



FACT-FINDING MISSION TO AFGHANISTAN BY THE FINNISH IMMIGRATION SERVICE

One of the aims of the project for the development of a country of origin information system on Afghanistan for ensuring conditions for safe return was to arrange a fact-finding mission to Afghanistan. The purpose of this report is to distribute information about the mission not just to Finnish authorities, but also to the immigration authorities of the EURASIL and IGC member countries.

The security situation in Afghanistan fluctuates greatly, both periodically and regionally. The purpose of the project is to create for the use of the Finnish Immigration Service and the Police, who enforce decisions to remove aliens from Finland, a country of origin information system for the assessment of the security situation in Afghanistan. Such a system would make it possible to make an unfailingly reliable and up-to-date assessment of the conditions for safe return both at the decision-making stage and at the removal stage. Information would also be provided for authorities who organise the voluntary return of citizens of Afghanistan.

European Return Fund

On 7 April 2009, the International Affairs Unit of the Ministry of the Interior made a decision to provide funding from the European Return Fund and to confirm national funding for the project. On 4 March 2009, the executive group of the European Return Fund proposed that the project should be financed from the fund's annual programme for 2008.

Fact-finding mission

The Finnish Immigration Service made the trip together with the Immigration Police from September 24 to October 2, 2009. In planning the composition of the travelling party, the distribution of enforcement and execution duties related to removal decisions between the Police and the Finnish Immigration Service was taken into consideration. Removal decisions are taken by the Finnish Immigration Service and enforced by the Police. An official from the Asylum Unit was among the participants so that essential information to support decisions on international protection would be obtained from the mission. The task of the Legal Service and Country Information Unit is to serve as Finnish Immigration Service experts in country information and legal affairs. A senior adviser of legal services and a country information researcher from the unit were among the mission participants. The police chief inspector who was on the trip focused on practical measures such as the future procedures to be followed in returning Afghan citizens removed from Finland to Afghanistan, local authorities' requirements related to issues such as identity papers and advance notifications, and the procedures followed by the other Nordic countries, taking into account the existence of repatriation agreements.

One part of the fact-finding mission was to extend the country of origin information system beyond Kabul. Most of the asylum-seekers in Finland come from a remote



location called Jaghori in Ghazni province. Because of the security situation, no road trips could be taken.

During the fact-finding mission, visits were paid to local authorities, Finnish and foreign embassies, civic organisations, and international organisations in Kabul. Individual visits and interviews lasted from 45 minutes to 2.5 hours. Three interviews were carried out at the Serena Hotel, while other interviews took place at the interviewees' offices. AIHRC¹ is located near the Hotel Intercontinental. Most of the other organisations and embassies are located in the quarter called "New City" (Shahr-i-Now). No interview was available from ANSO or ISAF during the mission.

Prior to the fact-finding mission, interviews were arranged in Helsinki with several experts who had lived for a long time in Afghanistan and had held miscellaneous positions there. The mission and the project were also discussed with Finland-based Afghan organisations and representatives of two projects of the European Return Fund and the Ministry for Foreign Affairs of Finland. We contacted Sweden's Migration Board about our mission because they were planning a similar mission.

INTERVIEWS IN KABUL 26-30 SEPTEMBER

Tundra/JICA

The first interviewee has been working in Afghanistan since October 2004, first as a peacekeeper for one year, with ANSO for one year, and now with JICA² through a private security company called Tundra Strategies³. The latter works in the risk management and security services field. Their Finnish representative performs security analyses and related assignments in Afghanistan.

EUPOL⁴

The Finnish EUPOL representative worked first as an ISAF peacekeeper in northern Afghanistan from the end of 2006 and has since been in the service of EUPOL. EUPOL's task in Afghanistan is to coordinate and strengthen policing cooperation among the various organisations in Afghanistan. At present, over 600 international police representatives work in Afghanistan. EUPOL cooperates with its U.S. counterpart CSTC-Alpha⁵.

The training of the Afghanistan National Police is well under way. That training and also guidance for the chiefs of police are already operating in 15 provinces. The problem lies with poor respect for the police and suspicions of corruption within the force. The resources of the EU's police operation continue to be increased. One of the goals of the training is to monitor the activities of Afghan police.

¹ For details see page 5.

² Japan International Cooperation Agency, <http://www.jica.go.jp/english/> (visited on 18 January 2010)

³ <http://www.tundra-security.com/> (visited on 13 January 2010): "Tundra Strategies is a Canadian operated International Security Consulting company that manages risk by developing and implementing comprehensive security solutions to corporate and government agencies around the world. We specialize in security assessments, protective services, training and intelligence gathering and analysis."

⁴ EU Police Mission, <http://www.eupol-afg.eu/> (visited on 25 November 2009)

⁵ Combined Security Transition Command Afghanistan, <http://www.cstc-a.com/> (visited on 18 January 2010)



The compilation of statistics on crime is developing in Afghanistan. There are situation centres in operation in Kabul and in a number of provinces. Because of the prevalence of tribal communities, there is little actual everyday crime. There are many reports, however, of honour killings and the disappearance of women. Families have also been threatened in some more remote provinces.

Meetings with two returnees

According to the original plan, the country of origin information system was supposed to be extended, besides Kabul, to the nearby Ghazni province. For that reason, we made arrangements prior to the start of the mission to meet a Jaghori couple in Kabul. The goal was to obtain information from them on Ghazni and specifically Jaghori.

