Saving Ourselves: Security Transition and Impact on Civilian Protection in Afghanistan
KABUL, AFGHANISTAN, JULY 27, 2016: A family member visits the grave of a relative killed by suicide attack on Kabul’s Shia Hazara minority during demonstration in Kabul on July 27, 2016. In July, 23 deadly bombings in the capital Kabul killed at least 83 people and injured another 300. The self-styled Islamic State, also known as ISIS, claimed the July 27 attack.

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Organizational Mission

The mission of Center for Civilians in Conflict (CIVIC) is to improve protection for civilians caught in conflicts around the world. We call on and advise international organizations, governments, militaries, and armed non-state actors to adopt and implement policies to prevent civilian harm. When civilians are harmed we advocate for the provision of amends and post-harm assistance. We bring the voices of civilians themselves to those making decisions affecting their lives.

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# Table of Contents

Organizational Mission iii
Acknowledgements iii
Table of Contents vi
Glossary vii
Executive Summary 1
Recommendations 4
  - Government of Afghanistan 4
  - Resolute Support Mission and USFOR-A 5
  - Armed Opposition Groups 5
  - Local Community Leaders 5
  - Media and Civil Society Organizations 5
Methodology 6
State of the Conflict 7
Civilian Protection Concerns 11
  - The Islamic State of Khorasan 11
  - Taliban 14
  - Afghan National Defense Security Forces 16
    - Afghan National Army (ANA) 16
    - Afghan National Police (ANP) 17
    - Afghan Local Police (ALP) 17
Civilian Views of Government Protection and Assistance Measures 21
  - Community Engagement 21
  - GIRoA Civilian Casualty Prevention Measures 22
  - Civilian Victims Assistance Programs 23
Civilian Self-Protection Strategies 25
  - Staying Neutral, Picking Sides 26
  - Public and Private Agreements 27
  - Self-imposed Displacement 29
Conclusion 30
# Glossary

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIHRC</td>
<td>Afghanistan Independent Human Rights Commission</td>
</tr>
<tr>
<td>ALP</td>
<td>Afghan Local Police</td>
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<td>ANA</td>
<td>Afghan National Army</td>
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<td>ANDSF</td>
<td>Afghan National Defense Security Force</td>
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<td>ANP</td>
<td>Afghan National Police</td>
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<td>AOG</td>
<td>Armed Opposition Group</td>
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<td>CEO</td>
<td>Chief Executive Officer</td>
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<td>C-IED</td>
<td>Counter IED</td>
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<tr>
<td>ERW</td>
<td>Explosive Remnants of War</td>
</tr>
<tr>
<td>GIRoA</td>
<td>Government of Islamic Republic of Afghanistan</td>
</tr>
<tr>
<td>IEDs</td>
<td>Improvised Explosive Device</td>
</tr>
<tr>
<td>IMF</td>
<td>International Military Forces</td>
</tr>
<tr>
<td>INSO</td>
<td>International NGO Safety Organization</td>
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<tr>
<td>ISAF</td>
<td>International Security Assistance Force</td>
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<tr>
<td>IS-K</td>
<td>Islamic State of Khorasan</td>
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<tr>
<td>ISIS</td>
<td>Islamic State of Iraq and Syria</td>
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<td>MoLSAMD</td>
<td>Ministry of Labor, Social Affairs, Martyred and Disabled</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NGO</td>
<td>Non-governmental Organization</td>
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<tr>
<td>RS</td>
<td>Resolute Support Mission</td>
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<tr>
<td>UNAMA</td>
<td>United Nation Assistance Mission in Afghanistan</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
</tbody>
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Rustam Badalboi was injured by mortar during a cross firing between ANDSF and Taliban at Se Darok village, Kuduz City, on October 10, 2015. Photographer: Khatera Safi/Afghanistan Human Rights and Democracy Organization (AHRDO)
EXECUTIVE SUMMARY

We can’t expect warring parties to distribute sweets amidst a fight. What we want is for them to care about civilians’ lives and fight each other out of our villages and towns. —Malik Khairuddin, community elder from Miyanishin, Kandahar, November 2015.

Civilians in Afghanistan are facing violence amidst a resilient insurgency emboldened by the departure of the majority of international combat forces in December 2014. The Taliban are on the offensive in the countryside, threatening to overrun provincial capitals and launching attacks in the capital Kabul.

Civilians are bearing the brunt of the fighting with deaths and injuries; thousands have been displaced. The United Nations Mission in Afghanistan (UNAMA), reported that in the first six months of 2016 more than 5,000 civilians were killed and wounded.1 UNAMA recorded more than 11,000 deaths and injuries the previous year, the largest number in a single year since it began systematic recording of civilian casualties in 2009. The number of displaced persons increased from 500,000 in 2013 to 1.2 million in 2016, with 324,000 persons displaced in 2016 alone.

The Afghan National Defense and Security Forces (ANDSF)2 are also taking large and unsustainable casualties. According to senior Afghan officials, from March to August 2016, about 4,500 Afghan soldiers and police were killed and over 8,000 wounded.3

Armed opposition groups (AOGs),4 which include the Taliban and, since 2015, the Islamic State of Khorasan Province (IS-K)—a branch of the Islamic State (also known as ISIS or Daesh)—are responsible for the majority of deaths and injuries in Afghanistan. In 2016, UNAMA attributed 60 percent of civilian harm to armed opposition groups, 20 percent to ANDSF, 2 percent to pro-government armed groups, and 1 percent to international military forces (IMF). Thirteen percent were attributed jointly to AOGs and ANDSF and 4 percent from explosive remnants of war (ERW).5 Ground engagements between AOGs and ANDSF is the lead cause of civilian harm, followed by suicide and complex attacks6 in urban areas, targeted killings, and the use of improvised explosive devices (IEDs).7

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4 ANDSF operate under government legal structures, whereas pro-government armed groups and militias do not operate under formal government structures.
6 According to UNAMA, complex attacks involve Taliban attackers on suicide mission followed by gunmen.
7 UNAMA, 2016 Mid-Year Report, pp. 2-3.
The growing violence in Afghanistan led the Center of Civilians in Conflict (CIVIC) to undertake research in four provinces—Baghlan, Kandahar, Kunduz and Nangarhar—to assess how the security transition has impacted civilians. Our research examined actions by the various warring parties which impact civilians, how civilians perceive security forces efforts at protection, how they are coping with deteriorating security and protecting themselves, and recommends ways for the government to address civilian protection needs.

The conflict is growing more violent with Afghan forces struggling to provide security and protection for civilians since assuming full responsibility from NATO’s International Security Assistance Force (ISAF) in 2015. NATO’s Resolute Support Mission (RS) which began in 2015 is focused on training, assisting, and advising ANDSF and government institutions. The combat mandate of US forces—restricted to force protection and counterterrorism operations against al Qaeda—has been expanded to include IS-K.

Excluding criminality, violence has increased predominantly in contested areas and not in areas controlled entirely by AOGs.\(^8\) According to US Forces Afghanistan (USFOR-A), as of May 28, 2016, the number of government-controlled districts across 34 provinces had fallen to 65.6 percent from 70.5 percent since January 29, 2016.\(^9\) As of September 2016, the International NGO Safety Coordination (INSO) reported that 57 percent of districts were under some degree of threat from AOGs.\(^10\)

District and provincial capitals are subject to repeated attacks by AOGs, which was not possible at the height of ISAF presence from patrols, superior intelligence surveillance reconnaissance (ISR) capacity to monitor AOG movements, and ability to undertake offensive operations. The two-week takeover by the Taliban of the Kunduz provincial capital in September 2015 and ongoing fighting there in 2016, the fall of several districts in Baghlan and Helmand in 2016, and severe clashes in the Kot and Achin districts of Nangarhar in 2016 has undermined confidence in the government to protect civilians. Public perceptions of security are “near all-time lows.” According to a NATO survey conducted as of March 2016, only 20 percent of Afghans say that security in their community is good. This is down from 39 percent in March 2015. Forty-two percent of Afghans say that security is now worse than it was under the Taliban.\(^11\)

In addition to clashes between AOGs and ANDSF, the research found that security is also weakened when government forces alienate communities they are tasked to protect. Civilians interviewed for this report recounted incidents of how some government forces are engaged in harassment and extortion along ethnic and tribal lines. The Afghan Local Police (ALP) in Baghlan and Kunduz, in particular, were identified as predatory and known to harass communities based on ethnicity. The harassment of communities by the ALP included those that engage with Taliban under duress when they are forced to provide food or shelter. Such behavior by the ALP towards communities has generated resentment and built support for the Taliban in some areas. Tribal feuds and conflicts over land resources have also pushed local communities to align themselves with either the government or with AOGs.\(^12\)

Given growing violence, we found that communities have developed strategies to engage warring parties in ways that increase their safety. First, they attempt to normalize relations with armed groups operating in the areas where government presence is weak or nonexistent. Second, they position themselves as more or less neutral, reducing their collaboration with the government in order to avoid retaliatory attacks from AOGs for interacting with the government. Third, they craft secret agreements with the Taliban so that they do not engage in operations in their areas as it could trigger Afghan security forces counter attacks in return. And finally, communities undertake voluntary self-displacement.

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\(^8\) INSO, Afghanistan Quarterly Data Report, Q.2. 2016 (on file with author).
\(^12\) Interview with Dr. Shafiq Hamdard, Director of Civil Society and Human Rights Network-Jalalabad Office, Interview no 77. Jalalabad City, December 2015.
Civilians’ views of government forces depended on types of engagement ANDSF had with the community.

