



POLICY BRIEF

NATIONAL POLICY ON IDPs IN AFGHANISTAN

From Policy to Implementation: Engaging with national procedures,
national and international stakeholders in 2015

This policy brief has been drafted by Samuel Hall Consulting, on behalf of the National IDP Policy Working Group and with the generous financial support of the Norwegian Refugee Council. Photo credit © UNHCR.

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ACRONYMS

AIHRC	Afghanistan Independent Human Rights Commission
ANDMA	Afghanistan National Disaster Management Authority
APC	Afghanistan Protection Cluster
AREDP	Afghanistan Rural Enterprise Development Programme
DoRR	Directorate of Refugees and Repatriation
EVI	Extremely Vulnerable Individual
GDMA	General Directorate of Municipal Affairs
GoIRA	Government of the Islamic Republic of Afghanistan
HLP	Housing, Land and Property
ICLA	Information, Counselling and Legal Assistance
IDLG	Independent Directorate for Local Governance
IDMCC	Inter-Ministerial Coordination Committee on Refugees, Returnees and IDPs
IDP	Internally Displaced Person
IOM	International Organization for Migration
LAS	Land Allocation Scheme
MAB	Municipal Advisory Board
MoEC	Ministry of Economy
MoF	Ministry of Finance
MoJ	Ministry of Justice
MoRR	Ministry of Refugees and Repatriation
MoU	Memorandum of Understanding
MRRD	Ministry of Rural Rehabilitation and Development
NABDP	National Area-Based Development Program
NCDM	National High Commission for Disaster Management
NPP	National Priority Programme
NRAP	National Rural Access Programme
NRC	Norwegian Refugee Council
NSP	National Solidarity Program
OCHA	Office for the Coordination of Humanitarian Affairs
PDC	Provincial Development Council
PGO	Provincial Governor Office
RuWatSIP	Rural Water Sanitation and Irrigation Programme
TOR	Terms of Reference
UN-Habitat	United Nations Human Settlements Programme
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees

GLOSSARY OF KEY TERMS

DURABLE SOLUTIONS A sustainable solution, as a result of which former IDPs no longer have needs specifically related to their displacement and can enjoy the same rights as other Afghans. Displacement ends when there is a voluntary and free choice to safely return, integrate locally in current areas of displacement or settle elsewhere in the country. Achieving durable solutions entails security of tenure, access to basic services, access to livelihood opportunities in a non-discriminatory way and on par with those not displaced.

DUTY BEARERS The government institutions obligated to fulfil the individual rights of the IDPs as citizens of Afghanistan (the right holders).

INTERNAL DISPLACEMENT The involuntary or forced movement, evacuation or relocation of persons or groups of persons within State borders.

GUIDING PRINCIPLES The 1998 United Nations Guiding Principles on Internal Displacement identifying rights and guarantees of IDPs throughout all phases of displacement. They reflect and are consistent with human rights and humanitarian law.

LOCAL INTEGRATION The voluntary settlement of IDPs in current areas of displacement, by acquiring residency rights on a par with that of local inhabitants.

PROTRACTED DISPLACEMENT Protracted displacement situations are those when displacement has moved beyond the initial emergency phase but for which solutions do not exist in a foreseeable future. When the process of finding durable solutions is stalled and/or IDPs are marginalized due to persistent human rights violations and unfulfilled human rights, including economic, social and cultural rights.

SETTLEMENT ELSEWHERE IN THE COUNTRY A process of permanent settlement of IDPs in other areas of the country and enjoy the full spectrum of human rights as other citizens.

SPHERE STANDARDS Minimum standards for the provision of assistance in four primary life-saving areas: (1) water supply, sanitation and hygiene promotion, (2) food security and nutrition, (3) shelter, settlement and non-food items, and (4) health, as well as standards for monitoring and evaluating the effectiveness and impact of humanitarian assistance.

FOREWORD

The **National Policy on Internally Displaced Persons (IDPs)** was endorsed November 2013 and launched by the Government of the Islamic Republic of Afghanistan (GoIRA) in February 2014. It is a national instrument safeguarding the rights of the displaced as citizens of Afghanistan. This **Policy Brief** informs all government stakeholders and partners on the main content and implementation aspects of the IDP Policy.

Background

The National Policy on IDPs is a government responsibility and a government-owned process. In 2012, the Government of Afghanistan requested the formulation of a national policy and called for international support in light of increasing internal displacement trends. Afghanistan has now joined the ranks of 20-30 countries in the world that are developing national instruments on IDPs. The necessity to effectively implement the Policy is linked to a context of increasing conflict-induced displacement and recurrent natural disasters. The numbers of conflict-induced IDPs have increased, from estimates of 400,000 in 2012 to more than 800,000 in 2014 (UNHCR). Natural disasters have caused the displacement of about 23,000 individuals in 2014. These numbers do not include IDPs scattered in urban areas or in inaccessible locations, yet the rising figures are a reminder of the need to find durable solutions for IDPs in Afghanistan.

For all governors and stakeholders in Afghanistan

This is a Policy, which guides the work of authorities, as duty-bearers vis-à-vis IDPs. It details principles, responsibilities and procedures for stakeholders to follow to prevent displacement; to assist the displaced; and to facilitate durable solutions for IDPs and displacement-affected communities.

Protecting and upholding the IDPs' rights in Afghanistan

Internal displacement is not just a humanitarian emergency issue; it is oftentimes a chronic problem affecting Afghans across all parts of the country. As such, responses need to be comprehensive and inclusive of development actors. Above all, responding to internal displacement and creating the conditions for durable solutions for IDPs requires a political response. The Policy signals strongly the Afghan government's commitment to this aim.