The interviewee (male) had worked with Future Generations⁶ assistance projects and is now assisting American ISAF-PRT construction projects in Ghazni through his own company P.C.C⁷. He had just returned from Ghazni before the interview and showed us photographs of Jaghori, his place of domicile. According to him, it is dangerous to drive by car from Ghazni because of possible Taliban checkpoints. He has built⁸ schools for girls at Jaghori and organised adult education with instruction for women in fields such as midwifery, computer and sewing machine use, embroidery, the preparation of jams and jewellery making. A computer class had been provided for Jaghori residents and young men were persuaded to substitute Oriental martial arts and other sports for drugs⁹.

Electricity can be produced for the area by damming the Jaghori reservoir and by means of hydroelectric power. Agriculture has been made more effective, groundwater has been raised closer to actual ground level, seedlings have been planted and greenhouses have been built. At present, his projects include the improvement of vocational training and the lengthening of the runway of an airfield that he has had built.

EUSRA

The human rights advisor of the Special Representative of the European Union¹⁰ cooperates with civic organisations and investigates cases of violence against women and threats against the media. He told us about a repatriation study which indicated that persons who returned voluntarily found it more difficult to adapt to their return than other returnees. It was thought that the reason for this was that they had greater expectations related to their return than involuntary returnees.

In Afghanistan as many as 70% of men and 90% of women are illiterate. The fact that over 60% of Afghans are under 25 years of age is a good indication of the age-class distribution. The education of young people is important because the future of the country depends on them. However, hundreds of schools have been forced to

⁶ <http://www.future.org/international-operations/afghanistan> (visited on 23 November 2009)

⁷ Pulgoo Construction & Supply Company

⁸ On assignment from Future Generations.

⁹ During the interview, he showed photographs of Jaghori residents in a computer class and in a textile class, as well as involved in sports activities.

¹⁰ Human Rights and Rule of Law Advisor, Office of the Special Representative of the European Union for Afghanistan.



close because of their remote location or because of Taliban threats. Fighting has increased in Afghanistan and the number of civilian victims has risen. The representative emphasised the responsibility of the international community in monitoring projects and urged us to be cautious and discerning in our information-gathering.

AREU

AREU¹¹ is an independent research organisation founded in Kabul. The assistant director whom we interviewed has lived in Kabul for six years. The task of AREU is to gather and distribute information. It aims at improving the life of the Afghans through its activities.

AREU has an annual publication entitled “The A to Z Guide to Afghanistan Assistance”. It also issues a mimeographed bibliographic publication called the Afghanistan Research Newsletter every two or three months as well as many different studies. All of its printed materials can also be found in electronic format on the Internet. Research projects have been completed in 150 different fields of life. AREU has a public library. The catalogue of its collections is available on the Internet.¹²

AREU is compiling a list of laws in force. According to the assistant director, information about new laws is hard to come by because only the powers that be have effective legislation in their possession. We received a list prepared in 2005. It has been continued for laws that have been translated into English.

According to the representative, the problem facing the government of Afghanistan is that it either lacks information or that it has no system for distributing information. For example, demographic statistics are politically sensitive, so that no census has been undertaken since 1979, and even then it was incomplete. Requests for information on the number of women were partly made to men only. All public population numbers are merely estimates.

According to the representative, the news agency BBC Monitoring is a good source of information. True to its name, the news agency Pajhwok¹³ is a Pashto-language source, and more expensive than BBC Monitoring. The radio is an important and reliable source of information in Afghanistan, and an even more important medium than the press. Local police and security guards frequently listen to the radio to find out about the security situation. A list of local media is available on the Internet.¹⁴

UNAMA

The task of UNAMA¹⁵ is to promote peace and balance and to direct the efforts of the international community in Afghanistan. UNAMA has operations in some 20 Afghan provinces, which have been divided into eight major regions with UNAMA

¹¹ Afghanistan Research and Evaluation Unit, <http://www.areu.org.af/> (visited on 25 November 2009)

¹² <http://nzdl.sadl.uleth.ca/cgi-bin/library.cgi?a=p&p=about&c=areu&l=en&n=1> (visited on 20 November 2009)

¹³ Pajhwok Afghan News, <http://www.pajhwok.com> (visited on 18 January 2010)

¹⁴ <http://www.abyznewslinks.com/afgha.htm>. (visited on 25 November 2009)

¹⁵ United Nations Assistance Mission in Afghanistan, <http://unama.unmissions.org> (visited on 20 November 2009)



regional offices. UNDSS¹⁶, which is the UN security department, operates everywhere where the UN operates and ensures the safety of the staff of the world organisation. UNDSS prepares daily, weekly and monthly reports for its internal use. Statistics have been kept since 2003 or 2004. To a limited extent, they can be asked to provide statistical information, such as information covering a certain area or period. UNAMA's sources of information include the Afghan police (ANP) and security service (NDS), foreign soldiers (ISAF) and civic organisations. It exchanges information with ANSO.

UNHCR¹⁷

Spatial and temporal variation in Afghanistan is extensive. The security updates and the eligibility guidelines for international protection of asylum-seekers of the UN High Commissioner for Refugees¹⁸ have served to support national decision-making in the assessment of international protection needs of asylum-seekers. Partly for the lack of resources and because UNHCR no longer has access to all the provinces, it has become impossible to keep an up-to-date list of security updates. UNHCR has been forced to reduce its operations by approximately two per cent and it recommends the use of other information sources in lieu of its security updates. As an example of available sources, the representative mentioned the bibliography in the eligibility guidelines¹⁹ issued in 2009. He also believed that it was important to search for various and recent province-specific sources for common use.

Some 200,000 to 300,000 people return to Afghanistan annually. In 2009, some 53,000 Afghans returned from Pakistan. In 2008, 200,000 Afghans returned from Pakistan and 460,000 from Iran. Despite continuing fighting, the number of returnees is evening out. As a rule, returnees settle in cities.²⁰ Surprisingly, the events in Swat valley had no long-term effect on the migration pressures in the region.