Engagement between communities and the Afghan National Army prior to operations and for IED clearance was welcomed. But civilians wanted security forces to engage in more regular dialogue with the communities—not just when operations occur—because there are near-daily protection concerns arising from AOGs or some pro-government forces. Some civilians expressed dissatisfaction at sustained war in their areas when control of an area shifts frequently between the government and the Taliban exposing them to harm. Many did not find ANDSF responsive when harm occurred during operations, and found that their concerns for acknowledgement and assistance for death, injury or property damage were ignored.

Many interviewed by CIVIC said they don’t believe Afghan security forces have the capabilities to protect them from violence. Ahmad Shah Separ, a political analyst in Kandahar, said:

_The government and Afghan security forces might have the intention to protect the people of Afghanistan from being slaughtered like sheep every day, but they certainly do not have the necessary military resources to fight a virulent insurgency._

Notably, the lack of confidence in the government’s capability to protect communities or the inability of the government to operate in certain districts however, does not indicate that communities view the Taliban as a viable alternative as many hate their abusive practices. Our research found that support remains strong for the current political order and for ANDSF’s efforts.

The current insecurity and civilian efforts at locally-designed protection or concerns of more dialogue with government is indicative of a need for the Government of the Islamic Republic of Afghanistan’s (GIRoA) to address protection concerns of civilians from a broader lens. This includes minimizing harm to civilians during operations, responding appropriately to harm when it occurs, ensuring proper oversight for all pro-government forces, and taking credible steps to pro-actively protect the population.

To its credit, the government has committed to minimizing civilian harm during operations. In July 2016, a national civilian casualty prevention policy was approved by the government to address gaps in reporting and investigation of civilian harm by ANDSF, trainings, rules of engagement, and assistance to conflict victims. A working group has been created to implement this policy. The government has also prioritized reducing threats from IEDs through various initiatives which have reduced civilian harm. But more work remains both by the government as well as RS to address ANDSF deficiencies—such as poor logistics and planning, deficiencies in intelligence, and reduced enablers such as medical evacuation teams and air capabilities—all of which hamper the ability of security forces to protect civilians. RS also needs to continue developing ANDSF capabilities to secure and hold areas and provide security through increased patrols. Critically, the government must also seek to reverse alienation of communities and depoliticize government forces to provide security for all its citizens and to rebuild trust in government institutions.

An inclusive peace deal and reconciliation is a lasting way to end decades of violence.14 Until that happens, changing the current conflict dynamics so that civilians are protected requires a refocus in government strategy, where protection concerns of civilians become central to military operations through community engagement, civilian harm mitigation policies and trainings, and oversight of forces. Without this strategic refocus, communities will further fragment along conflict lines and civilians will continue to pay the ultimate price.

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13 Interview with Ahmad Shah Separ, Political Analyst and Director of Karawan Peace Voice, Interview no. 5, Kandahar City, November 2015.

Recommendations

**Government of Afghanistan**

1. Order all Afghan National Defense Security Forces (ANDSF) to conduct assessments of civilian harm after operations and report it up the chain of command for appropriate review.

2. Overhaul the civilian casualty tracking cell which exists in the Office of National Security Council to take on the role of a Civilian Casualty Mitigation Team (CCMT) similar to the one under ISAF. A properly resourced civilian CCMT would then be able to analyze civilian harm and make recommendations for new trainings and guidance.

3. Investigate all allegations of international humanitarian and human rights law violations by ANDSF and pro-government armed groups.

4. Train the Afghan Local Police (ALP) on how to identify members of the armed opposition more effectively, and order ALP to refrain from harassing communities who are forced to provide food and shelter to the Taliban.

5. Support ALP Directorate’s Monitoring Unit at provincial and district levels with resources to investigate allegations of abuse and harassment. Those being investigated should be temporarily reassigned from service and those found to have committed abuses should be immediately removed from the ranks.

6. Undertake strategic planning and develop training around clearing and holding contested areas. Proactive civilian protection in this context entails careful coordination between different government and security bodies. There should be careful consideration of plans and resources—including having appropriate forces with support from the community to hold cleared areas—before committing to new large-scale clearance operations. Proper oversight and accountability mechanisms for security forces moved to new areas should also be ensured.

7. Restart lapsed government conflict assistance programs and design them fairly and equitably for both women and men.

8. Develop a community-based approach to protection. Current local security coordination between district governors, ANDSF, and communities should expand to include consultations on civilian protection concerns—and include both men and women—and seek to address security risk from armed actors, including pro-government forces. Engagement with communities should not expose people to risk or cause harm to them, and should take place on a monthly basis. Civilians, however, should be encouraged to raise protection concerns with local officials at any time, without fear of reprisals.

9. Establish a provincial civilian oversight committee consisting of a provincial council, local civil society, the Afghan Independent Human Rights Commission (AIHRC) and provincial governors to systematically monitor and address ethnic and tribal grievances. Such grievances have exacerbated conflict. Such a civilian committee would produce reports and recommendation to the central government on regular basis to address issues in each conflict-affected province.
Resolute Support Mission and USFOR-A

1. Continue to train, advise and assist ANDSF capabilities to effectively protect civilians during operations including through increased patrols and good practices to mitigate civilian harm during operations.

2. Given expanded rules to engage targets, USFOR-A should ensure that policies on conducting pre- and post-strike assessments are being adhered to and reviewed to identify lessons and adjust guidance to minimize civilian harm.

Armed Opposition Groups

1. Cease deliberate targeting of civilians and civilian locations, civilian government workers, non-governmental organizations (NGOs), journalists, and medical workers.

2. End the use of indiscriminate suicide attacks and IEDs in all areas frequented by civilians.

3. Immediately end the abduction, torture and harassment, and extrajudicial killing of civilians.

4. End abuse and the killing of ANDSF personnel taken into custody.

Local Community Leaders

1. Engage in dialogue with ANDSF and AOGs to encourage them to avoid fighting in populated areas and to reduce violence in their communities.

2. Encourage collection of data on civilian death, injury, and property damage during operations in their area and share them with the government, media, local, and international organizations in order to address concerns.

Media and Civil Society Organizations

1. Improve investigations and reporting of civilian harm in rural areas.

2. Launch a focused debate and discussion on civilian harm reflecting community concerns on TV and radio programs to increase awareness and foster debate and dialogue in conflict affected areas.

3. Organize and create Civilian Protection Working Groups across the country to coordinate and reflect on protection concerns from the community and offer recommendations on protection issues to government officials. Such groups should gradually be integrated under the leadership of the AIHRC.
Methodology

This report draws largely on field-based research conducted in four provinces of Afghanistan from November 2015 to March 2016. Nangarhar, Kandahar, Kunduz and Baghlan provinces were chosen because they represent the broader regions of the North, South, and East of the country and are major centers of an escalating armed conflict. The report builds on CIVIC’s previous work on civilian protection in the country and reflects civilian perspectives on parties to the conflict and civilian protection in the country after the transition from ISAF to Afghan forces.

CIVIC conducted 78 face-to-face interviews in Dari and Pashto. Interviews were conducted with community leaders, clerics (mullahs), Afghan National Army (ANA), Afghan National Police (ANP) and Afghan Local Police (ALP) commanders, civil society organizations, civilian men and women, journalists, city and provincial council members, and current and former district government officials. The interviews were semi-structured to allow greater flexibility in data collection. Focus groups were held to mitigate biases and verify allegations from the target interviews.

Civilian harm incidents noted in this report were crosschecked with UNAMA and AIHRC—two external organizations that record incidents. Both organizations admit that their statistics may be incomplete due to underreported incidents.

Security constraints limited access to villages, but interviews were conducted directly with displaced persons and key participants in provincial centers as well as via telephone. In addition to crosschecking with UNAMA and AIHRC, other sources, such as the government, international NGOs, and international and Afghan media reports were also reviewed.

For security and privacy of interviewees, CIVIC has withheld names for some interviews and used pseudonyms. These are noted.

This report is not a statistical survey on civilian protection in Afghanistan. CIVIC seeks to provide qualitative research on civilian perceptions on security after the transition to Afghan forces, current trends in violence, and how civilians are protecting themselves. The aim is to recommend a protection-based strategy for the government. Thus, the focus of this report is to reflect civilian perspectives of harm by different parties to the conflict and how these allegations corrode civilian confidence in the government’s ability to protect them. It also looks at how those concerns can be addressed.
STATE OF THE CONFLICT

NATO’s ISAF mission ended in December 2014 and Resolute Support began on Jan. 1, 2015. It is focused on training, assisting, and advising ANDSF and government institutions. As of June 2016, USFOR-A, including those serving as part of RS, will “more proactively support Afghan conventional forces … through close air support” and “by accompanying and advising Afghan conventional forces on the ground and in the air.”

In 2015, UNAMA recorded 11,002 civilian casualties (death and injury) the highest number in a single year since they began recording statistics in 2009. In the first half of 2016, UNAMA recorded 5,166 civilian deaths and injuries—out of which 509 were women and 1,509 were children. Nearly one in three casualties are children. In 2016, ground engagements between parties to the conflict so far have constituted 38 percent of civilian harm, IEDs 17 percent, suicide attacks 20 percent, targeting killings 11 percent, aerial operations 3 percent, and explosive remnants of war (ERW) 6 percent. UNAMA attributes 60 percent of civilian harm to AOG, 20 percent to ANDSF, 2 percent to pro-government armed groups, and 1 percent to international military forces. These numbers are unlikely to be comprehensive as it difficult to fully gather data in Taliban-controlled areas.

15 NATO Resolute Support, http://www.rs.nato.int/mission.html. 12,000 personnel from 39 nations contribute to Resolute Support. The RS mission is divided in four regional Train, Advise, Assist Commands (TACC) and TACC-Air, which advises Afghan Air Force (AAF).


