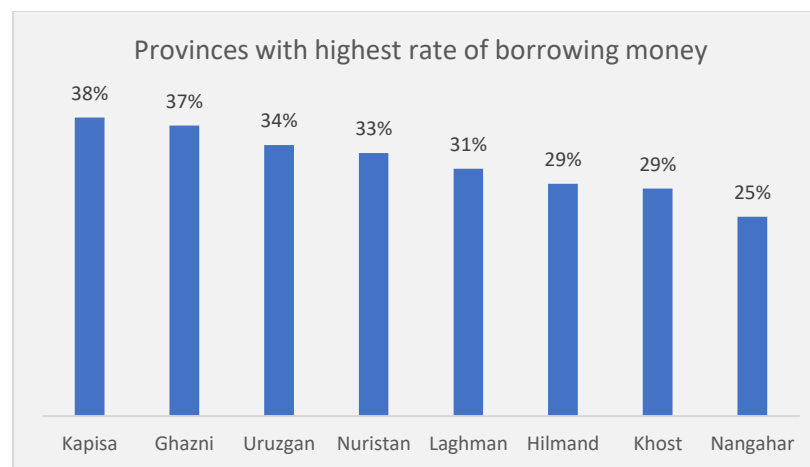
- **Coping Mechanism**

The coping mechanisms used by respondents in the second quarter of 2022 remain like the previous quarter. The Coping mechanism

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employed by some households are extreme with children taking up central roles in bridging the poverty gap within the family through activities that compromises on their wellbeing and resilience. According to the KIIs, women were more likely than men to resort to coping mechanisms such as borrowing money. In overall, the main coping mechanism includes borrowing, sending children to work, selling assets and migrations out of the country. In addition, the negative/extreme coping mechanisms like body parts selling/organ harvesting and child marriage were most prevalent in Daikundi Province at 14% each in the last one month compared to borrowing, money child marriage and sending children to work in neighboring countries at 34% each in the last three months. Child selling increased in the previous quarter from 1.5% to 1.7%. In spite of this being a slight increase going by weighted averaged makes it significant with Daikundi Province being the main contributing factor as indicated above. The provinces that reported the highest percentage of coping mechanism involving borrowing money were Kapisa, 38%, Ghazni 37%, Uruzgan 34%, Nuristan 34%, Laghman 31%, Hilmand 29%, Khost 29% and Nangahar 25%. This is then followed by either selling children or sending children to work in neighboring countries; hence explaining the reasons why most of these locations are located along the southern part of the border.

The top 5 coping mechanisms, according to the female respondents of the KII, are the same in Q1 and Q2 and include borrowing money, selling assets, begging on the street, migration outside the country and early (including child) marriage. 65% of respondents mentioned that children continued to be involved in child labour including the worst forms of child labor.<sup>4</sup>



There was a significant increase from 31% of respondents reported in the previous quarter. Notably, in the past 3 months all the coping mechanisms showed slight decrease except for sending children to work and engaging in hazardous work that increased to 9.7% and 10% from 8.8% and 7.2% respectively in the last 3 months. An indication justifying that child continue to be the most vulnerable group and suffer the most from socioeconomic issues of this protracted emergency. 12% of household respondents reported having children at risk, whilst 1% reported having unaccompanied and separated children (UASC) and 0.3 % reported having children engaged in Armed Conflict. An alarming 28% of household survey respondents indicated that children are engaged in working markets/bazaar, 21% in agriculture work followed by 20% construction work, demonstrating the prevalence of at-risk individuals and households relying on child labour to meet basic needs. The types of labour children engage in include work in agricultural farms, grazing animals,

<sup>4</sup> in accordance with Convention No. 182.

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construction sites, children in military forces and wars, begging, collection of plastic and waste materials on the street and villages, working in retail shop, hotels, embroideries and working in spare parts shops.

