

I. United Nations High Commissioner for Refugees, UNHCR Eligibility Guidelines for assessing the International Protection Needs of Asylum-Seekers from Afghanistan (30 August 2018) HCR/EG/AFG/18/02:

The Security Situation in Afghanistan: Impact of the Conflict on Civilians

The security situation in Afghanistan remains volatile, with civilians continuing to bear the brunt of the conflict. A continued deterioration of the security situation and an intensification of the armed conflict in Afghanistan have been observed in the years following the withdrawal of the international military forces in 2014. The Taliban is reported to continue its offensive to gain increased control over a larger number of districts, while Islamic State are reported to be increasingly demonstrating their ability to expand their geographical reach, further destabilizing the security situation. The conflict continues to affect all parts of the country. Since the Government's decision to defend population centres and strategic rural areas, fighting between AGEs and the Afghan government has intensified. AGEs are reported to have engaged in an increasing number of attacks deliberately targeting civilians, particularly suicide improvised explosive devices (IED) and complex attacks. AGEs continue to carry out large-scale attacks in Kabul and other cities, and to consolidate their control across rural areas. Concerns have been expressed about the ANDSFs' capability and effectiveness in ensuring security and stability across Afghanistan.

Civilian Casualties

UNAMA began tracking civilian casualties (comprising civilians who are either killed or injured as a result of conflict and other forms of violence) in 2009. The number of civilian casualties has increased every year between 2009 and 2017, apart from a four per cent decrease in 2012 compared to 2011 and a nine per cent decrease in 2017 compared to 2016. Despite the small decrease in 2017, the year saw a high level of civilian casualties, with a total of 10,453 (3,438 deaths and 7,015 injured). High levels of civilian casualties continued in the first half of 2018, with UNAMA documenting 5,122 civilian casualties between 1 January and 30 June 2018, including 1,692 deaths (the highest number since tracking began in 2009) and 3,430 civilians who were injured.

Security Incidents

In 2017 UNAMA recorded a total of 23,744 security incidents, the highest number recorded to date (albeit only marginally higher compared to the number of recorded incidents in 2016). The highest number of incidents in 2017 corresponded to armed clashes (14,998), followed by incidents relating to the use of IEDs, while air strikes continued at high levels (960 air strikes in 2017, or a 67.6 per cent increase compared to 2016). The highest number of incidents occurred in the eastern region, followed by the southern region, with the two regions accounting for 55 per cent of all security incidents.

Internal Flight or Relocation Alternative in Kabul

In addition to the general guidance provided in Sections III.C.1 and III.C.2 above, and against the background of the additional information provided in Section III.C.3, UNHCR offers the following specific guidance relating to the two limbs of an IFA/IRA assessment for Kabul. In line with the guidance provided in Sections III.C.1 and III.C.2, an assessment of the possibility of relocation to Kabul requires an assessment of both the relevance and the reasonableness of this proposed area of relocation. In addition, if an IFA/IRA to Kabul is considered in asylum procedures, all relevant general and personal circumstances regarding the relevance and reasonableness of Kabul as a proposed area of relocation for the particular applicant must be established to the extent possible and must duly be taken into account. The applicant must be given an adequate opportunity to respond to the purported relevance and reasonableness of Kabul as the proposed IFA/IRA.

a) The relevance of Kabul as an IFA/IRA

To assess the relevance of Kabul as a proposed IFA/IRA, and in particular the risk that the applicant would face a real risk of serious harm, including a serious risk to life, safety, liberty or health, or one of serious discrimination, decision-makers must pay due regard to the negative trends in relation to the security situation for civilians in Kabul. UNAMA reported 993 civilian casualties (321 killed and 672 injured) in Kabul province during the first six months of 2018. In 2017 UNAMA “continued to document the highest levels of civilian casualties in Kabul province, mainly from indiscriminate attacks in Kabul city. Of the 1,831 civilian casualties (479 deaths and 1,352 injured) documented in Kabul province, 88 per cent resulted from suicide and complex attacks carried out by Anti-Government Elements in Kabul city.” As also noted in Section II.B.1 above, UNAMA reported that the number of civilian casualties in Kabul city caused by suicide and complex attacks in 2017 represented 70 per cent of all civilian casualties in Afghanistan in 2017 caused by such attacks.