In Iran, the standard of living is better than in Pakistan and Afghanistan. The majority of the returnees are young men, some of whom have lost their travel documents. There is discrimination against foreigners in Iran and areas with no access to foreigners have been established there²¹. Foreigners have been removed by force from border regions. UNHCR monitors the humanitarian situation of returnees.

The usefulness of tripartite agreements is being re-assessed. UNHCR is hopeful that Iran will sign such an agreement with Afghanistan and renew the existing agreement with Pakistan.

IOM

¹⁶ The United Nations Department of Safety and Security, <https://dss.un.org/dssweb/> (visited on 25 November 2009)

¹⁷ United Nations High Commissioner for Refugees, <http://www.unhcr.org/cgi-bin/texis/vtx/home> (visited 25 November 2009)

¹⁸ <http://www.unhcr.org/refworld/country...COUNTRYPOS.AFG.4562d8cf2.48ea34872.0.html> (visited on 29 December 2009)

¹⁹ <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=4a6477ef2&page=search> (visited on 23 November 2009)

²⁰ Returnees include Pashto speakers.

²² These "no-go areas for foreigners" are located near borders.



IOM²² representatives told us about voluntary repatriation and humanitarian assistance. IOM provides accommodation and starter money for returnees. They are given about two weeks' time to look for their relatives, after which arrangements are made for transport home. Arrangements are started even before repatriation. IOM representatives assist returnees as early as passport control at the airport, but they do not provide assistance in the case of involuntary returns. The criterion for volunteering is the fact that the person has received financial assistance for his or her repatriation.

Just as with UNHCR, IOM receives its security information from UNDSS. The information relates to staff security but also has an effect on the assessment of the security of escorted Afghans. The daily situation fluctuates and IOM does not take a stand on where anybody can be returned safely.

IOM has tentative plans for new procedures related to repatriation. These will not cause changes to voluntary repatriation. In repatriation matters, embassies should take an active stand towards Afghan authorities, especially towards the Ministry of Refugees and Repatriation.

AIHRC

Afghanistan's independent human rights commission AIHRC²³ is an important reporter on human rights. Its reports have started to attract attention and, for that reason, its influence has increased. It publishes annual reports on human rights offences²⁴. AIHRC activities cover a large part of the country. Previously, AIHRC representatives had easier access than government or foreign representatives to many places. About seven months prior to the interview, village elders started to issue exit orders for fear of the Taliban. Because of the weakened security situation, AIHRC has been forced to curtail its field activities by approximately 10% in 2007, about 9% in 2008, and as much as 30% in 2009.

International Committee of the Red Cross²⁵ (ICRC)

The Red Cross has been helping the victims of conflicts in Afghanistan for as long as 30 years without interruption. Firstly, it provides protection in prisons and secondly, it provides services for the purpose of family reunification (by post/telephone and for children by physically taking them to their parents) and thirdly, it assists civilian victims of military operations.

During our visit, we were told how the Red Cross has arranged for the supply of food, medicine and accommodation as well as polio vaccinations, provision of prostheses, water supplies and sewerage in Afghanistan. The Red Cross has two hospitals (in Sheberghan and Kandahar). First aid is also provided in trouble spots, where agreements have been made on ambulance transports for the wounded and the gathering of bodies. Aid is provided for farmers to support the supply of food, and lectures on international justice are arranged for the army. The victims of natural disasters are taken care of primarily by the Afghan Red Crescent Society (ARCS).

²² International Organization for Migration – Afghanistan, <http://www.iom.int/jahia/Jahia/pid/490> (visited on 18 January 2010)

²³ Afghanistan Independent Human Rights Commission, <http://www.aihrc.org.af/> (visited on 18 January 2010)

²⁴ For the 2008 report, see http://www.aihrc.org.af/Rep_Annual_2008.pdf (visited on 18 January 2010)

²⁵ International Committee of the Red Cross, <http://www.icrc.org/> (visited on 18 January 2010)



The information gathered by the International Red Cross is confidential. UNDSS and ANSO collect conflict statistics, which correspond fairly well to the conceptions of the Red Cross. The Red Cross moves around the regions without weapons or armoured vehicles. It is the only international organisation also to maintain contacts with the Taliban. There was a setback in 2003 when a Taliban fighter, who at one time had been cared for by the Red Cross, knowingly and with full intent murdered a representative of the organisation. After that, the Red Cross has not been moving outside the cities. In 2006, a new dialogical connection secured renewed access to Taliban-controlled areas.

The International Red Cross provides opportunities for assisted searches for information about family members. Because the International Red Cross provides protection in prisons, asylum-seekers can obtain information about their imprisonment to support their applications for asylum.²⁶ The International Red Cross does not store information on all imprisoned persons, and the lack of information does not necessarily mean that the applicant was not imprisoned. Information is only gathered on certain persons and only if a delegation has visited the prison in question. Contact, i.e. request for information, is always made through a national Red Cross organisation.

Ministry of Refugees and Repatriation²⁷

The Minister of Refugees and Repatriation is responsible for Afghans living abroad, returnees and intra-country refugees. Since 2001, some 5 million refugees have returned to Afghanistan, and some 4 million Afghans still live as refugees in foreign countries.

Multiple nationality is allowed because brothers must be equal before Afghan authorities, even if some of them had citizenship in another country. A returnee is thus interpreted as being an Afghan citizen. In the opinion of the Minister of Refugees and Repatriation, there is no need for legislative changes, though Karzai promised some kind of constitutional change in his election campaign. Afghanistan follows the principle of blood descent,²⁸ which means that a child born abroad automatically acquires Afghan citizenship if both parents are Afghan citizens. The citizenship law has been updated with every constitution.