### **d. Presence of Mine and Explosive Hazards**

There is still 4,295<sup>5</sup> hazardous areas in the country, affecting at least 1,528 communities and posing a threat to vulnerable populations such as internally displaced persons, returnees, refugees, and conflict-affected non-displaced civilians. The presence of explosive ordnance (EO) in Afghanistan, particularly improvised mines from more recent armed clashes and Explosive Remnants of War (ERW), continues to be a top humanitarian priority. Explosive ordnance continues to claim lives and maim the local population, but their wider impact is far-reaching: the presence - or perceived presence - of EO causes psychological distress, blocks access to natural resources and basic services, impedes safe humanitarian access, and hinders infrastructure development, amongst others. Following the cessation of hostilities in most parts of the country, there is an increased risk as the local population ventures into previous battle areas inaccessible until recently, as well as that returnee and other people on the move return to areas without knowledge of the presence of the explosive hazards in the location or how to act safely around them.

While most EO casualties are men and boys, EO impacts all age and gender groups in differing ways. Women often become caregivers for those in their family or community who have been injured, and the death/injury of male relatives places a significant burden on women as the head of household and breadwinner to large families. This is

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<sup>5</sup>The figure was reported to be 4,102 in the previous quarter; however, some new areas were reported to be contaminated by explosive ordnance through the on-going nationwide non-technical survey that resulted in the

being compounded by existing restrictions on women's movement which prevent them from accessing services and move freely if they do not have an accompanying male family member. Physical impediments and disability caused by EO accidents significantly limits the survivors' as well as family members' opportunities to engage in socio-economic development and community life and puts an additional burden on an already overstretched health system.

A total of 20 civilian casualties were recorded from April to June 2022 in the national mine action database, though systematic victim data collection remains disrupted. While explosive hazards kill and maim indiscriminately, children, particularly boys are at high risk of death or injuries from EO accidents in Afghanistan - 12 children (including 11 boys and 1 girl) were reported to have died and injured during the reporting period. ERW are the leading cause of civilian casualty accounting for 75% of the total civilian casualties followed by improvised mines which accounts for 25%. Children are particularly vulnerable to falling victims to ERW with the majority (73 %) of ERW casualties being children. Top provinces of high concern from the mine action perspective in terms of explosive ordnance contamination are: Kandahar, Hilmand, Kunar, Farah, Baghlan, Logar, Ghazni, Maidan Wardak and Nangarhar.

Conflicts over the past 4 decades, particularly the conflicts in recent years have left behind lots of areas contaminated by explosive ordnance that impact the lives of civilians, however the clear picture of the contamination remains unclear. The political changes in the country following 15 August 15, 2021, has provided new access opportunities for mine action partners and as such UNMAS is coordinating a national explosive contamination survey to capture

increase. The same applies for the number of communities affected by explosive ordnance.

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the extent of the country's explosive ordnance contamination. This survey provides constant updates to the mine action database with the most up-to-date contamination information to support mine action direct resources to areas of the highest need and concurrently releases safe land. The initiative is currently being implemented in four provinces-Kandahar, Kunduz, Helmand, and Uruzgan-where intense fighting was witnessed in the past.

Children under the age of 18 were mainly affected (accounting for 60%) by explosive ordnance in the reporting period mainly in the provinces of Kunduz, Kabul and Hirat and this is mainly due to the current weak economic conditions of people which forces children for negative coping mechanism for their livelihood activities such as scrap metal or firewood collection etc. that mostly result in loss of their limbs or lives. Most of these incidents happened in the areas that have witnessed increased level of conflicts in recent years.

Explosive ordnance continues to impact different population groups including returnees, IDPs and non-displaced conflict affected host communities, among these population groups children particularly remains most vulnerable groups to the explosive devices due to their livelihood pattern in the current economic situation in the country. During the reporting period, the civilian casualties were reported from Kunduz, Kabul and Hirat, however provinces including the provinces of Kandahar, Hilmand, Zabul, Nangarhar, Kunduz, Ghazni, Paktya, Balkh and Uruzgan remains of high concern as majority of Awaaz requests for mine action support were reported from these provinces. Explosive ordnance continues to claim lives and maim the local population, but their wider impact is far-reaching: the presence - or perceived presence - of EO causes psychological distress, blocks access to natural resources and basic services, impedes safe humanitarian access, and hinders infrastructure development, amongst others. While most EO casualties are men and boys, EO

impacts all age and gender groups in differing ways. Women often become caregivers for those in their family or community who have been injured, and the death/injury of male relatives places a significant burden on women as the head of household and breadwinner to large families. Physical impediments and disability caused by EO accidents significantly limits the survivors' as well as family members' opportunities to engage in socio-economic development and community life and puts an additional burden on an already overstretched health system.

