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The EU and the politics of migration management in Afghanistan

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Contents

	Summary	2
01	Introduction	4
02	EU migration management	7
03	The Afghan national picture	10
04	A complex regional neighbourhood	19
05	Intra-Afghan peace talks: outlook and implications	27
06	Why synchronized policy is not happening	32
07	Conclusion	38
	About the authors	42
	Acknowledgments	43

Summary

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- Since 2015 a substantive literature has emerged on the ‘migration crisis’ and Europe’s turn towards ‘migration management’ – meaning efforts to control immigration, especially from countries considered less developed than the EU, and religiously and culturally different in ways perceived to threaten the EU’s security, social cohesion and welfare. Deportation and repatriation are integral to this approach, which policymakers typically analyse in terms of its implications for the EU. However, the responses to this approach by *countries of origin* such as Afghanistan are less well understood.
 - This paper underscores the strength of Afghanistan’s conceptually comprehensive responses to migration, returns, reintegration, security, peace and development. It points to the weaknesses of the EU’s concentration on the ‘root causes’ of migration, and instead highlights the historical significance of mobility for Afghanistan and the surrounding region.
 - The need for a more multidimensional view of migration management, and for a corresponding reassessment of policy, is acute. Increased migration, global instability and the threat of terrorism are priorities for many EU member states, but the COVID-19 pandemic has added to the challenges. The formulation of nuanced, synchronized policy towards migrants – in which both the EU and external partners adopt more coherent and coordinated approaches – is essential.
 - Afghanistan is a key country of origin for asylum seekers in Europe, and the prime global recipient of EU development assistance. It was one of the first nations to conclude a migration partnership agreement with the EU, in 2016. Implementation has been thwarted, however, by the challenges of developing a holistic response to migration amid ongoing war and violence. Profound political divisions, internal displacement, environmental degradation, urban deprivation and entrenched poverty all complicate policymaking in Afghanistan, as do volatile regional dynamics and the emerging challenges presented by COVID-19.
 - This paper considers the asymmetries in European and Afghan policies on migration. It highlights the myopic European emphasis on returning arrivals to their country of origin, and the fact that this approach neglects the implications of potential post-peace deal scenarios (involving some kind of political settlement with the Taliban) for the management of returnees. The paper underlines the need to provide a more balanced interpretation of the Afghan government’s (insufficiently acknowledged) achievements on the issue. The authors offer tailored and practical policy recommendations for the Afghan government, the EU, civil society in Afghanistan, and international donor organizations working with Afghanistan on migration issues and displaced populations.

- Accordingly, the paper analyses in particular the following dimensions of the migration challenges in relation to Afghanistan:
 - It outlines the current framework for EU migration management and the ‘Joint Way Forward’ (JWF) partnership agreement with Afghanistan, underlining the composite nature of policy goals.
 - It dissects and evaluates the conceptual and practical dimensions of the Afghan government’s migration policies, including the Comprehensive Migration Policy (CMP), the Citizens’ Charter and Citizens’ Charter Cities.
 - It probes the regional policy background in relation to Afghan returnees and internally displaced persons (IDPs). Specifically, the paper examines the EU’s support for returns of displaced Afghans from Iran and Pakistan through the Solutions Strategy for Afghan Refugees (SSAR).
- Volatile regional relations and the serious gap between official rhetoric and Afghanistan’s capacity to absorb returns from Iran and Pakistan remain obstacles to effective policy. It is therefore also crucial to look beyond the immediate regional context, and to consider the prospects for deepening connectivity with countries such as Qatar, Saudi Arabia, Turkey and the United Arab Emirates.
- The future and efficacy of migration policies for Afghanistan are inextricably linked with the ongoing conflict, and with prospects for peace with the Taliban. While policy formulation must take into account the *current* challenges of implementation, Afghan and international stakeholders also need to prepare for the ensuing potential scenarios involving (a) reduced US-led international support and (b) political inclusion of the Taliban, should peace talks deliver some kind of durable settlement. In these circumstances, nimble and coordinated EU backing for Afghanistan will be more vital than ever.

01

Introduction

The EU's approach to migration management in 'cooperation' with Afghanistan narrowly focuses on short-term returns of migrants as a condition for development assistance. A more equitable and multidimensional approach is needed.

Since 2015, Europe has moved in new directions to tackle what it perceives as a 'migration crisis' – in fact, just one of several intersecting crises of political economy, public health, governance and democratic legitimacy. At the same time, populism has become more potent, weakening the capacities of the European Union to deal with these challenges. The COVID-19 pandemic, a global crisis without precedent in recent times, presents further difficulties. A robust stance from the EU on migration can be expected to persist, along with a focus on national and regional solutions.

This paper considers the outcomes of Europe's pivot towards 'migration management'¹ for Afghanistan, which is the largest recipient of EU development assistance. Since 2015, the EU has sought to control irregular migration more closely. It has used wide-ranging agreements to tackle the so-called 'root causes' of irregular migration, and to deter migrants who arrive in Europe through unofficial channels. Critics of this approach argue that it blurs the lines between aid and development, and that balancing European migration objectives against those of countries of origin is difficult. The EU's increasing focus on repatriation and returns is especially contentious.

In 2016, the EU concluded an agreement on migration and returns with Afghanistan's National Unity Government (NUG).² Known as the 'Joint Way Forward on Migration Issues' (JWF),³ this was one of the EU's first such partnerships with another country. It essentially made continued development assistance contingent upon the return to Afghanistan of Afghans refused protection or settlement in the EU.

¹ European Commission (2015), 'A European Agenda on Migration', 13 May 2015, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf (accessed 31 Jul. 2020).

² The NUG was created in September 2014 after a contentious presidential election, and lasted until March 2020.

³ European Commission and Government of Afghanistan (2016), 'Joint Way Forward on migration issues between Afghanistan and the EU', 2 October 2016, https://eeas.europa.eu/sites/eeas/files/eu_afghanistan_joint_way_forward_on_migration_issues.pdf (accessed 31 Jul. 2020).

The JWF required the incumbent Afghan administration at that time, under President Ashraf Ghani and Chief Executive Officer Abdullah Abdullah, to develop a detailed policy framework on displacement, returns, reintegration, security, peace and development. Similar challenges face the new administration, in office since May 2020 and also led by President Ghani. However, the policy challenges are now more acute in light not only of the pandemic but also of political uncertainties associated with the pursuit of peace talks with the Taliban, the anticipated departure of American troops from Afghanistan without clarity on a timetable for their withdrawal, and an anticipated further decrease in international assistance.

As of 2020, Afghans constitute the second-largest group of asylum seekers arriving in Europe.

As a case study on migration, Afghanistan is instructive because of its enduring history as a principle country of origin for refugees migrating to Europe.⁴ As of 2020, Afghans constitute the second-largest group of asylum seekers arriving in Europe.⁵ Afghanistan is among the world's poorest nations, and its people suffer widespread deprivation. In a recent report, the Institute for Economics & Peace⁶ stated that Afghanistan has replaced Syria as the world's 'least peaceful country'. In recent decades, Afghanistan's environmental fragility has also increased. Urbanization has compounded environmental degradation and has placed extreme pressure on public services, especially in densely populated areas. COVID-19 is amplifying these struggles. On the other hand, the pandemic arguably creates a point of policy convergence for Afghanistan, its regional neighbours and the EU, and a rare window of opportunity for these stakeholders to develop more collaborative pathways on development, peace and migration.

This paper draws attention both to the positive trends in European and Afghan migration policies, and to the disconnects between the European and Afghan approaches. The paper makes policy recommendations for the EU, Afghanistan's government, civil society organizations and international donors working with displaced people from Afghanistan.⁷ It examines the EU's support for wider regional responses incorporating Pakistan and Iran, and signals the importance of more nuanced, context-based policy capable of delivering tailored assistance. The paper also implicitly offers lessons for the increasing number of countries involved in similar migration partnership agreements with the EU.⁸

⁴ After Syrians, Afghans are the nationality with the second-largest number of applicants for asylum in the EU. See Eurostat (2020), 'Asylum statistics', https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics#Citizenship_of_first-time_applicants:_largest_numbers_from_Syria.2C_Afghanistan_and_Venezuela (accessed 24 Sep. 2020).

⁵ Reardon, C. (2020), 'World must act and deliver for Afghan refugees, says UN chief', UNHCR UK, 17 February 2020, <https://www.unhcr.org/uk/news/stories/2020/2/5e4b57e14.html> (accessed 1 Aug. 2020).

⁶ Radio Free Europe/Radio Liberty (2019), 'Study ranks Afghanistan as world's least peaceful country, points to "de-escalation" in Ukraine', 12 June 2019, <https://www.rferl.org/a/study-ranks-afghanistan-as-world-s-least-peaceful-country-points-to-de-escalation-in-ukraine/29995060.html> (accessed 1 Aug. 2020).

⁷ By 'displaced people', this paper means refugees, returnees, 'economic migrants', deportees and internally displaced persons (IDPs).

⁸ The EU now has formal readmission agreements with 23 countries of origin and transit. See European Commission (2019), 'Progress report on the Implementation of the European Agenda on Migration', 16 October 2019, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20191016_com-2019-481-report_en.pdf (accessed 2 Aug. 2020).

The paper deploys a political economy-based approach to reveal areas of weakness in policymaking. Notably, it finds that policy deficits derive from failures by stakeholders to consistently factor in the multifaceted, interconnected characteristics of displacement, security, development and conflict. Neglect of international, regional and national dynamics is particularly destructive, while truncated European time horizons linked with electoral politics make it harder to address the root causes of migration effectively. Moreover, the EU's very focus on root causes is in some ways misdirected: it ignores Afghanistan's position as a historic 'roundabout'⁹ for regional trade and the movement of people, and thus the profound importance of migration to the country's economy. The EU narrowly emphasizes initial (rather than sustained) returns. The implications for migration policy of a potential peace deal with the Taliban also receive insufficient attention. Divisions at the heart of the Afghan government compound the problems, with the lingering effects of two bitterly contested elections (in 2014 and 2019 respectively) impeding progress.

Above all, prospects for peace and security are undermined by the sheer numbers of displaced people returning to communities and overburdened urban areas, which lack capacity for durable reintegration. The COVID-19 pandemic could intensify this problem. Many Afghans have already been forced to leave Iran, and a similar phenomenon is evident to some extent in Pakistan. The spread of infection is magnifying the practical and logistical challenges of dealing with arrivals. Instead of a holistic vision of 'whole of community' development, policy is increasingly fragmented. This is resulting in the marginalization and stigmatization of newcomers, and the emergence of new sources of conflict and destabilization.