17 UNAMA, 2015 Annual Report. In 2009, 5,968 deaths and injuries were recorded.


19 Ibid.

20 ANDSF operate under government legal structures, whereas pro-government armed groups and militias do not operate under formal government structures.

The increase in civilian harm attributed to ground engagements also suggests a shift in tactics of AOGs who are engaging in more overt, ground assaults against Afghan forces. When such acts occur in populated areas, civilian harm, including damage to property and infrastructure, increases. Aerial attacks by USFOR-A, who in 2016 are operating under broader rules of engagement to support ANDSF and target IS-K, have also increased. In November clashes with the Taliban in Kunduz, an errant coalition strike killed more than 20 civilians, which the US military says is under investigation.\(^2\)

The Afghan government has struggled to adequately provide security and protection for civilian since assuming full responsibility from ISAF in 2015. The drawdown of ISAF forces and lack of ANDSF capacity “to pursue AOGs [armed opposition groups]” particularly in rural areas has effectively expanded the reach of AOGs.\(^2\) According to US Forces Afghanistan (USFOR-A), as of May 28, 2016:\(^2\)

- Among the country’s 34 provinces, 268 out of 407 districts were under government control or influence.
- 36 districts (8.8 percent) were under insurgent control or influence.
- 104 districts (25.6 percent) were considered “at risk.”
- Insurgents had direct control of territory with a population of 524,072 people, and an additional 1.98 million people lived in territory under insurgent influence.

As of September 30, 2016, INSO reported 57 percent of districts were under some degree of threat from AOGs.\(^2\)

IED discoveries and seizing of weapons and narcotics caches constitute over 50 percent of ANDSF activities rather than increased patrol in conflict-affected areas.\(^2\) RS reports that ANDSF is making some progress towards offensive operations, but struggles with proactively pursuing the Taliban and providing security in retaken areas.\(^2\) Afghan police are reducing fixed check-points, which exposes them to insurgent attacks, but RS notes that personnel who staff check-points are often unprepared to maintain area security because they are untrained in conducting offensive and intelligence-driven operations.\(^2\) RS advisors are training the Afghans to replace fixed positions with mobile checkpoints and patrols.\(^2\) There is also renewed focus in improving logistics and planning operations, but such capacities will take a long time to develop. Afghan air assets are limited and relying upon the Afghan Air Force to provide close air support, logistics and medical evacuation thinly stretches its resources.\(^2\) Many of these deficiencies hinder the ability of ANDSF to effectively protect civilians.

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\(^2\) Sayend Salahuddin and Pamela Constable “2 U.S. Troops Killed Fighting Taliban in Afghanistan, Civilians Hit by Airstrike,” New York Times, November 3, 2016, https://www.washingtonpost.com/world/afghan-civilians-killed-in-errant-airstrikes-in-kunduz-2-us-soldiers-killed-in-clashes/2016/11/03/4c9a76a6-6936-a1ae-1fe6-a44d-ccc2898c81b6_story.html. In October 2015, the US military acting on faulty information attacked a Médecins Sans Frontières’ (MSF) hospital in Kunduz city killing 42. A US military investigation concluded that the personnel involved did not know they were striking a medical facility, and thus it was an accident caused by a failure to follow guidance, equipment failures, and bad decisions on the part of the gunship crew as well as American Special Forces. Sixteen American military personnel, including a general officer, were punished for their role in the strike. The punishments were “administrative actions” including suspension, removal from command, and career ending letters of reprimand. Matthew Rosenberg, “Pentagon Details Chain of Errors in Strike on Hospital,” New York Times, April 29, 2016, http://www.nytimes.com/2016/04/30/world/asia/afghanistan-doctors-without-borders-hospital-strike.html.

\(^2\) INSO, Afghanistan Quarterly Data Report - Q.3, 2016 (on file with author).


\(^2\) CIVIC interviews with Resolute Support and Afghan government officials.

\(^2\) DoD, “Enhancing Security and Stability in Afghanistan,” p. 34

\(^2\) Ibid., p. 38.

\(^2\) Ibid.

Notably, RS advisors mentor at the ministerial level and are not deployed below the army corps level and regional police. The reduced footprint also means RS advisors rely on data provided by Afghan counterparts to evaluate operational readiness as well as on civilian harm during operations. This contrasts with ISAF, where advisors were embedded with ANDSF tactical units offering real-time advice and observations of performance. The lack of advisors at the tactical level has impacted logistics, planning, and coordination between the ANA and ANP and hampered the ability to fight AOGs effectively.\(^3\) In fact, coordination between the police and army in some provinces can also be politicized along ethnic and patronage lines, which impacts operations at the tactical level and thus on civilians.\(^3\) High ANDSF casualty rates—over 8,000 deaths and injuries in 2016—has also demoralized forces. Reliance on international forces and air assets to support ANDSF to defend population centers in Kunduz, Helmand, and Uruzgan is indicative of the need to continue advisory and training assistance to develop ANDSF capabilities to eventually move away from such dependency.\(^3\)

Our interviews found that the continued rise in violence has lowered public confidence in the government’s ability to protect civilians. A NATO survey conducted in March 2016 found that only 20 percent of Afghans say that security in their community is good, compared to 39 percent in March 2015. Forty-two percent of Afghans say that security is worse now than under the Taliban.\(^3\)

Protests in Kabul on Nov. 11, 2015 against the killing of seven civilians in Zabul province, and on June 22, 2016 against the kidnapping and killings of civilian passengers in a bus in Kunduz province that month reflected the mood of a country demanding effective protection by the government. While ANDSF has more presence in urban areas, the attack by IS-K against a peaceful demonstration by Hazaras in Kabul in July 2016, which resulted in the death of more than 80 civilians, underscores the challenges in protection even in heavily patrolled areas.

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\(^3\) Ibid.


\(^3\) Afghanistan Nationwide Quarterly Assessment Research (ANQAR) Survey, Wave 31, March 2016 cited in DoD, “Enhancing Security and Stability in Afghanistan,” p. 26. The ANQAR survey is a NATO-sponsored public opinion survey conducted each quarter. Field teams conduct interviews in all 34 provinces, however, where the security situation prevents the random selection of interviewees, interviews are conducted with residents of inaccessible areas as they are traveling to and from neighboring areas. NATO notes that with any public opinion survey, the data validity is affected by sample size, response rate, and statistical margin of error.
Kabal Shah was injured when a powerful truck exploded near an ANA base in Shah Saheed, a residential neighborhood in Kabul, on August 7, 2015. Photographer: Farhad Rezaee/Afghanistan Human Rights and Democracy Organization (AHRDO)
CIVILIAN PROTECTION CONCERNS

My husband, Mehr Ali, was killed on the July 23 attack in Kabul. I am pregnant and with his four children. We live in a rented house. Mehr Ali was our only breadwinner. I am neither educated nor able to find a job now. I can only wait for a miracle to happen. —Fereshta Mohammadi, Kabul, September 2016.

This section analyzes civilian protection concerns in four provinces to illustrate current protection gaps. Civilians are coping with new groups, such as the Islamic State of Khorosan (IS-K) and a resurgent Taliban that use suicide attacks, IEDs, and targeted killings against civilians seen as sympathetic to the government. Civilians are also kidnapped and subject to extortion largely by AOGs. Some pro-government forces have also been implicated in abuse of civilians, thereby reducing support for the government. The resulting toll on Afghan civilians has been devastating, with increased death, injuries, property destruction, and displacement.35

The Islamic State of Khorasan

Following the ISAF-RS security transition, the emergence of the IS-K in 2015 has transformed the security landscape. Since June that year, a series of clashes have pitted IS-K against both the Taliban and the Afghan government, leading to significant civilian displacement and assassinations of community elders, clerics, teachers, and civilians.36 IS-K has complicated the security situation in Nangarhar, particularly in Achin and Kot districts, by polarizing local communities and by its brutality.37

According to Haji Ghaleb, District Governor of Achin, between August 2015 and May 2016, IS-K killed 45 civilians they had accused of spying for the government. Another 35 civilians, including five women, have been injured in clashes between IS-K and government forces, and between the Taliban and IS-K. The victims included elders and others between the ages of 16 and 25 with perceived affiliation to the ANP and ALP. When IS-K captured them, they were described as infidels and executed.38 Jamal Khan (pseudonym), resident of Laghorj village of Kot district, told CIVIC:

35 See also UNAMA, 2015 Annual Report.
36 Interview with Mohammad Ali, Tribal Elder from Kot District, Nangarhar, Interview no. 40, Jalalabad City, Nangarhar Province, December 2015.
37 Interview with Dr. Shafiq Hamdard, Director of Civil Society and Human Rights Network, Interview no. 77, Jalalabad City, December 2015.
38 Telephone Interview with Haji Ghaleb, Achin District Governor, May 2016.
In early November 2015, IS-K beheaded a 19-year-old shopkeeper, Gul Habib, accusing him of collaborating with the government. Gul Habib had not seen the government district building, let alone could he have worked for the government.39

IS-K largely targets individuals for not following the group’s rules or, if affiliated with the government, as a strategy to intimidate communities. Any such individuals suspected of contact with the government or security actors are singled out and punished as an example to all. Abdul Jalil said his 24-year-old cousin had made a call to a friend in the local police, and for this IS-K beheaded him in a public bazaar in September 2015, alleging he was a collaborator.40

IS-K has also looted properties of individuals they consider their opponents. For example, Abdul Jalil, says:

_We are three brothers. One of my brothers is director of a madrasa, the second one is a farmer, and I am a teacher. When IS-K attacked our area, they closed down my brother’s madrasa and looted its dormitory. I could barely escape to Jalalabad city taking only one patu [men’s shawl] and a set of clothes with myself, leaving everything else behind. IS-K also looted our property and took away almost everything including women’s clothes. I now live at my son’s house in Jalalabad city._41

In contrast to the Taliban, which tries to build support with community leaders to gain legitimacy, IS-K has attacked community leaders and tribal chiefs. After defeating the Taliban in Achin district in 2015, IS-K sent a wave of terror across communities. Mohammad Wali, a prominent tribal chief from Kot district, was arrested by IS-K in June 2015 at a tribal meeting and taken to an area called Pekha Takhta near Pakistan’s Federally Administered Tribal Areas (FATA). Wali had verified backgrounds of local police recruits in 2012, and his signatures were found in an ALP base controlled by IS-K. Mohammad Wali told CIVIC he was detained and tortured for 35 days before they finally released him in exchange for more than US $15,000.42

IS-K foot soldiers and commanders exhibit a new brand of violence. Most are in their early twenties and ignore traditional local power structures.43 Tribal elders that mediate between local communities and the Taliban or the government are irrelevant to them.44 IS-K views any tribal and community intervention as support for the government and thus targets those elements. As a result, 25 to 30 tribal elders have been killed in Kot, Achin and Shinwari districts. Others have sought safety in Jalalabad where IS-K does not have local support.45

39 Interview with Jamal Khan, Former Teacher at Swedish Committee, Interview no. 41, Jalalabad City, Nangarhar Province, December 2015.
41 Interview with Jamal Khan, Former Teacher at Swedish Committee, Interview no. 41, Jalalabad City, Nangarhar Province, December 2015.
42 Interview with Mohammad Wali, Tribal Elder from Kot District, Interview no. 40, Jalalabad City, December 2015.
43 Interview with Dr. Shafiq Hamdard, Director of Civil Society and Human Rights Network, Interview no. 77 Jalalabad City, December 2015.
44 Interview with Malek Amin Azimi, Tribal Elder in Gharabagh Village, Amin District, Nangarhar Province, Interview no. 45, Jalalabad City, Nangarhar Province, December 2015.
45 Ibid.
According to the United Nations High Commissioner for Refugees (UNHCR), the arrival of IS-K has led to displacement in Nangarhar.\textsuperscript{46} Entire pro-Taliban communities fled to Jalalabad city from Achin and Kot districts when IS-K arrived. An estimated 10,000 people fled Achin and other areas after IS-K and the Taliban standoffs had taken place.\textsuperscript{47} Khoshal, a resident of Chaparhar district, told CIVIC, that in Chaparhar alone, 4,000 out of 6,000 families have moved to other districts such as Behsud, Surkhroad, and Jalalabad where IS-K is not present.\textsuperscript{48}

Women, in particular, have been negatively affected by IS-K. After the fall of the Taliban government in 2001, women were allowed to work on their farms, but are now instructed not to go outside without a male companion. This has affected a significant number of women in rural districts since they do much of the farm work and raising of livestock. Malalai (pseudonym) from Mohmand village of Achin district told CIVIC:

\begin{quote}
Before IS-K took over our village, I used to work freely on our agricultural farms along-side my husband and collect bushes from the mountain, but IS-K are not good people and they don’t allow women to come out of their homes.\textsuperscript{49}
\end{quote}

IS-K has issued instructions for women’s marriage, appearance in public, and veiling. IS-K have also demanded that widows and unmarried girls marry IS-K fighters. According to Malalai, in Tangil village four women were forced to marry in 2015. In Achin and Kot districts, IS-K has instructed that widows must marry into IS-K and unmarried girls should not get married without their permission. Widows are instructed to install and raise a green flag and unmarried girls a white flag on their houses’ rooftops.\textsuperscript{50}

IS-K behavior has shocked conservative communities in Nangarhar districts. Malalai has armed herself with a gun to protect her 15-year-old daughter from being taken by IS-K, she told CIVIC.\textsuperscript{51} Others have been beaten and shot for walking “unnecessarily in public spaces,”\textsuperscript{52} according to Malek Amin Azimi, a tribal elder from Achin district. Even women who are already married or pregnant have been forcibly married to IS-K fighters, said Tahmina Ensaf (pseudonym) a women’s rights activist and member of the Afghan Women Network:

\begin{quote}
We have received reports that IS-K have married many married women including pregnant women. I personally met with a 17-year girl brought by villagers to a clinic in Jalalabad city. She was raped by IS-K.\textsuperscript{53}
\end{quote}

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\textsuperscript{46} UNHCR, Update on the Situation of Conflict-induced Displacement with Particular Attention to the Situation in the Eastern Region, December 2015.
\textsuperscript{47} Interview with Malek Awlia Khan, Tribal Elder from Momand Sorkamar Village, Achin District, Nangarhar Province, interview no. 49, Jalalabad City, Nangarhar Province, December 2015.
\textsuperscript{48} Interview with Haji Shir Ahmad, Tribal Elder in Kandi Bagh, Chaparhar District, Nangarhar Province, Interview no. 42, Jalalabad City, Nangarhar Province, December 2015.
\textsuperscript{49} Interview with Malalai, Housewife, from Mohmand Village, Achin District, Nangarhar Province, Interview no. 51, Jalalabad City, Nangarhar Province, December 2015.
\textsuperscript{50} Interview with Haji Khoshhal, Tribal Elder in ChelGazi Village, Achin District, Nangarhar Province, Interview no. 48, Jalalabad City, Nangarhar Province, December 2015.
\textsuperscript{51} Interview with Malalai, Housewife, from Momand Village, Achin District, Nangarhar Province, Interview no. 51, Jalalabad City, Nangarhar Province, December 2015.
\textsuperscript{52} Ibid.
\textsuperscript{53} Interview with Tahmina Ensaf, Cultural Coordinator for Women Affairs and a Member of Afghan Women Network at Nangarhar Province, Interview no. 54, Jalalabad City, Nangarhar Province, December 2015.
\end{flushright}
Taliban

Despite IS-K’s brutality, in the provinces researched by CIVIC, the Taliban continue to account for the majority of civilian harm in Afghanistan. UNAMA’s 2015 Annual Report and the most recent 2016 Mid-Year Report indicate that suicide attacks and IEDs attributed to AOGs account for 37 percent of civilian harm across Afghanistan.

CIVIC interviews reveal the suffering of civilians from IEDs. In early May 2015, in Adina village of Kandahar’s Arghistan district, an IED intended for ANDSF led to the death of a 9-year-old boy and a 13-year-old girl. That same year, a Taliban IED killed a four-member family travelling by tractor to the district center in Arghistan.54 In Baghlan, civilians expressed concern about harm from IEDs especially along the Shahri Nau road. To avoid detection, the mines are placed at night.55

The Taliban often use civilian homes, farmlands, and water channels for military purposes. They either hide among local people or take up positions in residential areas to attack ANDSF. This often triggers a response from ANDSF, which results in civilian harm.56 Noor Akbar, resident of Chaparhar district in Nangarhar told CIVIC:

My house was destroyed in 2013 in Chaparhar district. Two years ago, the Taliban were taking position near my house. The government came and bombarded my house. They took out the Taliban but destroyed the house.57

The same pattern of behavior existed in areas like Kunduz and Dande-Ghori, Baghlan, where the Taliban forced Akhtar Mohammad Omari’s family from his house and turned it into a “fighting trench.”58 In response to the Taliban’s attacks, Afghan forces shelled the house from where Taliban had targeted them, thereby damaging many houses.59

In the Northeast, the Taliban intimidates local civilians by blocking roads, searching vehicles, and abducting people. In September 2015, the Taliban detained 20 passengers from a bus in Shahre Nau Dand-e-Ghori. It took local elders seven days to secure their release. In June 2016, the Taliban in Kunduz’s Ali Abad district abducted approximately 200 civilians from their vehicles while en route to Kabul from the Northeast. Twelve passengers with alleged ALP affiliations were executed while the rest were released the same day. Eight civilians still remain missing at this writing.60

54 Interview with Abdulkhalegh, Teacher at Adina Village School, Arghistan District, Kandahar Province, Interview no. 2, Kandahar City, Kandahar Province, November 2015.
55 Focus Group 1, Puli Khumri City, Baghlan Province, November 2015.
56 Interview with Fahimullah, Student from Kandi Bagh Village, Chaparhar District, Nangarhar Province, Interview no. 53, Jalalabad City, Nangarhar Province, December 2015.
57 Noor Akbar Malyar, Tribal Elder in Kandi Bagh Village, Chaparhar District, Nangarhar Province, Interview no. 43, Jalalabad City, Nangarhar Province, December 2015.
58 Interview with Akhtar Mohammad Omari, Political and Social Activist, Interview no. 24, Puli Khumri City, Baghlan Province, November 2015.
59 Ibid.
Ethnic minorities such as the Hazaras are singled out for harassment and forced to flee rural areas such as Tala wa Barfak district in Baghlan. About 60 to 70 families moved from Baghlan to Kabul in 2015, and when they are forced to enter or leave the district for emergencies, those who remain disguise themselves by wearing clothes, hats, and growing beards to look like non-Hazaras.

The Taliban also target individuals for real and presumed connections to the government or because of past collaboration with the international troops. The Taliban collect information on local elders and the local population, then gather them to inform them about family members and relatives who work with the government and security forces. They issue warnings that the relatives will face serious consequences if they do not resign from public positions. The Taliban have targeted family members of ALP and other security officials across the three provinces, Baghlan, Kandahar and Nangarhar. Abdul Manan (pseudonym) a former ALP soldier from Argibstan district of Kandahar told CIVIC:

> In our village Khogiyani, the ALP commander, Abdul Jabbar, had asked each family to provide a recruit for the newly established ALP force in the area. As I was still studying, my younger brother volunteered to join ALP to let me finish my studies. But I did not allow him to join since he was too young. Instead I joined ALP. Later, the Taliban kidnapped my brother to put pressure on me to leave ALP. I had no choice other than doing so to save the life of my brother.