The President's commitment to finding durable solutions President Ashraf Ghani on behalf of the Government of the Islamic Republic of Afghanistan has made a commitment to finding durable solutions for the internally displaced on behalf of the Government. The agenda has been set for all authorities to follow.

Three imperatives of the National Policy on IDPs

This Policy Brief reminds that the National IDP Policy is a:

1. National imperative
2. Humanitarian imperative
3. Development imperative

Policy Brief: A reference guide for all stakeholders

This Policy Brief is intended to serve as a reference guide to help all stakeholders understand what their role is in supporting the effective implementation of the Policy and to contribute towards ensuring that the rights of IDPs are protected throughout all phases of displacement. This Policy Brief will be disseminated widely and will accompany trainings, sensitization initiatives and workshops planned for national and sub-national levels throughout 2015 to ensure that Afghanistan can live up to its commitment to protect IDPs.

The IDP Policy Working Group, comprising Government, UN and NGO actors, is seeking to support these commitments and guide effectively the Policy implementation process. The members are as follows:

1. Office of Administrative Affairs of the President
2. Office of the First Lady
3. Ministry of Refugee and Repatriation (MoRR)
4. Afghanistan National Disaster Management Authority (ANDMA)
5. Independent Directorate for Local Governance (IDLG)
6. Afghanistan Independent Human Rights Commission (AIHRC)
7. Ministry of Rural Rehabilitation and Development (MRRD)
8. Office for the Coordination of Humanitarian Affairs (OCHA)
9. International Organization for Migration (IOM)
10. United Nations High Commissioner for Refugees (UNHCR)
11. United Nations Human Settlements Programme (UN-Habitat)
12. United Nations Development Programme (UNDP)
13. The Norwegian Refugee Council (NRC)

Total number of verified IDPs in Afghanistan end December 2014 ¹	
Conflict-induced	805,409
Natural disaster induced	23,076 ²
Total Population of Concern	828,485
Conflict-induced IDPs - Provincial breakdown	
South	210,210
West	203,165
East	139,036
North	104,803
Central	129,589
Southeast	18,523
Central Highlands	83
Total	805,409

¹ UNHCR Afghanistan *Monthly IDP Update*, December 2014

² IOM Statistics on Natural Disaster Induced IDPs for 2014 (January 2015)

THE IDP SITUATION IN AFGHANISTAN: VULNERABLE CITIZENS

Critical Trends

There are an **estimated 828,000 IDPs in Afghanistan** – both conflict and natural disaster-induced (end December 2014). Beyond the exact numbers, the trends matter: **over 166,000 IDPs in 2014** have been displaced by conflict, with a peak in displacement during the summer, and vulnerabilities heightened during the winter. Yearly displacement trends show a sharp increase in numbers. Internal Displacement in Afghanistan includes conflict-induced, natural disaster-induced, protracted displacement and rural to urban displacement.

What this IDP policy brief says – **‘All of government’ and inclusive approach**

The Policy was launched by the Government of Afghanistan in February 2014. It lays out the national responsibilities of the Government of Afghanistan in accordance with international standards and the Guiding Principles on Internal Displacement. It is a milestone.

From policy to implementation, a **comprehensive government** approach has been detailed in the policy roadmap for implementation: government (Ministries, Governors, and Municipal authorities) are leading the implementation with the support of civil society, the international community, IDP and host communities. This Policy Brief summarizes the key components of the Policy and the responsibilities of the authorities as the duty bearers.

Who are the Internally Displaced Persons (IDPs)?

DEFINITION from the Guiding Principles on Internal Displacement

All individual persons or group of persons who have been **forced or obliged to flee their homes or places of habitual residence** due to the effects of armed conflict, generalized violence, violations of human rights, natural disasters, man-made disasters; and who have not crossed an internationally recognized state border.

What are their needs?

DISPLACEMENT-RELATED VULNERABILITIES

Approximately 90% of IDPs interviewed in a 2012 NRC/Samuel Hall study qualified as extremely vulnerable individuals (EVIs) - along criteria used by UNHCR to indicate individuals whose socio-economic profiles place them not only below national averages, but at the risk of living in life-threatening conditions. Data show that IDPs' household income decreases as a result of internal displacement, with skills unfit for their new environments. Higher rates of unemployment lead to irregular and insufficient income and to widespread (over 90%) borrowing of money for basic needs during displacement. Lack of land tenure security, proper housing and informal settlements increase health and protection concerns. Women and children are particularly vulnerable to multiple protection risks, with more than a third of IDP children lacking access to education. Special displacement-related vulnerabilities refer not only to inadequate livelihood opportunities and standard of living but also to the situation of children, the elderly, persons with disabilities and victims of violence, including domestic violence.

How do they compare to other poor?

THE VULNERABLE WITHIN THE VULNERABLE

Assessments in Afghanistan have revealed that IDPs are generally more vulnerable than other poor, especially in the first phases of displacement: 1) IDPs live in more precarious housing conditions; 2) IDPs show greater food insecurity in the initial years of displacement; and 3) IDPs live in poor hygiene and sanitation conditions, with few essential services, inadequate access to electricity, water and sanitation facilities. Yet, their needs are not fully met by current levels of assistance. A 2013 evaluation of UNHCR's Shelter Assistance Programme shows that IDPs fare worse than returning refugees in the reintegration process and are marginalized in their access to land and housing. Fighting, conflict and natural disasters may generate multiple displacements, including in areas where humanitarian agencies may not have full access, therefore resulting in exacerbated vulnerabilities for IDPs.