The aid conundrum is a crucial dimension that needs to be taken into account in policy development. Afghanistan is heavily aid-dependent. Current policy visions for Afghanistan's self-reliance insufficiently acknowledge the need to develop mechanisms for long-term economic growth. In the absence of such mechanisms – which, among other things, would need to provide alternative livelihoods to replace activities in the illicit economy – outward migration remains both a vital option for the local population and an essential contributor (i.e. via remittances) to the economy in the short term. With the Afghan state's very existence predicated upon the receipt of international aid, the continued provision of which is looking less assured, European goals for managing migration will be that much harder to achieve.

⁹ US Library of Congress (undated), 'Afghanistan: History', <http://countrystudies.us/afghanistan/2.htm> (accessed 2 Aug. 2020).

02 EU migration management

Hardening popular attitudes towards immigration and the rise of populist narratives have encouraged restrictive EU policies that – while framed as beneficial in treating displacement holistically – are often harmful to migrants.

The migration crisis has transformed EU policy. New measures have included the reinforcement of European territorial borders; the externalization of arrangements for processing asylum claims;¹⁰ the introduction of more stringent visa requirements; the increased use of detention and deportation; and the establishment of bilateral and multilateral pacts linking development aid to migration control.¹¹ Within Europe, such changes have proved expedient for politicians in promoting policy narratives centred around reducing migrant numbers,¹² enhancing security, tackling crime, protecting a vaguely defined ‘European way of life’¹³ and developing interventions that purport to be responsible.

A substantial literature points to the harmful dimensions of Europe’s migration policies,¹⁴ particularly their inconsistent protection of the human rights of vulnerable

¹⁰ Externalization began before the migration crisis, as early as 1999. See Üstübici, A. (2019), ‘The impact of externalized migration governance on Turkey: technocratic migration governance and the production of differentiated legal status’, *Comparative Migration Studies*, 7, 46, 11 December 2019, <https://link.springer.com/article/10.1186/s40878-019-0159-x#CR33> (accessed 2 Aug. 2020).

¹¹ Stevis-Gridneff, M. (2019), ‘Europe Keeps Asylum Seekers at a Distance, This Time in Rwanda’, *New York Times*, 8 September 2019, <https://www.nytimes.com/2019/09/08/world/europe/migrants-africa-rwanda.html> (accessed 3 Aug. 2020).

¹² In the Afghan case, numbers have fallen. In both 2015 and 2016, 600,000 Afghans applied for asylum in the EU. In 2017, the number of first-time asylum applications was 43,625. In 2018, there were 41,000 applications – only 7 per cent of the EU total. See Eurostat (2019), ‘Asylum in the EU Member States: 580 800 first-time asylum seekers registered in 2018, down by 11% compared with 2017’, news release, 14 March 2019, <https://ec.europa.eu/eurostat/documents/2995521/9665546/3-14032019-AP-EN.pdf/eca81dc5-89c7-4a9d-97ad-444b6bd32790> (accessed 3 Aug. 2020).

¹³ Rankin, J. (2019), ‘MEPs damn “protecting European way of life” job title’, *Guardian*, 11 September 2019, <https://www.theguardian.com/world/2019/sep/11/meps-damn-insulting-protecting-our-european-way-of-life-job-title> (accessed 3 Aug. 2020).

¹⁴ Otero-Iglesias, M. (2018), ‘Europe’s two-faced migration reality’, *Politico*, 21 September 2018, <https://www.politico.eu/article/europe-two-faced-migration-reality-immigration-positives-negatives> (accessed 3 Aug. 2020).

people on the move. This contradicts the EU's public position, which stresses the importance of working towards what the JWF has framed as safe, orderly and predictable migration to ensure the security of all involved. The EU underlines its commitment to using accelerated economic development, in tandem with humanitarian responses to displacement, to tackle the 'root causes' of migration.

The European political context has significant implications for migration policy – both as it affects Afghanistan and more widely. The global financial crisis of 2007–09 created the conditions for the ascendancy of the far right, and led to a reassessment of migration and the gradual demise of centrist politics. Certain European politicians found it convenient to blame migration for economic and political failures. As a result, migration was often intertwined in the public debate with questions around security, crime and government spending. Despite falling numbers of arrivals, immigration has had a disproportionate influence on European elections. In 2007 the then president of France, Nicolas Sarkozy, claimed that France did not want immigration 'inflicted' upon the nation. In 2017, the French far right National Front party (since renamed Rassemblement National, or 'National Rally') won more than 10 million votes. Today, figures across a broad political spectrum in Europe, from Denmark's Social Democratic prime minister, Mette Frederiksen, to Italy's anti-immigrant former deputy prime minister, Matteo Salvini, advocate restrictive policies under the banner of a need for 'common sense'¹⁵ cuts in migration. Racial intolerance towards migrants proliferates.

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Political attitudes are unlikely to soften in the immediate future, given pressures that include the continuing slide towards populism, conflicts among EU member states over shared responsibilities for migration, the extraordinary socio-economic challenges created by COVID-19, and the ongoing sensitivities of European electorates.

Given this set of circumstances, can constructive dimensions to the EU's migration management framework be identified, offering solutions that could both curb the drivers of migration and enhance security, stability and development? Tailored partnerships designed to create 'win-win relationships' with the EU's partners 'to tackle the shared challenges of migration and development' already exist.¹⁶ But how well do these arrangements, which typically feature an asymmetric balance of power between the parties, work in practice? How do participating non-EU countries¹⁷ such as Afghanistan respond to Europe's demands? And how might greater coordination be achieved in the pursuit of shared goals?

¹⁵ Euractiv (2018), 'Italy cannot be 'Europe's refugee camp', Salvini says', 4 June 2018, <https://www.euractiv.com/section/global-europe/news/italy-cannot-be-europes-refugee-camp-salvini-says> (accessed 22 Sep. 2020).

¹⁶ European Commission (2016), 'Migration Partnership Framework: A New Approach to Better Manage Migration', 7 June 2016, https://eeas.europa.eu/sites/eeas/files/factsheet_ec_format_migration_partnership_framework_update_2.pdf (accessed 7 Sep. 2020).

¹⁷ Partnership countries may be countries of origin or transit, or countries that host refugee populations. Ibid.

The European Commission frames the push for increased returns as a catalyst for positive policy trajectories. In this interpretation, displacement is no longer treated as an isolated problem: rather, the humanitarian–development nexus is supposed to take centre stage. Policy on displacement is intermeshed with efforts to accomplish poverty reduction, security, peace and development.¹⁸ A priority is ensuring ‘sustainable connectivity’ between migrant source countries and regional economies. This not only involves greater international coordination of migration policies, it also emphasizes economic linkages on the basis that growth and development at a regional level will have knock-on benefits for individual migration partnership countries. In effect, the aim of EU policy is to keep migration-related problems at arm’s length by improving economic and social conditions at source. Under this idealized rubric, regional economic integration leads to better security and political relations with neighbouring countries, buttressing peace in Afghanistan. Increased connectivity facilitates knowledge-sharing and technological innovation to support economy-enhancing projects and job creation in target countries (including Afghanistan). Public and private sector initiatives combine to offer short- and long-term work opportunities. This in turn reduces the demographic pressures stemming from inadequate state capacity to fulfil the aspirations of rising numbers of young people.

In principle, this development-focused approach also offers potential benefits for security by rendering the illicit economy less viable. People-trafficking should decline as fewer people seek to leave their home country. Migration drivers such as violent conflict, climate change, environmental degradation, inequality and poverty should – at least in theory – be rendered less potent as partnership countries take ownership of sustainable development and as new economic opportunities emerge.¹⁹

The European dimension of Afghan migration is specifically addressed through the JWF,²⁰ which aims to foster cooperation in two areas: the prevention of irregular migration; and the return (both voluntary and involuntary) to Afghanistan of irregular migrants, particularly those who do not fulfil conditions for residence in Europe. The JWF gives the Afghan authorities two weeks to verify evidence on the status of irregular migrants, and – where applicable – to issue passports or travel documents for their return.²¹ Once back in Afghanistan, returnees should be able to enter into reintegration programmes supported by the EU, the World Bank, the office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), in cooperation with the Afghan government. The EU also supports the return and reintegration of migrants and internally displaced persons (IDPs) present in non-European locations, including by providing help for Afghan refugees in Iran and Pakistan.

The next chapter examines how Afghan policymakers have reacted to the approach outlined above, and what implementation looks like on the ground.

¹⁸ In Afghanistan, this is done through multi-annual programming. A new cycle is mandated for 2021–27.

¹⁹ European Commission (undated), ‘Migration and forced displacement’, https://ec.europa.eu/international-partnerships/priorities/migration-and-mobility_en (accessed 3 Aug. 2020).

²⁰ European Commission (2016), ‘Commission Decision of 19.9.2016 on the signature on behalf of the European Union of a “Joint Way Forward on migration issues between Afghanistan and the EU”’, 19 September 2016, <https://ec.europa.eu/transparency/regdoc/rep/3/2016/EN/C-2016-6023-F1-EN-MAIN-PART-1.PDF> (accessed 4 Aug. 2020). The JWF expired on 6 October 2020. An extension is currently under discussion.

²¹ European Commission and Government of Afghanistan (2016), ‘Joint Way Forward on migration issues between Afghanistan and the EU’.

03

The Afghan national picture

The government has attempted to establish wide-ranging policies that might reduce migration-related pressures. But absorbing returnees remains highly challenging because of war, political and economic problems and capacity constraints.

After more than four decades of war, Afghanistan is riven by ethnic hostilities and ravaged by the effects of a weak state, a predatory political economy, ideological fragmentation, high levels of crime, poor infrastructure and services, inadequate institutional capacity and environmental degradation. The authorities' lack of control over large swathes of the country is a particular challenge. Parallel governance structures directed by insurgent groups, combined with a burgeoning illicit economy, weaken the state's capacity to tackle migration.

In 2016, given a domestic context of ongoing war, state fragility and high dependence on foreign aid,²² political leaders in Kabul had little choice but to accept the JWF on unfavourable terms.²³ However, the power asymmetries built into the agreement belie any notion of genuine 'partnership' between Afghanistan and the EU.²⁴ A country is considered aid-dependent when the value of aid is equivalent to around 10 per cent of GDP.²⁵ The World Bank estimates that international aid amounts to about 40 per cent of Afghanistan's GDP,²⁶ although aid levels are expected to halve by 2030.

²² UK Department for International Development (2018), 'Aid Dependency and Political Settlements in Afghanistan', 14 September 2018, <https://www.gov.uk/dfid-research-outputs/aid-dependency-and-political-settlements-in-afghanistan> (accessed 3 Aug. 2020).

