



AFGHANISTAN

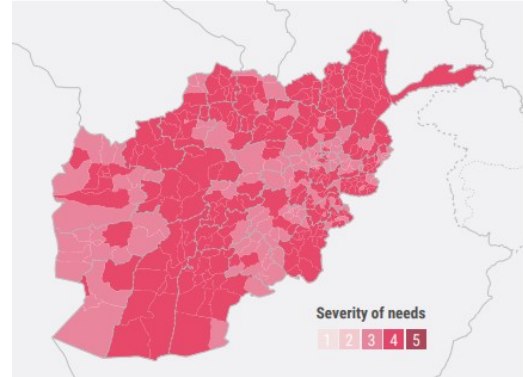
Protection Analysis Update

Update on protracted-crisis and climate-related protection risks trends

May 2024

EXECUTIVE SUMMARY

Afghanistan is undergoing a complex and multifaceted protection crisis after four decades of armed conflict and is still grappling with its long-term consequences, including high explosive ordnance contamination, and widespread destruction of essential infrastructure. Over 6.3 million Afghans remain displaced, and many of these people have been displaced multiple times. Marginalisation, discriminatory norms and practices continue to be widespread, including the curtailment of women and girls’ rights and their participation in the economic, social, and public life since the Taliban led de facto authorities (DfA) takeover in August 2021. Following the consolidation of their control, there has been a crippling economic deterioration coupled by increasing climate-shocks such a third-consecutive year of drought and multiple earthquakes which resulted in wide-scale destruction of over 382 villages across Herat Province and directly affecting over 275’000 people in October 2023. Simultaneously, Afghanistan is also facing large-scale returns from Pakistan, including over 493’300 from 15 September 2023 to the end of December 2023. These recent events have significantly contributed to a changed environment and became key drivers of needs and compounded the already dire humanitarian situation. These drivers continue to erode the population’s coping capacities and prevent them from becoming more resilient. Hence, despite a significant decrease in active conduct of hostilities across Afghanistan, widespread protection risks persist, characterized by significant protracted displacement, mine and explosive ordnance contamination, discrimination, and denial of access to services, resources and humanitarian assistance, restrictions to freedom of movement, growing threat of forced evictions, increased risks of gender-based violence (GBV), child labour, early marriage and heightened needs for mental health and psychosocial support. The protection space is shrinking and is affecting particularly women, girls, IDPs, returnees, persons living with disabilities, elderly, and other vulnerable groups. The protection risks requiring immediate attention in the period covered by this analysis are:



People in Need (PIN): 20.8M ¹	People targeted: 6M
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1. **Discrimination and stigmatization – denial of resources, opportunities, services and/or humanitarian access**
2. **Gender-based violence**
3. **Presence of mines and other explosive ordnance**
4. **Unlawful Impediments and/or restrictions to freedom of movement**
5. **Impediments and/or Restrictions to Access Legal Identity, Remedies and Justice (including access to secure land and housing and threats of forced eviction)**

URGENT ACTIONS NEEDED

Amidst the continued multifaceted protracted crisis in Afghanistan, urgent actions are needed to reduce, prevent, and mitigate negative coping strategies and other protection risks. It is of utmost importance to:

- Strengthen engagement at the highest level of the DFA to advocate for increased acceptance of protection activities with a particular focus on women, girls, minorities, persons living with disabilities and other vulnerable groups.
- Enhance resource mobilization for the humanitarian response, especially for national partners/local NGOs, to provide basic services for most vulnerable groups due to expanded needs compounded by climate-induced disasters and displacement both internally which leads vulnerable groups to resort to negative coping mechanisms and being exposed to protection risks.

¹ The figures are retrieved from the Afghanistan Humanitarian Needs and Response Plan 2024

CONTEXT

**EARTHQUAKE
CASUALTIES**

+1'480

IDPS

6.3M

**RETURNEES FROM
PAKISTAN**

+493'300

HAZARDOUS AREAS

1,255.6 km²

The Taliban takeover has precipitated Afghanistan in a new era, fraught by political, social, economic, and humanitarian challenges. The current multi-faceted crisis is marked by a crippling economic deterioration resulting in lower household incomes and higher debts level, food insecurity and risk of malnutrition, rising poverty and the near-exhaustion of public health services, coupled by recurring climatic-shocks and its high-level devastation as well as large-scale cross-border returns. Despite improvement of the overall security environment in Afghanistan, targeted violence and human rights violations persists, exposing specific groups to continuous protection risks, specifically women, girls, IDPs, returnees, human rights defenders, journalists, ethnic and linguistic minorities, persons with disabilities, as well as former government officials and military and security personnel. The DfA have dismantled human rights since their takeover of power, especially regarding restrictions on freedoms and rights of women and girls, which economic, social, and public life is becoming predominantly non-existent and, impede their access to services and assistance. This has confined women and girls to their homes, which in turn have increased risks of domestic violence and their dependency on assistance and support, leading them to increasingly resort to negative coping mechanisms.

The restrictions imposed by the DfA have also partly negatively affected donors' contributions and the engagement of the international community, which has resulted in a significant shortage of humanitarian funding to response to the dire population's needs. The DfA's regulations and monitoring of UN organizations and I/NGOs continue to interfere in the delivery of timely humanitarian response and deprive aid recipients and vulnerable groups of life-saving assistance. On 30 December 2023, the Ministry of Economy issued a letter discouraging Public Awareness, Peacebuilding, Conflict Resolution, Advocacy activities in favor of development programs. These new instructions negatively affect the activities of protection-focused NGOs that have also been challenged by mandatory registration and signing agreements with the DfA for implementation of their programmes and 18 Protection Cluster members' MoUs are still pending or being processed.

Forty years of armed conflict resulted in numerous waves of forced displacement across the country. Many returnees are arriving in areas still grappling with high-level protracted displacements. At the same time, increasingly recurring climatic shocks have already engendered further displacement, such as in Herat Province, where multiple earthquakes occurred consecutively last October. The risk of forced evictions in informal settlements and the return of Afghan nationals from Pakistan are also driving housing, land, and property (HLP) needs. The absence of a clear legal framework for HLP management and uncertainty surrounding property law enforcement since 2021 pose additional challenges for vulnerable groups facing insecure tenure.

While active hostilities are no longer the primary driver of needs due to improved security conditions following the DfA's takeover, Afghanistan remains heavily contaminated. Two-thirds of the 401 districts are still affected by improvised explosive devices (IEDs), mines, and explosive remnants of war (ERW). Approximately 3 million people live within a 1km radius of these hazards, resulting in over 60 casualties per month, mostly children ([OCHA: Six things to know about Mine Action in Afghanistan](#)).

