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Afghanistan: Background Note

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Since the initiation of the Bonn Process in November 2001, Afghanistan has witnessed significant advancement on both the political and reconstruction fronts and in alleviation of the humanitarian crisis. The conduct of the Emergency Loya Jirga, the preparations for constitutional reform and nationwide elections, well in excess of 2 million refugees and internally displaced people returned to their homes, over 3 million children enrolled in school, some 6 million fed in winter 2001-2 and a potential famine averted, Afghanistan close to eradicating polio, and reconstruction underway in many urban and rural communities throughout the country. This attests to a hope amongst the people of Afghanistan in a future of stability and economic opportunity. However, challenges remain including household food security and the need for continued food aid, assurance of human rights, ensuring appropriate protection for IDPs, a sustainable return for refugees, and addressing environmental degradation as a factor in continued displacement. Affecting everything is the volatile security situation.

Operating in an Environment of Transition

In 2002 the UN has been intensely involved in responding to recovery and reconstruction, through a medium to long-term approach, whilst simultaneously addressing critical immediate humanitarian needs. The focus has been on a multi-faceted response to allow us to collectively rebuild communities, and to respond to the many components of food insecurity, from the provision of food aid to creating jobs, to better health care and expanded basic social services, and to protection and provision of services for IDPs and returning refugees. However, this year we are moving increasingly towards recovery with focused attention to capacity building.

The operating environment is one of transitioning from conflict and a war economy to peace building, and from an unrecognized to an internationally recognized and supported government. The UN and the wider assistance community transitioned from an environment of self-regulation (Principled Common Programming, the Strategic Framework) to working with an accountable, although weak and often divided, government authority. It is essential to move gradually from direct implementation by international organizations towards a support and capacity building role, and, to move beyond addressing immediate symptoms to addressing causality.

In this regard, during 2002, the ATA and the UN endorsed a common set of operating principles for the UN's assistance agencies --'UN System Operating Principles for Transition'. These

principles commit the UN to support the state building process through sustained emphasis on government capacity building and recognizing that Afghan authorities must assure increasing accountability for the well being and rights of all citizens. In addition, the UN has committed to maximizing programme effectiveness, synergy and focus on nationally defined priorities and to work with counterparts to increase the decentralization of capacity and resources, to support sub-national government institutions.

Coordination Mechanisms

Coordination mechanisms of the past operated independently from the Taliban government. With an internationally recognized government now in place in Afghanistan, there is a need for the assistance community to support the new Transitional Administration in assuming the lead coordination role. This approach was taken on by UN agencies and partners, which focused on strengthening national capacities to start to progressively take on key coordination functions, whilst meeting immediate assistance priorities.

The UN supported the establishment of the Programme Secretariat (PS) models, which later evolved into the Consultative Group (CG) mechanism. These Consultative and Advisory Groups are bringing government line ministries, donors UN agencies and NGOs together for substantive interactions on policies, programmes, and implementation.¹ The CG mechanism ensure that humanitarian issues are addressed through the various groups, such as Mine Action, Refugee & IDP Protection, Livelihoods and Social Protection, Health and Education. A Humanitarian Assistance Advisory Group (HAAG) was formed to provide the opportunity for improving the effectiveness of the delivery of humanitarian assistance through a well coordinated approach, will contribute to improved disaster management and preparedness systems within government structures, and to promote timely mobilization of resources for humanitarian programs. To ensure independence, the HAAG is chaired by the Government of Switzerland and with ECHO as vice-chair to allay fears of those concerned that the government would try to hijack the humanitarian agenda. An agreement (yet to be implemented) is that a special international CG meeting addressing humanitarian issues will be held in 2003.

At sub-national level, UNAMA Area Offices continue to perform an important inter-agency coordination role. But former UNOCHA-led Regional Coordination Bodies (RCBs) are now being succeeded by Provincial Coordination Bodies (PCBs), chaired by provincial governors. UNAMA plays a strong behind the scenes coordination role, but is endeavoring to help provincial counterparts assume greater coordination responsibilities over time.

