



Briefing Note to HCT

The Protection situation in the North and North East Update - 15 June 2017

Background

- The intensification of the conflict observed during the month of May has spread to other districts in Kunduz and Faryab Provinces generating the displacement of approximately 1,500 families and frequent physical safety risks for the civilian population. Large areas recaptured by ANSF have been contaminated by landmines and UXOs hampering the safe return of displaced persons to their place of origin.
- The district of Imam Shaheb in Kunduz province was theatre of military operation following the attempt by AGEs to capture the district administrative centre. Reportedly approximately 1,000 families displaced from and within the district; 60% of them fled to AGEs' controlled areas within Imam Shahib (Jungle area) and towards Sherkan Bandar, while 422 families fled and lodged petitions in Kunduz city. During the fighting a number of civilians were caught between fires and unable to leave. Kunduz city also recorded an additional minor inflow of 147 families from Telawaka and Alchin areas.
- The district of Ishkashim in Badakshan Province has observed an isolated surge in armed confrontation, which led to the displacement of additional 300 families from Kooka-Bulaq area of Ishkashim to the district administrative centre and neighbouring villages. The assessment for these families has been completed and 46 were found eligible for assistance.
- On 7 June, AGEs captured Qarashiki, Qala and Dashti Buz villages of KSP district in Faryab province, which are strategic locations to control to Maimana-Andkoy highway. As a result, approximately 500 families displaced, 253 of them in Maimana city and the remaining within non-accessible areas in KSP district. Reportedly some families also displaced towards Jawzjan and Balkh. In addition to the new wave of displacement from KSP, there are additional 500 families in Maimana displaced from Pashtunkot, Shirintagab and Bilcheragg as a result of attacks conducted by AGEs since the beginning of the spring offensive.
- Physical access to a large number of IDPs has proven difficult mostly due security reasons. Approximately 700 families who displaced in Kunduz and Faryab provinces since beginning of June are in non-accessible areas.

Protection of civilians

- The conflict continues to pose serious risk to the physical safety of civilians during displacement and return. In Imam Shahib, out of 72 civilian casualties reported (16 killed and 56 injured), 16 have been confirmed so far (5 civilian killed, 11 injured). In Maimana, 5 civilian casualties have been reported (4 injured including three children and one woman killed) and the cases are under verification.
- Nearly all civilian casualties were as a result of explosive weapons, including mortars and air strikes. Protection partners have responded to identified cases ensuring the immediate referral to specialised service providers including access to medical treatment. The traumatic events triggered psycho-social needs among IDP children and partners are coordinating to provide emergency psycho-social support in the most affected districts.



- In addition to civilian casualties, the use of explosive weapons in civilian-populated areas and the occupation of civilian homes by parties to the conflict has caused significant damage to civilian property and hampers the safe return of civilians. In Imam Shahib district of Kunduz province, in the villages of Makhmal Kocha, Aqibai, Haji Khaksar authorities reported a high percentage of damaged and destroyed civilian properties. In the same areas, ANSF is conducting mine and UXO clearing operations.
- In KSP village of Faryab province, AGEs are intimidating civilians and threatening to destroy the property of any displaced family who is not returning to their village within ten days. Due to these threats and the delay in provision of humanitarian assistance, 78 displaced families have already returned from Maimana to KSP.
- The military conflict continues to cause damage to schools and thwarts the access to education for children. The positioning of IMF in the municipality park of Kunduz City resulted in several mortar attacks by AGEs against Kunduz city. Three mortars impacted on Shirkhan High School destroying the laboratory and damaging other parts of the building. No civilian casualty was reported. In Qalayzal district of Kunduz Province, the Teachers' Training Center was partially damaged by artillery fire. Additionally, four schools were reportedly closed and one community based school, Largulshan School, supported by Swedish Committee remains closed due to insecurity. In KSP district in Faryab, seven schools have been reportedly occupied by AGEs and used as accommodation and operational bases.