The current protracted nature of the crisis has worsened these vulnerabilities and has a devastating impact on the population as it contributes to heightened pressure on already limited resources, livelihood opportunities and basic services, and increase protection risks particularly for the most vulnerable groups.

ECONOMIC DETERIORATION: ERODING SOCIOECONOMIC CONDITIONS AND COPING CAPACITIES

Following the political shift in 2021, Afghanistan has been facing a rapid economic downturn, due to high contraction since 2020, linked to restricted banking services, finance sector, trade disruptions, fragile and isolated institutions, as well as the suspension of direct international development assistance. Hence, sanction restrictions and the economic decline have negatively impacted Afghan people, in particular vulnerable families. ([UNDP: Two Years in Review: Changes in Afghan Economy, Households and Cross Cutting Sectors](#)). [UNDP also reports](#) that the real GDP has significantly declined (by 29%) since 2020 and continues to decrease. Unemployment is increasing, in parts due to insufficient job opportunities coupled by employment restrictions imposed on women, which are estimated to have engendered between US\$ 600 million and \$1 billion in economic loss. ([World Bank, Afghanistan Monitor November 2023](#)). UNDP warns that 85% of the population is currently surviving with less than one dollar a day. The rates of hunger and malnutrition remain high, amid climatic shocks, limited income generating opportunities as well as barriers to access basic services. The declining socio-economic conditions and food insecurity have led vulnerable households to resort to negative coping mechanisms, notably with child labour, child marriage and displacement. [UNICEF reports](#) that roughly 1.6 million Afghan children are currently in child labour and frequently working in dangerous conditions. In August 2023, an assessment reported that 38,4% of children surveyed were pushed into labour force to support their families in coping with high levels of poverty and hunger.ⁱ

INCREASING DROUGHTS, EARTHQUAKES AND OTHER CLIMATIC SHOCKS

Afghanistan ranks among the 10 most climate change-vulnerable countries in the world and is amongst the least prepared to adapt to climate change. Recurring climatic shocks such as drought, floods and earthquakes compound the weak protection environment in Afghanistan ([INFORM Risk Index](#)). Drought is reported to be the most frequent climatic shocks households are enduring in Afghanistan. The country has experienced a third-consecutive year of drought. At least 25 out of 34 provinces are suffering from either severe or catastrophic drought conditions, affecting more than half the 40 million population. Consequently, it has limited people's assets, depleted their livestock and crop production. This has led people to resort to negative coping strategies, such as internal and cross-border migration, child labour as well as child marriage.ⁱⁱ

Afghanistan is increasingly vulnerable to earthquakes as it lies on widespread active faulting. Between 7 and 15 October 2023, Herat Province was hit by four powerful earthquakes of 6.3 magnitude and multiple aftershocks. These quakes were devastating and affected 1.6 million people with high intensity shaking (MMI 6+). At least 1,480 civilians were killed and more than 2,100 were injured, mostly women and children, and approximately 275'000 people require urgent humanitarian assistance, and at least 382 villages were directly impacted. It is estimated that 21,300 buildings sustained damage, notably 144 schools and 40 health facilities. Injil and Zindajan districts are the most affected, as around one-third of the impacted population is in Injil ([WHO, 100 days after the Herat earthquakes, 2024](#)).

At least 275'000 people need assistance and protection amongst other needs, notably with a specific attention to vulnerable groups. Because their homes were destroyed and they were separated from their parents, caregivers, or other family members, at least 3'100 children were reported to be unaccompanied. What is more, due to emergency sheltering and its limited capacity, women and girls are exposed to greater risks to their safety and security. The earthquakes have further compounded an already critical situation and at the same time exacerbated existing protection risks for Herat's already-vulnerable communities, which are still coping with ravaging decades of armed conflict, economic deterioration, unemployment, and poverty, which in turn, significantly affect the population's resilience to contend numerous and coincident shocks.ⁱⁱⁱ

LARGE SCALE CROSS-BORDER RETURN MOVEMENTS FROM PAKISTAN

On 3 October 2023, the Pakistan's Ministry of Interior announced the implementation of the "Illegal Foreigners Repatriation Plan", which entails that all foreigners without valid documentation would be forced to leave Pakistan by 1st November 2023 or could face arrest and deportation if not voluntarily returning to their home country. Despite that this plan was formulated in general terms, it has primarily affected Afghans, who encompasses the largest foreigner group residing in Pakistan, as it hosts 1.3 million of registered Afghan refugees, 840'000 Afghans holding citizenship card (ACC), which giving them certain level of protection and limited access to services, while it is estimated that 1.5 million Afghans live in the country without documentation ([UNHCR, 2023](#)). Significant population movements from Pakistan to Afghanistan have occurred with approximately 493,300 people who return to Afghanistan between 15 September and 31 December 2023, among them, 29'300 were deported ([UNHCR Data Portal](#)). The returnee population includes an estimated 57% children (29% boys, 28% girls), 23% men, and 20% women. Most movements have occurred through the Torkham and Spin Boldak-Chaman official borders. Nevertheless, Badini Ghulam Khan and Bahramcha borders are also used.

Returnees are particularly vulnerable when arriving to Afghanistan, with few or no possessions. Some reported physical assaults by the police, confiscation of assets and other possessions, destruction of identification documents and other forms of harassments in Pakistan. They also manifested significant concerns relating to limited shelter, employment opportunities, education, healthcare services, and financial assistance to respond to immediate needs. Other deportees with sensitive profile, are concerned about their safety and security in Afghanistan as well as the constraints to access jobs due to their sensitive background ([UNHCR Data Portal, 2023](#)). Protection risks for women (including women headed households) and girls are amplified in this context. Women have expressed concerns relating to their safety and security, including intimidation, threats, and seizure of assets by the Pakistani authorities. Due to extended delays at the border for registration, women and girls must stay in overcrowded reception centres or sleep outside in the open air, facing adverse weather conditions and limited WASH facilities, which exposes them to heightened protection risks.^{iv} Concerns have also been expressed for ethnic and religious minorities and people living with disabilities.

These large-scale returns of Afghans to Pakistan aggravates the already dire humanitarian situation, adding on the existing 6.3 million internally displaced Afghans and the 275'000 affected people from Herat's earthquakes. This will exacerbate the current struggles in Afghanistan for limited resources, housing, employment, and access to healthcare services.