²³ Quie, M. and Hakimi, H. (2017/18), 'EU pays to stop migrants', *The World Today*, December 2017/January 2018, <https://www.chathamhouse.org/system/files/publications/twt/EU%20pays%20to%20stop%20migrants%20Quie%20Hakimi.pdf> (accessed 4 Aug. 2020).

²⁴ The JWF was not voted on in the Afghan parliament. It sets an unenforceable cap of 80,000 returns.

²⁵ Cooper, R. (2018), *Aid dependency and political settlements in Afghanistan*, K4D Helpdesk Report, 14 September 2018, https://assets.publishing.service.gov.uk/media/5d0ced7ae5274a065e721702/428_Aid_Dependency_and_Political_Settlements_in_Afghanistan.pdf (accessed 4 Aug. 2020).

²⁶ Quie and Hakimi (2017/18), 'EU pays to stop migrants'.

Before the signing of the JWF in October 2016, Afghanistan’s then finance minister, Eklil Hakimi, was quoted as telling the Afghan parliament, ‘If Afghanistan does not cooperate with EU countries on the refugee crisis, this will negatively impact the amount of aid allocated to Afghanistan.’²⁷ The rhetoric of Afghan ‘ownership’ of migration and development – a narrative deployed by the Afghan government, the EU and international donors alike – sits uncomfortably with the realities of aid dependency and low state resilience, and with the uncertainties surrounding continued American-led NATO military support. Since 2016, returns and reintegration have been a highly contentious issue both inside and outside Afghanistan. Critics of EU policy, particularly human rights groups, argue that no area of the country can be deemed ‘safe’;²⁸ they maintain that return therefore amounts to refoulement, contravening the Geneva Conventions.²⁹

Afghan policy responses

The total flow of Afghan returnees has fallen by almost half since 2016, but it remains substantial despite ongoing insecurity in Afghanistan (see Table 1).³⁰

Table 1. Number of Afghan returnees by source location, 2016–19

	2016	2017	2018	2019
Pakistan	618,156	154,699	46,336	31,594
Iran	445,817	442,668	775,089	476,471
European countries	2,323	3,847	2,805	1,445
Other	445	32,954	43,334	39,097
Total	1,066,741	634,168	867,564	548,607

Note: ‘Other’ mostly refers to returns from Turkey.

Source: Government of Islamic Republic of Afghanistan, Ministry of Refugees and Repatriation.

Following agreement of the JWF, the Afghan government was compelled to formulate rapid, creative policy responses to fulfil its new obligations. At a conceptual level, these responses have been impressive and instructive. Nonetheless, important gaps in scope and implementation have undermined their efficacy, as outlined in the sections below.

²⁷ Amnesty International (2019), ‘Afghanistan’s refugees: forty years of dispossession’, 20 June 2019, <https://www.amnesty.org/en/latest/news/2019/06/afghanistan-refugees-forty-years> (accessed 4 Aug. 2020).

²⁸ In contrast, the EU views Afghanistan as an unsafe country with ‘safe areas’.

²⁹ Amnesty International (2017), ‘European governments return nearly 10,000 Afghans to risk of death and torture’, 5 October 2017, <https://www.amnesty.org/en/latest/news/2017/10/european-governments-return-nearly-10000-afghans-to-risk-of-death-and-torture> (accessed 4 Aug. 2020).

³⁰ These figures were provided to the authors in February 2020 in response to a request made to the Afghan Ministry of Refugees and Repatriation (MoRR) through the government’s Displacement and Return Executive Committee (DiREC).

At the heart of the government's response is its Comprehensive Migration Policy (CMP).³¹ The CMP took two years to develop with European technical assistance, and was officially launched in June 2019. It addresses returns and reintegration, regular migration, the prevention of irregular migration, and development. It is designed to combine short-term humanitarian and long-term development responses, and its aim is durable reintegration for all categories of displaced people.

In late 2016, the Afghan government also established the High Migration Commission, along with the high-level Displacement and Return Executive Committee (DiREC). DiREC was constituted by the Council of Ministers to provide policy coordination across national and international efforts. The EU earmarked €203 million of support for refugees in Afghanistan, Iran and Pakistan.³² A national steering committee was set up to ensure policy coherence and coordination under DiREC. The President's Office, the Ministry of Refugees and Repatriation (MoRR), the Ministry of Labour and Social Affairs, UNHCR and UN Habitat were also involved.³³

DiREC helped to develop a policy framework and action plan for returnees and IDPs, covering community development projects, livelihoods and jobs, vocational training, land allocation, housing support, polio vaccination and other health campaigns. Despite limitations in state capacity, this marked an incisive attempt to streamline Afghanistan's managerial responses to the demands of international donors, including the EU. Subsequent failures in implementation have largely been a function of continued political fragmentation within the administration, and have also reflected the underlying patronage-based system of politics that dominates day-to-day government.

The Citizens' Charter

The Afghan government also leverages the highly ambitious Citizens' Charter³⁴ – a society-wide development initiative – to address displacement, returns and reintegration. Conceived as a partnership between government and communities, it promises to provide each community with basic services. The charter's wider remit is to facilitate community-based development and bottom-up democracy, linking communities with local, provincial and national levels of government. Consultation is facilitated through Community Development Councils (CDCs), which allow for budgeting and financial reporting. The Citizens' Charter aims to interlink public and private sector support, in line with the UN's Comprehensive

³¹ International Centre for Migration Policy Development, Budapest Process Secretariat (undated), 'Comprehensive migration policy for Afghanistan presented', <https://www.budapestprocess.org/about/news/161-comprehensive-migration-policy-presented-in-kabul-afghanistan> (accessed 4 Aug. 2020).

³² Government of Islamic Republic of Afghanistan, Ministry of Refugees and Repatriation (MoRR) (undated), *Return and Reintegration Response Plan – 2018*, <https://www.refworld.org/pdfid/5b2a46f74.pdf> (accessed 22 Sep. 2020).

³³ International Organization for Migration (IOM) and UNHCR (2018), *Returns to Afghanistan*, Joint IOM-UNHCR Summary Report, https://reliefweb.int/sites/reliefweb.int/files/resources/iom_unhcr_2018_joint_return_report_final_24jun_2019english.pdf (accessed 2 Sep. 2020).

³⁴ Government of Islamic Republic of Afghanistan (2016), *Citizen's [sic] Charter National Priority Program*, December 2016, <https://www.refworld.org/docid/5b28f2ed4.html> (accessed 4 Aug. 2020).

Refugee Response Framework (CRRF).³⁵ The rationale is that government cannot do everything, and that community participation facilitates solidarity and a sense of ownership. CDCs are instrumental in fostering social cohesion between all categories of returnees. Integration and participation are incentivized through the ‘whole of community’ approach (see below for details); this is, in turn, designed to enable citizens to articulate and prioritize their interests, and to oversee the development needs of their communities.

The government’s broad plan of action was designed to unfold under the Afghanistan National Peace and Development Framework (ANPDF), which theoretically allows for a composite intermeshing of peace, development and migration goals. It has recently been revised to incorporate 24 deliverables under the Self-Reliance through Mutual Accountability Framework (SMAF).³⁶ These goals intersect with those of the National Priority Programs,³⁷ including the Citizens’ Charter. The charter has been extended to areas with high levels of returns and displacement, particularly the informal urban settlements – so-called Citizens’ Charter Cities – where most displaced people end up.

The problem of returns is multidimensional. Individual experiences are complex, with returnees often having been displaced multiple times.

On paper, the commitment of the charter to a comprehensive, egalitarian strategy towards returnees is appealing. Yet it does have shortcomings. The problem of returns is multidimensional. There is no ‘one size fits all’ solution. Location, conditions, timing and the extent of formal or informal support networks all affect the charter’s sustainability. Individual experiences are complex, with returnees often having been displaced multiple times. Many Afghans have been classified at different points as ‘refugees’, ‘IDPs’ and ‘returnees’, highlighting the drawbacks of such labels. Cutting across these artificial categories is the reality of marginalization, with many returned Afghans suffering the effects of ‘loss of assets, lack of legal rights, absence of opportunities and a short planning horizon’.³⁸

³⁵ The CRRF was approved in one of the two key annexes to the New York Declaration for Refugees and Migrants, which was adopted in September 2016 at the UN General Assembly. Among other things, the CRRF aims to enhance protection of refugees and host communities, promotes engagement of government and non-government stakeholders, encourages long-term policy horizons, and proposes tailored and contextualized responses to the movement of refugees. See UNHCR UK (undated), ‘Comprehensive Refugee Response Framework’, <https://www.unhcr.org/uk/comprehensive-refugee-response-framework-crrf.html> (accessed 26 Sep. 2020).

³⁶ After coming to power in September 2014, the NUG presented the SMAF as its plan for reform and accountability at the London Conference on Afghanistan in December of that year. Government of Islamic Republic of Afghanistan (2015), *Self-Reliance through Mutual Accountability Framework (SMAF)*, 5 September 2015, <https://www.mofa.go.jp/mofaj/files/000102254.pdf> (accessed 4 Aug. 2020).

³⁷ Ministry of Finance, Islamic Republic of Afghanistan (undated), ‘National Priority Programs’, <http://policymof.gov.af/home/national-priority-programs> (accessed 4 Aug. 2020).

³⁸ World Bank (2016), ‘Forced Displacement: A Developing World Crisis’, press release, 15 September 2016, <https://www.worldbank.org/en/news/press-release/2016/09/15/forced-displacement-a-developing-world-crisis> (accessed 4 Aug. 2020).

Complicating the picture is the fact that returnees' differences often eclipse their commonalities. Returnees have varied expectations, adaptation capacities and potential to contribute to host communities. Failure by policymakers to respond to these differences may catalyse the 'circularity of return', wherein those disillusioned by the conditions they encounter in Afghanistan seek to leave again.

When displaced people return after a protracted time away, realities on the ground can generate new grievances that may jeopardize fragile stability. Land and property rights are often at the heart of the reintegration challenge. Such rights, and access to land, are considered by the poor to be among the most significant assets.³⁹ However, as less than 34 per cent of Afghanistan's land has been surveyed and legally registered, much of the country is vulnerable to land grabs.⁴⁰ Land disputes are a primary driver of violent conflict, while formal and informal resolution mechanisms in Afghanistan are weak.⁴¹ The government has tried to develop clear mechanisms for land distribution, but efforts to allocate land for returnees have taken several years.