Afghanistan's Central Statistics Organization maintains a population register of citizens. People who have received a national identity card are entered in the register. Only a fraction of the population belongs to that group.

The Criminal Technic Department of the Ministry of the Interior verifies the technical authenticity of an identity card. The authority that has issued the document verifies its origin. If a person has a birth certificate issued by a hospital, the Ministry of Public Health verifies its authenticity. The Ministry of Education and the Ministry of Higher Education verify the authenticity of school certificates. However, it can happen that an adult Afghan who has been living in the countryside has no proof of identity whatsoever.

²⁶ ICRC

²⁷ Ministry of Refugees and Repatriation

²⁸ Cf. the principle of blood descent (*jus sanguinis*) and the principle of place of birth (*jus soli*)



Abroad, Afghan embassies can issue passports to Afghan citizens. The embassies do not provide any other documentary proof of identity. Their task is to verify the citizenship of passport applicants. If a person has no proof that he or she is Afghan, their identity must be established using information such as the person's province/town/village of birth and father's name. The applicant's citizenship is also verified by questions related to father's name and local information on home village (familiarity with its schools, clinics, etc.). The same procedure is used for persons to be returned to Afghanistan.

There have been cases in which a person has been returned to Afghanistan and has then been found to be a Pakistani or an Iranian. In such cases, the person has been sent back to the country of departure with escort. A country that sends returnees to Afghanistan should verify their citizenship with the Embassy of Afghanistan. If a returnee is a criminal, an advance notification should be made to that effect. Afghan delegations also travel to foreign countries to check whether persons are Afghan citizens. The checking is done by questioning the person involved. The minister mentioned a delegation that was about to leave for France on the same day.

The following conditions for repatriation were announced by the minister:

- The person to be returned must not be a person who has been granted the status of refugee.
- The person must not come from so-called dangerous areas.
- Criminals and persons who have not been granted a residence permit in the country which wants to return them (e.g., refusal of entry) can be returned.
- Before repatriation, the ministry should be informed of the decision and all appellate levels should have been used.

According to the minister, IOM provides repatriation assistance. This applies mainly to countries with an effective repatriation agreement.

The minister expressed a desire for a repatriation agreement signed by Finland, Afghanistan and UNHCR. In this way, repatriations could be organised flexibly and efficiently while taking into consideration returnees' own premises and needs.

The Embassy of Norway

Norway started repatriations in 2006 and repatriated 52 Afghans in 2008. In 2008, 13 Afghans returned voluntarily, and in 2009, 16 Afghans returned during just two months, which may have been caused by changes in the policy related to aliens. A total of 104 Afghans have returned from Norway to Afghanistan.²⁹

Norway's three-year repatriation agreement expired on 10 August 2009, but it was extended to 31 December 2009. The greatest worry is about minors, who comprise 40% of all Afghan asylum-seekers (in 2008, they numbered 1,300). The intention is to make changes to the agreement in this respect so that families with children can

²⁹ Cf. the Eurasil survey "Eurasil Workshop on Afghanistan 10.12.2009" submitted by Norway. According to the survey, 133 persons were repatriated from Norway in 2007, 52 persons in 2008, and 31 persons in 2009 by November. Voluntary repatriations numbered 31 in 2007, 13 in 2008 and 31 in 2009 by October.



also be repatriated. So far no children or single women have been repatriated, though one couple has been returned. Norway has investigated through IOM what kind of housing, schools and providers are needed in order to repatriate children. The Afghan Ministry of Education takes a positive view of some projects, but it is important that the Afghan Ministry of Foreign Affairs and the Ministry of Refugees and Repatriation are responsive towards the matter.

At present, Norway repatriates two Afghans per week on average. Norwegian police officers return from their escort trips on the same planes via Dubai and sometimes by Safi³⁰ via Frankfurt. The police only announce their arrival six to seven days in advance because they cannot keep returnees in custody longer than two days. Sometimes returnees may get hold of the advance information on the repatriation, which will thus prevent them from being caught and repatriated.

IOM makes arrangements for voluntary repatriations, but involuntary returns are the responsibility of the police and IOM admits them into its integration programme only after passport control. Previously, Norway also sent an advance notification to UNHCR, but presently the notification is sent to the Ministry of Refugees and Repatriation only.

The Embassy of Sweden

Sweden's Tripartite Memorandum of Understanding expired in July. The Minister of Refugees and Repatriation had hoped for changes to it, yet finally agreed to extend it without changes until the end of April. Nevertheless, the Afghan Ministry of Foreign Affairs demanded changes, and so negotiations must soon be continued. At present, Sweden only repatriates criminals and voluntary returnees.

In order to help voluntary returnees, IOM first required an agreement between Sweden and the Afghan Ministry of Refugees and Repatriation. Until 1 May 2009, UNHCR gave notice as to who were escorted to Afghanistan, but now Sweden itself gives notice directly: the police or the Migration Board provides the names for the embassy two weeks in advance and the embassy gives the airport and the Ministry of Refugees and Repatriation oral notice and ten days to respond. However, they do not usually respond to the notice and the repatriations go well.

In 2008, 25 Afghans returned voluntarily and 28 Afghans involuntarily. From January to April 2009, the corresponding figures were 12 and 17. The figures included lone children, whose number increased by 144% in Sweden last year. In 2009 (by the end of May), Sweden received 222 Afghan asylum-seekers, 80% of whom were granted asylum (last year 347). However, the figure includes a large number of Iranians. The Swedish fact-finding mission was postponed,³¹ while the Norwegians paid a visit about two weeks earlier.