PROTECTION RISKS

RISK 1

Discrimination and Stigmatization – Denial of Resources, Opportunities, Services and/or Humanitarian Access

Discriminatory norms compounded by denial of resources, opportunities, access to services and humanitarian assistance remain significantly prevalent across Afghanistan, especially for women, girls, persons living with disabilities, ethnic and religious minorities, elderly, IDPs, returnees, and other vulnerable groups. Women and girls continue to face unique constraints in accessing services, education, employment, and humanitarian assistance as the DfA have enacted more than 50 decrees targeting the rights and freedoms of women and girls.^v These restrictions directly or indirectly promote discrimination. Around 1.4 million of girls are directly affected by the ban on female secondary education, which makes them increasingly vulnerable to child protection issues such as forced and early marriage, exploitation, and domestic abuse.

At least one person with a disability lives in 15% of Afghan households. The prevalence of impairments is mostly linked to war, poverty, and institutional challenges. ([OCHA, Afghanistan Humanitarian Needs Overview 2023](#)). In Afghan society, persons with disabilities face severe discrimination, exclusion, insults, and humiliation. They are unfairly blamed for allegedly bringing shame to their families due to their disabilities. Many families feel forced to hide their family members with disabilities to shield them from social stigma, especially girls with mental disabilities.^{vi} Persons living with disabilities are also significantly affected by the restrictions and bans targeting women, as women are often their principal caregivers. In this way, women's denial of access to aid and services also directly and negatively impacts access of persons with disabilities in their care. Overall, these discriminatory policies and practices exacerbate protection risks, which are compounded for women IDPs, women headed households and groups that face intersectional discrimination, such as women headed households with disability in the family, girls with disabilities in rural areas, older women, and marginalized minorities, and constrain even more their access to services, not only caused by gender discrimination but also by the stigma and barriers linked to their disability ([GiHA, Rapid Gender Analysis, 2023](#)).

The most vulnerable groups facing this protection risk include women, particularly women headed-households, girls, IDP household headed by a woman, a child, the elderly, and persons with physical disabilities. Women and girls continue to have less access to services, such as healthcare facilities, legal aid, WASH facilities than men. Women headed households are reported to comprise more than 10% of the population in Afghanistan^{vii} and they are disproportionately affected by gender discrimination and the restrictions enforced on Afghan women. They account for the ones most at risk of being denied access to services and their options for overcoming discriminatory policies and practices are limited. ([OCHA, HNO 2023](#)). Barriers to access services and humanitarian assistance include economic hurdles, physical distance, unavailability of mahram, lack of information, and no identity documentation. Additionally, women, girls, and persons living with disabilities residing in rural locations, such as in rural Kandahar, Samangan and Nuristan Provinces ([OCHA, HNO 2023](#)), accessing services is even more constrained due to economic hurdles, limited or no means of transportation, long distances to access services facilities, and limited mahram availability.^{viii}

The absence of civil documentation has a multiplier effect and the population assessed cite it as the main cause for not accessing basic rights and services (40%). More than half of the individuals assessed do not possess civil documentation, with the majority having never managed to obtain it. This disproportionately affects women and girls, limiting their access to essential services. Barriers to access civil documentation include insufficient financial resources, lack of information, issues with online applications and long and unclear procedures.^{ix} The absence of civil documentation is also linked to discriminatory policies and practices. Women are particularly affected since their access to government offices is significantly restricted and that government positions are currently mainly held by men. The availability of a Mahram also compounds women's limited access to such service ([GiHA, Gender](#)

[update #1: Forced Returns from Pakistan, 2023](#)). Women returning from Pakistan also may face challenges in acquiring national identity documentation, as it is reported that mostly men are in process to acquire national documentation and that families have prioritized male relatives due to significant cost of such document. This further exacerbates women returnees' impediments to access services, information and assistance ([GiHA, Gender update #2, 2023](#)).

Consequently, these discriminatory norms compounded by denial of resources, opportunities, access to services and humanitarian assistance have increased vulnerabilities and reduced capacities of those vulnerable groups to overcome shocks, which in turn affect them disproportionately during crisis ([OCHA, HNO 2023](#)). The bottom line of the exclusion and discrimination of women, girls and other vulnerable groups are the established traditional and patriarchal norms, which place them at a disadvantage in all aspect of life.

The DfA's restrictions, which limit women's rights and freedoms, have had significant consequences in humanitarian response efforts. These restrictions include banning women staff aid workers, leading to challenges in service delivery and reaching women and girls with aid. Humanitarian organizations are incentivized to employ men due to administrative burdens and costs related to mahram travel expenses and gender-segregated work environments ([GiHA, 2023](#)). Recent DfA directives require organizations to replace women with men in director, deputy-director, and board members positions. As a result, it increases women's isolation, increases lack of appropriate staff, and decreases gender-based responses and policies. The Ground Truth Solutions' (GTS) recent report highlights that, the top safety concern for women is the ban on women aid workers at distribution points (40%), followed by long-distance travel to distribution sites (37%).^x Women headed households face additional challenges due to exclusion from selection, assessments, and aid distribution processes when they lack a mahram.^{xi} Furthermore, persons with disabilities struggle to access aid (86%), often reporting difficulties in finding information about registration and feeling unheard by humanitarian assistance providers. ([GTS: Perspectives from People with disabilities, January 2024](#)).

The multiple earthquakes in Herat province have disproportionately affected women and girls and have exacerbated existing protection risks. Women may have been less informed on earthquake preparedness, due to restrictions imposed on their rights and freedoms and the ban on women aid workers. Similarly, women mentioned not feeling comfortable at distributions points when receiving assistance by men staff ([GiHA, Gender update #1 on Herat earthquakes, 2023](#)). This translates into a significant risk of limited availability of assistance and information about assistance provided to women by women due to the ban on women aid workers, in a context where an inclusive and gendered-appropriate response is necessary ([GiHA: Gender update #2 Returnees from Pakistan, 2023](#)). On the long run, this trend may have significant adverse consequences as of normalizing humanitarian response excluding women staff and women-led organizations entirely.

Restrictions having the most significant impact on women's lives and their families are the ban on girls' education beyond grade 6, followed by women's employment and the ban on freedom of movement ([joint report from UN Women, IOM and UNAMA, 2023](#)). Depression and insomnia are still reported as mental health conditions affecting women and girls, leading to physical impacts such as headache, tiredness, loss of appetite.

As a result, the most vulnerable groups are more likely to use negative coping strategies to meet basic needs, such as borrowing money (34.2%), selling assets (15%), skipping meals, or reducing meal size (11%), sending children to work (10%). Children are the ones most engaged in exploitative acts, primarily in labour exploitation, followed by domestic servitude and sexual exploitation.^{xii} Other extreme strategies encompass, early and forced marriage of daughters, begging, sale of organs and children, suicide ideation and suicide attempts. As a result, suicide rates may likely be increasing² ([UNHCR Data Portal; GiHA, 2023](#)). Additionally, due to the restrictions on women's employment and the lack of an extensive programme to assist persons with disabilities, many women living with disabilities resort to begging in appalling conditions and many had to stop due to mahram requirement ([USIP, 2024](#)). Also, in a survey conducted in 2023, women with disabilities more often resort to early daughter marriages than women without disabilities ([GTS: Only women can understand another women, 2023](#)).