Next steps: Future Consolidated Appeals

Today, TAPA is of necessity a hybrid instrument, covering humanitarian, reconstruction and development requirements, given that most UN agencies have not yet re-established long-term

¹ Consultative Groups (CGs) were formed to cover the areas of Education, Health, Public Administration & Economic Management, Natural Resources Management, Trade and Investment, Transport, Urban Management, Livelihoods and Social Protection, Refugee & IDP Return, Culture, Media and Sport, and Energy, Mining & Telecom. Advisory Groups (AGs) were formed to address crosscutting issues: Security& Rule of Law, Gender, Environment, Humanitarian Affairs, Human Rights and Monitoring & Evaluation.

country programme agreements with the Afghan government. However, this process is now underway. Some agencies, e.g. UNICEF and WFP have now agreed upon multi-year programmes with government, approved by their Executive Boards; UNFPA has developed its country programme outline and will have a regular CP as of 2004; WHO has a biennium program (Joint Program Review Mission (JPRM)) with the government, and others, including UNDP are currently preparing a multi-year country programme. As this process progresses, future consolidated appeals for Afghanistan will revert to primarily addressing humanitarian requirements.

It is intended that by January 2006, agency programme cycles will be fully harmonized. It is also intended that an “UNDAF lite” approach be followed: the CG process, the primacy of the national budget in framing a common analysis of the environment, of national priorities, and of the roles of international partners, including the UN agencies, provides a strong framework within which UN agency programme synchronization is already underway.

In a period of transition, the government, however inexperienced, should be a partner in defining the strategic priorities of a transitional consolidated appeal. Concerns that such involvement compromise humanitarian space have to be weighed against the necessity of recognizing a new environment in which national leadership, ownership and capacity-building have to be supported and encouraged. Afghanistan has acceded to a wide range of international treaties and conventions and thus there are benchmarks by which its progress can be measured.

Security

The single greatest concern and impediment to the progress of Afghanistan is the issue of security and the weakness of the rule of law. Restoration of security and reconstruction go hand in hand. Security is essential for humanitarian access and is a prerequisite to the implementation of the peace process, and will have a profound impact on the credibility of the Afghan Transitional Authority (ATA). Yet, security remains precarious in much of the country, and many Afghans still feel that they are at the mercy of local commanders or armed groups. Serious security incidents have continued in 2003, involving factional/local rivalries and violence, human rights violations, daily harassment of citizens (often by security forces), and now frequent attacks in the South and Southwest by elements hostile to the central Government. Recent attacks have targeted Government officials and the international assistance community. This has severely constrained humanitarian and reconstruction activities, particularly in some of the southern areas.

The UN is collaborating with the Government, donor community, Coalition and ISAF to monitor the security environment to improve information exchange, to ensure MOSS compliance and special measures in more insecure areas – such as joint convoying, guards, advance patrols – so that work can continue. Improved information enables the UN to now monitor the security situation by district, thus facilitating a very disaggregated approach to security management. To meet these challenges, the Transitional Authority must put in place strong measures to promote good governance and the rule of law. The international community’s support for security-sector reform is critical in this regard—including the army, police force and the judiciary—as well as to the creation of work opportunities for Afghans and to an effective counter-narcotics strategy that

provides alternative livelihoods in order to ensure a secure environment for the Afghan people. Strong advocacy is essential to the donor community to fulfill its financial commitments to the security sector.

ISAF presence in Kabul has aided in creating a secure environment in the capital. In August 2003, NATO will take over ISAF command from Germany and the Netherlands. However, the concern remains that NATO is currently mandated to cover the same limited areas of operation. Discussions continue to expand ISAF's area of operation to insecure areas around Kabul (Logar, Parwan and Wardak provinces), which directly affect the security in Kabul. The forces remain the best means for introducing a secure environment and there is a need for IASC support and advocacy in urging the ISAF member countries to extend their mandate beyond Kabul.