As a solution to the situation, the mine action sector has increased the number of survey and quick response teams to conduct a nationwide mine action survey to get an accurate picture of the contamination as result of the conflicts in the recent years, remove spot ERW (considered as the leading cause of civilian casualty), increase the awareness level of population with regards to the explosive ordnance focused on the behavioral change of the children.

### **e. Housing, Land & Property Concerns**

During this quarter, there were several incidents of de facto authorities threatening eviction of people living in informal settlements, both on public and privately-owned land. In Kabul, despite advocacy by the humanitarian community and coordination with the Ministry of Refugees and Repatriation, hundreds of households, including a number of women headed households, were still evicted from or had their shelters destroyed by municipal authorities. The threat of eviction was also made in informal settlements in other provinces including Badghis, Balkh, Herat and Zabul. In some instances, threats were made to households affiliated with and living in shelters provided to them by the former government, anecdotally indicating targeting because of that affiliation.



It was again clear in this quarter from household and KI interviews and focus group discussions that the Afghan population continues to live with instability and lack of protection of their HLP rights. The main HLP issues reported by household survey respondents continued to be rental disputes, inheritance and access to and use of land and property. HLP issues were particularly reported in Kandahar, Nangahar and Zabul provinces. Inheritance challenges were far more reported by women than men respondents, emphasizing the support that women require in accessing these rights in Afghanistan due to family and societal gender-based discrimination.

In addition, during this quarter, threat of eviction was also one of the highest reported HLP issues in household interviews. This corresponded with an assessment conducted by NRC from March to June 2022 in Kandahar, Nimroz and Herat provinces, asking households privately renting about their experience of threat of eviction since August 2021. Results of that assessment indicated 73% of respondents in Herat and 71% of respondents in Kandahar had received at least one threat of eviction during that period.<sup>6</sup>

Household survey respondents also indicated ongoing issues with inadequate shelter. Lack of WASH facilities, overcrowding and damaged or destroyed shelter were the most commonly reported concerns both among men and women. Women respondents were more likely to report lack of WASH facilities, which create specific protection concerns for women, as well insecure shelter (10% of women respondents for 6.4% of men respondents). In addition, women IDPs were more likely to report safety as a key reason for not wanting to return to their previous locations.

Given the sharp increase in threat of eviction by de facto authorities during this quarter, humanitarian coordination and advocacy with the authorities to prevent forced eviction must be strengthened. Humanitarian partners must continue ongoing support to households, especially vulnerable households, with HLP assistance and other cross-sectorial interventions such as cash for rent for households privately renting and at risk of eviction

### 2.2. EFFECTS ON POPULATION

#### a. Safety and the general situation

One of the main concerns currently are the different restrictions on the freedom of movement especially for women and girls. In Q2, more female respondents of the HH survey reported that they cannot move freely in the area (14%) compared to Q1 (9%). The numbers are higher for the KII exercise. In Q2, 31% of the female key informants reported that women and girls do not feel safe. This is an increase from Q1 when 26% of the female key informants reported that women and girls do not feel safe. According to the same KII exercise, for both quarters, the top three reasons that women and girls cannot move freely are socio-cultural barriers, discrimination/exclusion and fear of personal safety. There is now urgent advocacy for the free movement of women and girls and to work with communities to mitigate the reasons that women and girls cannot move freely. Safety mapping of the communities is also planned for future quarter.

According to KIIs carried out by the protection cluster, women and girls were less likely to feel safe than men and boys with 74% of KIIs

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<sup>6</sup> NRC assessment on threat of eviction in households privately renting, March-June 2022.