² Suicide attempts may be underreported due to cultural taboo.

In Afghanistan, local mechanisms such as women’s community groups (known as women’s groups or Shuras) play an important role. Notwithstanding, women express that it is still essential to respect social norms, involving male relatives, community leaders, and elders, to avoid exposing women to additional risks.

If discriminatory policies and practices persist, vulnerable groups will continue struggling to meet their basic needs, decreasing their resilience, and increasing their vulnerabilities to future shocks. As well, development indicators for Afghan women and girls are likely to show a sharp decline in the future years if the curtailment on their freedoms and rights persists.

RISK 2 Gender-Based Violence

In 2023, following the bans that decreased access of women and girls to humanitarian assistance and other services, the number of women and girls at heightened risk of gender-based violence (GBV) increased by 30% from 10.1 million (as of May 2023) to 13.1 million (as of end of 2023) ([OCHA, Afghanistan Humanitarian Needs and Response Plan 2024](#)). It is important to highlight that, GBV affecting women and girls is widespread but continues to be underreported. Specific groups of women are at higher risk of GBV, including women headed-households, widows, girls forced into early marriage, internally displaced and returnee women, women with disabilities, as well as religious ethnic, sexual and gender minorities. Subsequently, [UNAMA’s report](#) highlights that since the DfA took over, the already high prevalence of gender-based violence against Afghan women and girls, including intimate partner and domestic violence due to their confinement to their homes—has increased. Girls unable to attend school are also at heightened risks of abuse, early marriage, exploitation, and domestic violence. Early marriage may increase the risks for a girl or women to endure domestic violence ([GiHA, 2023](#)). Protection partners also report evidence suggesting a non-negligible increase in child and forced marriage of girls to cope with aggravated livelihood situations. ([OHCHR, Report of the Special Rapporteur, June 2023](#))³

Climatic shocks and climate induced displacements have also exacerbated pre-existing protections risks, exposing women and girls to heightened risk of GBV, sexual exploitation, abuse, harassment, particularly in emergency shelters/tents set-ups. Following the earthquakes in Herat province, temporary, limited, and overcrowded emergency shelters, compounded by limited WASH facilities, have led to increased protection risks relating to the safety and security of women and girls ([GiHA, Gender update #2: Earthquakes in Herat Province](#)). In the aftermath of the earthquakes, WASH facilities were nonexistent due to damage, with heightened protection risks for displaced women and girls, who reported increased isolated walking towards facilities.^{xiii} Additionally, the majority of those surveyed stated that women and girls were exposed to risks for both safety and security when using latrines. ([IRC, Needs Assessment report, 2023](#)). Women and girls’ returnees from Pakistan face similar situations at border points, leading to heightened exposure to gender-based violence, including being victim of threats, intimidation, and even asset seizure by Pakistani authorities ([GiHA, Gender update #2, 2023](#)). Women aid workers who were able to resume their work also reported instances of intimidation and harassment, compounded by mahram and dress code requirements ([UNHCR Afghanistan Protection Brief, December 2023](#)).

Existing patriarchal norms have been further entrenched through decrees and practices. Subsequently, the DfA has dissolved the Ministry of Women’s Affairs and other entities ensuring justice for survivors of gender-based violence. These changes have aligned with the Taliban’s predominantly Sharia-based legal and justice system ([UNAMA, 2023](#)). UNAMA’s findings also emphasize that due to fear of DfA, many survivors opt for traditional dispute resolution mechanisms. These mechanisms, however, often lack women personnel and may perpetuate gender inequality and discrimination. Discriminatory policies and practices, along with the absence of women in judicial institutions, contribute to survivors’ distrust in the existing justice system. Also, informal dispute resolution

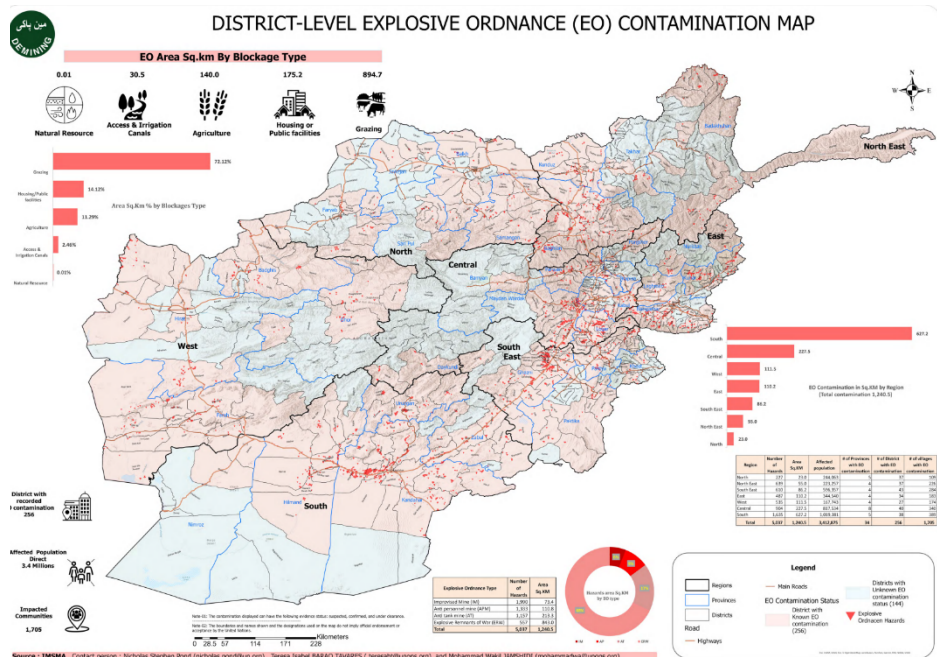
³ However, there is a gap in data collection and numbers are difficult to ascertain. The issue may be well under-reported.

mechanisms, led primarily by men (such as shuras and family members), may deter women from seeking justice, especially in cases involving divorce or gender-based violence. (GiHA, 2023).^{xiv} Gender-based barriers significantly hinder women’s access to reporting and information. Factors such as limited access to mobile phones, the internet, and low literacy rates disproportionately affect women in this regard. The reliance on male relatives, scarcity of female aid workers, fear of reprisals when reporting violations, and the social stigma and isolation associated with gender-based violence all contribute to lower reporting rates among women (GiHA 2023).^{xv}

The ban on Afghan women NGO workers diminishes the ability of women-led NGOs and women staff in this sector in providing a safe environment, counsel, and support to women and girls who have been victims or survivors of violence in Afghanistan. GBV infrastructure has been quickly dismantled, resulting in the closure of many protection centres and the decrease of assistance of lifesaving GBV services. As well, insufficient funding and aid disruptions have exacerbated the reduction of protective, preventative, and support services for Afghan women and girls, including accessible safe spaces or shelter. (GiHA, 2023; OHCHR, 2023).