Who does the policy cover? **STAKEHOLDERS**

IDPs and host communities: the right holders

Government institutions: the duty bearers

Civil society (National NGOs)

International community (UN, International Organisations, International NGOs)

THE NATIONAL POLICY ON INTERNALLY DISPLACED PERSONS: A SUMMARY

ENACTMENT – FEBRUARY 2014

The National Policy on Internally Displaced Persons was endorsed at a meeting of the Council of Ministers on 04/09/1932 (25 November 2013) and launched on 11 February 2014.

LEGAL OBLIGATIONS: PROTECTING THE RIGHTS OF THE DISPLACED

The 2014 Policy outlines the roles and responsibilities of government ministries, humanitarian and development partners. It ensures that response is based on the Constitution of Afghanistan and the respect for the rights of IDPs as citizens of Afghanistan, and in accordance with international human rights law and the UN Guiding Principles on Internal Displacement.

- **Right to Freedom of Movement and Residence** (Article 39 of the Constitution of Afghanistan)
- **Right to Adequate Housing**, including security of tenure and in a suitable location
- **Right to Livelihood**
- **Right to Water, Food, Clothes – Adequate Standard of Living**
- **Right to Health Care** (Articles 52 and 53 of the Constitution of Afghanistan)
- **Right to Protection of the Family** (Article 54 of the Constitution of Afghanistan)
- **Right to Education** (Article 43 of the Constitution of Afghanistan)
- **Right to Property Protection and Compensation**
- **Right to Freedom of Expression and Access to Information**
- **Participatory Rights, including Right to Vote** (Article 33 of the Constitution of Afghanistan)
- **Protection of life, integrity, liberty and security**
-

INSTITUTIONAL ROLES AND RESPONSIBILITIES

The GoIRA, at the national, provincial and municipal levels, bears the primary responsibility for protecting and assisting all IDPs and displacement affected communities, and ensuring their inclusion in NPPs.

- The **Ministry of Refugees and Repatriation (MoRR)** is the institutional focal point in charge of developing a national implementation plan and of coordinating the implementation of the Policy with Ministries, ANDMA, provincial and municipal authorities, IDPs and affected communities, civil society, United Nations, and other international organizations.
- **Implementing bodies: line ministries with sectoral responsibilities** include Ministry of Interior, Ministry of Public Health, Ministry of Economy, Ministry of Urban Development Affairs, Ministry of Rural Rehabilitation and Development, Ministry of Women's Affairs, Ministry of Defence **and other government offices** such as the Independent Directorate for Local Governance (IDLG) responsible for ensuring that provincial governors fulfil their responsibilities and for coordinating with MoRR.
- **Coordinating bodies:** the Inter-Ministerial Coordination Committee on Refugees, Returnees and IDPs (IDMCC), the Afghanistan National Disaster Management Authority (ANDMA) and the National High Commission for Disaster Management (NCDM).
- **Provincial and other Local Authorities** are responsible for emergency response, and for developing provincial action plans to address displacement including a funding strategy for resource mobilization, and for ensuring that Land Allocation Schemes (LAS) for IDPs are fair, transparent and sustainable.
- **District Governors, Mayors and Municipalities** are reminded of their responsibility to integrate IDPs in their development plans, ensure that they can access services, and where informal settlements are created, to consider strategies to formalize them and improve living conditions. They should ensure that IDPs are not subject to forced evictions.
- **All government stakeholders will ensure that actions to address the situation of IDPs are integrated in the annual budgets** to address the assistance and protection needs of the displaced population and affected communities alike and facilitate the attainment of durable solutions. The international community can contribute to the Government efforts to this effect.

- **The Afghanistan Independent Human Rights Commission (AIHRC), along with the Administrative Office of the President and MoRR,** is mandated to monitor the respect for human rights of IDPs, to monitor and evaluate the Policy implementation, to report on the extent IDPs' rights are protected and fulfilled.

ACTIONS REQUIRED FOR IMPLEMENTATION

Actions are required during all three **Phases of Displacement**:

- **Phase 1: Preventing displacement**
National and sub-national/local authorities must 'prevent and avoid conditions that might lead to displacement, minimize unavoidable displacement, mitigate its adverse effects, and ensure that any displacement that does occur lasts no longer than the required circumstances'. This should include effective disaster risk reduction strategies, particularly for natural disasters.
- **Phase 2: Protecting and assisting during displacement**
During the emergency phase of displacement, needs assessments, response planning according to accepted humanitarian standards (e.g. Sphere Standards) and registration of families will be organized to address IDPs' emergency needs. These actions should be taking into account the specific needs of vulnerable groups (women, boys and girls, older persons, persons with disabilities). In line with the Constitution of Afghanistan and human rights principles, the Policy calls the authorities to fulfil IDPs' rights as Afghan citizens throughout the duration of their displacement.
- **Phase 3: Ending displacement / Durable solutions**
Relevant authorities are required to take all necessary measures to create conditions conducive to sustainable durable solutions to internal displacement, considering all three durable solutions, equally: return to the place of origin, local integration in the place of displacement, and settlement elsewhere in the country. Durable solutions must be voluntary, safe and dignified decisions of IDPs as Afghan citizens. This means, in simple terms, that *it is the choice of IDPs* which of the three solutions to opt for. Displacement ends when there is a voluntary and safe choice of return, local integration or settlement in other areas of the country, accompanied by security of tenure, restitution/ compensation for loss of property, access to basic services and livelihood opportunities and fulfilment of rights on par with all other not displaced Afghan citizens.

STRATEGIES AND ACTION PLANS

The Policy provides a Roadmap for action that integrates **Provincial Action Plans** and a **National Implementation Plan**.