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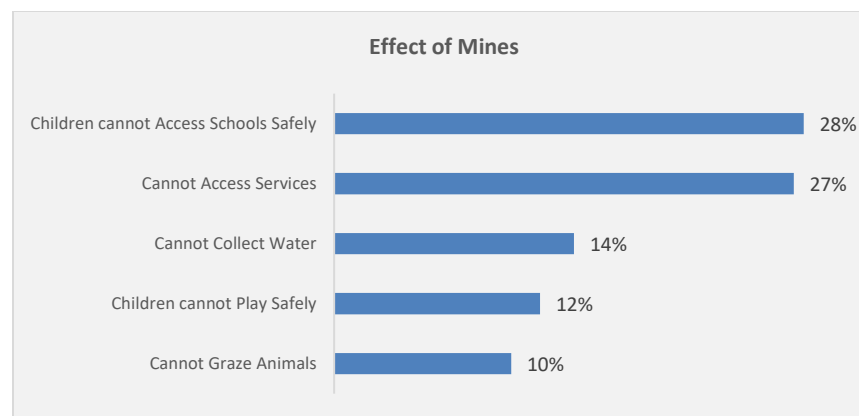


mentioning that women and girls felt safe, for 82% of KIIs mentioning that men and boys felt safe.

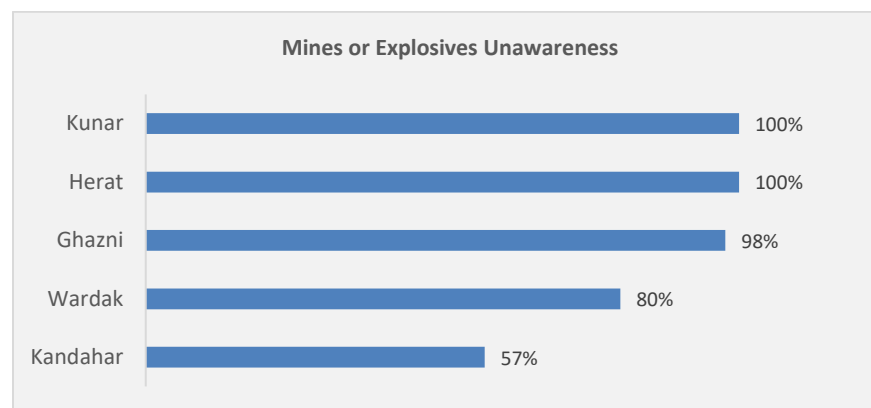
The top 3 reasons why women and girls do not feel safe according to the KII findings of Q2 are community violence (13%), lack of economic opportunity (12%) and environmental hazards (11%). In Q1, the top 3 reasons were lack of economic opportunity, lack of resources and community violence. This indicates that in Q2 along with socio-economic difficulties such as lack of economic opportunity and community violence, the women and girls are also dealing with environmental issues. As studies have shown, women and girls often are among the most vulnerable during any environmental crisis. A multi-sectoral approach in prioritization for work on the safety of women and girls have been used in Q2 to ensure the safety and well-being of women to deal with these issues.

Lack of economic opportunities and resources was mentioned in addition to the cultural barrier and discrimination as the main impediment to women and girls' safety, which is correlated with the many restrictions on women's movement, preventing them from accessing services and economic opportunities. Women respondents were also more likely than men to report that the relationship with the community was negative, with the main reason mentioned being discrimination and exclusion. This shows that women tend to feel excluded from community-based mechanisms and experience gender-based discrimination, contributing to their lack of sense of safety among the community.

KII finding shows that (87%), lack awareness about mines and other explosives, and (4%) indicated that they lack awareness on where to report explosives. The presence of mines and explosives affected livelihood and access, and the well-being of the community population, key effects of mines reported by those who had awareness or information are primary related to access.



Respondents who have not heard about mines or other explosives by Provinces:



### b. Freedom of movement

Women and girls continued to be impacted by restrictions put in place by the DfA, coupled with restrictions imposed by their communities and families. 25% of KIIs mentioned that women and girls could not move freely, with socio-cultural barriers being the main challenge to women's lack of movement. This shows the

consequences of decrees put in place by the DfA as well as further restrictions which can be imposed out of fear or for cultural reasons by women's families. Restrictions are disproportionately affecting venerable households such as WHH or HH with a member with disability, who may not have a male family member to accompany them, thereby restricting their ability to access services and use CFM and dispute resolution mechanisms. Restrictions in place are also impacting the ability of women humanitarian workers to provide services in the field and to continue working, which is yet another barrier to women's access to services, as women may not feel comfortable or may not be allowed to be in contact with men humanitarian workers.