RISK 3 Presence of Mines and Other Explosive Ordnance

The presence of explosive ordnance in Afghanistan from armed clashes in the past 20 years, including explosive remnants of war and landmines, as well as the more recent threats relating to improvised explosive devices (IEDs), continue to be persisting hazards, endangering the lives of civilians and is one of the leading causes of death in Afghanistan (OCHA HNRP 2024). Vast swathes of land and large numbers of critical infrastructure (including 470 schools and 230 health facilities located within 1km of hazards area) are affected by explosive ordnance, which kills and maims more than 60 people, mostly children, every month. Between July and December 2023, unexploded ordnance killed at least 77 people and wounded at least 163 others. Among the victims were 193 children (147 boys, 46 girls) and 47 adults (31 men, 16 women). Children continue to be the most affected by explosive ordnance accounting for 80% of all victims. Most of the civilian casualties are from spot of explosive remnants of war (ERW).



There are still 1,255.6 km² contaminated areas in Afghanistan, affecting at least 1’727 communities. Households who rely on agricultural livelihoods such as farmers, herders and shepherds are at also heightening risk of exposure to explosive ordnance, as they must access fields, which may be contaminated. The provinces of Hilmand, Kandahar, Logar, Maidan Wardak and Zabul are the most severely impacted, with 800 km² of contaminated areas which makes 64% of the entire explosive ordnance contamination.

Devastated by four decades of conflict, Afghanistan remains one of the most contaminated countries worldwide. Moreover, there are still sporadic clashes between non-state armed groups, which continue to endanger civilians' lives and to contaminate areas with explosive ordnance. Recently, the IS-K (non-state armed group) claimed responsibility for three attacks, using IEDs against civilians, in places of worship. Between October and November 2023, members of Shi'a Hazara community were targeted by three IEDs attacks in a mosque in Pul-e-Khumri city, a sport club, and a bus both in Dasht-e-Barchi, West Kabul. These three attacks resulted in 40 killed and 86 injured. ([UNAMA, Human Rights Situation in Afghanistan, 2023](#))

Circumstances of explosive ordnance incidents are diverse, in some instances, children may unintentionally step on landmines or grab explosive ordnance around their home, where they play, go to school, or help their families with household chores, such as animal grazing, gathering fodder for livestock in the fields, or collecting firewood.^{xvi} There are also increasing risks and dangers for the population, particularly children, as the local communities can now access areas that were previously inaccessible due to conduct of hostilities. Returnees, IDPs due to conflict, and other people on the move also return to areas previously inaccessible, without the necessary knowledge on explosive ordnance contamination in these locations or safe behaviour and reflexes when coming across explosive hazards.^{xvii} Based on recent analysis, there are around 268 explosive ordnance hazards with an estimated area of 235 km² spread across 391 villages, which are identified as the final destination areas of returnees. Increasing poverty and the deterioration of socio-economic conditions have also led to an increasing number of children to engage in child labour, often in dangerous conditions. In some incidents, children were collecting scrap metal for selling purposes ([UNICEF, May 2023](#)).

As numerous areas are still heavily contaminated in Afghanistan, people face multiple and cumulative negative impacts in their daily life, as it constrains their freedom of safe and dignified movements, their access to services and basic needs (such as access to water, access to education), aggravates food insecurity, impacts their livelihoods, and causes physical and psychological distress and trauma. People with physical injuries need prolonged health and social assistance and may lead to permanent disability. Heavily contaminated areas in Afghanistan also represent a threat to the safety of humanitarian staff and a significant constraint to the delivery of humanitarian assistance. Regarding reporting explosives ordnance or areas contaminated, half of those assessed mention uncertainty about whom to report to. Finally, despite having more access than at any time in recent history, the mine action services sector has suffered a significant reduction in the number of operational teams in recent years.

RISK 4

Unlawful Impediments and/or Restrictions to Freedom of Movement, Siege and Forced Displacement

Women and girls' freedom of movements continues to be severely curtailed by the DfA's decrees and directives, limiting their access to economic, social, and public life and their access to basic services. Over time, enforcement of restrictions has become more rigid for a significant portion of assessed women. Conversely, some women perceive that restrictions' enforcement has become more lenient, leaving room for possible exemptions ([Joint IOM, UN Women and UNAMA report on the situation of Afghan women](#)). The observed trend suggests that Afghan women might be gradually adapting to the restrictions imposed on them. This could potentially lead to relaxation in enforcement over time. However, [their last joint report \(February 2024\)](#) also shed light on stricter enforcement of some decrees, specifically related to hijab (58% of women), particularly in Kabul, with dire constraints to their movements, specifically without mahram (57% of women indicate feeling unsafe).

The Mahram requirement continue to pose severe restrictions on the freedom of movement of women (no travel is allowed more than 78km without a mahram). There is limited clarity regarding the extent of its implementation across Afghanistan, as variations may exist between different provinces. For example, in Kandahar Province, women staff in the health and education sector were requested to have a mahram while working ([ACAPS thematic report: Afghanistan Taliban directives and decrees affecting human rights and humanitarian actors](#)). Another example, in Herat province, specifically for medical facilities, an ordered requires the mahram to remain with the woman inside the facility, including in the operation rooms. Women may not be able to timely access medical facility, and where

there are no women medical staff, they may be unable or unwilling to be checked by a male medical staff. Also, earthquakes in Herat Province have also disproportionately affected women and children, as they reportedly encompass the most casualties. Women account for most of adult casualties (61%), injured adults (60%) and missing persons (61%). Due to DfA restrictions on their mobility and traditional norms, women were more likely in their homes at the time of the first earthquake (occurred during day time) while men in many cases - were working outside their homes ([GiHA, Gender update #2, earthquakes, 2023](#)).