- **Provincial Action Plans – Provincial Governors**
The Policy recognizes the unique features of each province and of the scope, profile and trends of internal displacement. Priority will be given to provinces that host substantial numbers of IDPs with an action plan focused on covering all phases of displacement, including durable solutions. This falls under the responsibility of the Provincial authorities under the leadership of the Provincial Governor and with the support of members of a **coordination body, the Provincial IDP Policy Implementation Committee** headed by the Governor and with the participation of relevant local authorities, representatives of Line Ministries, existing local governance institutions, the international community and representatives of IDPs and hosting communities. Where there are municipalities or districts hosting significant numbers of IDPs, such authorities may wish to detail their own strategies and action plans under the umbrella of the provincial action plan.
- **National Implementation Plan – MoRR with the involvement of all line ministries**
The Policy tasks MoRR to prepare a National Implementation Plan on an annual basis. It will include mechanisms for dissemination of the Policy; coordination with **IDP Policy Implementation Committees**; accountability and oversight to track progress and monitor Policy implementation, including of the provincial plans; capacity building of the **IDP Policy Implementation Committee**.

The Plan will also include, a stakeholder mapping; regular briefings to line ministries, humanitarian and development actors on the implementation of the Policy; strategies for resource mobilization and allocation. The plan will envisage strengthened information management system; the production of a national profile of the IDP situation in the country, and recommendations for relevant revisions of the Policy.

FUNDING, MONITORING AND REPORTING

To allow for an effective implementation of the Policy, the following requirements are to be ensured:

- **Funding requirements** – The Ministry of Finance (MoF) will allocate budget and funding to line ministries to meet the needs of IDPs and hosting communities, in line with the proposed Provincial Action Plans and taking into consideration the specific situation of the provinces. MoF will further build the budgeting capacity of MoRR; MoF may allocate or design an IDP Trust Fund or an IDP National Budget item.
- **Legal requirements** – The Ministry of Justice (MoJ) will review legislation to ensure that existing provisions are amended or new legislation drafted, including to guarantee the non-discrimination of IDPs.
- **Monitoring and Reporting requirements** – Implementation of the Policy is monitored by an open oversight mechanism established by MoRR, together with AIHRC and the Monitoring and Evaluation Unit of the Office of Administrative Affairs of the President. The monitoring process will consider and consolidate lessons learnt from the implementation process. At the community level, civil society and IDP communities will play a key role through community-based monitoring activities.

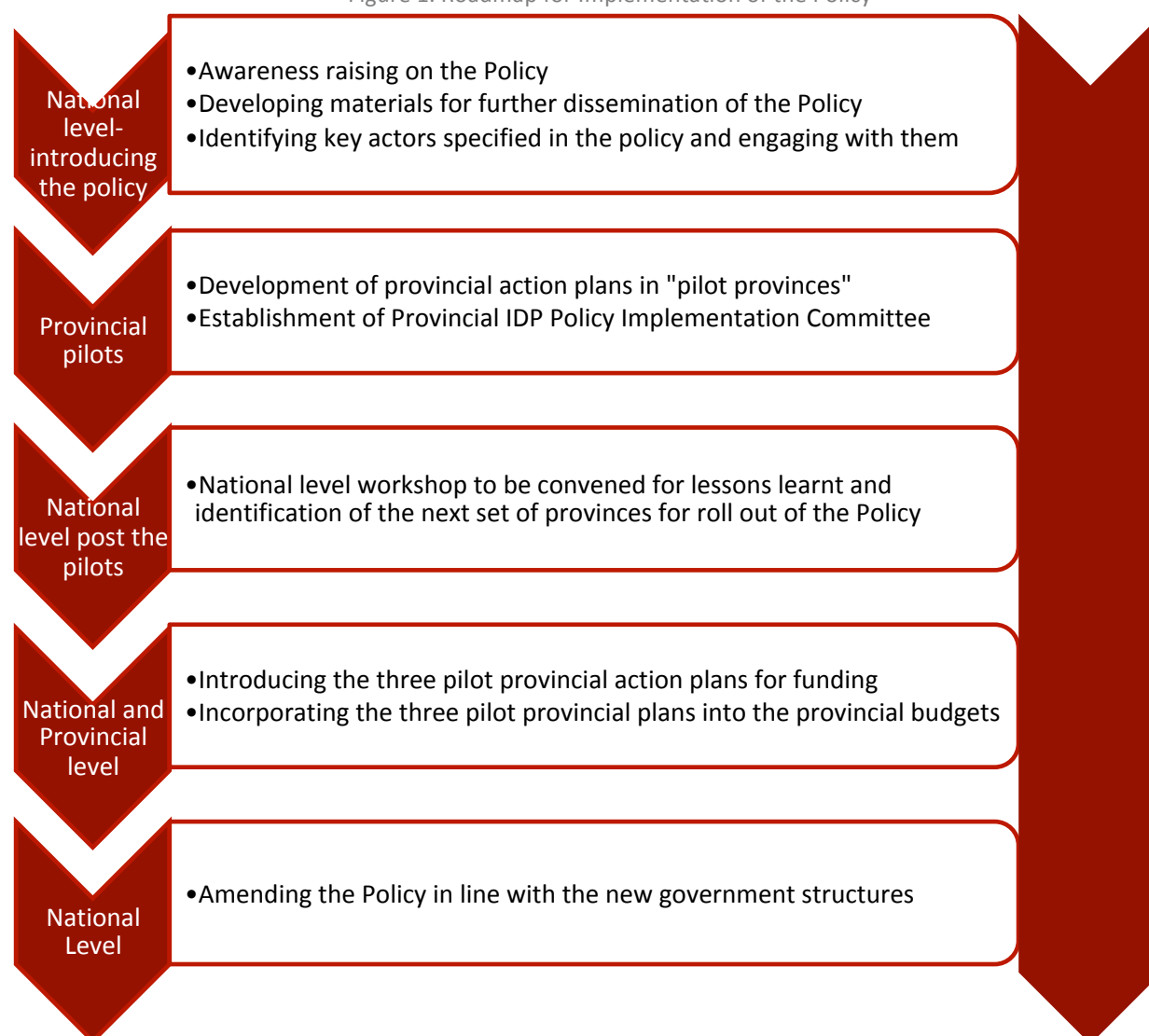
THE IMPLEMENTATION PROCESS OF THE NATIONAL POLICY ON IDPs

