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Department of Foreign Affairs and Trade



DFAT Thematic Report

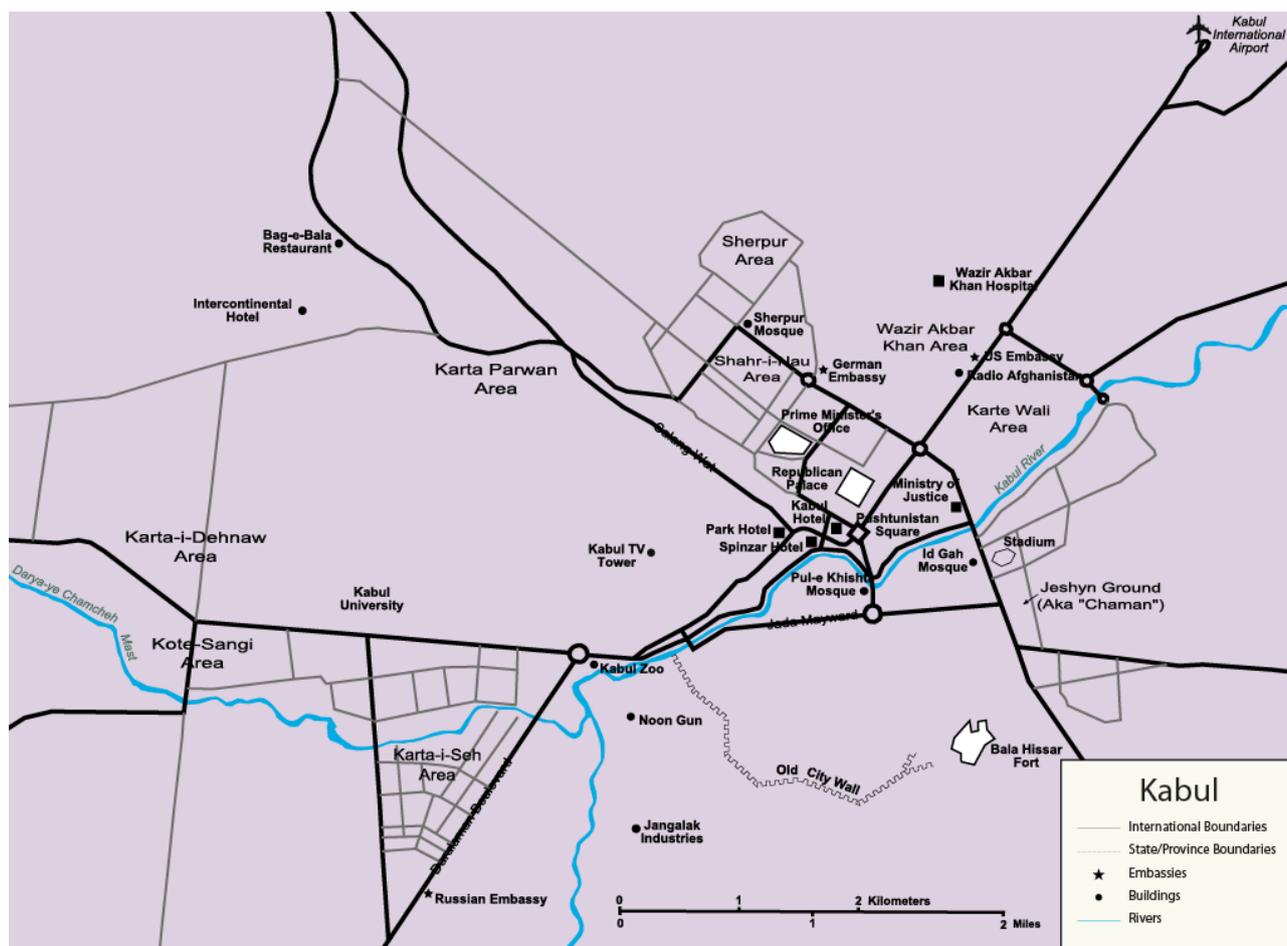
Conditions in Kabul

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Map



1. Purpose and Scope

- 1.1 This Thematic Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgment and assessment at time of writing and is distinct from Australian Government policy with respect to Afghanistan.
- 1.2 The report provides a general, rather than an exhaustive country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.
- 1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the *Migration Act 1958* states that:

Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.
- 1.4 This report is based on DFAT's on-the-ground knowledge and discussions with a range of sources. It takes into account relevant and credible open source reports. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.
- 1.5 Information on the situation in Afghanistan more broadly can be found in the March 2014 DFAT Afghanistan Country Report.