For women headed households and widows, their vulnerabilities are exacerbated as they do not account for male family member. Some risk traveling without mahram to access basic services as well as humanitarian distribution sites, exposing them to possible harassment or abuse, for instance at checkpoints. ([GiHA, 2023](#)). Moreover, as there are fewer health services in rural areas Afghan women face longer travel distances to access them. They may face stigmatization from communities and safety issues, which also may affect their aid eligibility. ([GTS: Against the odds: Strengthening accountability to women and girls in Afghanistan, 2023](#)). In other situations, the mahram requirement also put extra pressure on families with a male family member living with a disability, as accessing healthcare become harder without a male guardian available ([ACAPS: Spotlight on social impact: July-October 2022](#)). Notwithstanding, men, and overall families may be also impacted as men must accompany women relatives, which in many cases also may hinder the possibility of generating income during the time they must be travelling with them ([GiHA, 2023](#)).

The impact of those restrictions has been significantly adverse for women. They often rely on organic social networks for information, notably on humanitarian aid as they mainly have had lower literacy rates, and less access to information, and technology than men. ([IOM, UN Women, UNAMA, 2023](#)). Therefore, their access to public spaces and maintaining social networks has been significantly hindered and, this consequently has negatively affected their access to information and essential services, leading to mental health issues such as depression and fatigue.

RISK 5

Impediments and / or Restrictions to Access Legal Identity, Remedies and Justice (including access to secure land and housing and threats of forced eviction)

Insecurity of tenure is widespread in Afghanistan and many people face insecure housing arrangements and threats of eviction and need support to meet their HLP rights. Tenure insecurity stems from precarious tenure arrangements and high costs of housing. Protracted IDPs and returnees living in informal settlements, including specific vulnerable groups, such as women, children (including unaccompanied and separated children), elderly, people with disabilities or specific needs, and minority ethnic or religious groups regularly suffer from significant tenure insecurity, arbitrary prices and threats of eviction as they often do not have other alternatives than occupying land without property rights nor written legal agreement for land usage, ([OCHA, HNO 2023](#)). Estimations indicate that approximately 2 million IDPs reside in more than 1,000 expansive, slum-like informal settlements spread across nearly 30 provinces in Afghanistan. They often live in deplorable conditions and rely heavily on humanitarian aid to augment their insufficient income ([NRC, 2022](#)). Women also comprise most of the people living in informal settlements and remain particularly vulnerable to evictions, as they historically have low rates of home or land ownership ([GiHA, Gender Update, 2022](#)). The bans on women partners from representing women beneficiaries in court and the refusal of women advocacy licenses also impedes progress on women's HLP rights. Women headed households and those with family member living with disabilities are often dependent on urban services. They also have less access to financial support networks and require close access to particular equipment and facilities to their homes ([OCHA, HNO 2023](#)). What is more, women headed households faced greater vulnerability, as almost half of these households received an income of less than 1,000 AFG per month, compared to male-headed households (HLP, GiHA, 2023). The absence of civil documentation affecting particularly IDPs and specifically women, hinder their access to humanitarian assistance and services following eviction and for building a new life. Women returning from Pakistan are also disadvantaged as men are prioritized for Tazkeera applications. Evictions particularly undermine the social structures that shield women-headed households, making them more vulnerable to forced, early, and child marriages as well as gender-based violence ([ACAPS, 2023](#)).

Forced evictions are frequently associated with the lack of legally secure tenure, a necessary component of the right to adequate housing and shelter. In 2023, there were several instances of both real and threatened forced evictions from informal settlements, mostly located in urban areas ([Afghanistan HNRP, 2024](#)). Around 1'500-2000 households were evicted from one of the largest IDP informal settlements in PD22 Kabul in July 2023, and authorities are considering relocating approximately 10,000 households in total. ([HLP, GiHA, Gender-based vulnerability to evictions in Kabul Informal Settlements, 2023](#)). The growing threat of forced evictions from informal settlements and the influx of returnees from Pakistan also continues to drive housing, land, and property (HLP) needs. Additionally, in Balkh, Daykundi, Faryab, Helmand, Kandahar, and Kunduz provinces, people living on disputed land are more at risk of eviction in cases where homes have been bought or given by the previous government ([ACAPS, 2023](#)).

The DfA continue to push IDPs currently residing in informal settlements to return to their areas of origin and for the settlements to be dismantled. In several cases, forced evictions occurred in coordination with the DfA or Taliban commanders, with no available recourse to legal assistance for those being evicted ([ACAPS, 2023](#)). Most assessed individuals reported that most of ISETs residents intended to remain in their current location. The main reasons for having left their area of origin were to find better opportunities (87%), better access to basic services (57%, and for security/safety reasons (48%). (CCCM Working Group, National wide ISETs sweep, round 3).

Land has become a scarce resource due to several factors such as its use in rewarding allies overtime, land grabbing during war, increasing population growth and climate change negative effects on agriculture. These factors have led to conflicts between communities. The lack of a legal framework for Housing Land Property (HLP) administration and ambiguity regarding the enforcement of property law since 2021, raises further risks for these vulnerable groups. Afghan law does not prohibit evictions, but those facing eviction must have their rights to due process upheld, both before and after the eviction, including the right to be compensated.

The DfA cites the complexity of land ownership—including ambiguous boundaries, landlessness, and shared use of pasture lands—as justification for some of these forced evictions. Like previous governments, the DfA has asserted its right to use government land for their own gain and future development projects, referring to existing legislation to support their claims. Land ownership issues constrain customary dispute resolution mechanisms with solving land disputes, navigating the various formal and informal laws regulating land ownership and averting the escalation of disputes. However, communities find it currently difficult to fight against evictions carried out by the DfA.

People who are subjected to forced eviction frequently face intimidation, harassment, and violence, compounded by a lack of access to legal or other remedies. They are also often cut off from their communities and humanitarian aid and are unable to generate sufficient incomes, posing significant challenges in starting a new life, while also having few options for relocation due to limited land availability and risks of new threats of forced eviction. It exacerbates existing vulnerabilities, such as marginalisation, discrimination, social exclusion, intensifies social disputes; and socially and economically impacts the most vulnerable groups. Multiple displacements also negatively impact mental wellbeing. Forced eviction also implies the interruption of vital services such as healthcare services, especially for people living with chronic disease and/or disabilities.