According to UNHCR and IOM, 40 per cent of returnees are unable to return to their original communities.⁴² Some were born abroad and have never lived in Afghanistan, rendering the concept of 'return' a fallacy. For those who have spent long periods in Europe or on protracted migration journeys, the traditional safety nets of family and community may be unavailable. Acceptance into wider society is uncertain: the perception among host communities that arrivals have 'foreign' characteristics⁴³ may be a source of stigmatization and exclusion.⁴⁴ Preventing gender discrimination in the treatment of returnees is also a challenge: the Citizens' Charter aims for gender equality and reserves gendered positions on the CDCs for returnees; but these kinds of integration mechanisms may be insufficient.

The complexity of post-conflict migration and returns is still underestimated.⁴⁵ Intricate issues around compensation for lost assets are often neglected.⁴⁶ Extensive literature connects the collapse of peace settlements to local resentments at the presence of 'refugee spoilers'. Peace negotiations rarely integrate returning refugees into strategic programming. This omission is problematic in terms of

³⁹ World Bank (undated), 'Land', <https://www.worldbank.org/en/topic/land> (accessed 4 Aug. 2020).

⁴⁰ Ariana News (2016), 'Ghani says land grabbing reaches new peak in Afghanistan', 28 August 2016, <https://ariananews.af/ghani-says-land-grabbing-reaches-new-peak-in-afghanistan> (accessed 5 Aug. 2020).

⁴¹ Gaston, E. and Dang, L. (2015), *Addressing Land Conflict in Afghanistan*, Washington, DC: United States Institute of Peace, Special Report 372, <https://www.usip.org/publications/2015/05/addressing-land-conflict-afghanistan> (accessed 26 Aug. 2020).

⁴² Samuel Hall Consulting (2014), *Evaluating IOM's return and reintegration activities for returnees and other displaced populations*, Kabul: International Organization for Migration, https://afghanistan.iom.int/sites/default/files/migrated_files/2013/04/Evaluating-IOMs-Return-and-Reintegration-Activities-for-Returnees-and-Other-Displaced-Populations-in-Afghanistan-Full-Report.pdf (accessed 5 Aug. 2020).

⁴³ For example: speaking a specific dialect; lifestyle choices; and norms affected by circumstances outside Afghanistan.

⁴⁴ Kuschminder, K., Siegel, M. and Majidi, N. (2014), 'The changing nature of return migration to Afghanistan', *Forced Migration Review*, issue 46, May 2014, <https://www.fmreview.org/sites/fmr/files/FMRdownloads/en/afghanistan/kuschminder-siegel-majidi.pdf> (accessed 5 Aug. 2020).

⁴⁵ IOM and UN Migration (2019), *World Migration Report 2020*, https://www.un.org/sites/un2.un.org/files/wmr_2020.pdf (accessed 12 Aug. 2020).

⁴⁶ To use an example outside Afghanistan as an illustration of the challenges of integration, following the Arusha Peace and Reconciliation Agreement for Burundi in 2000, UNHCR and the Burundian and Tanzanian governments facilitated the return of Burundians to the country. The agreement encoded returnees' rights to property restitution or compensation. Yet two decades later, the vast majority of returnees remain landless and without compensation. Fransen, S. and Kuschminder, K. (2012), *Back to the land: the long-term challenges of refugee return and reintegration in Burundi*, UNHCR, 'New Issues in Refugee Research', research paper no. 242, https://www.researchgate.net/publication/263714120_Back_to_the_land_the_long-term_challenges_of-refugee_return_and_reintegration_in_Burundi (accessed 3 Sep. 2020).

the critical gaps in peacebuilders' commitments to understanding refugee needs and claims, and the implications these pose for stability and security following repatriation. Moreover, the prevalence of prejudices and negative perceptions towards refugees at home emphasizes the challenges that the inclusion of returnees may present.⁴⁷ Equally, peace agreements that integrate former enemies into local communities can be unacceptable to those migrants and refugees who are forced to return.

The Citizens' Charter is intended to connect with wider efforts to tackle displacement, but liaison between different authorities remains weak. There is a general lack of understanding and information about what is happening in other areas of policy, such as the peace negotiations with the Taliban and potential efforts to reintegrate former fighters. This seriously harms delivery of the charter's objectives on the ground. The challenge remains to bridge humanitarian and development initiatives, and to achieve cohesive planning and alignment between diverse stakeholders, donors and the ANPDF.

Sophisticated mapping and data collected from CDCs are used to ensure the effectiveness of programmes targeting the poor. Cash grants and short-term work projects lasting up to around 40 days are designed to provide recipients with a buffer against seasonal hunger. A related objective is to reduce tensions between communities and newcomers. The job programmes are therefore designed to be beneficial to entire communities, and focus on building, education, school expansion, health and infrastructure maintenance.

That said, employment *per se* is not the charter's central remit. Instead, its support for basic infrastructure is intended to lay the foundations for economic growth more broadly. The Citizens' Charter envisages long-term work projects supported by the private sector, though little progress has been made on this front or in vocational training. There remains a serious mismatch between the vision for employment solutions and actual market needs. In a context of profound insecurity, personal connections and place of origin are still highly significant, undermining the employment and economic chances of returnees and those who have been displaced.

The Displacement and Return Executive Committee (DiREC)

The creation of DiREC in 2016 was an important step forward. Yet as the coordination hub for migration management, it struggled from the start. It is particularly reliant on international partners for project funding and implementation. Outreach to the provinces is weak. Disputes over leadership roles within the government are likely to exacerbate the problem, reflected in a pervasive 'psychological safety deficit' that makes personnel feel their jobs are insecure. This hinders motivation and good management.⁴⁸ According to Khyber Farahi, a state of 'fractured government' since 2014 has meant that politicians have been unable

⁴⁷ 'Spoilers' are understood as 'groups and tactics that actively seek to hinder, delay, or undermine conflict settlement'. See Newman, E. and Richmond, O. (2006), *The Impact of Spoilers on Peace Processes and Peacebuilding*, United Nations University Press, <https://collections.unu.edu/view/UNU:3095> (accessed 7 Sep. 2020).

⁴⁸ Interview with Khyber Farahi, former senior presidential adviser on migration and reintegration, 15 February 2020.

to implement the broader vision in the National Action Plan.⁴⁹ These barriers have led important personnel to leave their posts without being replaced: the Citizens' Charter was without an executive director for more than a year.

More broadly, the politicized policymaking environment has exacerbated a range of problems. During the tenure of the Afghan National Unity Government (NUG) between 2014 and early 2020, for instance, the presence of opposing political camps within the NUG leadership resulted in senior staff being questioned over where their loyalties lay. Ministries in which the chain of command was fragmented by infighting required high-level approval to respond to DiREC's requests; this was not always forthcoming.⁵⁰ Government officials used political divisions to mask their inability to deliver on migration goals. Various departments, ministries and officials sought to seize the migration and returns agenda, so as to make use of the political – and, occasionally, financial – capital associated with it. Rival political camps inserted their own appointees into different government structures working on migration policy. Timetables were not adhered to, creating difficulties in scheduling meetings and implementing high-impact actions such as land allocation by the Afghanistan Land Authority, Arazi.⁵¹ Not all of the promised EU funding was received. However, lack of capacity across the government compounded the problem, because of failures to meet the EU benchmarks necessary for receipt of the funding that was made available. Donor funds were also lost to corruption. It is unclear whether the newly formed High Council of Governance will be better able to monitor and address these weaknesses.

Various departments, ministries and officials sought to seize the migration and returns agenda, so as to make use of the political – and, occasionally, financial – capital associated with it.

Political advisers in DiREC⁵² observe that implementation problems were not unique to the Afghan side. International personnel sent to support the migration management agenda arrived with preconceived ideas and incongruent objectives. Synthesizing humanitarian and development interventions proved troublesome because of differences in organizational cultures and aims. The challenges were exacerbated by burdensome security requirements, which limited foreign advisers' contact in the field and their familiarity with the relevant implementation contexts. Although international organizations were aware of the presence of corruption in Afghan ministries supporting migration programming, DiREC advisers claim that there was little political will to confront the issue systematically. In addition, the

⁴⁹ Ministry of Foreign Affairs, Directorate of Human Rights and Women's International Affairs, Islamic Republic of Afghanistan (2015), 'Afghanistan's National Action Plan on UNSCR 1325 Women, Peace and Security', June 2015, https://unama.unmissions.org/sites/default/files/wps-afghanistan_national_action_plan_1325_0.pdf (accessed 7 Sep. 2020).

⁵⁰ Interview with Basir Mohamadi, former policy adviser at DiREC, 12 February 2020.

⁵¹ Afghanistan Land Authority – ARAZI (undated), <https://directory.ooyta.com/about/afghanistan-land-authority-arazi.html> (accessed 5 Aug. 2020).

⁵² Interviews with DiREC advisers, 12 February 2020.

brevity of international staff deployments has continued to impede the transfer of institutional memory and limit the scope for building meaningful relationships with local stakeholders.

Dysfunction and poor coordination have generally resulted in weak policy implementation and the misuse of resources. President Ghani has long been critical of the overhead costs of international organizations. He regularly points out that EU funding is wasted,⁵³ especially due to bureaucratic costs. The EU acknowledges that the international organizations funded by it have higher running costs than local partners, due in part to security provision. Yet while concerns about the cost-effectiveness of EU-led intervention clearly resonate widely, it is far from clear that a sufficiently robust alternative to Afghanistan's dependence on international facilitating partners exists.

Afghan advisers to the MoRR criticize ineffective international support for capacity-building. In the case of the Reintegration and Development Assistance in Afghanistan (RADA)⁵⁴ project, which IOM developed with financing from the EU, the intention was to draw on support from national and subnational Afghan government authorities to strengthen management, planning and implementation of reintegration. However, at a meeting in October 2019 with the deputy head of IOM in Geneva, the Afghan minister for the MoRR at the time, Sayed Hussain Alemi Balkhi, said that RADA's implementation was 'incredibly slow, bordering on failure'.⁵⁵ He further noted IOM's failure to share its concept notes and priorities with his ministry, making it impossible to ensure cooperation and successful monitoring.⁵⁶ Balkhi's critique highlights a lack of synchronization between Afghan and international partners in implementing return and reintegration initiatives.

The strain of return

For the Afghan government, the guiding principle of displacement programming is to treat returnees as a 'social and economic resource rather than a burden'.⁵⁷ Policy is designed through a 'whole of community' approach that includes both returnees *and* host communities, drawing on experiences of marginalization and exclusion. Incentivizing entire communities helps to safeguard against resentment in host populations and to change local residents' perceptions of newcomers.⁵⁸ Such programming notionally extends to all areas with high numbers of returnees, and is intended to provide a basic set of services through community planning, management and development.

⁵³ Interview with Basir Mohamadi, 9 February 2020.