A particularly egregious case took place in Dand-e-Ghori, Baghlan in May 2015. The Taliban abducted eight brothers of ALP commander Hussain. The commander said he would surrender himself if the Taliban could promise to safely release his brothers. The Taliban killed all of them anyway. The commander and his family were forced to leave Dand-e-Ghori for Puli Khumri.

The Taliban have punished and killed local elders who have been designated as pro-government in Baghlan, Nangarhar and Kandahar provinces. One elder from Achin district, Zaman Jan (pseudonym), had his home destroyed with a bomb by the Taliban because he had attended a government-administered Jirga. His cousins were “martyred” and his animals killed. “I was forced to escape to Jalalabad,” he told CIVIC. “They continue to threaten me in Jalalabad. All the elders have been intimidated.”

Sometimes, the Taliban don’t even need to kill to enforce their will. Threats to those who collaborate with the government exist in rural areas of Kandahar due to Taliban presence. Rahmatullah, a resident of Miyanishin district and head of the local Development Council in Kandahar told CIVIC that the Taliban often release captured ANDSF personnel when the community leaders intervene and they promise to cease work with the government.

This threat has served as one of the factors of population displacement. People with past or current connections with government or any entities seen as unfavorable to the Taliban flee their rural homes to cities for safety.

61 Ibid.
62 Abdurrahim Orya, University Student from Tala and Barfak District, Baghlan Province, Interview no. 27, Puli Khumri City, Baghlan Province, December 2015.
63 Interview with Haji Khoshal, Tribal Elder in Chelgazi Village, Achin District, Nangarhar Province, Interview no. 48, Jalalabad City, Nangarhar Province, December 2015.
64 Interview with Abdul Manan, Former ALP from Argibstan District, Kandahar City, November 2015.
65 Interview with Nooria Hamidi, Former Provincial Council Member, Interview no. 35, Puli Khumri City, Baghlan Province, November 2015.
66 Interview with Zaman Jan, Village Elder, Mali Village, Achin District, Nangarhar Province, Interview no. 47, Jalalabad City, December 2015.
67 Interview with Rahmatullah, Tribal Chief and Head of Development Council in Sangnegar Village, Mianshin District, Kandahar Province, interview no. 13, Kandahar City, Kandahar Province, November 2015.
68 Interview with Mowlawi Khair Mohammad, Mosque’s Imam at Baari Village, Maroof District, Kandahar Province, Interview no. 12, Kandahar City, Kandahar Province, November 2015.
Spurious extortions constitute an important source of income for the Taliban. Collection of ushr (tithe)—10 percent of agricultural products including pomegranates, wheat, opium, etc.—is common because of competition with IS-K. These taxes are justified and collected on religious grounds. The Taliban also force villagers to feed and clothe them, even late at night. Fearing for their lives, local people comply.69

Whoever refuses to pay is subjected to violence. Noor Akbar, resident of Chaparhar district, told CIVIC:

_They collected ushr from us; from wheat and from whatever produces we had. They asked us to take our ushr to them. If anybody did not pay his ushr, they would ask why they did not. Fearing for our lives, nobody would dare not pay it. They would have forced us to pay it anyway._70

**Afghan National Defense Security Forces**

According to UNAMA, civilian harm attributed to the ANDSF is mainly due to the use of explosive weapons such as artillery, mortars, and rockets in populated areas, and in some cases, to extrajudicial killings.71 The lack of acknowledgment of civilian harm by ANDSF contributed to tensions between civilians and security forces. The harassment and extortion of civilians by some elements of security forces not only weaken security but alienate communities that the government is tasked to protect.

**Afghan National Army (ANA)**

Interviewees from Baghlan, Nangarhar, and Kandahar viewed the ANA as more “professional” in their interactions towards civilians than the ANP and ALP. (See section below on Community engagement). There were however, several complaints about the ANA’s “disproportionate use of force,” in particular, the use of artillery and mortars, in populated areas.72 The Taliban often take up positions in residential areas, and when the ANA uses artillery and mortars, civilians suffer.73

Abdul Rauf, from Chardara district in Kunduz, described the fighting in March 2016:

_Afghan forces were shelling mortars at Esakhail village. They ended up killing a young man and wounding his mother and two sisters. It took us two hours to transfer the wounded to the city. On the side, the Taliban had mined the road and on the other, the government had not informed us about the attack. Had we been informed we would have evacuated the village._74

Similarly, in Baghlan province, as the Taliban advanced further and began seizing more territory, the ensuing ground engagement between Taliban and Afghan forces resulted in civilian harm and displacement. The Afghan Red Crescent Society in Baghlan told Bakhtar News Agency that more than 300 houses were destroyed in Dand-e-Ghori due to heavy weaponry used by both Taliban and ANDSF in 2015.75

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69 Interview with Abdul Manan, Former ALP, Arghistan District, Kandahar Province, Interview no. 3, Kandahar City, Kandahar Province, November 2015.
70 Interview with Noor Akbar Malyar, Tribal Elder in Kandi Bagh Village, Chaparhar District, Nangarhar Province, Interview no. 43, Jalalabad City, Nangarhar Province, December 2015.
71 UNAMA Annual Report 2015.
72 Interview with Rahmatullah, Tribal Chief and Head of Development Council in Sangnegar Village, Mianshin District, Kandahar Province, Interview no. 13, Kandahar City, Kandahar Province, November 2015.
73 Heavy weapons typically include larger mortars, artillery, and rocket systems.
74 Interview with Abdurruffa, Former Government Employee and Current Farmer in Eesa Khan Village, Chardara District, Kunduz Province, Interview no. 75, Kunduz City, Kunduz Province, March 2016.
Baghlan’s agricultural activities, which constitute the backbone of the local economy, have been negatively affected by continued fighting, with Dand-e-Ghori, Dahan-e-Ghori, and Dand-e-Shahubddin (the main agricultural areas of the province) affected the most. Farmers could not collect their harvests due to the fighting.76

**Afghan National Police (ANP)**

The Afghan National Police (ANP) is both the most visible representation of the government in local communities and a thinly-spread force in a complex war. It is subjected to sustained Taliban attacks.

The ANP does not enjoy the same degree of respect as the ANA. The ANP is perceived to have loyalties to area powerbrokers. It is less trained, less educated, and less paid. Some civilians interviewed in this report said they see the ANP as abusive, untrustworthy, and beyond accountability.77 Such perceptions influence how civilians view the government and who they see as able to address grievances, to be held accountable, and to provide security.

Residents in Arghistan, Kandahar, related incidents where some ANP soldiers “beat and torture people,” extort money, and collect ushr from local people. Abdul Khaliq, a resident of Arghistan and a teacher, told CIVIC that the ANP officer who commands a police check post in Shakarain village of Arghistan, exacted two full sacks of wheat from a farmer in the village with no explanation.78

In Nangarhar as well, civilians view some ANP as corrupt and abusive. “The police harass the people,” Zaman Jan (pseudonym) from Achin district told CIVIC. “In upper parts of the district, IS-K harass the people and in lower parts of the district, ANP harass the people.”79

In Dand-e-Ghori in Baghlan, as the Taliban gained ground in government controlled areas in 2015, government forces launched operations to regain control. Residents told CIVIC that during the operations, the ANP often harassed and beat local people because they had provided the Taliban with tea and other food items. Civilians however, could not defy Taliban demands, because it would have put their lives in jeopardy.

**Afghan Local Police (ALP)**

To respond to the growing insurgency, the Afghan Local Police was created in 2010 and deployed to rural areas where there is limited military or police presence.80 People’s opinions of the ALP varied by district and province. Its success is mixed and depends in part if personnel are recruited from the community they patrol and whether they respect their own communities. Such conditions do not exist in all districts. In some cases, the ALP has been used by local powerbrokers to settle family, tribal, and ethnic feuds in some parts of the country.81

In Jalalabad, Nangarhar, the ALP is the smallest government security actor and frequently falls victim to both Taliban and IS-K.82

76 Interview with Akhtar Mohammad Omari, Political and Social Activist, Interview no. 24, Puli Khumri City, Baghlan Province, November 2015.
77 Interview with Ahmad Shah Separ, Political Analyst and Director of Karawan Peace Voice, Interview no. 5, Kandahar City, November 2015.
78 Interview with Abdul Khaliq, Teacher at Adina Village School, Arghistan District, Kandahar Province, Interview no. 2, Kandahar City, Kandahar Province, November 2015.
79 Interview with Zaman Jan, Tribal Chief in Chelgazi Village, Achin District, Nangarhar Province, Interview no. 47, Jalalabad City, Nangarhar Province, December 2015.
80 The ALP is tasked to secure local communities and prevent rural areas from infiltration of armed opposition groups. The previous Karzai government approved a 10,000-man roster, but six years later, the government of President Ashraf Ghani considers plans to increase the number to 45,000.
82 Interview with Malek Awlia Khan, Tribal Elder from Mohmand Sorkamar Village, Achin District, Nangarhar Province, Interview no. 49, Jalalabad City, Nangarhar Province, December 2015.
In areas where the ALP are fully loyal to the government their fighting morale and resistance against the Taliban are locally applauded. For instance, in parts of Kandahar, community elders appreciated the ALP for securing and stabilizing Panjwayi and parts of Arghandab district, and acknowledged their respectful behavior towards the civilians. Panjwayi, however, is unique. This district has seven large villages and the ALP operates in all of them. The ALP has cleared these villages from Taliban presence and held the areas against any Taliban re-encroachment. The local population supports the ALP financially and they provide security in return for their support. There is mutual satisfaction on the part of both the ALP and the communities. This is a good model where the ALP has been accountable to the people and they have extended their support to the ALP.