### c. Psychosocial Effects

Data shows that the overall psychological distress remains unacceptably high but has decreased since Q1. The continuous violence in some part of the country and economic situation of the country aggravated by natural disaster has resulted in the loss of opportunity and means of subsistence, as well as severe coping techniques. The population is heavily impacted by the physical and psychosocial effects of these dangers.

32% of the respondents reported that a member of the family experienced psychological distress in the last 6 months, down from 34% in the last quarter. 50% didn't have any down from 57% in the previous reporting period and 17% were not sure or did not respond. Relatively 62% of respondents indicated that there was no psychological distress among other family members compared to 72% in the previous reporting period. 16% reported that there was psychological distress observed among other family members compared to 21% in the previous report with 21.8 either not sure or did not give any response, with women respondents more likely to report psychological distress than men respondents.

The indicates that as much as there are some slight decreases in psychological distress, there have emerged new phenomenon that have exacerbated psychosocial effects like family violence and children out of school. Similarly, this pointer to the future reflects an adverse impact of the social, economic, and political environment in which the children are experiencing or living, and it calls for more psychosocial interventions to mitigate the Short, Medium and Long-term effects of psychological distress on children across the regions.

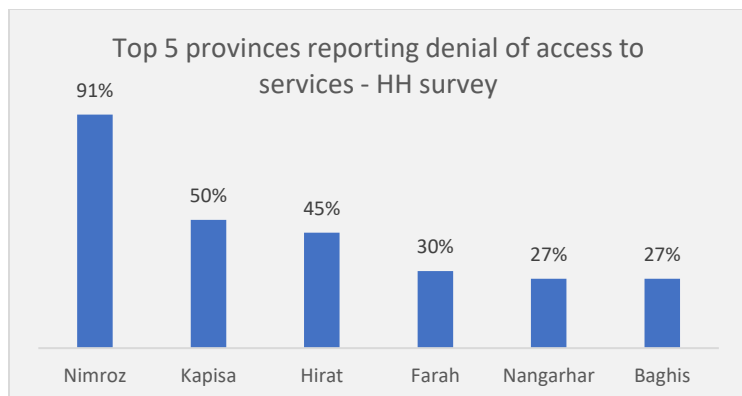
### d. Denial and/or inability to access existing services

Compared to Q1 (26%), a larger percentage of female respondents in the HH survey have reported being denied access to essential services in Q2 (27%). More female respondents have also reported being unable to access essential services in the same HH survey (45% in Q2 compared to 23% in Q1). However, one positive change has been that a larger percentage of female respondents reported that POCs have access to a functional health facility within 2 hours (78% in Q2 compared to 68% in Q1). Access to functional health facility is important as it is often the first entry point for women and girls and therefore there is continued advocacy to improve the access.

The household survey result shows that 23% of the respondents reported being denied access to essential services- with the majority reported by IDPs 33%. Further analyses showed that women reported higher cases of denial by 27%. The percentage of reporting is slightly higher than last quarter (when it was 26%).

The Household survey result shows that Nimroz as the highest rate of respondents who reported denial of access to services (91%), followed by Kapisa (50%), Hirat (45%), Farah (30%), Nangarhar and Baghis 27% each), Ghor 26%, Zabul 21%, Laghman 13%, Kandahar 11%, Uruzgan 9%, Helmand 8%, Kunar 7% and Ghazni 2%. similar findings were indicated in key informant interview with (28%), denied access, and a high percentage (50%) form focus group discussion.