⁵⁴ IOM Afghanistan (2019), 'Reintegration and Development Assistance in Afghanistan (RADA)', 5 November 2019, https://afghanistan.iom.int/sites/default/files/Reports/rada_-_factsheet_-_month19_-_endari.pdf (accessed 5 Aug. 2020).

⁵⁵ MoRR (2019), 'وزیر امور مهاجرین خواهان همکاری بیشتر سازمان بین‌المللی مهاجرت در افغانستان گردید', [The Minister of Refugees and Repatriation asks for further cooperation of IOM in Afghanistan], 12 October 2019, <https://morr.gov.af/en/nodcoe/1138> (article in Dari/Persian) (accessed 14 Feb. 2020).

⁵⁶ Ibid.

⁵⁷ UN Web TV (2018), 'People on the Move – Geneva Conference on Afghanistan', 27 November 2018, <http://webtv.un.org/search/people-on-the-move-geneva-conference-on-afghanistan/5972203951001/?term=Afghanistan%20Geneva%20Conference&sort=date&page=31> (accessed 5 Apr. 2020).

⁵⁸ A similar strategy was used by the Afghanistan Peace and Reintegration Programme (APRP), which leveraged the precursor to the Citizens' Charter, the National Solidarity Programme, to reintegrate former combatants.

Urban areas attract the most displaced people, accounting for about half of all IDPs and returnees. Kabul is among the fastest-growing cities in the world, with an estimated population of around 6 million.⁵⁹ Informal settlements proliferate, with basic services inaccessible for many neighbourhoods. The city's infrastructure is particularly unprepared to respond to growing environmental challenges (see below). Another problem is that the urban job market does not match the demands of newcomers.

The focus of Citizens' Charter Cities is on the needs of urban populations, including service delivery to informal settlements. Programmes have already started in Herat, Mazar-e-Sharif, Kandahar and Jalalabad. They are designed to cover all provincial capitals, including Kabul, in the first phase. Beyond these initiatives, however, there remains a striking lack of urban development. A fundamental dilemma is how to manage planning and expectations amid the ongoing challenges of poverty, urbanization, weak government capacity and poor security. Development projects are impeded by local resistance over the use of valuable land, especially in urban contexts. Reductions in government revenues and dwindling international donor assistance are further complicating all of these issues.

Despite the government's rhetoric surrounding environmental protection, safeguards for the environment are deficient. Afghanistan has inadequate defences against climate change. It has endured extreme weather, drought, flooding, avalanches and landslides, all of which contribute to displacement. The United Nations Environment Programme estimates that 80 per cent of conflict – particularly among farmers – in Afghanistan revolves around water, land and resources.⁶⁰ Depletion and degradation of natural resources can spark new grievances and exacerbate existing ones, such as over ethnic differences. This is especially problematic as Afghanistan lacks effective mechanisms to resolve disputes.⁶¹

Higher population levels combined with displacement, poor sanitation and industrial pollution lead to a further degradation of air quality, water supply, and land and soil quality in urban areas. This area of migration research is underdeveloped. There is a need for more precise data and comprehensive research methods to make sense of the environmental challenges and their relationship with displacement and migration in Afghanistan, so that new solutions can be developed.

⁵⁹ City Mayors (undated), 'The world's fastest growing cities and urban areas from 2006 to 2020', www.citymayors.com/statistics/urban_growth1.html (accessed 6 Aug. 2020).

⁶⁰ Jones, S. (2020), 'In Afghanistan, climate change complicates future prospects for peace', *National Geographic*, 3 February 2020, <https://www.nationalgeographic.com/science/2020/02/afghan-struggles-to-rebuild-climate-change-complicates> (accessed 6 Aug. 2020).

⁶¹ Ibid.

04

A complex regional neighbourhood

Critically, progress on Afghanistan's multiple migration challenges will require increased coordination with neighbouring Pakistan and Iran, and the deepening of 'regional connectivity' through economic linkages and infrastructure.

As part of its efforts to address the root causes of migration, the EU not only seeks to reduce the numbers of displaced Afghans within member states but also supports returns from Pakistan and Iran, through an initiative known as the Solutions Strategy for Afghan Refugees (SSAR). The objective is to enhance capacities for voluntary returns and facilitate a stronger collective future for the region through coordinated responses. UNHCR and IOM are vital partners in this effort. The strategy is innovative in its attempts to support host and recipient communities, but there are manifold challenges. The SSAR calls for a 'comprehensive approach' that ties together humanitarian and development responses. Voluntary, safe, dignified repatriation remains a distant goal, yet the thorny problem of 'shared responsibility' filters through all regional strategies, leading to demands for Europe and the international community to do more.

The treatment of refugees is intrinsically connected to regional security and insecurity. For decades Afghanistan's neighbours, especially Pakistan and Iran, have played a critical role in sheltering Afghans fleeing conflict. Together, Pakistan and Iran host 90 per cent of globally registered Afghan refugees: approximately 2.4 million people.⁶² Ironically, these same countries are simultaneously considered sources of the conflict in Afghanistan.

⁶² UNHCR UK (2020), 'Refugee Summit marks 40 years of Afghan displacement', 18 February 2020, <https://www.unhcr.org/uk/news/videos/2020/2/5e4b59134.html> (accessed 6 Aug. 2020).

Islamabad remains closely involved in Afghanistan, which it views as central to its national security priorities. The situation in Afghanistan is of particular salience to Pakistan because of the implications for relations with India, and because of military and strategic considerations around the proximity of US-led NATO troops, stationed in Afghanistan since 2001. Pakistan has traditionally used Afghanistan as a buffer to achieve strategic depth against its traditional rival, India.

Although Islamabad denies responsibility for aspects of the Afghan conflict, the perception of its influence has prompted both the US and Afghan administrations to seek Islamabad's active engagement in encouraging the Taliban to participate in the Doha peace talks.

The concept of regional connectivity remains central to migration management, though precisely what 'connectivity' means in practice is contested – in particular, initiatives to transfer refugees and migrants between countries present both opportunity and risk. The fact that Pakistan and Iran host large numbers of Afghan refugees means that events in both countries will remain inextricably interwoven with developments in Afghanistan. In this sense, while proxy warfare continues via covert external support for insurgent factions and warlords, governments in the region actually have a shared interest in Afghanistan's stability. President Ghani has claimed that 'Afghanistan is incomplete until the country has recovered over 4 million refugees abroad'.⁶³

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Behind the scenes, Afghan officials acknowledge that such a goal is unrealistic. The country's capacity to absorb returnees is low. Annual remittances from Afghans living abroad were estimated by the World Bank at approximately \$755 million in 2019.⁶⁴ However, there is a lack of accurate and substantiated data on overall remittances to Afghanistan. This is largely a result of remittances being received through cash. The lack of data also reflects use of the traditional *hawala* money transfer system, which operates outside the conventional banking sector. It is widely acknowledged that a significant proportion of remittances are from Afghans in Pakistan and Iran, which would decline if returns increased. Consequently, Afghanistan finds itself in a delicate balancing act, obliged to manage the threats of forced returns from Pakistan and Iran while accommodating the reality of substantial socio-economic and political interdependence with its neighbours.

⁶³ Radio Azadi (2018), 'اشرف غنی تکمیل شدن افغانستان را وابسته به برگشت مهاجرین خواند', [Ashraf Ghani considers the completion of Afghanistan dependent on the return of refugees], 17 January 2018, <https://da.azadiradio.com/a/28980561.html> (article in Dari/Persian) (accessed 2 Sep. 2020).

⁶⁴ The World Bank (undated) 'Personal transfers, receipts (BoP, current US\$) Afghanistan', <https://data.worldbank.org/indicator/BX.TRF.PWKR.CD?end=2019&locations=AF&start=2008&view=chart> (accessed 18 Oct. 2020).

Pakistan

As host to the largest number of Afghan refugees, Pakistan will be critical to any peace settlement with the Taliban. It shares the longest border with Afghanistan, in the form of the disputed Durand Line, which extends almost 2,500 km. Traditionally, Islamabad has preferred a weak, malleable government in Kabul and – as mentioned – has covertly supported various Taliban factions as part of its policy of maintaining strategic depth against India.⁶⁵

Pakistan is not a signatory to the 1951 Refugee Convention or the 1967 Protocol, and has yet to enact national legislation underpinning the assessment or granting of protection to those seeking refuge.⁶⁶ In the absence of internationally binding or national provisions, anyone seeking protection is treated under the Foreigners Act 1946.⁶⁷ In 1993, UNHCR and the Pakistani government agreed that UNHCR would conduct ‘refugee status determination’ on behalf of Pakistan under UNHCR’s 1950 mandate. In effect, since then UNHCR has been responsible for deciding whether displaced Afghan people in Pakistan should be classified as refugees.⁶⁸ However, Pakistan retains control over the privileges and rights of refugees – for example, the authorities can limit the duration of protection granted, impose exclusion orders in relation to movement (e.g. prohibiting entry into Pakistan’s border areas and special territories, such as the former Federally Administered Tribal Areas), and restrict internal travel during curfews.

Prior to 2006, Afghan refugees in Pakistan were not subject to any mandatory registration process, either through UN agencies or the Pakistani government. In 2004, Islamabad and UNHCR signed an agreement to conduct a detailed survey and census of Afghans who had arrived in Pakistan after 1 December 1979. The aim was to devise a strategy to regulate Afghans living in the country, and eventually to facilitate their repatriation to and reintegration in Afghanistan. The subsequent 2005 census was the first attempt to do this.

In 2007 (with UNHCR assistance from 2009), Pakistan introduced a Proof of Registration (PoR) card for Afghans, which UNHCR takes as a person’s proof of registration as a refugee. This provided Afghan refugees with important protections against arbitrary deportation and harassment by the Pakistani authorities.⁶⁹ As of January 2020, there were 1.4 million Afghan refugees with PoR cards in Pakistan, comprising just over 210,000 households; of this cohort, 68 per cent live in urban areas.⁷⁰

⁶⁵ Tellis, A. J. and Mukharji, A. (eds) (2010), *Is a regional strategy viable in Afghanistan?*, Carnegie Endowment for International Peace, pp. 17–26, https://carnegieendowment.org/files/regional_approach.pdf (accessed 6 Aug. 2020).

⁶⁶ UNHCR Pakistan (undated), ‘Asylum system in Pakistan’, <https://unhcrpk.org/asylum-system-in-pakistan> (accessed 6 Aug. 2020).

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Zetter, R. (2018), *Protection for Forcibly Displaced Afghan Populations in Pakistan and Iran*, Danish Refugee Council, briefing note, November 2018, https://adsp.ngo/wp-content/uploads/2020/02/DRC_Briefing_Note_Protection-for_22072019.pdf (accessed 6 Aug. 2020).