2. Background Information

2.1 Kabul is bisected into east and west by a range of hills running from Afshar and Sorkh Kotal in the north; by the Koh-e Asmayee and Koh-e Shir Darwaza in the east; by the Qorugh Mountain in the south; and in the west by Koh-e Childukhtaran and its surrounding slopes. The Kabul River runs west to east through the city.

2.2 Data on the population of Kabul is unreliable, including information on the city's ethnic composition. However, there are credible reports that the current population of the city and surrounding area is up to six million, slightly less than twenty per cent of the estimated population of Afghanistan. Kabul is the largest city in central Asia.

2.3 The city's rapid growth has put pressure on its infrastructure including roads, water, sanitation and electricity supply. Some 'formal' areas of Kabul city were laid out under a master plan developed in 1978. These areas are generally closer to the city's centre, mostly in the east and north, and tend to have better access to infrastructure.

2.4 Up to seventy per cent of the city consists of 'informal' areas, which are not part of the master plan and have typically been developed and settled with the permission of landowners. These areas make up the great majority of Kabul's urban landscape. The quality of housing and infrastructure in informal areas varies greatly and includes many areas of basic housing with unreliable access to infrastructure.

2.5 In addition, there are a number of 'illegal' areas in the city which consist of communities that have been settled without the permission of the landowner. There are approximately 50 such sites in Kabul with 33,000 residents. Many of these are on public land and on hillsides throughout Kabul. Living conditions in Kabul's illegal settlements are particularly difficult. This is due in part to their insecurity of land tenure which makes it difficult for residents to build more permanent shelters. Non-Government Organisations (NGOs) are often prevented by Government authorities from providing sanitation and other services to these communities as an incentive for them to return to their areas of origin in other provinces. Government authorities and private owners sometimes threaten to evict individuals illegally occupying land in and around Kabul.

Recent History

2.6 Following the collapse of the Soviet-backed Najibullah Government in 1992, the mujahedeen seized Kabul and declared it the 'Islamic State of Afghanistan'. During the ensuing civil war, much of Kabul was destroyed in fighting. The Taliban takeover of Kabul in 1996 led to a period of neglect and under-investment in urban infrastructure. Following al-Qaeda's 2001 attacks on targets in the United States, international forces led by the US launched Operation Enduring Freedom, removing the Taliban from power and taking Kabul in November 2001.

2.7 Since then, Kabul has grown rapidly from a population of 500,000. This growth is due in part to the return of refugees from other countries and the arrival of Internally Displaced Persons (IDPs) from other parts of Afghanistan due to conflict and natural disasters. Relatively good economic opportunities and a greater level of security are also important factors in Kabul's growth.

Economic Overview

2.8 Kabul's economy is based on trade and other service industries. There is some agriculture in the areas around Kabul city. In addition, a small number of larger private businesses have set up facilities in and around Kabul, including in food processing, textile production and light manufacturing.

2.9 Since 2001, economic growth in Kabul has been driven by unprecedented inflows of international assistance as well as the substantial presence of international forces and international organisations with offices in the city. However, the gradual drawdown of international forces may already have had a negative impact on the economy of Kabul. As the capital of Afghanistan, Kabul also hosts a number of central Government ministries and institutions which make a significant contribution to the economy of the city.

2.10 The concentration of international forces, international organisations and government ministries has meant that the cost of living is relatively high in Kabul. Rents in Kabul tend to be expensive compared to most other parts of Afghanistan. As a result, many who live in Kabul may have no other option than to live in informal settlements. Many poorer residents are forced to borrow money to survive, entering a cycle of poverty and indebtedness.