Access of humanitarian aid:

- In Imam Shahib, 60% of displaced families who fled in AGEs' controlled areas (Jungle area) which are not at the time of writing accessible by humanitarian partners.
- In Faryab Province, the humanitarian space has dramatically reduced with partners having access only to Maimana district and few parts of Andkhoy. The recent capture by AGEs of villages in KSP along the highway has further decreased the capacity of partners and civilians to move from Maimana towards the northern districts. Illegal check-points and cross-fire have already caused civilian casualties.

Obstacles to access humanitarian assistance

- Interference by some government personnel compelling staff to include relatives and IDPs who had already received assistance or are in prolonged situations of displacement;
- Threats to humanitarian staff by non-state actors;
- OCHA has discontinued its presence in Faryab province; despite the coordination is managed remotely, the absence of OCHA staff on the ground determines a gap in the coordination of the emergency response and diminishes the capacity of the humanitarian team to advocate with authorities and other actors.
- In Faryab, the decision of the humanitarian team to clear all pending petitions before starting the assessment of new ones has determined a delay in the assistance for recently displaced families and the return of 78 families to insecure areas partly in light of their limited capacity to cope in displacement.
- Some donor policies do not allow their partners to respond should the assessment be carried out by other NGOs (if the partner cannot participate due to insecurity);



- Genuine vulnerable IDPs are left out of the petition if they are unable to provide identification documentation, which prevents them from accessing assistance as humanitarian agencies are guided only by the list of petition presented by the government.

Recommendation to HCT

Short term

- HCT to add a standing agenda item on the protection updates related to key risks, displacement the hotspots, / high intensity conflict areas and IHL violations;
- HCT to advocate on all parties to the conflict to respect IHL, including by ceasing the use of indirect and/or explosive weapons in civilian-populated areas where civilian and military objects cannot be properly distinguished; taking all feasible precautions to avoid and minimise incidental loss of civilian life, injury to civilians and damage to civilian objects including in their choice of means and methods of warfare; refraining from occupying civilian homes after fighting ends; and marking, clearing, and destroying any unexploded ordnance or improvised explosive devices left behind from fighting in civilian-populated areas;
- HCT to advocate for a timely and comprehensive mine and UXO clearance of villages recaptured by ANSF to allow safe return of civilians;
- HCT to advocate for reopening of schools and prevention of child recruitment in armed forces;
- HCT to activate the Senior Protection of Civilians Working Group including UN, government and NGOs;

Mid term

- Along with the Human Rights Up Front initiative, HCT to engage in targeted advocacy initiatives with SC Member States with the aim of increased compliance with, and respect for, IHL during the conduct of military operation as well as the protection of humanitarian staff in order to ensure the effective delivery of humanitarian assistance;
- HCT to advocate to the National Unity Government to endorse and prioritise the implementation of its National Policy on Civilian Casualty Prevention and Mitigation through an action plan with measurable objectives;
- Advocate with the government for a transparent and coherent compensation mechanism for civilians whose properties have been damaged during military operations;
- HCT to produce a stakeholder analysis and conduct bilateral advocacy briefing with influential actors/stakeholders.

Recommendation to ICCT:

Short term

- UNMAS and Mine Action Sub-Cluster partners to clear explosive remnants of war including improvised explosive devices from areas where ground and aerial engagements were targeted



in the place of origin, before civilians return to Kunduz. This is also required in other provinces in the north and north east where civilians have suffered from the use of explosive violence;

- Protection cases including unaccompanied and separated minors, survivors of SGBV, overcrowded shelter, community latrines, insecure water sources, civilians displaced to areas near military operations, civilians denied the right to return home through road blocks and illegal taxation to be referred to the Protection Cluster;
- Protection incidents to be monitored and early warning mechanisms to be used;
- Each cluster to share/develop a list of focal points and a community network for early warning and response mechanisms (to the province, district and village level);
- To mobilise human resource capacity from Kabul to the North East and Faryab in case of inaccess and further escalation of fighting in Kunduz.

Mid Term

- To explore alternative logistical options to support access to hard-to-reach areas based on analysis of logistical and security impediments;
- Clusters to build capacity of local and international actors to provide humanitarian assistance in contested areas and those under control of AGEs.