Implementation of the Policy began in September 2014. In the 2015 rollout phase, provincial responsibilities are to be established in pilot provinces – Nangarhar, Herat, Balkh and at the metropolitan level for Kabul city. Dissemination will continue in the Southern region based on the plan developed in November 2014 in Kandahar and possibly expanded through 2015 to other parts of the country.

The IDP Policy Working Group: A broad-based membership. The IDP Policy Working Group is part of an all-inclusive process uniting governmental, international and national non-governmental organizations and UN agencies. The membership of UN-Habitat, UNDP and MRRD confirms development actors' engagement. The government's involvement and ownership of the process is reflected in a strong government membership (more than 50% of members). Members of the IDP Policy Working Group include the Office of Administrative Affairs of the President, the Office of the First Lady, MoRR, MRRD, IDLG, AIHRC, ANDMA, UNHCR, UN-Habitat, OCHA, IOM, NRC and the Afghanistan Protection Cluster (APC). The IDP Policy Working Group is part of the national IDP task force co-chaired by MoRR and UNHCR.

A Roadmap for Action. The proposed roadmap in each Province includes provincial workshops that serve as a platform to disseminate information on the Policy and initiate the formation of the Provincial IDP Policy Implementation Committee. The Committee will have defined Terms of Reference in line with the Policy and will be in charge of developing and implementing Provincial Action Plans (annex III of the Policy).

Figure 1. Roadmap for Implementation of the Policy



THE ROAD TO IMPLEMENTATION: PROVINCIAL WORKSHOPS AND PROVINCIAL ACTION PLANS

The Policy sets a model for implementation. It recognizes that the situation in each province is unique. In its implementation phase, efforts are focused on sensitization and operationalization, with an inclusive and broad consultation of national and sub-national actors. The workshops in Nangarhar (Eastern Region) and Kandahar (Southern Region) in 2014 marked the rollout of the implementation process.

The IDP policy offers a unique opportunity for Afghan officials to develop area-based plans and solutions for IDPs, also with the support of the international community. The expectation is that, under the overall direction of the IDP Policy Working Group, the three pilot provinces will develop provincial action plans that are underpinned by robust protection and human rights principles.

The **Nangarhar workshop** (12-16 October 2014) clarified commitment of all stakeholders and the need for:

- a. **Trainings on the content of the IDP policy at provincial and district levels**
- b. **Informing IDP communities of their rights as set forth in the Policy**
- c. **Engaging with civil society to promote awareness and oversight**
- d. **Monitoring of the Policy Implementation** process and the overall protection of IDP rights (AIHRC, President's Office, MoRR)
- e. Ensuring a transparent process with regards to fund disbursement (MoEC)

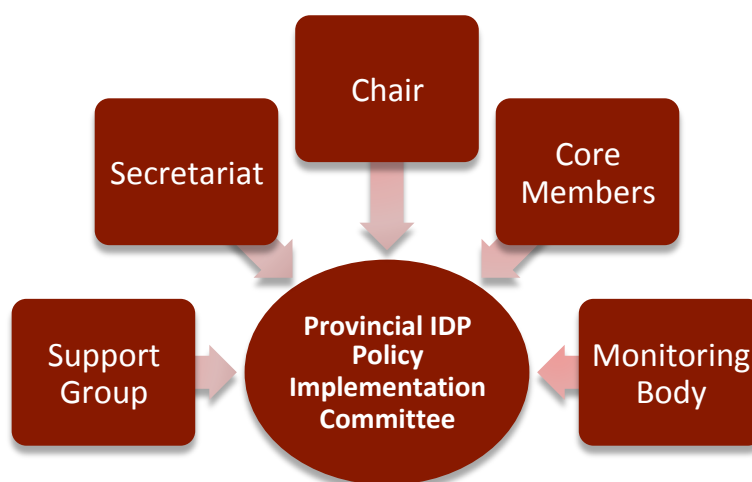
OUTCOME 1: Outline of the first Provincial IDP Policy Implementation Committee

It is headed by the Provincial Governor of Nangarhar, with the Directorate of Refugees and Repatriation acting as the Secretariat.

OUTCOME 2: Identification of Action Points for the 3 phases of displacement

Including negotiations with armed opposition groups to prevent displacement; equal access to basic services during displacement; and commitment to respect the IDPs choice amongst all three durable solutions in ending displacement.

Figure 2. Composition of the Provincial IDP Policy Implementation Committee (to be further adapted to each provincial profile)



PROGRESS TO DATE / KEY STEPS FOR IMPLEMENTATION IN 2015

1. PROVINCIAL IDP POLICY IMPLEMENTATION COMMITTEE TO PLAN FOR IMPLEMENTATION

The creation of a Provincial IDP Policy Implementation Committee is an interim solution to initiate the implementation of the Policy at provincial level. The end-goal is to mainstream this body into the Provincial Development Councils (PDCs) to promote the issue of internal displacement and contributing to raising awareness among all line ministries, in an all-inclusive response to the needs of IDPs as Afghan citizens.