2.11 A wide range of commercial services are available in Kabul. These include small family markets, vegetable markets, butchers, clothes markets, home-ware stores, mobile phone shops and petrol stations. Kabul's role as a trading hub generally means that most types of produce available elsewhere in Afghanistan are also available in Kabul.

Employment

2.12 Because of the city's size and growth, Kabul offers a greater range of employment opportunities than many other areas of Afghanistan. Employment growth has been strongest in Kabul's service sector, particularly in the construction industry and in small businesses such as family-owned markets. Due to the significant military and government presence in Kabul, there are also some employment opportunities in the armed forces or civil service.

2.13 Although there are no reliable statistics, unemployment is widespread in Kabul and underemployment is also common. The influx of IDPs and returnees in the city has put pressure on the local labour market. Those who have foreign language and computer skills tend to be best placed to find well-paid employment in Kabul. New arrivals to Kabul from rural areas tend to be at a disadvantage due to their lack of skills in demand. Many of these new arrivals also lack a network of family contacts needed to find employment. In this situation, employment may be irregular and often insecure—many work as relatively poorly paid day labourers who seek occasional work as it becomes available. Others are required to beg or work as street-sellers.

2.14 Although it is difficult for women to find employment in Kabul, there tend to be more opportunities in Kabul compared to other parts of Afghanistan. However, female-headed households with no additional family support tend to be among the most economically vulnerable groups in Kabul.

Education

2.15 Educational facilities and access to education, particularly for girls, have improved greatly since 2001, and tend to be better in Kabul than in other areas of Afghanistan. For many new arrivals, access to education has been a key factor in their decision to move to Kabul. Because of the relative quality of education options in Kabul, some families in other parts of Afghanistan send their children to Kabul for courses during the winter.

2.16 In general, public education is free and available to most families in Kabul, but tends to be over-subscribed. Some children do not attend school because they are required to work instead. A survey by Afghanistan's Centre for Policy and Human Development in 2011 estimated that 65 per cent of children in Kabul were enrolled in primary or secondary education, higher than the national average of 46 per cent.

2.17 The Hazara community operates a number of private schools in Kabul. For at least some of these schools, there are good facilities, teacher training and educational outcomes for students, demonstrated by very high university acceptance rates.

2.18 Kabul also hosts a number of Afghanistan's most highly regarded higher-educational facilities, including Kabul University and the Kabul Polytechnic University.

Health care

2.19 The health care system in Afghanistan has improved greatly since 2001. Basic public health care is free, but demand for public health care continues to exceed supply. Medical facilities in the public system, while still basic, tend to be better in Kabul than in other areas of Afghanistan. Better quality services are provided by private practices, but many residents cannot access these services because of their high cost.

2.20 In addition to primary health care services, a number of specialist services are available, including emergency services, cardiac care and pathology laboratories. Kabul lacks some specialist treatment options for chronic, complex and life-threatening conditions. As a result, relatively wealthy patients often choose to travel abroad for specialist treatment. Most, however, cannot afford to do this and the high morbidity and mortality rates in part reflect the lack of access to specialist care.

Utilities

2.21 Access to electricity is highly variable, even in formal areas of the city. Electricity 'load shedding' and blackouts are common. For many in Kabul's informal areas, electricity is supplied by a community generator for which a fee is charged by the operator, a relatively expensive form of supply. According to the World Bank and United Nations High Commissioner for Refugees (UNHCR), although most established residents had access to some electricity, up to 84 per cent of IDPs lacked access to any electricity.

2.22 Most informal and illegal areas do not have reliable access to municipal water supply, relying instead on wells and water deliveries. Sanitation in these areas tends to be poor. Waste collection is better in informal areas than illegal areas. Many communities burn their waste which contributes to Kabul's air pollution.

Religious facilities

2.23 There are a number of Sunni and Shia mosques in Kabul. There are some religious facilities for Christians in Kabul that are generally available only to non-Afghans. There are also a number of religious facilities for Hindus and Sikhs. Many non-Muslims do not openly practise their religion because of the risk of discrimination or violence.

2.24 A bombing attributed to Pakistan-based Lashkar-e Jhangvi (LeJ) of the Shia Abu Fazl mosque in Kabul during Moharram in December 2011 reportedly killed at least 70 people. However, DFAT assesses that this was an isolated incident and that it is unclear whether it was the result of sectarian tensions. DFAT assesses that Sunni-Shia sectarian violence is infrequent in Kabul.