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Existing services were denied in the community due to discrimination/exclusion (21%); documentation was required to have access to services (34%), the assistance was not free (43%) and the assistance was not what the community needed (17%). Results from KII indicates discrimination (19%), unable to pay services (19%), Lack of information about available services (15%), socio-cultural reason (12%) and service is not inclusive (of gender, age, disability) (11%). Discrimination and exclusion were more likely to be reported by female KIIs. 9% of respondents mentioned that women headed households faced challenges in accessing services, which could be linked to their inability to move freely without an accompanying male family member. Women are also less likely to have Tazkera than men in Afghanistan, further reinforcing their inability to access services. Women also reported their inability to pay for services than men, showing the dire impact of the economic crisis on women’s access to services.

Finally, women were also less likely to have information on services with 80% of them reporting in the HH survey that they had no

knowledge of community feedback mechanisms and 44.32% reporting that they were unable to access mechanisms (for 28.65% of men). The result of KII survey indicates that the top five services to which households reported being denied are: Livelihood (10%), Health (8%), Education (8%), Support for Person with Special Needs and WASH (7% each).

The result of Household survey shows that 34 % of respondents reported that community members were unable to access existing services compared to 42% who reported they can get access to services.

The most effected groups among the community member based on the KII data that were unable to have access to the existing services were person with disabilities (12%), elderly person headed household (11%), female-headed households (10%), child headed household (9%), women at risk headed household (8%), person with mental disabilities (8%), children at risk headed household (7%), persons with life-threatening health issues (7%), older person at risk headed household (6%), single male-headed household (6%), single female headed household (4) and substance abusers (4%).

### e. Dispute Resolution Mechanisms

The formal justice system and legal framework under the de facto government continued to remain unclear in this quarter. In their July 2022 report about the situation of human rights in Afghanistan up until June 2022, UNAMA explained that a review of existing legislation to assess compliance with Sharia was still ongoing, resulting in “lack of clarity regarding the applicable legal framework on matters of both procedures and substance.”<sup>7</sup> The same report also

<sup>7</sup> UNAMA, Human Rights in Afghanistan: 15 August 2021 to 15 June 2022, July 2022, available at:

[https://unama.unmissions.org/sites/default/files/unama\\_human\\_rights\\_in\\_afghanistan\\_report\\_-\\_june\\_2022\\_english.pdf](https://unama.unmissions.org/sites/default/files/unama_human_rights_in_afghanistan_report_-_june_2022_english.pdf) , at page 35.



highlighted ongoing arbitrary arrest, lengthy delays in criminal trials, overcrowding of prisons, degrading punishments, and extrajudicial killings.

Household survey respondents continued to report that overall, informal dispute resolution mechanisms were preferred by the community. This included mullahs (17%), elders (16%), religious leaders (15%) and family or relatives (12%). A smaller percentage of respondents (8%) indicated taking their dispute to the court system. Interestingly, mullahs and elders were the highest reportedly utilized mechanism by men and to some extent by woman during this quarter in household surveys, as opposed to resolving disputes through family and relatives as reported in the previous quarter; however, KI interviews stated that the latter was still the preferred avenue of dispute resolution for women. Overall, around 50% of women and men household survey respondents reported that their dispute was resolved through the mechanism that they chose. According to KIIs carried out, women's preferred resolution mechanisms were taking the dispute to their family members or resolving it themselves, which may be linked to their inability to access community mechanisms due to difficulties faced in moving freely, as well as the lack of women representation in such mechanisms. Indeed, 13% of respondents mentioned the absence of women as a challenge when accessing dispute resolution mechanisms (this was mentioned by 17% of women, who also reported discrimination as a key barrier to accessing such mechanisms). The most reported barriers to accessing dispute resolution mechanisms in household surveys included fees, discrimination and lack of trust. Fees were highly reported by IDPs as a barrier while undocumented returnees mostly reported lack of trust. Women respondents also indicated lack of female representation as a significant access barrier. Indeed, a significant

decrease of female representation in justice mechanisms continues to be reported across Afghanistan, not only in informal justice (such as a decrease in women shura and jirga members) but also in courts and formal departments; in addition, in some provinces, women cannot access these institutions without being accompanied by their mahram.

Based on these observations, ongoing monitoring and analysis of developments in the de facto government formal legal system remain essential, as is legal assistance to communities to access dispute resolution mechanisms.