The embassy suggested that a good source of information would be the Mazar-i-Sharif-based Swedish Committee for Afghanistan³² – a development cooperation organisation funded by Sweden. Its representative arrived for the first time in

³⁰ <http://www.safairways.aero/> (visited on 8 January 2010)

³¹ The Swedish fact-finding mission was undertaken in December 2009.

³² <http://www.swedishcommittee.org> (visited on 20 November 2009)



Afghanistan as early as 1981. The organisation has an office in Kabul and employs thousands of Afghans.

The Embassy of Denmark

The Danish embassy mainly acts as a means of communication between Danish and Afghan authorities. Ten percent of one official's work contribution is devoted to aliens' affairs, though visa-related matters are dealt with in Islamabad. Few EU countries issue visas in Kabul. The embassy consults the police about asylum-seekers but does not carry out investigations of its own. Instead, it forwards queries related to matters such as the authenticity of passports through IOM to the Afghan Ministry of the Interior, which verifies their authenticity with the passport holder's home municipality. The embassy sends notification of the return of rejected asylum-seekers to UNHCR, IOM, the Ministry of Refugees and Repatriation, the Ministry of the Interior, and the airport, where IOM, the embassy, and usually UNHCR receive the returnees and monitor the activities of Afghan authorities.

Denmark has signed an agreement with IOM on a support package, which includes guidance, medical services, contacts with relatives and starter money. The money can be used to buy a flat or tools to support an Afghan's private enterprise activities. Denmark is the only country with which IOM has cooperated in receiving involuntary returnees. The agreements have been extended to the end of the year and they have worked well as such. They will be replaced by a new agreement.

SECURITY

Law-enforcement authorities

Afghanistan has a police force of some 92,000 members.³³ The training of civilians as police was started by the Germans in 2006 and it has progressed well. The majority of police are ethnically Pathans, though there are also other nationalities. No nationality-based problems exist among the police.³⁴

The Americans arrange a basic eight-week training for the police and the EU provides further training for nine months. The graduates of a three-year police officer training programme receive the rank of lieutenant colonel and can also be posted outside their home area. The basic pay of an ordinary member of the police force is 80-150 dollars per month. The Americans aim their training at the creation of a paramilitary force, whereas the EU countries prefer a more European-style police force.³⁵

There are 800 policewomen in Afghanistan, and the Ministry of the Interior intends to raise their number to 5,000. They are mostly stationed in major cities because they are subjected to threats in rural areas and three of them have lost their lives while on duty. The training, duties and pay of policewomen do not differ from those of policemen but they operate as a separate branch.³⁶

³³ EUPOL. The Ministry of the Interior for Security told us that there were 96,000 policemen and 800 policewomen. This figure includes one female general, which is still too few.

³⁴ EUPOL

³⁵ EUPOL

³⁶ Ministry of the Interior for Security



There are no reports of anyone having been persecuted because of their service with the police. However, some of their relatives are known to have been subjected to threats in remote areas. If a member of the police force refuses to perform his or her duties, the police legislation provides sanctions for it, sometimes more lenient than imprisonment. It is possible to resign from the police force. The UN has good relations with the local police, trained by EUPOL and its American counterpart CSTC-Alpha (Combined Security Transition Command – Afghanistan). Kabul appoints the leaders of the police force.³⁷ Customs is under the Ministry of Finance. The Customs police are under the Ministry of the Interior, however, as are the rest of the police force.³⁸

Afghanistan also has a security service called the National Directorate of Security (NDS). The exact number of the members of the Afghanistan security service is unknown, but it may be as high as 100,000, while the actual payroll is 20,000-30,000.³⁹ The security service does not assist private persons, but the counter-terrorism section of the Ministry of the Interior once tracked down a person who had made threatening phone calls. The person in question was successfully arrested and sentenced, but it was not found out who his principal was. The person was acquitted on appeal⁴⁰

The activities of the Taliban and other groups in Afghanistan

Security is a multifaceted issue and it is also threatened by groups other than the Taliban.⁴¹ The Taliban set up their roadblocks⁴² mostly at night and for a short period of time, from half an hour to two hours. There are no statistics on roadblocks and the police are primarily notified of cases that have caused problems. Ordinary Afghans who do not work for the government or international organisations, however, may usually move around fairly safely.

The Taliban leader, Mulla Zakir, replaced Bahadir in late summer 2009. Six months ago, the Taliban prepared its Code of Conduct, which became public four months ago. The Taliban leadership council⁴³, which was established in the city of Queta, Pakistan, issues orders to district commanders, who do not tolerate independent activities at the local level. However, various local and district-level Taliban groups are sometimes at odds about booties when, for example, a leader wants one fourth of the booty.⁴⁴

The Taliban has also announced that it will no longer attack foreign civilians and local inhabitants who are not in the employ of foreign soldiers or the government. Activities such as interpreting for soldiers, for example, are dangerous. The local level of the Taliban is dispersed as the Americans have been killing its leaders. Secret negotiations have been conducted with the Taliban for as long as 1.5 years

³⁷ EUPOL

³⁸ Kabul International Airport, Ministry of Transport and Civil Aviation

³⁹ Tundra/JICA

⁴⁰ AIHRC

⁴¹ The Embassy of Denmark

⁴² Because of possible roadblocks, we could not undertake a road trip to Ghazni.

⁴³ Taliban leadership council or Shura (Afg.)