Refugees/IDPs

The UN in Afghanistan has three main human rights functions: investigation and monitoring; support to institutions; in particular to an independent human rights commission, and a rights-based approach to development. As a key strategy the UN has provided support to the Afghanistan Independent Human Rights Commission (AIHRC) and Afghan capacity more generally to protect human rights. It is apparent that the AIHRC is developing slowly, and is not yet in a position to assume its role. UNAMA's approach is one of a combination of low key and public denouncement of gross human rights violations, as well as a capacity building strategy.

In terms of gender equity, agencies are focusing on encouraging women's participation in national and local reconstruction initiatives in the workforce, in governance and decision-making, and in supporting the expansion of education for girls. A gender network has been formed to promote gender equity and to support, for example, the advocacy of the Ministry of Women's Affairs for inclusion of gender as a crosscutting issue within the National Development Budget.

In a recent report analyzing the large returns of Afghans in 2002 on the basis of an extensive returnee monitoring network set up by UNHCR, which conducted some 4,000 missions to returnee villages, UNHCR highlighted the challenges faced by returnees to Afghanistan. Overall returnees have been able to return to their communities of origin and have faced no discrimination on the basis of their returnee status. Post-conflict recovery presents challenges that are shared equally by returnees and settled members of communities. The following critical concerns were identified and confirmed the need to consolidate a more secure environment for return to be sustainable: slow economic development and lack of job opportunities, lack of security, problems with repossession of land and property, limited access to water due to drought or illegal control by armed groups, and to social services such as education and health. To ensure protection, UNAMA and UNHCR are working closely with local authorities in a Return Commission in the north of the country to assure the safety and protection of Afghan refugees and IDPs, predominately Pashtun.

The critical issue is how to ensure sustainability of their return: sustainability in their livelihood and protection against human rights abuses. Initial re-integration assistance provided by UNHCR now has to be complemented by development activities in places of return helping

ensure sustainable livelihood, hence it is important on the programmatic side that returnees are integrated into long term programmes of development agencies. The targeting of returnees in the national priority programmes (the National Solidarity Programme and the National Emergency Employment Programme) is a start, but more needs to be done. Integrated programming and joint planning amongst agencies working in a given area, is being encouraged, and a Joint Support Unit (JSU) has been established with UNAMA to further promote sub-national integration.

The UNHCR report illustrates in particular the absence of rule of law and the limited outreach of the central authority tribal and traditional dispute settlement mechanisms have not been able to function adequately where unaccountable local commanders are still in place. The delay in the demobilization and disarmament process has perpetuated the presence and influence of local commanders and armed elements, who in certain areas commit acts of extortion, harassment, arbitrary and private detention, forcible recruitment, sexual abuse and kidnapping against civilians.

Military Engagement

The deployment of the civil/military Provincial Reconstruction Teams (PRTs) by the US represents a significant evolution in the nature of military engagement in non-military activities. The initial concept elicited a number of concerns from the wider assistance community as aid organizations were concerned that Coalition intention to take a lead role in aid coordination and to get involved in the provision of humanitarian aid would jeopardize the relations they had forged with local communities; and the government expressed the view that if not properly directed the Coalition's autonomous actions in the Provinces could undermine government authority.

Through discussions facilitated by UNAMA, the common view of the assistance community is to urge the PRTs to focus on infrastructure reconstruction projects, such as roads, power generation, local government buildings, customs posts, and to maintain a separation from humanitarian activities and agencies. In this manner, the PRTs would most effectively support the extension of central government influence as well as aid the reconstruction process. There is also broad consensus within the assistance community that the PRTs could make their greatest contribution by focusing their operations more directly on support to security sector reform. Specifically, the PRTs could play an essential role in monitoring of the weapons collection component of the DDR process, supporting and guiding additional deployments of ANA units, and supporting and training the local police. The PRTs if deployed strategically and with a clear mandate, such as suggested here, could help to build confidence amongst local communities by their very presence. A number of nations have either committed or expressed interest in deploying additional PRTs, namely New Zealand, Germany, U.K. and Sweden.