Land issues

2.25 Land ownership in Kabul remains a source of tension particularly between existing residents and new arrivals. The situation is complicated by the absence of formal land records, changes of regime since 1978 and the distribution of land according to patronage by those in power since 2001. Some returnees to Kabul may have difficulty obtaining legal title to their land or may find their land has been illegally occupied. DFAT is aware of at least one case in which IDPs were arrested and evicted from an illegally occupied site in Kabul at the request of the land-owner. The land-owner reportedly paid compensation to those evicted.

2.26 Ethnicity may also be a factor in tension over land issues in Kabul. IDPs and recent arrivals generally seek co-location with their tribal counterparts, causing localised overcrowding when large groups arrive in Kabul at the same time. Given limited space, expansion by one family is often at the expense of another. As a result, those on the fringes of a community often encroach on other ethnic groups.

Security Situation

2.27 Insurgents regularly conduct high-profile attacks in Kabul. DFAT assesses that the primary targets for insurgent attacks are government institutions, political figures, Afghan National Security Forces (ANSF), International Security Assistance Forces (ISAF), other security services and international organisations. Such attacks often cause significant casualties amongst civilian bystanders in addition to those being specifically targeted.

2.28 Representative examples include the suicide bomb attack against the Supreme Court in Kabul in June 2013 which killed 17 and injured 39 others; a complex attack by insurgents against a restaurant in Kabul during January 2014 which killed at least 21 people, including 13 foreigners; and an attack on the Kabul Serena Hotel in March 2014 which killed at least nine people, including four foreigners. Kabul International Airport has been attacked on a number of occasions, including most recently in July 2014.

2.29 The ANSF and international forces have put in place a range of counter-measures to prevent and respond to insurgent attacks in Kabul. There are numerous checkpoints along highways leading to Kabul, at major intersections and at government and international institutions within Kabul. These provide a strong

deterrent to insurgent attacks by increasing the risk that insurgents will be detected prior to undertaking attacks in Kabul. ANSF and international forces concentrated in Kabul are also quick to respond to insurgent attacks when they occur. For example, the ANSF provided a rapid and effective response to an insurgent attack against Kabul airport in June 2013.

Security for women and girls in Kabul

2.30 According to the United Nations' Assistance Mission in Afghanistan (UNAMA), during 2013 there were 255 cases registered by police and 968 cases registered by prosecutors in Kabul under the Law on the Elimination of Violence against Women. UNAMA notes that the relatively high number of cases should be 'assessed in the context of Kabul as the most highly populated province in Afghanistan'. Without comprehensive census figures, it is difficult to determine whether these numbers represent a higher-level of comparative reporting.

2.31 DFAT assesses that, although women and girls in Kabul may be subject to some kinds of violence, particularly domestic violence, there tends to be a higher level of security for them in Kabul than in many other parts of Afghanistan (see also the March 2014 DFAT Country Report on Afghanistan).

3. Other Considerations

State Protection

3.1 Overall, DFAT assesses that the Government maintains effective control of Kabul, due to a range of counter-measures put in place to prevent and respond to insurgent attacks. The relatively high level of state protection available in the city, including in formal, informal and illegal areas, has been an important driver of large-scale urban migration to Kabul since 2001.

Police

3.2 The Afghan National Police (ANP) has primary responsibility for internal law and order, including in Kabul, and plays an active role in fighting insurgent groups. Policing in Kabul tends to be more effective than in most other urban and rural areas, but as in many poorer nations, the capacity of the ANP to maintain law and order is limited by a lack of resources, poor training, insufficient and outmoded equipment and political manipulation.

3.3 In many cases, individuals needing protection may be reluctant to seek protection from the police. This may be due in part to residents' lack of confidence in the police's ability to protect them, the difficulty police will have in prosecuting offenders through the judicial system, and also to credible allegations of corruption among the police.