⁴⁴ Tundra



with the aim of persuading it to undertake peaceful political action. The Taliban in Afghanistan is not as global as the Taliban in Pakistan and the Afghans do not render services to al-Qaida.⁴⁵

During last year, the Taliban's troops were observed to include members other than Pashto-speakers (Pathans), that is, Tadzhiks and Uzbeks (Islamic Movement of Uzbekistan [IMU], active in Kunduz). They are not press-ganged; instead, they are volunteers who either expect the Taliban to win or are frustrated with the present situation. Hazaras continue to be the most unlikely to submit to the attraction of the Taliban. People say that the fear of the Taliban is reflected in the demand for Kalashnikovs and burqas, which is apparent in their price.⁴⁶

Provinces

According to UNAMA, the safest provinces are Khost, Paktia, Nangarhar, Wardak, Logar, and all of the northern provinces, that is, Balkh, Jowzjan, Faryab, Sar-i-Pol, Samangan, Parwan, Kapisa, Panjshir, Badghis and Herat. UNAMA has regional offices in Kunduz, Baghlan and Badakhshan, which were peaceful for a long time, though now incidents are also starting to crop up there. The area surrounding the capital of Badakhshan is difficult for travelling due to a poor road network. An office will be established in Takhar. Paktika, Laghman and Nuristan have no office. The aim is to open an office in Ghazni this year because the area is safe, though the road leading there is not safe.⁴⁷

According to information received from the Danish embassy, parts of Helmand and Kandahar are generally insecure. Kabul and Jalalabad are safe for Afghans.⁴⁸

According to UNDSS, too little security information is available from Helmand (which is inaccessible), Kandahar (one half of the municipalities), Nimroz (with the exception of Zaranj), Uruzgan (with the exception of Tarin Kowt), Zabul (with the exception of Qalat), Kunar (with the exception of Asadabad – the rest of the province is in a state of war), Ghor (with the exception of Chaghcharan). Sometimes, access to information is hampered less by unrest than by the weather and poor communications.⁴⁹

According to a representative of the Red Cross, travel in Kandahar is very limited and Herat was opened only recently. The situation in northern Afghanistan is still under control, though weakened. The Bamiyan area is safe. The Red Cross list of the places where it operates gives an idea of safe areas. For example, the Red Cross does not operate in the Khost, Paktia, Paktika and Logar provinces, or the Pech Valley in Kunar province. The situation in northern Afghanistan is still under control, though weakened. Ghazni itself is not a problem, but the road leading there is difficult. The Bamiyan area is safe.⁵⁰

⁴⁵ Tundra

⁴⁶ Tundra

⁴⁷ UNDSS/ UNAMA

⁴⁸ The Embassy of Denmark

⁴⁹ UNDSS/ UNAMA

⁵⁰ ICRC



AIHRC has been forced to pull out from Paktika, Khost, Helmand, Kandahar, Ghazni, Uruzgan, Farah, Faryab, Baghlan and Kunduz provinces, and even from Jowzjan.⁵¹ Travel in Kandahar is very limited and Herat has been opened only recently⁵².

Opium production

The production of opium has decreased in Afghanistan, but there are considerable amounts of opium in storage and it is exchanged for weapons north of Kunduz at the Tadjikistan border. Human smuggling through Iran or Pakistan is also a significant business activity.⁵³

Kidnappings

Kidnappings are a common occurrence. During the night between 25 and 26 September, 2009, five young men were kidnapped in Mazar-i-Sharif, which is normally relatively safe. In Herat, kidnappings are the biggest safety problem. Someone without money, power or position is safe, but the Taliban press-gangs boys in rural areas.⁵⁴ Suicide attacks have no tactical value; their purpose is strategic: to influence foreigners' morale through the media. Such attacks are undertaken by global jihad fighters, not by Afghans.⁵⁵

It is a common opinion that local bandits or the Taliban may set up temporary roadblocks on the ring road near Pathan villages. There, Afghans who work for the government or foreigners are killed and wealthy Afghans or foreigners may be kidnapped in the hope of ransom payments. Yet nobody is able to estimate when it happened last or the likelihood of it happening again.⁵⁶

Land disputes

Land-ownership disputes and threats portend security risks⁵⁷. Ownership papers and patience are required in land disputes.⁵⁸ In Kunduz, the Pathan minority called for assistance from foreign Taliban fighters in order to achieve a negotiation asset in its land-ownership disputes with repatriates of other nationalities⁵⁹. Disputes related to real estate ownership sometimes lead to threats. It happens everywhere, and one third of the complaints received by AIHRC pertain to such cases. They decreased momentarily in 2007 but rose to their previous level the next year.⁶⁰

⁵¹ AIHRC

⁵² AIHRC

⁵³ Tundra

⁵⁴ The Minister of Refugees and Repatriation

⁵⁵ UNDSS/ UNAMA

⁵⁶ AIHRC

⁵⁷ UNDSS/ UNAMA

⁵⁸ Tundra

⁵⁹ UNDSS/ UNAMA

⁶⁰ AIHRC



Blood revenge

Blood revenge can be directed at members of an extended family who live in the same household. The vicious circle of revenge can be broken by confessing, compensating or apologising, in which case the village elders try to settle the dispute. An example of blood revenge is a case in Nangarhar, where two families fought for some unknown ancient reason until the government settled between the families. A Hazara family could disown a member who enters the service of the Taliban. A family could also disown a member who reports another person to the authorities. On the other hand, it is possible that two brothers may fight one another on opposite sides, one with the Taliban, the other with the police, for example, and afterwards have tea together.⁶¹ Yet cases of blood revenge are not very common.⁶²