UNHCR notes that civilians who partake in day-to-day economic and social activities in Kabul are exposed to a risk of falling victim to the generalized violence that affects the city. Such activities include travelling to and from a place of work, travelling to hospitals and clinics, or travelling to school; livelihood activities that take place in the city’s streets, such as street vending; as well as going to markets, mosques and other places where people gather.

b) The reasonableness of Kabul as an IFA/IRA

In accordance with the guidance provided in Section III.C.2 above, to assess whether Kabul provides a reasonable IFA/IRA, it must be established that the applicant will have access in Kabul to:

- (i) shelter;
- (ii) essential services, such as potable water and sanitation, health care and education;
- (iii) livelihood opportunities, or proven and sustainable support to enable access to an adequate standard of living.

Relevant information to be taken into account by decision-makers in this regard includes the grave concerns expressed by humanitarian and development actors about the limits of Kabul’s absorption capacity. Since the fall of the former Taliban regime in 2001, Kabul City Region has seen the largest population increase in Afghanistan. Official population estimates indicate that by early 2016 Kabul City Region had 5 million residents, 60 per cent of which were in Kabul city. The city’s population has seen further rapid growth in the wake of the large-scale returns to Afghanistan from Iran and Pakistan (see Section II.F).

The International Growth Centre noted in January 2018, “Kabul has been undergoing rapid urbanisation for the last three decades. Population growth in the city is outpacing the city’s capacity to provide necessary infrastructure, services and jobs to citizens, resulting in the emergence of widespread informal settlements that house an estimated 70% of the city’s population.”

Against a background of general concerns about rising poverty levels in Afghanistan, the Asia Foundation’s 2017 Survey of the Afghan People found that perceptions of a worsening financial situation was most common in the Central/Kabul region, at 43.9 per cent. In January 2017 it was reported that 55 per cent of households in Kabul informal settlements were severely food insecure.

OCHA’s 2018 Humanitarian Needs Overview ranks Kabul among the 10 provinces (out of a total of 34 provinces) that are “the most conflict-affected”. In addition, the Humanitarian Needs Overview notes that “needs are particularly pronounced in large urban centres, including Kabul and Jalalabad City, where both IDP and returnee populations have congregated in search of income and livelihoods opportunities as well as access to basic and essential services. Humanitarian needs in these two provinces [Kabul and Nangarhar] comprise 42 percent of all those relating to internal displacement and cross-border influxes.”

c) Conclusion on the Availability of an IFA/IRA in Kabul

UNHCR considers that given the current security, human rights and humanitarian situation in Kabul, an IFA/IRA is generally not available in the city.

II. European Asylum Support Office, Country Guidance: Afghanistan. Guidance note and common analysis (June 2018):

General situation

Based on available COI, the general situation with regard to the elements mentioned above is assessed as follows:

Food security: In general, there are no food shortages in the three cities. The main variables in access to food are the means of subsistence available to the applicant, which in the case of displaced persons can be a particular concern.

Housing and shelter: Housing and shelter are available. The majority of urban houses can be classified as slums. Access to adequate housing is a challenge for the majority of urban Afghans. In Kabul, there is an oversupply of high end-housing, which is however unaffordable for the majority of Kabul's residents. The high number of displaced people and the sudden spike in returns in the second half of 2016 has put an extra burden on the already overstretched absorption capacity of the cities. Displaced people mostly end up living in IDP-settlements and therefore indicate shelter as their primary need. The cities also provide the option of cheap lodging in 'tea houses'.

Hygiene: Access to potable water is often a challenge, especially in the slums and IDP settlements in Kabul. In Mazar-e Sharif and Herat, most people do have access to improved sources of water as well as improved sanitation facilities.

Basic health care: Healthcare facilities are present in these cities; however, healthcare services are overstretched by the increase in displaced and returned persons. The lack of financial means is a major barrier to accessing health care.

Basic education for children: Education facilities are present in these cities. Access to education is particularly difficult for displaced and returnee children because the school capacity is overstretched and the lack of funds also keeps children away from school.

Means of basic subsistence: With regard to access to employment, given the current economic and security situation, there are high rates of unemployment and underemployment, especially for urban youth, and this trend has worsened in recent years. Additional competition on the labour market is the result of growing numbers of displaced people searching for work. Urban poverty is widespread and on the rise and in such situations, increasing numbers of people living in urban settings resort to negative coping mechanisms such as crime, child marriages, child labour, street begging and street vending and traditional support mechanisms are under strain, specifically in urban areas.

A person's ability to navigate the above circumstances and situations will mostly depend on access to a support network or financial means.