What accounted for improved behavior of the ALP in Panjwayi district was that this force was representative from the local community and tribes. This provided an opportunity for local elders to monitor the ALP’s conduct. This function of local oversight on ALP personnel has deterred abuse in local communities and thus left a positive impact on civilian protection. Haji Juma Gul, member of Panjwayi Development Council told CIVIC:

> Each Thursday Panjwayi community elders are having meeting with the district governor where the commander of ALP is also present. One of the topics we discuss is ALP. If there is any complaint against ALP, we raise it with the district governor and the commander of ALP to make ALP responsible.84

Unlike in Panjwayi and some ALPs in Arghandab, the ALP personnel, less representative locally and tribally, has been viewed more as a problem than a solution in Kandahar. Community elders from Arghistan, Maruf, Arghandab, and Zherai districts were unanimous in their views that the ALP has destabilized their areas, created sympathy for the Taliban, and escalated local hostilities. Hamidullah (pseudonym) resident of Arghandab told CIVIC:

> In our village, Shah Toot, there is an ALP commander who harasses the weak people, forcibly takes their sheep, extorts money, and when the gardens are contracted, he charges 1,000 Afghanis [$14.36] per each 100,000 Afghanis [$1,435.57]. And I think this is one of key reasons behind the current insecurity.85

Some ALP members are accused of extorting from people at checkpoints. They are also accused of intimidating and harassing rivals or people they say have sympathies for the Taliban.87 Khan Shirin, an elder from central Baghlan, says there are five ALP personnel in his area and they block roads and charge each passing vehicle 100 Afghanis [$1.44]. Khan says when he went to stop them, they told him that their commander had instructed them do so.88

In Baghlan, interviewees—including elders, women, schoolteachers and students, and members of civil society—expressed their dissatisfaction with the ALP. They allege ALP abuses including murder, harassment, rape, extortion and mistreatment of local populations. While CIVIC did not investigate these allegations, the perceptions of the community are that the ALP is responsible for such abuses, thereby undermining support for the government.

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83 Interview with Mollah Nematullah, Tribal Elder in Shahin Awsat Village, Arghandab District, Kandahar Province, Interview no. 7, Kandahar City, Kandahar Province, November 2015.
84 Interview with Haji Juma Gul, member of Panjwayi Development Council, Panjwayi District, Interview no. 15, Kandahar City, November 2015.
85 Amounts designated in dollars ($) in this memo are in U.S. dollars unless otherwise noted. Currency conversions approximate.
86 Interview with Hamidullah, Farmer at Khaja Molk Village, Arghandab District, Kandahar Province, Interview no. 9, Kandahar City, Kandahar Province, November 2015.
87 Interview with Abdullah, Head of Community Development Council in Dahan-e-Ghori, Baghlan Province, Interview no. 22, Puli Khumri City, Baghlan Province, November 2015.
88 Interview with Abdullah, Head of Community Development Council in Dahan-e-Ghori, Baghlan Province, Interview no. 22, Puli Khumri City, Baghlan Province, November 2015.
For example, Ahmad Jan (pseudonym) accused an ALP commander in Arghistan of kidnapping:

> Akbar, an ALP commander, kidnapped Mohammad Jan aged 13 or 14 to make him his play thing. He was the son of Sayed Agha Jan. He had no mobile to contact his mother. After his mother found out about his whereabouts, she went with a Quran to the commander’s house pleading for her son’s release. The son remained in the commander’s hold for three months. He was freed through the intervention of another ALP commander from the Achakzai tribe.89

While CIVIC did not investigate the veracity of this allegation, stories like these were frequently related to us during our research and illustrative of allegations against some ALP commanders.

In Dand-e-Ghori for instance, ALP’s harassment and intimidation of the local population has, according to residents, been a key factor in pushing local people to join the Taliban. According to local officials from Dand-e-Ghori, many in the community were religious leaders or had been running local business, but took up arms and aligned themselves with the Taliban only after ALP harassment.90

The ALP in Kunduz has been accused of beating civilians, shooting indiscriminately, and damaging properties. Their behavior is captured in Nasrullah’s case in Archi district of the province:

> Because a blast took place one kilometer away from where the ALP were based, they came to our area and began shooting indiscriminately. They were shooting at houses as they kept moving from one to the next. I shouted at them please stop shooting, I will open the door for you. As I opened the door, one of them put his gun on my forehead and pulled the trigger. The gun failed to shoot, either it did not have bullets or it faced technical failure. They then tied up my feet and hands and began beating me with their guns. While resisting, I punched one of them in the mouth a couple of times. His friend who stood two meters away shot me. I got injured and fell on the ground.91

89 Interview with Ahamd Jan, Teacher, Arghistan District, Kandahar Province, Interview no. 1, Kandahar City, Kandahar Province, November 2015.
90 Interview with Yaseen, Deputy District Council, Sahe Joy Naw, Dand-e-Ghori, Baghlan Province, Interview no. 23, Puli Khumri City, Baghlan Province, December 2015.
91 Interview with Nasrullah, Head of Nahr-e-Kohna Village, Archi District, Kunduz Province, Interview no. 76, Kunduz City, Kunduz Province, March 2016.
Ahmad Belal was injured by an improvised explosive device in Haji Arab village, Dand district, Kandahar province, on October 25, 2015. Photographer: Farhad Rezaee/Afghanistan Human Rights and Democracy Organization (AHRDO)
CIVILIAN VIEWS OF GOVERNMENT PROTECTION AND ASSISTANCE MEASURES

Community Engagement

Those interviewed in Kandahar and Baghlan acknowledged receiving advance notifications about most offensive operations by the ANA, so civilians could relocate to safer areas. Communities however, are not informed about ANA night raids and special operations because of the need to preserve the element of surprise.92

ANA also undertake “calls outs”—a practice begun by US forces and ISAF around 2012—prior to searches of homes. Abdul Rauf, a resident of Chardara district of Kunduz province, told CIVIC:

I do not have any complaint against the ANA because they have lawful and respectful behavior with the people. When they search the people’s houses, they first make a call letting us know that they would like to search houses.93

Community elders also provided examples when communities were warned through local mosques as well as through village elders about the location and elimination of IEDs by ANDSF, and when areas are cordoned off to ensure public safety and protection.94 In fact, ANDSF’s counter-IED (C-IED)95 efforts are showing results as civilian harm from IEDs has been reduced. In 2015, IEDs caused 21 percent of civilian harm, whereas in the first six months of 2016 they were responsible for 17 percent.96

Civilians also described the use of female-led house searches by ANDSF as a positive change from the practices of international troops.97 ANA and ANP deploy female operatives and officers for special operations and night raids that involve house and individual searches. Search of the female compartments of the house by female Afghan officers conform to the cultural traditions of Afghanistan, especially in rural areas.

92 Interview with Mullah Nematullah, Tribal Elder in Shahin Owsat Village, Arghandab District; Abdul Khaliq, Tribal Chief in Dorahi Village and Tribal Elder in Shah Agha Village, Arghandab District, Kandahar Province, November 2015
93 Interview with Abdul Rauf, Farmer in Esa Khan Village, Chardara District, Kunduz Province, Interview no. 75, Kunduz City, Kunduz Province, March 2016
94 Interview with Mr. Habibi, Community Elder and University Lecturer at Kandahar University, Kandahar City, Kandahar Province, interview no. 6, Kandahar City, Kandahar Province, November 2015.
95 GIRoA approved a C-IED strategy in June 2012, which includes a 119 emergency call line active in some provinces for civilians to report dangerous activity. Resolute Support is training, equipping, and advising on C-IED.
97 Interview with Malek Khairuddin, Tribal Chief in Parliz Village, Miyaniishin District, Kandahar Province, Interview no. 11, Kandahar City, Kandahar Province, November 2015.
CIVIC’s interviews with senior ANDSF officials in 2015 corroborate measures at community engagement for operations, raids, and removal of IEDs echoed by civilians.

However, civilians expressed dissatisfaction with a stalemated war in their neighborhoods and communities. Sustained offensives and counter-offensives have not only harmed civilians, as discussed above, but have also affected their livelihoods.98

Akhtar Mohammad Omari from Dand-e-Ghori told CIVIC:

In September 2015, when fighting began in Dand-e-Ghori and continued unabated without making any real progress, we met with the Baghlan provincial governor and the provincial chief of police requesting them to either finish the war or stop it. The war still continued and we, residents of Dand-e-Ghori, endured significant harm.99

Some communities view the removal of Taliban presence as an enduring strategy for civilian protection, but what they don’t want is shifting control between the government and the Taliban over a sustained period of time, exposing civilians to harm.100

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**GI RoA Civilian Casualty Prevention Measures**

A civilian casualty tracking cell exists at the Tawhid (formerly Presidential Information Coordinating Cell) in the Office of National Security Council. This cell however, needs support and resources to take on the role of a Civilian Casualty Mitigation Team (CCMT) similar to the one under ISAF. In 2015, CIVIC conducted a detailed study for GI RoA and RS to suggest areas of improvement, including on improving the reporting of civilian harm attributed to the ANDSF, analysis of civilian harm data to identify and recommend changes in tactics and trainings, development of government investigation capabilities, and the transfer of the NATO-led Civilian Casualties Avoidance and Mitigation Board (CAMB) to the Afghan government.101

The CAMB transfer was completed in January 2016, and is currently led by officials in the Office of National Security Council. It meets quarterly and tasks Ministries of Defense and of the Interior, the National Directorate of Security, and the Independent Directorate of Local Governance to report on and identify mitigation efforts.