The position of women and children

The position of women and children is weak in Afghanistan. In Kabul and Mazar-i-Sharif, women are allowed to move around alone. Only some Pathans wear the burqa. In practice, all adults are married, and the mother wields great power in the choice of her daughter-in-law. A wedding must be held, though it is expensive. The family will collect money and pay for the wedding, even on borrowed money. A wedding may easily cost \$5,000–\$50,000.⁶³

Women and children are open to family violence everywhere. In the Pathan regions of the south, the cultural aspects are of greatest concern⁶⁴. Even the best of friends don't know the name of their friend's wife. It would be an insult to ask a man about the health of his wife. Women are not talked about and they are not seen outdoors.⁶⁵

Active women are especially threatened. Families do not tolerate women running away from home and living alone. It is difficult for a female refugee to return home from India because she is suspected of having been corrupted. Because it is difficult for women to get hold of weapons or poison, they resort to self-immolation, on which there are no real statistics, and some of which may involve homicides. Homicides occur in Pathan areas in particular. In this, too, there is a considerable difference between rural and urban areas. Boys are subjected to sexual abuse in Kandahar and other Pathan areas, where the separation of sexes is the strictest.⁶⁶

The future of the country lies with its children, and the fact that girls can attend school in some areas is an important change for the better. The UN may have fresh statistics on schooling, but project money has often been used to build schools as physical buildings only, and they have never seen teachers or students. The international community has been too impatient, on the one hand, and too gentle on the other, to set conditions. Hundreds of schools have been forced to close because

⁶¹ Tundra

⁶² According to an EUSRA representative, blood revenge was a phenomenon unknown to him. In most cases, there may be general suspicion between various nationalities.

⁶³ Tundra

⁶⁴ It should be noted that, in connection with meeting two repatriates, we were told that the Hazaras have a different attitude towards women. Hazara women have traditionally been employed and girls have also attended school. In Jaghuri, women also go to mosque.

⁶⁵ EUSRA

⁶⁶ EUSRA



of their remote location or because the Taliban has threatened students and teachers with acid attacks, among other things.⁶⁷

Society and culture

Homicide deaths of men are few, but statistics are only available from Kabul and other major cities.⁶⁸ Every household is allowed to have a firearm, usually a Kalashnikov (current market value \$500-\$600) but sometimes even a 120 mm gun. Weapons and ammunition are bought on the black market, which has enough old stock⁶⁹. An Afghan passport can be bought for \$100-\$1,000, an authentic one at best, if one has access to the right person. Corruption is worst near the Pakistani border.⁷⁰

Afghans do not like to report bad news, and it is not polite to say anything that the questioner does not want to hear. People use many different names and change their given names as needed. Of course, the patronymic cannot be changed. Internal escape is difficult, however, because people gossip. It is a matter of honour for every family (especially Hazaras) to manage to send a family member abroad.⁷¹

For the past year, Kabul has had electricity for 24 hours a day. Alcohol is available from some restaurants meant for foreigners. Unemployment is a problem; employment is usually sought through “human resources” agencies/ministry offices⁷² or in “workmen’s markets”. We visited a local pharmacy near the Swedish embassy, and found that a variety of medicines were available there. For example, antibiotics and insulin were available in tablet form without prescription.

The Chinese are involved in mining in Badakshan and they have security companies of their own. The Chinese have built a highway from Pakistan to Kabul and completed a ring road.

In April, 200 women demonstrated against the enactment of a Shia family law in Kabul. However, 600 women demonstrated in favour of it. Demonstrations are common and peaceful.⁷³

Maps

Place-names in Afghanistan may appear in many different versions. They may be old or new, and it may be possible to hear all of them used. Road names in Afghanistan may change according to the place they lead to. Rivers and canals also have names in Afghanistan. For example, an ancient sacred Hindu place – now a television hill on the outskirts of Kabul – was known as Kohi Asmayi in the 19th century. According to AREU, old Soviet maps (1:50,000) are better than American-made maps (1:100,000).⁷⁴

⁶⁷ EUSRA

⁶⁸ EUPOL

⁶⁹ Tundra

⁷⁰ Tundra

⁷¹ AREU

⁷² Ministry of the Interior for Security

⁷³ EUPOL

⁷⁴ AREU



Courts and legislation

According to a 2006 Italian study, some Afghan judges are illiterate. Prosecutors and judges also submit to religion. Higher education alone is not sufficient to improve court standards. The decisions of courts (even the highest court) are not documented and courts do not issue certificates.⁷⁵

The country's council of religious scholars is considered unqualified and political, and no religious dialogue is taking place in Afghanistan, unlike the situation in other Muslim countries. It is believed that the changing of Afghan society through education will take decades.⁷⁶

Information on laws is not available because they are often (presently some one hundred laws) in the preparation stage in Parliament and decrees are printed with a delay of several years. At one time, Afghanistan's president, Hamid Karzai, repealed the Taliban's laws that were in conflict with the constitution; however, it is not now known which laws and which sections of laws are in conflict. Published texts – even those dealing with the constitution – contain translation errors.⁷⁷

The Shia family law was a step backward. The government is believed to have misled foreign observers by concealing information about the law-drafting phases and by spreading false information about its content. The model for it was apparently taken from Iran and it was pushed through before the presidential election. It is believed that the hidden reason was the opinion of the most radical religious scholars and the strengthening of their position as interpreters of faith and the law. The morality law, which was on the agenda just as with the Shia family law, was removed from the agenda of Parliament. It would have curtailed even communication between women, forbidden kites and men's long hair, and strictly regulated the use of scarves. All laws are issued in two languages: Dari and Pashto.⁷⁸

FLIGHTS AND REPATRIATIONS

The Kabul Airport

The new Kabul Airport was opened three-four months ago and the old part was left to serve as a domestic terminal. As observed during a visit to the Kabul Airport, some repatriates arrive escorted by authorities and some without escort. If a repatriate has a passport, no escort is needed. The EU Standard Travel Document (U22) is only accepted for entry into the country if the person is escorted. An advance notification is recommended and it is sent to the Ministry of Refugees and Repatriation. Background information on the reason for repatriation is no longer required. Escorts need no visa if they return right away. If they stay overnight, a visa must be obtained beforehand from an Afghan embassy. Whether the escort has an official's passport or an ordinary passport makes no difference in acquiring a visa.

