



New paths for protecting IDPs' right to legal identity in Afghanistan

Thousands of internally displaced people in Afghanistan do not have access to essential services, formal justice, education and land because they lack a national identity card, known as tazkera. A new pilot project between NRC and the Government of Afghanistan offers an innovative path for addressing this issue.

Background

Afghanistan's 1.5million internally displaced persons (IDPs) face multiple obstacles to reaching durable solutions. To help address these, the Government of Afghanistan adopted a National IDP Policy in 2014. NRC has supported the implementation of this policy through helping to develop Provincial Action Plans (PAP).

To inform the development of the PAP in the western province of Herat, the government, supported by UN agencies and NGOs, including NRC, conducted a profiling survey in five informal settlements populated by protracted IDPs. The survey findings highlighted that a significant number of IDPs – 12,462 individuals – in those settlements do not have tazkera. Without tazkera, they cannot own land, obtain a government job, access formal education or the state justice system, have restricted access to humanitarian assistance and lack many other rights that are key to reaching durable solutions.

There are currently many barriers for displaced people seeking to obtain a tazkera, including complex procedures, lack of a digitalised central database, socio-cultural norms and corruption. In particular, the requirement that applicants petition the Population Registration Department (PRD) in their place of origin or Kabul is very costly in terms of both time and finances. It also means taking considerable security risks in places of origin beset by violence and conflict.

Legal identity: The right to have rights

The right to be recognised as a person before the law is one of the most basic human rights. Having a legal identity enables someone to hold other rights under the law; to have a nationality and to access basic services such as education.

New paths

NRC is a leading actor on legal identity, including civil documentation, for displaced persons. In Afghanistan NRC has been exploring ways of helping IDPs to obtain tazkera. As well as conducting information, counselling, training, legal assistance, research and advocacy on this issue, NRC has been working together with Herat office of the PRD to develop solutions that do not require IDPs to return to their place of origin. The first process, known as sabty, has been used over the past year or so. The second, known as Motafarreqa, is a pilot project, scheduled to begin activities in July 2017.

Sabty

In the sabty process, the preliminary steps for obtaining Tazkera are processed in the place of displacement, not origin. The documentation is then sent to the IDP's place of origin for verification and registration within the local population registration book. The tazkera document itself is then sent back to the place of displacement.

In this process, NRC helps individuals and families complete the tazkera application form and sends it to the place of origin. Using this method, NRC has facilitated 263 IDPs in Herat to successfully obtain tazkera since 2015, without them having to return to insecure places of origin. The process is time-consuming however, which impacts on the ability of IDPs to integrate locally.

Motafarreqa

In a new pilot project, NRC and PRD plan to facilitate access to tazkera to almost 9,000 protracted IDPs in five informal settlements in Herat through the use of mobile teams and a Motefarreqa population registration book.

The Motefarreqa book is an alternative that will allow IDPs from different places of origin to be registered in one book, located in the place of displacement (in this case, Herat). This is an alternative to the usual route of requiring people to be registered in the local population book held physically at the place of origin.

NRC's role in the project is to conduct training for PRD staff on legal identity, including civil documentation, carry out awareness raising about the new process in the informal settlements, have photographs taken of beneficiaries for the tazkera, enable community representatives to confirm identities, provide petition forms, and help beneficiaries to fill them out.

PRD will organise mobile teams to come to the informal settlements to complete the formal parts of the process, including identity attestation, issuing the official tazkera and registering it in the Motafarreqa book.

If successful, this pilot project has significant potential to be rolled out in many other areas of Afghanistan, including for the benefit of returnees.

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- NRC, Access to Tazkera and other Civil Documentation in Afghanistan, NRC Afghanistan 2016, available at <https://www.nrc.no/resources/reports/access-to-tazkera-and-other-civil-documentation-in-afghanistan/>
- NRC, Activities in the Field, ICLA, available at: <https://www.nrc.no/what-we-do/activities-in-the-field/icla/>

Contact: William.Carter@nrc.no Head of Programme, or Naomi.Johnstone@nrc.no, ICLA Specialist