In July 2016, GI RoA issued a national Civilian Casualty Prevention policy, which declares the intent of the government to protect civilians and minimize civilian harm during ANDSF operations. On June 30, the Chief Executive Officer (CEO) of Afghanistan, Dr. Abdullah Abdullah, convened the first meeting of the Senior Level Protection Working Group, which aims to facilitate policy-led dialogue on implementing a national policy to reduce civilian casualties.102 Subsequent ONSC-led working group meetings to implement the policy began in September 2016. These are welcome efforts by GI RoA to mitigate civilian harm and are supported by Resolute Support.

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98 Interview with Sharifullah, Teacher at Baghlan-e Markazi, Baghlan Province, Interview no. 26, Baghlan Province, November 2015.
99 Interview with Akhtar Mohammad Omari, Political and Social Activist, Interview no. 24, Puli Khumri City, Baghlan Province, November 2015.
100 Nooria Hamidi, Former Provincial Council Member and Head of Bano Development Organization, Baghlan Province, interview no. 35, Puli Khumri City, Baghlan Province, November 2015.
**Civilian Victims Assistance Programs**

According to interviews with civilians affected by the conflict and CIVIC’s research on these programs since 2012, Afghanistan’s assistance programs for civilian victims are in need of critical reform.

The Afghan government has had two mechanisms to assist civilians harmed by warring parties in Afghanistan. The most prominent is the Presidential Code 99 fund, an executive fund created and overseen by the Office of the President. Through the respective provincial governor’s office, civilians harmed in the conflict are provided short-term relief, such as payments of 100,000 Afghanis (about $1,435) for families of civilians killed and 50,000 Afghanis (about $718) for injuries.\(^\text{103}\) In some cases, a family member may also be sent on Hajj and/or receive a plot of land. This fund was no longer available as of 2015.

The second program, administered by the Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAMD) and still in operation, is structured as a disability benefits system. In principle, civilians harmed by any warring party are eligible for assistance via two separate funds within the MoLSAMD. Family members of civilians killed as a result of the conflict receive 1,500 Afghanis ($22) per month, for a total of 18,000 Afghanis ($258) per year, from the Fund for Martyrs. Civilians suffering a conflict-related disability receive between 750-1,500 Afghanis ($11-$22) per month, depending on the extent of their disability as determined by the Ministry of Health.\(^\text{104}\)

These programs have largely focused on assisting those harmed by armed insurgent groups and international military forces. Many civilians harmed by the ANDSF have told CIVIC that they did not receive financial support via these assistance mechanisms, and Afghan officials either failed to acknowledge or denied claims of harm against the ANDSF.\(^\text{105}\) Civilians have also complained about a complicated application process, lack of follow up from officials, lack of awareness of the programs by civilians, significant delays in disbursement of funds, little or no coordination between investigation teams and those managing these programs, and the marginalization of women seeking assistance.\(^\text{106}\)

While women are not excluded from seeking assistance, men often take in and assume the breadwinner function for their brother’s widows and children. Although such practice reflects conservative gender roles in Afghanistan, it does not allow women to make financial decisions for themselves. Low literacy rates amongst women, and those without male relatives to advocate for them, leaves women most vulnerable to poverty after the loss of breadwinner.\(^\text{107}\) Moreover, infrequent reporting of civilian harm by ANDSF and poor access to territories under control of armed groups means civilians often don’t receive government assistance.\(^\text{108}\)

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\(^{103}\) Exchange rate as of Nov. 1, 2016.


\(^{105}\) Ibid., pp. 21-38.

\(^{106}\) Ibid.

\(^{107}\) Ibid., pp. 36-37.

\(^{108}\) Ibid.
Razia Noori was injured when a suicide car bomber detonated explosives near a bus carrying Tolo TV staff members on January 20, 2016 in Kabul. Photographer: Khatera Sali/Afghanistan Human Rights and Democracy Organization (AHRDO)
CIVILIAN SELF-PROTECTION STRATEGIES

The shrinking security space for civilians has led some communities to initiate locally-devised solutions for protection. For example, in Kandahar, after years of continued conflict, many people built bunkers or safe rooms in their houses where they go during fighting. Others who do not have such facilities shelter at the village mosque. In Kunduz, Baghlan and Nangarhar, some people have moved to safer parts of the provinces or to their relatives’ homes in neighboring villages that are unaffected by war.

In fighting areas across four provinces where research was undertaken, most of those interviewed expressed a minimal, but pragmatic understanding of protection. For instance, Mullah Nematullah, tribal elder from Arghandab district, Kandahar, primarily defined protection as people’s safety and security, the safety of their property and the safe and secure access to their means and sources of livelihood.

Some civilians affected by decades of war do not expect the Taliban or the government to respect principles and to value civilian lives. Malik Khairuddin, community elder from Meyanishin, told CIVIC:

*We can’t expect warring parties to distribute sweets amidst a fight. What we want is for them to care about civilians’ lives and fight each other out of our villages and towns.*

Thus, community-based protection strategies range from neutrality or aligning with one party, to private or public peace pacts with warring parties, to voluntary self-displacement. Actual protection results vary, but these communities’ efforts are locally designed measures to maximize their safety reflecting their particular circumstance.

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109 Interview with Ahmad Shah Separ, Head of Peace Voice Caravan, Kandahar Province, Interview no. 5, Kandahar City, Kandahar Province, November 2015.
110 Interview with Mullah Nematullah, Tribal Elder in Shahin Awsat Village, Arghandab District, Kandahar Province, Interview no. 7, Kandahar City, Kandahar Province, November 2015.
111 Interview with Malek Khairuddin, Tribal Chief in Parliz Village, Miyanishin District, Kandahar Province, Interview no. 11, Kandahar City, Kandahar Province, November 2015.
112 Interview with Tanveer, Deputy Director of AIHRC Office in Kandahar, Interview no. 4, Kandahar City, Kandahar Province, November 2015.
Local communities engage with the Taliban differently to improve their safety and security and maintain neutrality, asking the Taliban to fight government forces in areas far away from civilian neighborhoods. In Kandahar, the people’s neutrality vis-à-vis various warring parties has been gaining momentum with positive results for civilian protection. Community leaders in Kandahar told CIVIC that they have frequently reached out to local Taliban commanders to reduce IED-related civilian harm. Although the Taliban have refused to completely ban the use of IEDs and the locations of IED placement are secret, in Shahin village of Arghandab district in early March 2015, after months of community engagement and popular pressure, they ultimately agreed to limit placement of IEDs to between 6 p.m. and 9 a.m., and to remove them later to minimize civilian harm. The deal remains in force.113 Community elders in other districts of Kandahar have not had similar success, however, as those local Taliban see IEDs as an effective military tactic and “non negotiable.”114

Our elders talked to the Taliban during a Jirga and asked them not to place mines near their house for God’s sake…if you would like to fight [the government], you should fight in areas far from our areas, not near our civilian houses. Our village is thinly populated, yet the Taliban and government harass us.115

In Nangarhar, however, tribes and communities have picked sides among IS-K, the Taliban, and pro-government forces. Tribal feuds over land, natural resources, and military-political power have cemented these alignments. For instance, the Allahrekhi tribe in Nangarhar has sided with IS-K, while the rival tribe Sipiyaw sided with the government.116 The consequence of such division has been disastrous for civilians in Nangarhar because of retaliatory attacks from both sides’ supporters.

A similar pattern exists in Baghlan. The communities are divided along ethnic fault-lines with many Pashtuns siding with Taliban, while non-Pashtuns largely side with the government.117 A trouble spot has been the ALP, which the Pashtun communities view as abusive and the non-Pashtuns view as essential for their safety against Taliban encroachment.118 The government to date has failed to address these grievances and provide security for all residents, resulting in frequent clashes in parts of Baghlan.

In other areas, a reduced state presence and a resurgent Taliban have driven people closer to the Taliban. In some cases, fear of Taliban violence has eroded will and determination to defy them. Other communities have consciously collaborated with the Taliban in order to increase their chances of survival. This translates primarily to limited cooperation with the government or even outright opposition. Abdul Khaliq from Arghistan, Kandahar told CIVIC:

Since national and international security forces have left our villages, the Taliban have stepped in. They know all the people of the villages and understand that the people will not cooperate with the government and the security forces because their life will be at risk. They therefore do not mistreat the people or kill them because people from these villages help them. The Taliban freely come and go in these villages and live a normal life.119

113 Interview with Mullah Nematullah, Tribal Elder in Shahin Awas Village, Arghandab District, Kandahar Province, Interview no. 7, Kandahar City, Kandahar Province, November 2015.
114 Interview with Naqibullah, Head Teacher at Baghelzai Village School, Arghistan District, Kandahar Province, Interview no. 1, Kandahar City, Kandahar Province, November 2015.
115 Interview with Ahmad Jan, Head Master at Baghelzai Village School, Arghistan District, Kandahar Province, Interview no. 1, Kandahar City, Kandahar Province, November 2015.
116 Interview with Agha Mir, Vaccinator in Espinghar District, Interview no. 39, Jalalabad City, Nangarhar Province, December 2015.
117 Interview with Haji Arbab Faramarz, Head of Social Development Council of Influential Elders in North East, Interview no. 30, Puli Khumri City, Baghlan Province, November 2015.
118 Interview with Haji Arbab Faramarz, Head of Social Development Council of Influential Elders in North East, Interview no. 30, Puli Khumri City, Baghlan Province, November 2015.
119 Interview with Abdul Khaliq, Teacher at Adina Village School, Arghistan District, Kandahar Province, Interview no. 2, Kandahar City, Kandahar Province, November 2015.
Public and Private Agreements

Thinking that the government may no longer be able to reassert itself in areas controlled by the Taliban, some communities have constructed arrangements for their survival. These types of arrangements are reflected in a pact between local elders, mullahs and the Taliban. Recognizing their vulnerability, even the ALP in certain districts in Kandahar have reached agreements with the Taliban to coexist. It often involves tacit cooperation with the Taliban, and ceasing or reducing local communities’ cooperation with the government. These pacts are localized and secret, and the government has not been involved in negotiating them.