⁷⁵ AREU

⁷⁶ EUSRA

⁷⁷ AREU

⁷⁸ EUSRA



In an interview held on 28 September 2009, the director of the Kabul airport stated that the role of EUPOL was important at the airport and said that cooperation with them had been good. EUPOL representatives are always present when flights arrive directly from EU countries. EUPOL mentors are also active at the airport. Landing permissions for private planes must be obtained from the civil aviation agency.⁷⁹ A condition is that the technical data and arrival time for the plane are faxed to the director of the airport.⁸⁰

Flights from Kabul

Domestic flights in Afghanistan from Kabul go to the largest airports, Kandahar (Ariana) and Herat (Pamir and Kam Air). The national airline Ariana and the private Safi Airways also have flights to Mazar-i-Sharif. Dubai and Delhi are the most common international destinations. Ariana also has regular flights to Istanbul, Frankfurt and Moscow. Other destinations include Ankara, Baku, Dushanbe, Islamabad, Jeddah, Kuwait, Mashhad, Riyadh, Sharjah, Teheran and Urumqi. Safi Airways flies regularly from Kabul to Dubai, Abu Dhabi, Kuwait, Sharjah and Frankfurt. Kam Air flies to Dubai, Delhi, Almaty, Mashhad, Dushanbe, Tirikot and Urumqi. Of the European airlines, Lufthansa has a scheduled Frankfurt-Kabul-Frankfurt service.⁸¹

Flights to Kabul

According to Afghanistan's Ministry of Transport and Aviation, besides the national airline Ariana, the private Afghan airlines Kam Air, Pamir Airways and Safi Airways operate in the country. The foreign airlines that fly to Kabul include Azerbaijan Airlines, Indian Airlines, Air India, Pakistan International Airlines, Askari Airlines, Turkish Airlines, Air Arabia and Qatar Airways. Of the European airlines, Lufthansa has a scheduled Frankfurt-Kabul-Frankfurt service. Freighter flights are operated by Kalitta Air, Tryco International and Coyne Air.⁸⁴

Thematic reports and statistics

The Tundra representative whom we met gathers information mainly from the same UN reports as ANSO. He also obtains information from the Afghan armed forces and police as well as a few other sources. For that reason, his information provides a better coverage of violence among the Afghans than does ANSO's information. However, reporting on show-downs among private individuals is less adequate.⁸² Reports on various topics can also be obtained from the Tundra representative⁸³.

The Ministry of the Interior publishes homicide statistics, which are very inaccurate. Of these, ANSO only compiles statistics on homicides related to aid workers.⁸⁴ UNDSS and ANSO collect conflict statistics, which correspond fairly well to the conceptions of the Red Cross⁸⁵. UNDSS prepares daily, weekly and monthly reports

⁷⁹ <http://motca.gov.af/index.htm> (visited on 20 November 2009)

⁸⁰ Kabul International Airport, Ministry of Transport and Civil Aviation

⁸¹ Kabul International Airport, Ministry of Transport and Civil Aviation

⁸² Tundra

⁸³ Reports prepared by private actors could be used in the source-of-country-information system.

⁸⁴ AREU

⁸⁵ ICRC



for its internal use. These statistics have been collected since 2003 or 2004. They are in a separate database, though not on the Internet. If requested, they can be used to obtain limited information about a certain area or period.⁸⁶ Some civic organisations have local staff, whose security analyses the Danes believe are also based on sources other than the military.⁸⁷

CONCLUSION

The fact-finding mission of the Finnish Immigration Service and the police was carried out by visiting local authorities, Finnish and foreign embassies, civic organisations and international organisations. The most important goal, the creation of a local-level contact network, was accomplished successfully by means of some twenty interviews. In addition, interviews took place with eight persons who were encountered or who provided assistance during the trip. More than half of the interviewees have been contacted by e-mail since the trip.

Obtaining up-to-date, on-the-spot information from Afghanistan is easier by using a network. The maintenance of a network requires input of work and, if contact persons change, it may even be brought to something of a standstill. In the case of a change of persons, the maintenance of an organisational network is more reliable than that of a network made up of private individuals. The local authorities who were interviewed could not provide general e-mail addresses; instead the addresses received were private. In addition, there are additional challenges if business cannot be carried out in English.

After the trip, it was agreed with the Tundra representative that he would provide information on security, etc. for the Finnish Immigration Service. He has been asked to reply to occasional questions and he has also on his own initiative provided us with materials that have been of interest to us. Exploitable materials have also been received from other actors as a result of regular enquiries.

Public reports and literature received from the interviewees will be collected and made accessible on the Finnish Immigration Service website www.migri.fi and in the [Migration Library](#). Reports deal mainly with a certain theme. They will form a part of the country of origin information system.

The trip report itself will serve as an aid in the acquisition of country of origin information about Afghanistan. It is possible to receive very detailed information from the interviewees mentioned in the present report, either in the form of direct replies or as references to the reports acquired. Appended to the trip report is a confidential list of the interviewees' names with contact information as well as the dates of their interviews.

⁸⁶ UNAMA/UNDSS

⁸⁷ The Embassy of Denmark