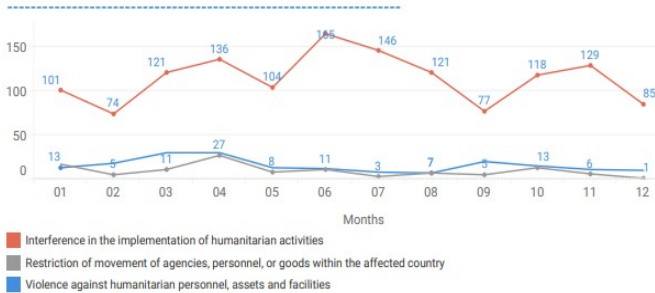
RESPONSE

PROGRESS MADE ON PROTECTION

In the second half of 2023, protection partners, despite the numerous challenges and restrictions by the authorities on protection services, were able to increase service delivery through strategic partnerships, innovative approaches which enabled many people including women and girls to access services. In some locations, women and girls have been able to move and access services while also participating in outreach to homes as community resource persons. Community Based Protection (CBP) initiatives were enhanced across all regions, with community members taking ownership, including leading community assessments and implementation of protection projects, with the community members contributing. In 2023, protection monitoring was sustained and, in 2024, partners are reviewing the tool to enhance coverage and quality of reporting. The results of protection monitoring contributed to advocacy at national and global level, including in submissions to the UN, to influence the protection situation. Through continued monitoring of the protection situation in the ISETs, the HLP AoR and partners have continuously monitored the situation and contributed to advocacy efforts to address any emerging issues leading to reversal of some decisions to evict people by authorities. The coordinated and swift response by partners during the Herat response managed to reach 97,560 people and the protection assessment helped to guide programming.

ACCESS-RELATED CHALLENGES AND ACTIONS

Interference, Restriction and Violence Incidents Trends



Retrieved from OCHA Humanitarian Access snapshots

328 directives have been issued by the DfA relating to humanitarian action since December 2021. During the reporting period, a total of 752 access incidents challenged the provision of assistance. The DfA was identified as the main responsible for such incidents. Also, violence against humanitarian personnel, assets, and facilities has significantly impacted the humanitarian response between July-December 2023, as 134 aid workers were arrested, 3 were injured and 189 incidents with gender dynamics were reported, posing serious concern to the safety and security of humanitarian aid

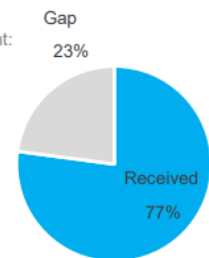
workers^{xviii}. 32 protection projects are experiencing access issues seeking to reach persons and communities in need as access must be negotiated locally leading to uneven responses. Notwithstanding the magnitude of the obstacles, humanitarian partners collaborated to identify workarounds and negotiate resolutions for localized and national-level impediments.

CRITICAL GAPS IN FUNDING AND POPULATION REACHED

As of December 2023, Protection Cluster partners have received 77% of funds requested against \$116.8 million, leaving a funding gap of 26.8 million for protection partners to meet critical needs of people affected by high protection risks and needs in Afghanistan. The important gap in funding severely impacts services activities for women, children, persons living with disabilities and other vulnerable groups, which exacerbates protection risks they may face. Without increased funding, sustaining essential protection services and addressing the escalating humanitarian needs will remain challenging, as Afghanistan is facing simultaneously an overlay of several emergencies which makes the current situation in the country specifically complex.

FUNDING

Overall Requirement:
USD 116.8 M



Source: AoRs/GPC

RECOMMENDATIONS

RISK 1

Discrimination and Stigmatization – Denial of Resources, Opportunities, Services and/or Humanitarian Access

DfA

- In collaboration with the humanitarian actors, develop a nationwide solution that permits women to participate in all aspects of humanitarian work, access services and support functions, enabling NGOs in reaching millions of people.
- Ensure safe and unimpeded access of women, girls, persons living with disabilities, elderly and other vulnerable groups to critical humanitarian assistance and services, including WASH facilities, and health services and distribution points.
- Strengthen national and sub-national coordination and engagement with humanitarian actors by having the Ministry of Labour and Social Affairs (MoLSA) facilitate collaborative identification and prioritization of needs and playing an active role in supporting implementation of interventions for prevention, mitigation, and responses to needs of children and their families.
- MoLSA in collaboration with humanitarian agencies to facilitate community engagement strategy and key messaging to enhance community mobilization on prevention and response to all forms violence against children and women using existing community-based structures.
- MoLSA to create and promote humanitarian access for partners to enable them implement and scale up services delivery and improve access populations access to services. Contribute to removal of impediments such as ban on national female staffs, MoU delays, forced/nationalization of humanitarian actors versus localization.

HC and HUMANITARIAN COMMUNITY

- Strengthen collaborative engagement at the highest level of the authorities to advocate for increased space for protection and the unimpeded access of protection responders to all population groups across Afghanistan, with a particular focus on women, girls, persons living with disabilities and other vulnerable groups.
- Enhance advocacy for acceptance of protection activities by the DfA to ensure equitable and inclusive access for vulnerable populations, including women, girls, the elderly, people with disabilities, and minorities, to aid and development programmes.

DONORS AND PARTNERS

- Donors to prioritize Afghanistan and provide multi-year and multi-sectoral/flexible funding and support resources mobilization for national partners/local NGOs to:
 - Provide basic services for children and their families especially.
 - Address the ban on women aid workers and covering the additional operational and administrative costs resulting from this restriction.
 - Ensure expanded services that facilitate access to identity and civil documentation, such as providing legal assistance or cash support where needed.

RISK 2

Gender-Based Violence

DfA

- Facilitate the reinstatement of governmental entities and specialized departments focused on addressing the needs and risks that women and girls face including the prevention and response to ensure their access to justice and support.

HC and HUMANITARIAN COMMUNITY

- Increase resources and support for women and girls at heightened risk of gender-based violence, especially those impacted by limited access to protection services.
- Enhance reporting mechanisms for GBV incidents and ensure that survivors have access to safe and supportive spaces, including specialized survivor centered services through women and girls' safe spaces/centers and strategic integration with other sectors.
- Develop innovative approaches by working with clusters or project who have access and spaces to promote gender equality, address patriarchal norms, and raise awareness about GBV to address, mitigate and prevent violence effectively in a context appropriate manner. This can be achieved through supporting integration with other clusters/projects.
- Support in mainstreaming GBV risk mitigation strategies amongst various clusters and agencies.
- Involve the DfA in the design phase and initial assessment stages before the donor projects even start and come up with beneficial solutions. Engage more proactively with authorities throughout the humanitarian programming cycle.
- Advocate with the DfA to reverse all decrees that limits the rights of women and girls, including the prioritization of GBV prevention and response in humanitarian aid allocations.

DONORS AND PARTNERS

- Sustain funding for GBV initiatives and translate it to multi-year funding to ensure sustained delivery of services to women and girls including the operation of women's protection centers and the provision of essential services.

RISK 3 Presence of Mines and Other Explosive Ordnance

DfA

- Facilitate access to Explosive Ordnance Risk Education (EORE) teams, including male and female risk education trainers, to conduct risk education activities with communities (addressed to men, women, girls, and boys) on the risks of mines, IED and other explosive devices.