Tanveer, deputy director of AIHRC’s office in Kandahar, told CIVIC:

Right now elders and tribal chiefs have secret pacts with the Taliban in certain areas. In different districts of Kandahar, a number of ANDSF commanders including ANA, ANP and ALP have secret agreement with the Taliban not to assault on each other, of which the government is unaware. The result has been greater safety and security of the people and the districts. The reason elders and chiefs make such arrangements is that they know very well that the government cannot provide them safety and security.120

The dynamics of the local protection pacts vary. Only pro-government communities have designed and enforced secret agreements with the Taliban as they are not sanctioned by Kabul. Conversely, communities aligned with the Taliban have reached agreements with local government forces to stop hostilities. In the latter cases, the local government has committed to abstain from security intervention and provide the communities with the development projects and funds. This is evident in Arghandab, Kandahar province. Hamidullah from Dilawar village of Arghandab told CIVIC:

In Dilawar village, all the people are from the Kakar clan of the Ghiljaye tribe. They are all Taliban from women to men and from young to old. An agreement was reached between Amir Mohammad, the elder of the tribe, and the new district governor. The details of the agreement were that neither the government nor the international troops will go in that village and in return the villagers will stop fighting the government.121

In Maruf district, Kandahar community elders from four villages—Loy Qala, Pirzo, Bila and Chouda—had succeeded in effectively banning the Taliban’s entry into their villages at night. The deal, reached in March 2015, stipulated that should the Taliban’s nighttime infiltration into their communities provoke actions by ANDSF or international forces, the community could confront them in whatever way possible. Likewise, a similar agreement was reached with ANDSF, emphasizing the protection of their villages against the Taliban.122 The dual deals with the Taliban and ANDSF are meant to eliminate any reason to pull either party into a fight in their villages. The deal is still in place and has brought about dramatic improvement in civilian protection and community security.

120 Interview with Tanveer, Deputy Director of AIHRC Office in Kandahar, interview no. 4, Kandahar City, Kandahar Province, November 2015.
121 Interview with Samiullah, Farmer at Khawja Molk Village, Arghandab District, Kandahar Province, Interview no. 9, Kandahar City, Kandahar Province, November 2015.
122 Interview with Sediqullah, Peasant in Perooz Village, Marouf District, Kandahar Province, Interview no. 14, Kandahar City, Kandahar Province, November 2015.
But the success or failure of community engagement with the Taliban depends upon whom they negotiate with. For example, in the village of Khoja Malik in the Arghandab district, between March 2015 and July 2015, engagement with the Taliban commanders from the same area resulted in a temporary ban of IEDs. But with the arrival of a new Taliban commander from a different area, that arrangement broke down. Local elders tried to renegotiate agreements with the new commander, but he escalated violence to establish his grip on rank-and-file soldiers and the communities subject to his rule.123

A similar agreement signed in the Dand-e-Ghori, Baghlan province in early September 2015 between local communities and the Taliban and ANDSF, but in the end failed to hold due to ethnic dynamics in Baghlan. The agreement was negotiated with assistance from the central government and billed as a public peace pact. The pact stipulated that neither the ANDSF nor the Taliban would conduct military operations in Dand-e-Ghori.

The immediate result of the pact brought some relief to civilians, but this was short-lived. The majority of the local Pashtuns perceived that their reconciliation with the Taliban would empower them to tackle their grievances against the Tajik-dominated provincial administration, while non-Pashtuns interpreted the deal as creating a free space for the Taliban to recruit, mobilize, and expand their territorial presence, and launch attacks in neighboring Kunduz. These two conflicting readings of the deal increased tensions and mistrust in the area and heavy fighting soon resumed.124

On Sept. 28, 2015, the Taliban took control of Kunduz city, which was not covered by the Baghlan ceasefire. This reportedly allowed them to transfer weapons from military and police facilities to Dand-e-Ghori and Dand-e-Shabudeen.125 In January 2016, government forces launched a major clearing operation to retake Dand-e-Ghori and Dand-e-Shabuddin from the Taliban. The Taliban retaliated by destroying several power pylons in Dand-e-Shabuddin, severely disrupting power for Kabul.126 Afghan forces retook Dand-e-Ghori in March 2016 following weeks of heavy fighting. But after the army pulled out and handed control over to the ALP, who are not respected in the area as discussed above, the Taliban launched a counter offensive and retook Dand-e-Ghori in August 2016. Later in the same month ANDSF launched another military operation in the area and took it back from the Taliban. As of September 2016, the district is under the control of the government.

123 Interview with Hamidullah, Farmer at Khawja Molk Village, Arghandab District, Kandahar Province, Interview no. 9, Kandahar City, Kandahar Province, November 2015.
124 Interview with Nooria Hamidi, Former Provincial Council Member, Interview no. 35, Puli Khumri City, Baghlan Province, November 2015. Interview with Akhtar Mohammad Omari, Political and Social Activist, Interview no. 24, Puli Khumri City, Baghlan Province, November 2015.
Arghandab and Panjwayi in Kandahar however, are relatively stable as the government has tried to improve governance and address local grievances. In Arghandab, the district governor signed a deal in March 2015 with the Kakar tribe in Dilawar village that was accompanied with aid and development assistance. In Panjwayi, the district government made sure the ALP better reflects local political dynamics and tribal structures. This has been accompanied with improved governance and representative politics such as regular weekly meetings with local elders to address concerns. In both cases, improved governance and proper development intervention was responsible for the stabilized situation rather than a local peace deal.

These dynamics—addressing local grievances and improving governance in these districts in Kandahar—were lacking in Baghlan, resulting in less security and increased violence.

**Self-imposed Displacement**

The violence has led to an increase in displaced persons. The number of displaced increased from 500,000 in 2013 to 1.2 million in 2016, with 324,000 persons displaced in 2016 alone. Many people have opted to leave their rural homes and move to safer urban centers. These include those who either have government connections, challenged the Taliban in a district, or been forced to provide food and shelter to the Taliban. Ahamd Jan (pseudonym), a teacher from Arghistan told CIVIC:

In mid-2015, 20 families left because they fear the Taliban and the government. They fear the government because they were told that they have fed the Taliban. They went to Pakistan. And there are others who fled the Taliban because they accused them of collaborating with the government. They now live in Kandahar city.

In Baghlan’s Dand-e-Ghori district, the Taliban have forced local communities to banish certain families they consider allies of the international forces, while in Nangarhar, extreme brutality by IS-K has been the main driver of population displacement. Nearly all the pro-government communities and tribes that initially stood against IS-K, have been forced to retreat to Jalalabad. Agha Mir from the Spinghar district of Nangarhar claims that between 1,200 and 1,300 people were forced to leave his district for Nangarhar, fearing reprisal by IS-K in 2015.

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127 Interview with Haji Juma Gul, People’s Council Member, Panjwayi District, Kandahar Province, Interview no. 15, Kandahar City, Kandahar Province, November 2015.
128 Interview with Ahmad Jan, Teacher, Arghistan District, Kandahar Province, Interview no.1, Kandahar City, Kandahar Province, November 2015.
129 Focus Group 2, Puli Khumri City, Baghlan Province, November 2015.
CONCLUSION

Civilian harm has increased as a result of a resilient insurgency and withdrawal of a majority of international combat troops. The Taliban’s efforts to wrest territories from the control of Kabul government has involved a shift away from guerrilla warfare to conventional ground confrontation taking place in residential and agricultural areas affecting civilian lives, their homes, and livelihoods.

The Taliban and IS-K are responsible for the bulk of civilian harm. But ANSF’s increased ground engagement continues to be a cause of concern and needs to be addressed with better training and guidance to limit the use of heavy weapons in populated areas. Lack of oversight of government forces who are implicated in abusive practices also continues to undermine support for the government.

The deteriorating security situation has weakened civilian confidence in the government to protect them. Communities are thereby undertaking protection measures ranging from the adoption of neutral positions in the conflict to striking secret agreements with the Taliban to keep violence away from their areas. The outcome of these measures are mixed in terms of protection, but indicative of a need for the government to address the concerns of conflict-affected communities.
ABOUT THE REPORT

This report examines the impact on civilian protection of the transition from international security forces to Afghan forces. Our research in Baghlan, Kandahar, Kunduz, and Nangarhar examined actions by the various warring parties that impact civilians, how civilians perceive security forces’ efforts at protection, and how civilians cope with deteriorating security and protecting themselves. Finally, it recommends ways for the government to address civilian protection needs.

ABOUT CENTER FOR CIVILIANS IN CONFLICT

Our mission is to improve protection for civilians caught in conflicts around the world. We call on and advise international organizations, governments, militaries, and armed non-state actors to adopt and implement policies to prevent civilian harm. When civilians are harmed we advocate for the provision of amends and post-harm assistance. We bring the voices of civilians themselves to those making decisions affecting their lives.