Judiciary

3.4 The formal judicial system is hampered by underfunding and a lack of qualified and properly trained judges and lawyers. Although the formal justice system is relatively strong in Kabul, like the ANP, it has faced credible allegations of corruption and it lacks the capacity to process a large number of cases in a timely way. Outside of the formal justice system, traditional justice mechanisms are also used to deal with grievances and disputes in Kabul.

3.5 Attacks and threats against judges and lawyers carried out by insurgents, including the June 2013 attack against the Supreme Court in Kabul, undermines the formal judicial system.

Internal Relocation

3.6 Large urban areas in Afghanistan are home to mixed ethnic and religious communities and offer greater opportunities for employment, access to services and a greater degree of state protection than many other areas. As Afghanistan's largest urban centre, Kabul provides the most viable option for many people for internal relocation and resettlement in Afghanistan. This applies to those internally displaced by conflict and natural disasters, economic migrants and returnees to Afghanistan. This movement to Kabul is largely the result of economic opportunity, but it is often difficult to differentiate between economic migrants and those internally displaced as a result of conflict or natural disasters.

Government policy on internal relocation

3.7 Article 39 of Afghanistan's Constitution guarantees Afghans' rights to 'travel and settle in any part of the country, except in areas forbidden by law'. Presidential Decree 104 of 2005 stipulates that all IDPs and returnees should return to their place of origin or an adjacent province. The Government's Ministry of Refugees and Repatriation (MORR) has allocated plots of land in these areas for resettlement. In practice, this policy has meant the Government has been reluctant to provide greater services for IDPs and returnees in Kabul. Despite this, many choose to remain in Kabul or are unable to return to their areas of origin.

Ethnicity

3.8 Traditional extended family and tribal community structures of Afghan society can be an important protection and coping mechanism for IDPs. Many Afghans who are IDPs rely on these networks for their safety and economic survival, including access to accommodation and an adequate level of subsistence.

3.9 Kabul's size and diversity means that there are large communities of almost all ethnic, linguistic and religious groups present in the city. Given the growth of Kabul's population since 2001, many individuals may have members of their extended family in Kabul who can assist with their relocation.

3.10 DFAT assesses that there are generally options available for members of most ethnic and religious minorities to be able to relocate from other parts of Afghanistan to relative safety in Kabul.

Anonymity

3.11 The growth of Kabul's population since 2001 and the absence of a single, central register of addresses has provided a higher level of anonymity for new arrivals. Because ethnic groups tend to live homogeneously within Kabul, anonymity is more possible between members of different ethnic groups than it is within particular ethnic groups. The possibility of greater anonymity may encourage individuals and families to seek protection in Kabul.

3.12 DFAT assesses that because of its size and diversity, individuals may be more likely to be able to remain anonymous in Kabul than in rural areas or smaller urban areas, particularly if they maintain a low profile.

Other factors affecting internal relocation

3.13 In practice, DFAT assesses that a lack of financial resources and lack of employment opportunities are the greatest constraints on successful internal relocation. This is compounded by Kabul's relatively high cost of living, particularly the cost of housing.

3.14 Internal relocation to urban areas is generally more successful for single men of working age. Unaccompanied women and children are least likely to be able to relocate to urban areas without the assistance of family or tribal networks.

Treatment of Returnees

3.15 At present, all involuntary and most voluntary returnees from Western countries are returned to Kabul. A high proportion of returnees choose to remain in Kabul rather than return to other places of origin. DFAT assesses that because of Kabul's size and diversity, returnees would be unlikely to be discriminated against or subject to violence on the basis of ethnicity or religion.

3.16 Returnees generally have lower household incomes and higher rates of unemployment than established community members. However, DFAT assesses that the situation for returnees to Kabul provided with cash or in-kind reintegration assistance tends to be more favourable than for IDPs who do not receive this level of assistance. Such reintegration programs offered by the International Organization for Migration (IOM) and others can include the provision of vocational and other training, assistance to help establish businesses and cash grants.

3.17 Men of working age are more likely to be able to return and reintegrate successfully than unaccompanied women and children without the assistance of family or tribal networks. Although women in Afghanistan continue to experience pervasive discrimination and violence in most aspects of daily life, there tend to be more opportunities for women in Kabul than in many other parts of Afghanistan (see also the March 2014 DFAT Country Report on Afghanistan).