Given the economic circumstances, now such dependency on connections through a network is even stronger than before. In the context of Afghanistan, different types of networks can be identified, the ones of particular relevance being the relatives (extended

family), but also networks based on common background or common work or educational experience.

Where relevant, available reintegration assistance for forced returnees may also be taken into account as an additional factor, temporarily contributing to reintegration in Afghanistan.

Conclusions on reasonableness: particular profiles encountered in practice

This subsection includes conclusions and relevant considerations, which should be taken into account when assessing the reasonableness of IPA for particular profiles of applicants.

In summary, it could be substantiated that IPA in the cities of Kabul, Herat and Mazar-e Sharif would be reasonable for single adult men and married couples without children, who have no additional vulnerabilities, even if they do not have a support network. In order to ensure their basic needs, such as food, shelter and hygiene, other profiles of applicants would in general need a support network in the area of potential IPA. However, additional individual circumstances may be relevant to take into account when assessing the reasonableness of IPA.

The table below highlights the individual considerations, which were key in reaching the general conclusions regarding the commonly encountered profiles. This is without prejudice to the need to fully assess all individual circumstances in the case at hand.

Single able-bodied men

**For applicants who were born and/or lived outside Afghanistan for a very long period of time see separate conclusion below.*

In general, IPA in the cities of Kabul, Herat and Mazar-e Sharif could be considered reasonable for a single able-bodied adult man who has previously lived in Afghanistan, including where he has no support network in the IPA area.

Although the situation related to settling in the three cities entails certain hardships, it can still be concluded that such applicants are able to ensure their basic subsistence, shelter and hygiene, taking into account the fact that their individual circumstances do not pose additional vulnerabilities.

The following can in particular be taken into account:

- **Age:** the applicant is of a working age, which would assist in his access to basic subsistence, in particular with regard to the opportunity to engage in employment.
- **Gender:** no additional vulnerabilities are attached to being male in Afghanistan.
- **Family status:** the applicant does not have additional responsibilities other than ensuring his own subsistence and no additional vulnerabilities are attached to being a single man.
- **State of health:** the applicant does not suffer from any serious health condition.

- **Social and economic background:** additionally, the background of the applicant, including education, profession and available financial means could be taken into account, especially in case those would be relevant to the coping mechanisms the applicant would have for settling in the IPA area.
- **Local knowledge:** given the urban nature of the three areas considered for IPA, and the fact that their population is diverse, it can be presumed that an Afghan national who previously lived in Afghanistan would have sufficient local knowledge, which would enable him to reasonably settle in one of the three cities.
- **Support network:** while a support network would be of assistance in accessing the means to ensure one's subsistence, in the case of single men in the cities of Kabul, Herat and Mazar-e Sharif, this would not be a necessary prerequisite in order to apply IPA.
- **Religion:** The religion of the applicant should be taken into account.

Families with children

In general, IPA would not be reasonable for children in a family, if the family lacks sufficient financial means or a support network in the respective part of Afghanistan.

The situation of children should also be taken into account when assessing the safety criterion for a potential IPA.

The following elements should in particular be taken into account:

- **Age:** children in general need to depend on other providers for their basic subsistence. They are also particularly vulnerable, including to risks of child-specific persecution or serious harm, such as child marriages and child labour. In addition, they have specific rights and needs, which need to be ensured in accordance with international instruments, such as the Convention on the Rights of the Child. The age of the child may also have an impact in the individual assessment.
- **Access to education:** the question of access to basic education should be assessed in relation to the general situation in the three cities as well as the individual circumstances of the family and in particular the child.
- **Social and economic background / support network:** in order to ensure their subsistence and access to basic services, it is relevant to assess the social and economic background of the family and the possibility to receive assistance by a support network.

**Applicants who
were born
and/or lived
outside
Afghanistan for a
very long period
of time**

For applicants who were born and/or lived outside Afghanistan for a very long period of time, IPA may not be reasonable if they do not have a support network which would assist them in accessing means of basic subsistence.

The following elements should be taken into account in this assessment:

- **Support network:** a support network would be of particular importance in the assessment of the reasonableness of IPA for such applicants.
- **Local knowledge:** particular consideration should be given to whether the applicant has local knowledge and maintained any ties with Afghanistan. Afghan nationals who resided outside of the country over a prolonged period of time may lack essential local knowledge necessary for accessing basic subsistence means and basic services. The support network could also provide the applicant with such local knowledge.
- **Social and economic background:** the background of the applicant, including their educational and professional experience and connections, as well as whether they were able to live on their own outside Afghanistan, could be relevant considerations.