HC and HUMANITARIAN COMMUNITY

- Integrate Explosive Ordnance Risk Education (EORE) in all projects and programmes to enhance the safety and well-being of beneficiaries.
- Consider mainstreaming mine risk indicators/questions in surveys and based on findings integrate activities that address mine clearance and explosive ordnance disposal.

DONORS AND PARTNERS

- Continue supporting high priority clearance projects and explosive remnants of war, as well as strengthening the support to mine action capacity and activities to reduce civilian casualties over the coming months, particularly by funding clearance, including the deployment of Quick Response Teams, Explosive Ordnance Risk Education (EORE) and victim assistance projects aligned with the HNRP 2024.

RISK 4 Unlawful Impediments and/or Restrictions to Freedom of Movement, Siege and Forced Displacement

DfA

- Reverse all decrees that limit the ability of women humanitarian workers to provide life-saving services to vulnerable populations, including women, girls, boys, and persons with disabilities. This involves creating a safe

environment and facilitating women humanitarian workers' travel to field locations, ensuring they can reach affected women and girls.

HC and HUMANITARIAN COMMUNITY

- The HCT to continuously re-emphasize humanitarian principles to the DFA to facilitate a protective environment while continually minimising risk by ensuring access of the affected population to full, non-discriminatory, and quality essential services and the enjoyment of their rights, including their right to freedom of movement, with particular attention to the most vulnerable.
- The HCT to enhance resources mobilization for the humanitarian response especially for national partners/local NGOs to provide basic services for most vulnerable groups (especially children and their families) due to expanded needs compounded by climate-induced disasters such as earthquakes, droughts, and displacement which increased families vulnerable leading to negative coping mechanism especially among children and women.

DONORS AND PARTNERS

- Significantly increase funding support for humanitarian partners who implement multi-sectoral interventions. These interventions should include cash assistance to bolster vulnerable households and mitigate protection risks, including negative coping mechanisms.

RISK 5

Impediments and / or Restrictions to Access Legal Identity, Remedies and Justice (including access to secure land and housing and threats of forced eviction)

DfA

- Strengthen coordination mechanisms between DfA and HLP partners on key programmatic areas:
 - Access to HLP documents for vulnerable groups.
 - Enhanced resolution mechanisms for vulnerable groups engaged in land conflicts.
 - Communal HLP strengthening initiatives in informal settlements and areas of return.
 - Integrated HLP programmes that link humanitarian aims to longer-term outcomes, including climate resilience, enhanced livelihoods, and access to critical services.

HC, HCT and HUMANITARIAN COMMUNITY

- Enhance high-level engagement with the DfA to stop evictions and ensure equitable relocation of displaced persons and returning Afghans.
- Strengthen long-term HLP rights through enhanced coordination between humanitarian actors and durable solution actors, including improving access to HLP documents and conflict resolution mechanisms, which requires negotiation and consensus building with a wide array of stakeholders, including communities, the DfA and the humanitarian community.

DONORS

- Sustain funding for HLP response as a long-term mechanism for addressing humanitarian and development needs including enhancing livelihoods opportunities, housing, and climate resilience.

Endnotes

- ⁱ *Save the Children, More than a third of children surveyed in Afghanistan pushed into child labour, as country marks two years of Taliban rule - survey of households in six provinces, August 2023*
- ⁱⁱ *UNOCHA, Afghanistan: The alarming effects of climate change by UN Humanitarian - Exposure, 2023*
- ⁱⁱⁱ *UNOCHA, Revised Herat Earthquake Response Plan Afghanistan, 2023*
- ^{iv} *GiHA, Gender Update #1: Forced returns from Pakistan, 2023*
- ^v *USIP: Tracking the Taliban's (Mis)Treatment of Women, 2023*
- ^{vi} *USIP: The Challenges Facing Afghans with Disabilities, 2024*
- ^{vii} *This percentage is debated, OCHA Humanitarian Overview 2023 indicates 10%, while REACH, in the WoAA 2022 indicates 23%. However, this latter high percentage is debated by experts of the International Crisis Group: Taliban Restrictions on Women's Rights Deepen Afghanistan's Crisis, available at: <https://icg-prod.s3.amazonaws.com/s3fs-public/2023-02/329-afghanistan-womens-rights.pdf>*
- ^{viii} *Ground Truth Solutions and Salma Consulting. 2023. Against the odds: Strengthening accountability to women and girls in Afghanistan ; Perspectives from People with Disabilities, January 2024*
- ^{ix} *IOM, Documentation and Legal Identification in Afghanistan. Research Report. Samuel Hall, WFP, UNHCR, UNICEF, 2023*
- ^x *Ground Truth Solutions and Salma Consulting, Engaging women in the humanitarian response in Afghanistan, 2023*
- ^{xi} *Joint IOM, UN Women and UNAMA report on the situation of Afghan women, Summary report of country-wide women's consultations December 2023 - Some women also reports they feel safer accessing distributions since the beginning of 2023, as safety mitigation measures have been implemented by humanitarian organizations, such as prioritization of women in distribution centres, as well as women-specific and closed spaces in other aid locations.*
- ^{xii} *Afghanistan Protection Monitoring tool*
- ^{xiii} *Herat Earthquakes Monitoring tool*
- ^{xiv} *IRC: Gender-based violence*
- ^{xv} *IRC: Gender-based violence*
- ^{xvi} *ICRC, Children are the main victims of unexploded and abandoned weapons, 2023*
- ^{xvii} *UNOCHA, Afghanistan Humanitarian Needs Overview, 2023*

Methodology

This publication was done in collaboration with ACAPS and thanks to the contribution of all Protection Cluster partners. The analysis is based on both quantitative and qualitative data from existing secondary data sources, protection assessments and reports covering events from July to December 2023, including data from key country-wide protection monitoring tools; the Afghanistan Protection Monitoring tool and Herat Monitoring tool, and in consultation with AoRs. In December 2023, the Protection Cluster organized a Protection Analysis Workshop based on the Protection Analysis Framework (PAF) and counted with the participation of 30 participants covering the spectrum of protection related issues in Afghanistan. This product has been possible by the generous support of the European Union, Directorate General for Civil Protection and Humanitarian Aid Operation in Afghanistan.

Limitations

Data collection and case management have proven to be challenging for humanitarian protection services due to ongoing interference and restrictions from the Taliban government, particularly regarding the hiring of women staff, the Mahram requirement, and access to women community members. These operational constraints and challenges affect the level of protection data that can be collected and used in understanding protection risks.



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