Message: Integrating the IDP Policy Implementation Committee in Existing Platforms

- Develop Provincial Action Plans through the Provincial IDP Policy Implementation Committee
- Integration in the Provincial Development Plans through the Provincial Development Councils
- Possible Exit strategy: Turning the Provincial IDP Policy Implementation Committee into a Committee under the Provincial Development Councils as a sustainable inclusion of the Policy in provincial decisions

2. PROVINCIAL ACTION PLANS TO BE INTEGRATED IN THE PROVINCIAL DEVELOPMENT PLANS

The Policy calls for Provincial Action Plans to be developed. Developing the provincial strategy and action plan is the responsibility of the Provincial authorities under the leadership of the Provincial Governor and with the active engagement of the Provincial Councils, District Governors, Mayors, DoRRs, relevant line directorates, other local authorities, civil society partners, the international community and representatives of IDPs and affected communities. Where there are municipalities or districts hosting significant numbers of IDPs, such municipalities may wish to detail their own strategies and action plans under the umbrella of the provincial strategy and plan.

3. A DEVELOPMENT FOCUS FOR SUSTAINABLE ACTION

Actors such as UNDP, the World Bank and MRRD have had a long-term engagement at the local level through an area-based approach reflected in the roadmap for the Policy. Two key National Programs – the National Area-Based Development Program (NABDP) by MRRD-UNDP and the National Solidarity Program (NSP) by MRRD-World Bank – are good examples of key anti-poverty reduction programmes that provide small scale productive infrastructure at the rural level, helping community access to market and basic services. They are an entry point for the implementation of the IDP Policy as they provide services to IDPs who live in the targeted districts and additional support to reintegrate or resettle in communities. Other MRRD programmes such as the Rural Enterprise Development Programme (AREDP), the Rural Water Sanitation and Irrigation Programme (RuWatSIP), the National Rural Access Programme (NRAP) have also the potential to support solutions for IDPs in rural areas. Seemingly, several UN-Habitat interventions focussing on urban planning and development have the potential to facilitate durable solutions for IDPs in urban settings.

Message: Humanitarian work addresses displacement-associated immediate needs; Development frameworks support solutions as well as risk mitigation. It is a joint responsibility towards Afghan citizens. Long-term interventions through area-based approaches should integrate IDPs as part of the target communities.

4. A MONITORING & EVALUATION SET-UP FOR ACCOUNTABILITY IN ACTION

The Administrative Office of the President, IDLG and AIHRC are combining forces to ensure transparency and accountability in the Policy implementation process. Their role is to ensure that the implementation process proceeds at provincial level in a participatory way, including IDPs and hosting communities; that

principles and objectives of the Policy are adhered to; that the interventions designed, including through the Provincial Action Plans, ultimately contribute to the fulfilment of the human rights of IDPs.

Message: Building greater awareness on the situation of IDPs, their displacement-related needs and vulnerabilities, and ensure the respect for human rights of IDPs as Afghan citizens

WHO DOES WHAT WHERE: TURNING THE POLICY INTO PRACTICE

Initiatives to support implementation of policy at national and provincial levels

The National IDP Policy implementation is aligned with national processes including the development of the Social Protection Policy, the President's land policy reform, the electronic national identity card system (*E-Tazkira*), and National Priority Programs. Below is a snapshot of initiatives contributing towards the realisation of the Policy in practice.

GOVERNMENT and NATIONAL INSTITUTION ROLES and INITIATIVES

Ministry of Refugees and Repatriation

The Ministry of Refugees and Repatriation has proposed to the President's Office the establishment of a National High Commission for Refugees, Returnees and IDPs. It is proposed that this High Commission should lead the overall process of the IDP Policy implementation at national level.

MoRR will organize a national workshop, in order to strengthen the coordination between MoRR and its provincial Departments (DoRR) as well as the coordination with other relevant governmental stakeholders at national level on the IDP Policy implementation process. The lessons learnt from the implementation of the Policy in pilot provinces will be reviewed during the workshop.

Provincial Governors with MoRR/DoRR – Support to Building Provincial Action Plans

Draft the Terms of Responsibilities of the Provincial IDP Policy Implementation Committee

- Agree on the membership and structure of the Committee
- Meet with the Governor or Deputy Governor to agree on TOR, milestones and timelines
- Draft and endorse the Provincial Action Plans
- Integrate them in the Provincial Development Plans

MoRR and Administrative Office of the President – High-Level Ministerial meetings

The Administrative Office of the President is supporting the MoRR in organizing the high-level meetings with different ministries, in engaging with the implementation and inclusion of the Policy in their budget. A letter has been circulated to all ministries by the Administrative Office of the President, and by IDLG to the Provincial Governors.

MoRR, Administrative Office of the President and AIHRC – Monitoring and Evaluation

According to the monitoring mechanism, these entities shall prepare a monitoring and evaluation matrix to include appropriate standards and indicators to measure the implementation process; prepare an annual progress report, including obstacles to the implementation process; prepare a special report on the observance, protection and advocacy for the rights of IDPs in Afghanistan; and contributing to remove administrative obstacles to the implementation of the policy.