### **f. Social Cohesion**

Similar to the previous reporting period, the key informant interview findings show generally positive relationships within the community and with other community groups. Similar perceptions of relationships were reported by IDPs and host community groups. However, undocumented returnees are more likely to report neutral engagement within the community and among various other communities. In Takhar and Badakhshan provinces, key informants were more likely to report negative relationships within the community, and a small number of focus group discussion participants reported negative relationships in Kandahar, Daikundi, Ghazni and Farah provinces. The most often cited reasons for negative interactions among communities were discrimination, tensions, debt-related and political alignments and tensions over competing job opportunities. Reports of discrimination in Takhar and Badakhshan could be linked to the increased reports of the De Facto Authorities targeting ethnic Tajiks and other ethnic minorities in the northern provinces who are perceived to be sympathetic to the National Resistance Forces and other armed groups currently operating against the DFA. Women KIIs were more likely than men

KIIs to report intra-community tensions, also showing gender discrimination and the impact on women as a key safety and security issues for them. Importantly, community violence was reported by 6% of the household survey respondents who reported existence of psychosocial distress; host community groups were more likely to report the presence of violence in their communities compared to IDPs and returnees.

### 3. EXISTING CAPACITIES TO ADDRESS PROTECTION RISKS

The CPAoR has human resources capacities to address the protection risks above. There is existing structures and mechanisms in place that shall provide the necessary synergy to propel the child protection intervention and increase in scale and scope. However, there is need to gradually increase technical competency to address the complexity in the psychosocial support services required.

The GBV SC has operationalized regional coordinators and coordination body in the western, southern, northern regions and central highlands to address the specified protection risks and to act as GBV focal points for inter-cluster coordination. The GBV SC has also updated its service mapping in Q2. However, GBV activities remain sensitive and the restrictions on freedom of movement of women deter the effective functioning of GBV prevention and response activities. The GBV SC, led by the GBV SC coordinator, therefore recently undertook a series of regional consultations to understand the situation at the field level in Q3.

## 4. RESPONSES

### a. Operational Constraints including Access Issues

Humanitarian space continues to be restricted in Afghanistan over the 15th of August 2021 due to the increase in access constraints and operational challenges that are happening against the backdrop of severe humanitarian needs and protection concerns in particular. Access constraints and operational challenges imposed by the DE-facto authorities (DFAs) include interference in the implementation of humanitarian activities, restriction of movement of agencies, personnel, or goods within affected communities, and violence against staff, assets, and humanitarian facilities. Restriction on female aid workers without a mahram, access to humanitarian services, and, or reach to female beneficiaries continues to be the highest concern by humanitarians. In September 2022, at least 22 access incidents relating to female staff temporarily suspended 9 programs, permanently closed 1, and detention of 5 staff<sup>8</sup>. over 126 access incidents, involving increased interference in the implementation of humanitarian activities and military operations and ongoing hostilities impeded humanitarian operations that temporarily halted 35 programs of UN and NGOs, across 7 regions<sup>9</sup>.

According to the Humanitarian Access Group, 108 directives, and instructions issued by the DFAs had a potential impact on the humanitarian environment in 2022. Humanitarian partners are concerned with the DFAs operational guideline (directives and instruction) that aim to effectively regulate and monitor aid organizations, thus, dodging the humanitarian space through attempts to influence the beneficiary selection, program design, and

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<sup>8</sup> Humanitarian Access Snapshot September 2022

<sup>9</sup> Humanitarian Access Snapshot September 2022

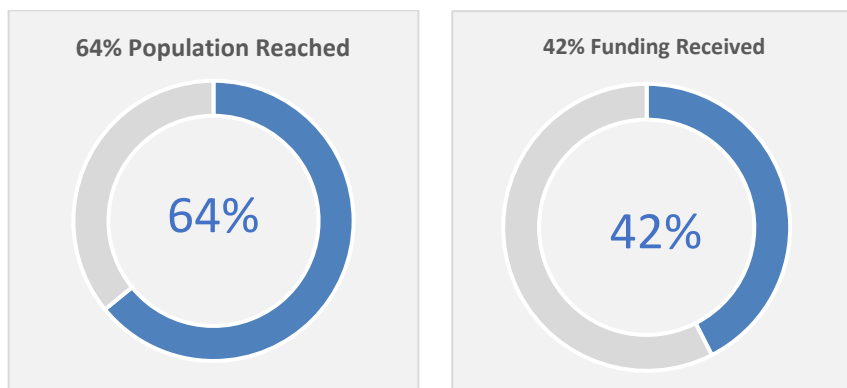
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staff recruitment, and adding bureaucratic hurdles to the project implementations.