⁷⁰ UNHCR (undated), ‘Pakistan (Islamic Republic of)’, Operational Portal Refugee Situations, <https://data2.unhcr.org/en/country/pak> (accessed 6 Aug. 2020).

The PoR scheme has given Afghan refugees a modicum of security. But uncertainties surrounding card issuance and renewal, and around validity periods and extensions, have caused concern.⁷¹ Invalid cards can mean police harassment and coercion to return to Afghanistan.⁷²

Even as registered PoR card-holders, Afghan refugees (particularly girls) struggle to obtain education (especially higher education), buy property or access healthcare.⁷³ Refugees are not allowed to buy mobile SIM cards or own a vehicle in their name.⁷⁴ Although Pakistan's prime minister, Imran Khan, recently announced that registered refugees would be able to open bank accounts,⁷⁵ this largely seems a symbolic gesture; its actual purpose is likely that of tackling money-laundering. Afghan participation in Pakistan's formal economy remains negligible. The above-mentioned restrictions have increased the vulnerability of all Afghans in the country, many of whom live in constant fear of harassment by security forces and/or deportation.

Separately, in July 2017, with IOM support, the Pakistani government launched the Afghan Citizen's Card (ACC) scheme to register undocumented Afghans.⁷⁶ In contrast to PoR card-holders, ACC-holders are granted 'heavily qualified protection', the ultimate goal of this policy being to connect them with the Afghan authorities and to encourage their 'voluntary repatriation'.⁷⁷

Despite the above schemes aimed at regularizing their status, Afghans in Pakistan remain vulnerable to maltreatment by the authorities and wider society. Reports also confirm that Afghans in Pakistan have been subject to reprisals for terrorist attacks perceived as associated with Afghanistan, particularly at times when Afghan–Pakistani state relations have been turbulent.⁷⁸ A case in point was an incident in Pakistan's Pashtun-majority province of Khyber Pakhtunkhwa in 2014. Following a terrorist attack on the Army Public School in December of that year by Tehreek-e-Taliban Pakistan (TTP, the so-called 'Pakistani Taliban'), public opinion turned against Afghan refugees. This was despite the assurances of Pakistani officials that there was no evidence of registered Afghan refugees being involved in terrorism in Pakistan.⁷⁹ In 2016, when Afghanistan signed the JWF, around 365,000 Afghan refugees were forcibly returned to Afghanistan.⁸⁰

⁷¹ Siddiqui, Z. (2019), 'For Afghan Refugees, Pakistan Is a Nightmare – but Also Home', *Foreign Policy*, 9 May 2019, <https://foreignpolicy.com/2019/05/09/for-afghan-refugees-pakistan-is-a-nightmare-but-also-home> (accessed 6 Aug. 2020).

⁷² Based on the last formal notification of the Pakistani government, the expiry date for PoR cards was extended until 30 June 2020, while ACCs were extended until 31 October 2019.

⁷³ Zetter (2018), *Protection for Forcibly Displaced Afghan Populations in Pakistan and Iran*.

⁷⁴ Siddiqui (2019), 'For Afghan Refugees, Pakistan Is a Nightmare – but Also Home'.

⁷⁵ Raza, S. I. (2019), 'Afghan refugees allowed to open bank accounts', *DAWN*, 26 February 2019, <https://www.dawn.com/news/1466055> (accessed 6 Aug. 2020).

⁷⁶ IOM Pakistan (undated), 'Documentation of Undocumented Afghans at Afghan Citizen Card (ACC) Centers, 20th July, 2017* – 9th April, 2018', https://reliefweb.int/sites/reliefweb.int/files/resources/afghanistan_sr_20170720-20180409.pdf (accessed 6 Aug. 2020).

⁷⁷ Zetter (2018), *Protection for Forcibly Displaced Afghan Populations in Pakistan and Iran*.

⁷⁸ Human Rights Watch (2017), 'Pakistan Coercion, UN Complicity: The Mass Forced Return of Afghan Refugees', 13 February 2017, <https://www.hrw.org/report/2017/02/13/pakistan-coercion-un-complicity/mass-forced-return-afghan-refugees> (accessed 7 Aug. 2020).

⁷⁹ Ibid.

⁸⁰ Ibid.

Iran

Iran shares almost 1,000 km of border with Afghanistan. In contrast to Pakistan, Iran is a signatory to the 1951 Refugee Convention and the 1967 Protocol.⁸¹ Based on data from the Iranian authorities, UNHCR estimates that almost 1 million Afghans live in Iran as refugees and hold temporary permits known as *Amayesh* cards.⁸² The cards must be renewed regularly and effectively offer proof of registration as a refugee. According to the Iranian government, the *Amayesh* scheme grants Afghans the right to residence, health insurance and free education for their children. They are also permitted to work, and enjoy limited property rights.

Iran emphasizes its close cultural, linguistic and religious ties with Afghanistan, and claims to spend \$2 per day for each Afghan refugee.

Yet, as noted by human rights organizations, limited data availability and severe restrictions on access to information⁸³ mean that it is unclear whether the *Amayesh* scheme has been extended to Afghan asylum seekers in recent years.⁸⁴ The Iranian government estimates that around 3 million Afghan citizens reside in Iran; the number includes those who are legally resident and those without residence documents.⁸⁵ In an effort to deal with the issue of undocumented Afghans, the Iranian government carried out a ‘headcount exercise’ targeting various groups of Afghans. Between 2016 and 2018, this resulted in the issuance of registration slips to 900,000 individuals who had been undocumented.⁸⁶ Iran emphasizes its close cultural, linguistic and religious ties with Afghanistan, and claims to spend \$2 per day for each Afghan refugee.⁸⁷ The government notes that around 500,000 Afghans are in Iranian schools; the number includes 125,000 people who are undocumented but still registered to study.⁸⁸

According to IOM, around 700,000 Afghans returned from Iran to Afghanistan between 2016 and 2017. The number included refugees and individuals who did not possess documentation to prove their identity. As a related organization to the UN,⁸⁹ IOM has sought to create what it calls ‘robust protection’ for the undocumented. However, funding constraints mean that it can assist only a small proportion of those in need. This increases the risks for women, children, youth

⁸¹ UNHCR (2018), *Solutions Strategy for Afghan Refugees*, <https://www.unhcr.org/539ab62a9.pdf> (accessed 7 Aug. 2020).

⁸² UNHCR (undated), ‘Refugees in Iran’, <https://www.unhcr.org/ir/refugees-in-iran> (accessed 7 Aug. 2020).

⁸³ Obtaining independently verified data on Afghans in Iran (and, to some extent, in Pakistan) remains a challenge. Acquiring a visa to conduct independent research on the topic is difficult. Interviewing Afghan refugees is not possible without permission and full support from the government.

⁸⁴ Human Rights Watch (2013), *Unwelcome Guests: Iran’s Violation of Afghan Refugee and Migrant Rights*, https://www.hrw.org/sites/default/files/reports/iran1113_forUpload_0.pdf (accessed 2 Sep. 2020).

⁸⁵ Statement by the Representative of the Government of Islamic Republic of Iran (2018), ‘People on the Move – Geneva Afghanistan Conference’, UN Web TV, 27 Nov 2018, <http://webtv.un.org/metings-events/watch/people-on-the-move-geneva-conference-on-afghanistan/5972203951001/?term=&lan=original>.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ IOM (2016), ‘IOM Becomes a Related Organization to the UN’, press release, 25 July 2016, <https://www.iom.int/news/iom-becomes-related-organization-un> (accessed 15 Oct. 2020).

and those with special needs. Access to legal documentation is critical. Many of those returned in 2016–17 were actually born outside Afghanistan. Displaced people need better access to passports and visas. IOM is trying to use the *e-tazkira* national identity card in Afghanistan. However, weak capacity – including a lack of adequately trained personnel or reliable technological infrastructure, as well as insufficient funding – poses severe challenges.

COVID-19 has added to the difficulties. IOM estimates that more than 293,000 Afghans⁹⁰ returned from Iran to Afghanistan between 1 January and 23 May 2020, driven by the pandemic and amid signs that Iran was turning into an epicentre for the disease. Given the porous borders between the two countries and poor record-keeping, this figure is probably an underestimate. Returnees have cited fear of infection, lack of access to healthcare (due to lack of documentation) and job losses as reasons for leaving Iran. Those suffering from the virus are among the most vulnerable segments of the population in Afghanistan.

Two gruesome events in 2020 highlighted the hostility Afghans face in Iran. In May, the Afghanistan Independent Human Rights Commission (AIHRC)⁹¹ concluded that Iranian border guards had tortured and beaten a group of Afghan refugees, and had then forced them (allegedly at gunpoint)⁹² into the Harirud River. Several drowned. In June, three Afghan refugees were killed and others were injured when Iranian police opened fire on a vehicle. These incidents have drawn global condemnation and protests demanding humane treatment for Afghan refugees in Iran.

Any political will to improve the treatment of displaced Afghans may further be constrained by the poor state of the Iranian economy.

Any political will to improve the treatment of displaced Afghans may further be constrained by the poor state of the Iranian economy. International sanctions in relation to Iran's nuclear activities have had a brutal impact. The Trump administration abandoned the nuclear deal – the Joint Comprehensive Plan of Action (JCPOA)⁹³ – in 2018 and initiated a campaign of 'maximum pressure' designed to intensify economic hardship. Sanctions on shipping, energy and the financial sector have been particularly damaging, hitting foreign investment and impeding the activities of companies or nations dealing with Iran. The outlook for the Iranian economy remains bleak: World Bank data indicate that Iran's

⁹⁰ IOM (2020), *Return of undocumented Afghans, weekly situation report, 17–23 May 2020*, https://afghanistan.iom.int/sites/default/files/CBRR_Doc/Report_17-23May/iom_afghanistan-return_of_undocumented_afghans-situation_report_17-23_may_2020.pdf (accessed 7 Aug. 2020).

⁹¹ Afghanistan Independent Human Rights Commission (AIHRC) (2020), 'Press Release on Reported Abuse and Drowning of Afghan Refugees Aiming to Cross the Border to Iran', 4 May 2020, https://www.aihrc.org.af/home/press_release/8850 (accessed 7 Aug. 2020).

⁹² Bezhan, F. (2020), 'Afghan Lives Matter': Gruesome Deaths Of Afghan Migrants In Iran Unleash Outrage', Radio Free Europe/Radio Liberty, 11 June 2020, <https://www.rferl.org/a/iran-afghan-lives-matter-migrants-deaths-outrage/30665907.html> (accessed 7 Aug. 2020).