Funding Mechanisms

The Transitional Administration has prepared its National Development Budget (NDB) through a rigorous consultation process. The NDB comprised of 15 national programmes (12 National Development Programmes and 3 National Security Programmes) is the key instrument for

defining policy and framing national priorities. The NDB seeks US\$2.2 billion, of which US\$ 550 million is for Government operating costs and US\$1.7 billion for development. The 2003 inter-agency CAP (TAPA) is organized in line with the NDB structure, with agencies contributing jointly to common thematic programmes.

In the Afghanistan High Level Strategic Forum held in Brussels, March 2003, donors pledged some \$2.0 billion, leaving a shortfall of \$200 million. It should be noted that additional resources would be needed for critical non-budgetary items such as the elections, mine action and DDR.

Several trust funds have been established to cover resources for critical areas. Of these the Afghanistan Reconstruction Trust Fund (ARTF), established in May 2002 has emerged as one of the main instruments for financing the country's recurrent budget and key investment programmes. The Government has sought \$600 million for the ARTF for the current fiscal year, however only \$227 million are paid-in/promises made by donors into the ARTF. The cash flow situation in the ARTF is very tight, and donors are strongly requested to make their payments as early as possible, preferably during the month of July 2003, otherwise the ARTF would run out of funds to pay civil servants salaries.

A second key trust fund is the Law and Order Trust Fund (LOTFA) established to cover costs for the police. LOTFA remains seriously under-funded. US\$120 million is sought, against which only some US\$ 11 million has been received, threatening proposed improvements in security, police reform and strengthening of sub-national policing measures, which is the most critical priority for Afghanistan at this juncture when critical political processes such as DDR, constitutional consultations and election registration are on the brink of being launched.

The UN 2003 Transitional Assistance Programme for Afghanistan (TAPA) launched in December 2002, has subsequently been reduced somewhat in the NDB development process in March 2003. This reflects a number of imperatives to respond to: support and encourage Government leadership and to address national capacity building requirements, while at the same time responding to ongoing humanitarian needs and emerging reconstruction challenges, and promoting further programmatic integration of UN activities at national, provincial and district levels. The revised TAPA requirement of US\$728 million comprises only the agreed priority projects. As of late May, some US\$219 million in contributions had been received; meaning 29% of the revised TAPA requirements are met. An additional US\$503 million is still needed.

This is a continuing period of transition, where immediate humanitarian needs remain. The UN will work closely with the ATA to meet these needs by addressing their underlying causes, as part of a broader reconstruction strategy. The humanitarian and reconstruction activities have been affected by the apparent slow down in donor contributions, and we look forward to more predictable and accelerated financing.

Proposed Action Points/Decisions by IASC-WG:

- Endorsement for SMT/UNSECOORD approach to manage current security environment which is to enable humanitarian agencies to continue operation without compromising security.
- Support to advocate for greater international commitment and efforts to increase security in Afghanistan, building on the recent public call for security by the NGO community.
- Agreement on common approaches for engagement with PRTs, which has resulted in evolution of their approach to give increasing emphasis to security enhancement, thereby occupying a niche which can be complementary to and supportive of the activities of the larger aid community.
- Endorsement of the UNCT approach to humanitarian response in accordance with UN system Operating principles for Transition, agreed with the Afghan Transition Authority.
- Confirmation of the need for improved common planning among agencies for both activities and common services (e.g. IT/Communication).
- Recognition of the continued need to adjust the nature and format of TAPA to meet evolving humanitarian/reconstruction needs, to facilitate its incorporation into the national budget/strategic prioritization process, and to synchronise co-ordinated UNCT planning with the CG process and preparation of the NDB.
- Commitments to draw donors' attention to urgency to respond to shortfall in funding for the NDB, including TAPA, and the critical cashflow problem faced by the ATA.

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