MRRD National Programmes, Disaster Management Strategy & Kuchi Policy

MRRD currently delivers six major development programmes countrywide: the National Solidarity Programme, the National Rural Access Programme, the National Area Based Development Programme, the National Rural Water Supply, Sanitation and Irrigation Programme, Afghanistan Rural Enterprise Development Programme and the Comprehensive Agriculture and Rural Development Facility. These national programmes have activities in every province. These programmes have activities in rural areas in the sectors of local governance, infrastructure, including water supply and sanitation, energy, enterprises and economic development. The NSP is likely the largest provider of development- projects for IDPs, particularly in the context of durable solutions (integration and reintegration). In addition, the Community Development Councils and District Development Assemblies established and utilised by these programmes provide an opportunity for local representation for the IDPs. MRRD's disaster management strategy has been developed to give special attention to individuals and communities who are most vulnerable when disasters occur. The strategy aims to address vulnerabilities caused by disasters, including displacement-related vulnerabilities. It focuses on pre and post disaster activities to build the resilience of rural Afghans. In doing so, the strategy contributes directly to Phase 1 of the IDP policy by building resilience to prevent displacement; and to Phase 2 by addressing the loss of homes, livelihoods, networks and family separation. MRRD is finalising the Kuchi Policy to assess the particular needs of the Kuchi population identified amongst affected communities in the IDP Policy.

ANDMA – Afghanistan National Disaster Management Authority – National High Commission

ANDMA will include the IDP Policy in the agenda of the meetings of the National High Commission for Natural Disasters. It will report back to the IDP Task Force meetings and will update on the IDP Policy implementation progress the member actors in the ANDMA Secretariat. ANDMA will further include the IDP policy in the agenda of meetings with actors of the demining sector.

IDLG – Independent Director of Local Governance

IDLG will play a key role by: i) guiding the Provincial Governor Office (PGO) to mainstream displacement in the Provincial Strategic Plans and Provincial Development Plans, including provincial budgeting; ii) communicating all IDP-related issues at the sub-national level and participating in any forum, working group or coordination mechanism at the central level; iii) working with municipalities to ensure provision of adequate and basic services to IDPs; and iv) ensuring that PGO play a leading role in policy implementation.

Municipalities

Given the fact that the IDP challenge is in many ways an urban poverty and inclusion challenge, Municipalities should play a key role in implementing the IDP Policy, by participating in the Provincial IDP Policy Implementation Committee, and, in particular, by supporting durable solutions if IDPs wish to remain in their current locations in and around cities. Municipal Advisory Boards (MABs), which are essentially interim-municipal councils, should play a role in engaging citizens and IDPs in finding durable solutions and support Municipal authorities with planning and implementation. MABs and Municipalities should develop municipal action plans as inputs to the PAPs.

AIHRC – Information Sharing and Awareness Raising on the rights of IDPs

AIHRC supports the information and data collection process, focusing on protection rights of Afghan citizens and of IDPs, including the right to health care, water, livelihood and to protection. AIHRC commits to the monitoring of the socio-economic and cultural rights of IDPs with a database on human and protection rights in Afghanistan. A report will be shared with MoRR, as the lead on the Policy, the President's Office and Parliament. AIHRC carries out workshops in governmental and non-governmental

settings in which IDP needs are mainstreamed and government response is tracked. AIHRC will share information on the Policy with government actors and civil society through workshops led by field offices.

INTERNATIONAL and NON-GOVERNMENTAL ORGANIZATIONS

IOM – E-Tazkira and Disaster Risk Reduction Programme

IOM has two programmes which contribute to the implementation of IDP policy. IOM is currently working on the E-Tazkira project, through which it provides support to the Ministry of Interior in the rollout of national electronic identity cards (referred to as E-Tazkiras). The main focus is on pilot roll out E-Tazkiras in Kabul province (21 districts) including Kabul Informal Settlements and in selected locations in Logar and Maidan Wardak. This will facilitate the acquisition of E-Tazkira by IDPs not in possession of any form of person documentation. The second programme area relevant to the implementation of IDP policy is IOM's Disaster Risk Reduction programme which is planned to initiate in 2015 across 10 provinces. The latter includes Balkh and Herat – two of the selected IDP policy implementation provinces - where IOM will build local government and community capacities in mitigating the impact of natural disasters.

NRC – Information, Counselling and Legal Assistance (ICLA)

The programme provides information about conditions to attain durable solutions (return, local integration and settlement elsewhere in the country) with the objective of enabling IDPs to make well-informed decisions. One-to-one counselling will be provided on how to overcome obstacles to durable solutions, clarifying what institutions can assist in their protection needs and access to basic services. This component is linked to the Emergency Response programme. ICLA also focuses on promoting access to civil documentation for IDPs, along with resolving housing, land and property (HLP) issues that are obstacles to durable solutions for IDPs.

UNITED NATIONS AGENCIES

UNHCR – National level briefings and provincial workshops

After having supported the drafting of the National IDP Policy, UNHCR is supporting the Government of Afghanistan in the implementation of the Policy by engaging various stakeholders such as sister UN agencies at the United Nations Country Team (UNCT); supporting MoRR in convening the IDP Policy Working Group; contributing to various dissemination and guidance tools; supporting provincial-level workshops/consultations on the roll-out of the Policy action plans. UNHCR contributes to building knowledge on internal displacement, sharing IDP data, co-chairing the National and the Provincial IDP Task forces, which coordinate the emergency response to new conflict-induced displacement. Directly and through partners, UNHCR provides protection and assistance to IDPs.

UN-Habitat – Upgrading of urban and peri-urban Informal Settlements and Capacity Development

The *Local Integration of Vulnerable and Excluded Populations (LIVE-UP)* launched in January 2015 consists of 1) urban upgrading of area-based approaches in high return areas (action planning and service delivery for host and IDP communities), 2) durable solutions and local integration for IDP settlements in peri-urban areas (in Herat, Jalalabad, Kabul and/or Mazar), 3) soft programming with capacity building for national and sub-national stakeholders to push forward the action planning process in support to the government.