⁹³ European Parliament (2015), 'Joint Comprehensive Plan of Action', 14 July 2015, <https://www.europarl.europa.eu/cmsdata/122460/full-text-of-the-iran-nuclear-deal.pdf> (accessed 7 Aug. 2020).

non-oil GDP growth rate was 1.1 per cent in 2019/20, and the bank forecasts a 4.5 per cent contraction in non-oil GDP for 2020/21.⁹⁴

Following the agreement of the JCPOA in 2015, the EU had increased its aid to Iran,⁹⁵ which it views as an important country along the migration route from Asia to Europe. The EU had pledged €12.5 million a year, with a special focus on education and health services for Afghan children.⁹⁶

The US president-elect, Joe Biden, has signalled a desire to re-engage with Tehran and reinvigorate the JCPOA. Yet there is no roadmap for this complex process in the original accord. The EU spearheaded the 2015 agreement, and increased EU diplomatic support will be valuable in laying the foundations for an American return. However, the Trump administration's 2018 withdrawal from the JCPOA spurred a trust deficit that reinforced Iran's conservative theocratic power base. Stringent economic sanctions crippled Iran's financial sector. The targeted killing of General Qasem Soleimani, who headed Iran's elite Quds Force, in a US drone strike in January 2020 further deepened the crisis between Tehran and Washington. The US must now factor in a weakened reformist agenda and Iranian presidential elections in June 2021 that could result in victory for the hardliners. An interim strategy may be a 'freeze-for-freeze' arrangement that could involve Tehran rolling back some elements of its nuclear programme, for example centrifuge development and testing, in exchange for a gradual lifting of sanctions on humanitarian goods and possibly on limited exports of oil.⁹⁷ Iran's strict compliance with the nuclear deal in accordance with continued UN surveillance will be vital to progress, and a sequenced approach seems most likely. Biden has also raised the prospect of a stronger JCPOA, but the way ahead is by no means straightforward.

Even before the pandemic, there was a real risk of Iran's economic distress triggering higher levels of returns to Afghanistan. Tehran has previously threatened to deport Afghans in response to US sanctions.⁹⁸ This was also an implicit threat to the EU. Hardliners in Iran have leveraged the sanctions to deflect blame for continuing socio-economic stress. Meanwhile, a new Biden administration will have a broad range of pressing priorities apart from the JCPOA, including domestic challenges, to address. These uncertainties have consequences for Afghan refugees. If Tehran enforces the deportation of Afghans, most Afghans in Iran would seek refuge in another state, in many cases with the aim of reaching Europe. Afghan refugees therefore continue to be bargaining chips in a wider geopolitical power play.

⁹⁴ World Bank (2020), 'Iran's Economic Update — October 2020', 19 October 2020, <https://www.worldbank.org/en/country/iran/publication/economic-update-october-2020> (accessed 11 Nov. 2020)

⁹⁵ The EU has increased aid to Turkey, Jordan, Lebanon and several African countries along key migration routes in the hope of deterring travel to Europe.

⁹⁶ Baczynska, G. (2016), 'European Union reaches out to Iran over Afghan refugees', Reuters, 26 October 2016, <https://www.reuters.com/article/us-europe-migrants-iran/european-union-reaches-out-to-iran-over-afghan-refugees-idUSKCN12Q27T> (accessed 7 Aug. 2020).

⁹⁷ Motamedi, M. (2020), 'What will a Biden presidency mean for Iran?', Al Jazeera English, 8 November 2020, <https://www.aljazeera.com/news/2020/11/8/what-will-a-biden-presidency-mean-for-iran> (accessed 10 Nov. 2020).

⁹⁸ Motamedi, M. (2019), 'Could US sanctions on Iran create new migrant crisis for Europe?', Al Jazeera, 22 May 2019, <https://www.aljazeera.com/ajimpact/sanctions-iran-create-migrant-crisis-europe-190522193857815.html> (accessed 7 Aug. 2020).

Regional connectivity

Wider efforts at ‘regional connectivity’ are vital for managing migration effectively. The rationale is that Afghans will not need to leave their country in such high numbers if political, social and economic prospects ‘at home’ create optimism. In the context of migration policy responses, the notion of regional connectivity can arguably be understood to consist of a combination of (a) coordinated policy on returns and reintegration; and (b) region-wide initiatives to increase economic linkages and opportunities. Most importantly for Afghanistan, regional economic cooperation could yield meaningful long-term infrastructural development – an existential need for the landlocked country – with the possibility of catalysing untapped economic potential for both South Asia and Central Asia. Afghanistan sits between these two regions, with which it shares long borders; its location could become its greatest asset if regional economic connectivity were to materialize. South Asia is resource-stretched: over 1.5 billion people live in India and Pakistan alone. Central Asia, meanwhile, is resource-rich, thanks to abundant mineral and hydrocarbon deposits and the region’s capacity to produce surplus electricity. It also has a significantly lower population. Ensuring regional economic connectivity between these two regions – which Afghanistan can facilitate as the shortest ‘connection’ point – will also help improve the security situation and build sustainable peace for Afghans.

Instances of existing local cross-border cooperation are instructive, with policy support for people-to-people contact helping to shift isolationist narratives and pave the way for greater solidarity between stakeholders.⁹⁹ Afghanistan has also developed mechanisms for the transfer of high-value remittances to its economy, and has signed memorandums of understanding with Qatar, Saudi Arabia, Turkey and the United Arab Emirates to enable temporary labour migration to these markets.

Leveraging these agreements has proven difficult in practice, for several reasons. For one thing, Afghanistan lacks internationally recognized certification boards: a fundamental requirement for workers competing for skilled positions overseas. In addition, the Afghan government has no clear plan for the protection of temporary labour migrants’ rights; this has been an issue of acute importance during the COVID-19 crisis, when migrant workers in many countries have been excluded from national schemes protecting health services, employment and access to accommodation. The potential loss of residence permits makes migrants especially vulnerable to exploitation.¹⁰⁰

⁹⁹ Price, G. and Hakimi, H. (2019), *Reconnecting Afghanistan: Lessons from Cross-border Engagement*, Research Paper, London: Royal Institute of International Affairs, <https://reader.chathamhouse.org/reconnecting-afghanistan-lessons-cross-border-engagement#> (accessed 8 Aug. 2020).

¹⁰⁰ International Labour Organization (ILO) (2020), ‘ILO warns of COVID-19 migrant “crisis within a crisis”’, 24 June 2020, https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_748992/lang--en/index.htm (accessed 8 Aug. 2020).

05 Intra-Afghan peace talks: outlook and implications

For development-oriented migration policies to be effective, there needs to be peace with the Taliban. ‘Intra-Afghan’ talks could hold the key to progress, but reconciliation and reintegration are no straightforward tasks.

As this paper has elaborated, a fundamental component of the EU strategy for managing migration is to address its root causes. Critically, this includes supporting peace with the Taliban and an end to the conflict, which has long destabilized Afghanistan and driven migration. The quest for peace is muddled by the issue of policy ‘ownership’, resulting in uncertainty as to which stakeholders are responsible for which elements of strategy.¹⁰¹ For example, while the US concluded a deal with the Taliban on 29 February 2020 in Doha, the Afghan government was excluded from those negotiations.

The Trump administration later emphasized that the deal was simply the first phase of a comprehensive reconciliation process that will include dialogue with the Afghan government. However, the path ahead is fraught with difficulties. The Taliban have not recognized the Afghan government since December 2001,¹⁰² depicting it as a puppet of the US.

¹⁰¹ Afghanistan has several features of a rentier state whose very existence is predicated on aid. This undermines any real notion of ‘ownership’.

¹⁰² In December 2001 Hamid Karzai was chosen as head of Afghanistan’s interim government. On 9 October 2004 he became the country’s first democratically elected president.

The so-called ‘intra-Afghan’ dialogue that began in Doha on 12 September 2020 has been hampered by political baggage from the acrimonious wrangling over the results of the 2019 election (including the bizarre spectacle of parallel inaugurations in March 2020). That crisis prompted the US to slash \$1 billion in aid.¹⁰³ As a response, in May 2020 senior Afghan leaders forged a brittle power-sharing agreement between President Ghani and his rival, Dr Abdullah Abdullah, who now directs the High Council for National Reconciliation. The agreement stipulates that Dr Abdullah can nominate half of the cabinet, including core ministerial posts. However, political stability and cooperation are likely to remain fragile.¹⁰⁴

The COVID-19 pandemic has further hampered peace negotiations. Violence has not diminished, and no viable ceasefire has been achieved. After initial sporadic progress on both sides regarding the release of prisoners, the peace talks between the Taliban and the government ran into difficulty for several months beginning in March 2020. A Loya Jirga – a grand consultative assembly of ‘elders’ and representatives from across Afghanistan’s 34 provinces – was hastily convened in Kabul between 7 and 9 August 2020. The government sought approval from the Jirga delegates for the release of 400 remaining prisoners, from an original list of 5,000 whom the Taliban had wanted freed as a precondition for starting the talks.¹⁰⁵ A final six Taliban prisoners accused of involvement in the killings of US, French and Australian nationals were moved to Doha, where they will be kept under supervision until the end of November pending transfer to Kabul or an extension of their detention in Doha.¹⁰⁶ The US, France and Australia had lobbied against their release.¹⁰⁷

At the time of writing, a contact group representing both the Afghan government and the Taliban was meeting in Doha to finalize the agenda for the peace talks. Several sticking points have emerged.¹⁰⁸ These include the interpretation and role of Sharia, the nature of the state (whether Afghanistan should be an Islamic republic or a kind of ‘emirate’), the role of women and minorities, the future of the country’s regional and international relations, constitutional reform, and decisions on the mechanisms for power-sharing more generally.

On a more technical level, the Afghan government and Taliban representatives face challenges in reaching consensus on terminology and the question of inclusivity. Both sides will have to exercise patience and restraint amid rising

¹⁰³ Roughly one-fifth of the total security budget.

¹⁰⁴ Tolo News (2020), ‘Exclusive: Details of Ghani-Abdullah’s Proposed Agreement’, 15 May 2020, <https://tolonews.com/afghanistan/exclusive-details-ghani-abdullah-political-agreement> (accessed 24 Sep. 2020).

¹⁰⁵ Shams, S. (2020), ‘Loya Jirga: Afghans remove major hurdle to usher in new era’, Deutsche Welle, 9 August 2020, <https://www.dw.com/en/loya-jirga-afghans-remove-major-hurdle-to-usher-in-new-era/a-54504001> (accessed 25 Sep. 2020).