This evidence impacts since August 2021, from delays in the start of project implementation to the return of funds, that consequently drastically affect the population in need of assistance. The demand for MoU between the Directorate of Economy (DfA) and CP AoR partners to ensure humanitarian access remains the greatest of challenges.

### b. Population Reached & Funding Data



## 5. RECOMMENDED ACTIONS

### a. For Donors & Members States:

1. **STRENGTHEN** impartial access to protection and multisectoral services through **Engagement** with the DfA and increased funding **TO** humanitarian organizations committed to having female and male staff including local partners delivering

assistance to all members of the affected population, and who focus on vulnerable populations and marginalized groups **BY** ensuring:

- Longer-term flexible funding for dedicated women and girls and GBV programming considering the increased of GBV risks and restriction of access to services.
- Greater flexibility in implementation timelines because of the restriction on female staff and interference imposed by DfA.

2. **STRENGTHEN** protection monitoring, integrated case management, mental health and PSS support, job-opportunity capacity, victim's and marginalizes assistance, mine action survey, demining, education and ERW removal, access to land and family living condition, rehabilitation and reintegration services, **BY** increasing humanitarian funding.
3. **FACILITATE and INVEST** in development sectors **BY** job-skill training and creation of employment opportunity **TO** support community-based structures and durable solutions programs, and **TO** encourage the reintegration of displaced people and returnees.

### b. For HC/HCT & Humanitarian Partners:

1. **ENSURE** the centrality of protection in the humanitarian response **BY** strengthening protection analysis capacities in order to prioritize emerging protection risks and to integrate protection activities into all interventions.
2. **GUARANTEE** equitable access, capacity building and awareness to promote access of women and other marginalized people to

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available aid programs, **BY** encouraging community engagement and the development of community resolution disputes and feedback mechanisms, that are inclusive and sensitive **TO** gender, ethnic and religious status, and respect human rights.

3. **ENGAGE** in advocacy and in continuous dialogue with the De facto authorities **TO**:

- **Review** their Directives, Guidelines and Instructions, which continually reduce humanitarian access spaces and increase day-to-day restrictions and interference in humanitarian aid programs.
- **Promote** the full participation of women and girls in public life, and access to job opportunity.
- **Urge** the full and safe participation of female humanitarian workers to support service delivery for female beneficiaries.
- **Restitute** the formal justice system, **Allow** legal assistance to communities to access dispute resolution mechanisms, and **Respect** international human rights law.
- **Conduct** a national mine action survey to capture the extent of the contamination.
- **Support** humanitarian deminers programs for inclusive access to communities for demining, education and ERW removal.
- **Prevent** the growing threat of actual forced eviction against thousands of families living on land belonging to the State.

4. **ENGAGE** with emerging governance systems to sustain the gains made securing land rights, particularly women's through

formal and informal systems in Afghanistan and to **USE** as a foundation for women's social and economic empowerment.

5. HLP Sub-cluster and CCCM working group, **TO ensure** continue multi-sectorial interventions to support vulnerable households and mitigate protection risks such as threat of eviction, including cash for rent.
6. Mine Action Sub-Cluster, **TO STRENGTHEN** the mine clearance program and **PROMOTE access** to education for men, women, boys and girls on the risks of mines, IEDs and other explosive devices through risk education across the country and in particular Kandahar, Wardak, Ghazni, Herat and Kunar.
7. **MAINSTREAM** PSEA in all aspects of the humanitarian response, ensuring all humanitarian actors are accountable for their actions and uphold the highest standards of conduct and discipline.