UNDP – Capitalizing on sub-national governance (MRRD/NABDP) as an entry point for the Policy

UNDP is working with IDLG, PGOs, Provincial Councils and Municipalities to enhance the capacity of sub-national institutions to better deliver services. UNDP engages through the National Area-Based Development Programme (NABDP) on a poverty reduction programme that focuses on local economic development and sub-national governance. It provides small-scale productive infrastructures at the rural

level, helping communities access markets at the district level. The programme is accomplishing two objectives in line with the Policy: 1) providing services to IDPs and 2) additional support to resettle back in communities of origin by resolving social and economic challenges associated with return and reintegration. Additionally, UNDP under a new programme on sub-national governance and local economic development and livelihoods, in the design stage, can contribute to the IDP policy implementation in two key areas: 1) strengthening technical capacity of the Government of Afghanistan at a provincial level (with Capacity Building Support to PGOs and establishing Provincial Action Plans) and 2) building resilience of IDPs through enabling access to sustainable livelihoods opportunities (through labour market needs assessments, survey of IDPs' skills and education, development and implementation of vocational training opportunities).

While the above-mentioned UN Agencies and organisations are part of the IDP Policy Working Group, it is recognised that many other UN Agencies, national and international non-governmental organisations are working to provide assistance to IDPs in all phases of the displacement cycle. They also actively participate in the dialogue on the Provincial Action Plan and in the dissemination of the IDP Policy.

CIVIL SOCIETY, IDPs AND HOSTING COMMUNITIES

The role of the civil society, of IDPs and host communities is essential in the implementation of the IDP Policy, through their contribution to the development of the Provincial Action Plans as well as in raising awareness on the Policy in their respective communities.

PLANNING A WAY FORWARD FOR HUMANITARIAN, DEVELOPMENT, GOVERNMENT ACTORS (NATIONAL, PROVINCIAL, DISTRICT LEVEL)

The Policy covers rights of IDPs and responsibilities of authorities and other actors during three stages:

- *Prevention of displacement*
- *Responding to displacement*
- *Ending displacement*
(Durable Solutions)

All IDPs have the right to freely choose the most suitable Durable Solutions – to be made available to IDPs by the GIROA:

- *Return to place of origin*
- *Local integration*
- *Settlement elsewhere in the country*

PRIORITY FOR 2015:

- *Timely response to new displacement and referral to protection services where available*
- *Adequately upholding protection principles in Provincial Action Plans*
- *Including IDPs in all relevant National Priority Programs as citizens of Afghanistan*
- *Developing a common language on IDPs' rights*
- *Raising funds for the implementation of Provincial Action Plans through budgetary allocations from line ministries and through donor projects.*
- *Building the capacity of key stakeholders*

1. DEVELOPING A COMMON UNDERSTANDING ON IDPs

Dissemination of the Policy will enable a common understanding of internal displacement as well as of IDPs' needs and rights as Afghan citizens. This will include the development of dissemination materials – such as a Guide for Officials; Guides for communities and community representatives; media guidance; other guidance tools.

2. RAISING THE FUNDS FOR POLICY IMPLEMENTATION

Every line ministry will be required to share strategies and action plans with MoRR. The MoRR/DORR will support the development of Provincial Action Plans and ensure that they are integrated with Line Ministries and departments' annual budgets and plans. MoRR assumes the responsibility of assisting the provincial authorities and advocating on their behalf with Government and Parliament in Kabul, as well as with international agencies and donors.

Durable Solutions for IDPs will be integrated into the annual budget of line ministries, and supported through UN/NGO off-budget contributions. Donors will be encouraged to request UN and NGOs in their regions to align their actions with the upcoming Provincial Action Plan. A successful Plan is unlikely to be workable in a one-year cycle. The opportunity is ripe for donors to fund multi-year plans, aligned with government priorities and reaching the most vulnerable and excluded Afghans. The support of the donor community will be of utmost importance to uphold all three durable solutions.

3. BUILDING THE CAPACITY OF KEY STAKEHOLDERS

The soft components of the Policy are critical to an effective implementation process. On a national level, it is vital that all relevant line ministries are trained and sensitized on their roles outlined in the Policy. This should be complemented by targeted capacity building of MORR, as a lead coordinating entity, AIHRC and IDLG as the monitoring and evaluation authorities, and Provincial Governors' Offices, as the lead on Provincial Action Plans. Capacity building efforts will cover the:

- Workshop for line ministries on their role in the IDP Policy
- Support in drafting of action plans
- Structure and TOR of the Provincial IDP Policy Implementation Committees
- Accountability and oversight mechanisms (transparency on budget lines and expenditures on activities to assist and support durable solutions to internal displacement).

Internal Displacement Policy Working Group

(IDP Policy WG)

The IDP Policy Working Group works under the National IDP Task Force, led by the Ministry of Refugees and Repatriation and co-led by UNHCR, to support the implementation of the National Policy on Internally Displaced Persons.

CONTACTS

For more information on the IDP policy process:

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RESOURCES **Reference Documents**

[Guiding Principles on Internal displacement
National Policy on Internally Displaced Persons
Sphere Project
http://www.idpguidingprinciples.org](http://www.idpguidingprinciples.org)

Sphere Standards available in

- English
- Farsi

IDP Handbook – Global Protection Cluster

Research Studies

Samuel Hall / IOM 2014
[Displacement Dynamics: IDP Movement
Tracking, Needs and Vulnerability Analysis](#)

Samuel Hall / NRC / IDMC / JIPS 2012
[Challenges of IDP protection](#)

WB / UNHCR (2011)
[Research study on IDPs in urban settings](#)