¹⁰⁶ George, S. (2020), ‘Talks between Taliban, Afghan government to begin this weekend after 6 high-value prisoners released from Afghan custody’, *Washington Post*, 10 September 2020, https://www.washingtonpost.com/world/asia_pacific/afghanistan-taliban-peace-talks-prisoner-release/2020/09/10/195c7f5e-f183-11ea-8025-5d3489768ac8_story.html (accessed 25 Sep. 2020).

¹⁰⁷ Mashal, M. and Faizi, F. (2020), ‘Afghan Peace Talks Set to Begin as Prisoner Swap Is Nearly Done’, *New York Times*, 3 September 2020, <https://www.nytimes.com/2020/09/03/world/asia/afghanistan-taliban-prisoners.html> (accessed 25 Sep. 2020).

¹⁰⁸ Bin Javaid, O. (2020), ‘Exclusive: Jurisprudence, inclusivity slow down Afghan talks’, *Al Jazeera*, 23 September 2020, <https://www.aljazeera.com/news/2020/9/23/why-are-afghan-talks-stuck> (accessed 25 Sep. 2020).

levels of violence – including attacks by the Taliban on Afghan government forces – and demonstrate that they possess the capacity to undertake peace talks without external facilitators and mediators.¹⁰⁹

Although the COVID-19 crisis has made the situation more challenging in many respects, in other ways it could help to catalyse cooperation. As various non-state actors have done, the Taliban have sought to boost their legitimacy by launching public health awareness campaigns and supporting national and international interventions (including those led by the World Health Organization and the Red Cross) in areas they control. They have used social media to reinforce messaging on hygiene and social distancing, have distributed medical equipment and have set up quarantine facilities.

All of this activity has spurred hope for wider-reaching engagement. The government's chief negotiator, Masoom Stanekzai, has called for all parties to relinquish the lexicon of war – for instance, the distinction between 'winners' and 'losers' – that has featured in previous peace initiatives. He has called for interlocutors to tap into a potential 'culture of peace' and to explore inclusive options,¹¹⁰ on the grounds that all Afghans, regardless of political persuasion, are vulnerable to the virus or victims of it. President Ghani has described the pandemic as a 'hyper event' likely to change geopolitics and Afghanistan itself. The challenge is to capitalize on the current window of opportunity for cooperation and reform.

Even if a political settlement is achieved, it is unclear whether the proposed reintegration of Taliban fighters into local communities will be effective.

Even if a political settlement is achieved, it is unclear whether the proposed reintegration of Taliban fighters into local communities will be effective. Khyber Farahi, a former senior presidential adviser on migration and reintegration, comments: 'Unfortunately, there has not been a lot of discussion around the Taliban. If a political deal is concluded, we don't know what will happen with reintegration and if there are compromises to be made.'¹¹¹ He refers to the Taliban's *de facto* control of large parts of Afghanistan. Drawing on his experience of prior peace programmes, Farahi notes the complexity of reintegrating former combatants into local communities and, again, the government's lack of capacity to do this.

Senior advisers for the Citizens' Charter argue that workable relations have already developed. Tailored solutions are particularly evident at local-community level. Caveats include the fragmentation and fluidity of the Taliban as a movement, and the diversity of contexts and personalities. At times, the government and its implementing partners pay members of the Taliban to ensure the delivery of services such as healthcare and development projects in contested villages;

¹⁰⁹ Ibid.

¹¹⁰ United States Institute of Peace (2020), 'The Path to Intra-Afghan Talks', online event, 22 April 2020, <https://www.usip.org/events/path-intra-afghan-talks> (accessed 8 Aug. 2020).

¹¹¹ Interview with Khyber Farahi, 14 February 2020.

such basic cooperation during the pandemic offers space for cautious optimism. The Taliban also have a *modus operandi* with NGOs and the government's implementing partners. For instance, the Taliban may intervene in the hiring and firing of personnel connected with development projects, even though such decisions are normally taken by project coordinators. The Taliban collect *ushr*,¹¹² a traditional Islamic tithe of 10 per cent on agricultural produce, in at least 10 per cent of all villages in Afghanistan.¹¹³ Village elders and *maliks*¹¹⁴ often act as mediators, establishing informal channels of communication to resolve disputes over public services and their delivery.

While these 'shadow' governance mechanisms may not offer a viable blueprint for government, such accommodations do give some insight into potentially constructive post-peace deal scenarios. The obvious difficulty at present is the omnipresence of coercion and violence, along with the Taliban's involvement in the illicit economy. In 2018, almost 93 per cent of villages cultivated opium poppies in the country's southern region.¹¹⁵ In Helmand province, all village headmen reported opium poppy cultivation.¹¹⁶ With the unemployment rate estimated to be nearly 40 per cent (over 53 per cent if underemployment is taken into account), poverty is a major problem and a driver of the illicit economy.¹¹⁷ Opium cultivation provides desperately needed employment and attractive wages: for example, the wages of opium poppy 'lancers' are, at a minimum, double those of many other agricultural workers and also higher than those of construction workers.¹¹⁸

The Taliban also profit from illegal mining, racketeering and extortion of legitimate businesses (notably in construction).¹¹⁹ Yet the illicit economy is not their unique preserve. It is also a source of revenue for other non-state armed groups, warlords, government officials and criminal groups.¹²⁰ Logically, such activity is bound to fill income gaps for returnees where government programming fails – potentially generating new layers of conflict and instability, and further impairing efforts to strengthen governance. This problem extends beyond national boundaries. The region's porous borders are conducive to trade in illicit goods, including weapons and narcotics; people-smuggling is widespread.

Any peace deal that incorporates the Taliban into organized political life will raise many unknowns. Advances in women's rights and freedoms that have been achieved over the past 19 years would be in grave doubt. How well would former

¹¹² *Ushr* (also *ushur*) is a 10 per cent tax on the harvests of irrigated land; its basis is in Islamic Sharia, with some variations. The tradition of collecting *ushr* has a long-standing history in Afghanistan; although intended to support the poor and those without harvests, *ushr* has been demanded by rulers, governments and armed groups at different periods in history.

¹¹³ United Nations Office on Drugs and Crime (UNODC) (2019), *Afghanistan opium survey 2018: Challenges to sustainable development, peace and security*, p. 47, https://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan_opium_survey_2018_socioeconomic_report.pdf (accessed 8 Aug. 2020).

¹¹⁴ *Maliks* (tribal or village elders) may hold authority in local government either through election or selection through consultation and mutual agreement in a community *jirga* or *shura*. Each *malik* then represents village interests to external actors and also deals with internal matters.

¹¹⁵ UNODC (2019), *Afghanistan opium survey 2018: Challenges to sustainable development, peace and security* (accessed 24 Sep. 2020).

¹¹⁶ *Ibid.*

¹¹⁷ Biruni Institute (2020), *Afghanistan Economic Outlook*, Vol. 2, Issue 1, 25 July 2020, http://biruni.af/wp-content/uploads/2020/07/Biruni_Institute_AFG_Economic_Outlook_Issue2_July2020.pdf (accessed 24 Sep. 2020).

¹¹⁸ UNODC (2019), *Afghanistan opium survey 2018: Challenges to sustainable development, peace and security*.

¹¹⁹ *Ibid.*

¹²⁰ World Bank (undated), 'The World Bank in Afghanistan', <https://www.worldbank.org/en/country/afghanistan/overview>.

combatants reintegrate into communities where they may have been a source of violence in the past? How would a formal Taliban presence in government impact on efforts to integrate refugees and IDPs?¹²¹ And how would the delicate balance with neighbouring countries that are home to large numbers of Afghan refugees be affected?

Perhaps the greatest source of uncertainty for policy formulation and implementation is how to incorporate Taliban leadership into state structures. Significant anxieties remain about the fate of potentially tens of thousands of armed Taliban combatants, even if Taliban leaders find some form of accommodation within governance mechanisms or are given official roles as part of a political settlement. It is also unclear whether already weak government capacity and a political system undermined by infighting can withstand the additional strain of managing migration and returns.

¹²¹ Second Vice President of the Islamic Republic of Afghanistan (VPO) (2020), 'Statement of H.E. Sarwar Danesh, Second Vice President of Afghanistan, in the conference on "Forty years hosting of Afghan refugees in Pakistan: New Participation for Solidarity"', 17 February 2020, <https://www.vpo.gov.af/en/2020/02/17/tatement-of-h-e-sarwar-danesh-second-vice-president-of-afghanistan-in-the-conference-on-forty-years-hosting-of-afghan-refugees-in-pakistan-new-participation-for-solidarity-islamabad> (accessed 9 Aug. 2020).

06

Why synchronized policy is not happening

Obstacles to coherent migration management include a lack of solidarity among EU members, inadequate migrant protections in the EU–Turkey deal, the asymmetric nature of the JWF and regional power imbalances.

The JWF is just one facet of EU–Afghanistan cooperation on migration. It expired on 6 October 2020, but the EU is in the process of renewing the deal. Meanwhile, the situation for Afghan refugees and for returnees to Afghanistan has worsened as a consequence of the pandemic.

Like the JWF, the EU–Turkey deal was signed in 2016. It is due for renewal in 2021, but the increasingly precarious conditions for migrants and refugees in the context of the pandemic highlight the need to revisit the terms of the agreement sooner. The central goal of the EU–Turkey deal was to reduce the numbers of irregular migrants (without legal documentation) arriving in Greece. Turkey was promised €6 billion in two tranches to fortify border security, while Greece was permitted to return all new irregular migrants.¹²² The agreed formula entailed the resettlement of one registered asylum seeker from Turkey for each irregular migrant returned from Greece. As part of the deal, Turkey’s accession to the EU was to be accelerated and a visa liberalization plan initiated.

¹²² Meral, A. G. (2020), ‘Learning the lessons from the EU–Turkey deal: Europe’s renewed test’, Overseas Development Institute, 16 March 2020, <https://www.odi.org/blogs/16766-learning-lessons-eu-turkey-deal-europe-s-renewed-test> (accessed 26 Sep. 2020).

Turkey is a historical transit hub for Afghan migrants travelling into Europe, and since 2019 Afghans have become the largest group of new arrivals by nationality.¹²³ Turkey's failure to assure their legal status makes it harder for them to access safe accommodation, education, healthcare and work opportunities. Ideally, the UN's Global Compact on Refugees offers a framework for potential revisions to the EU–Turkey deal by focusing on refugee security and emphasizing the encouragement and expansion of regular pathways to asylum and resettlement.

On 23 September 2020, the European Commission announced proposals for a 'New Pact on Migration and Asylum'. The goals of this pact are to achieve manageable migration via a comprehensive rights-based framework that takes account of 'whole-of-route' migration pathways. Partnerships like the JWF are fundamental to this approach. Once again, the EU is prioritizing returns, readmission to country of origin, and streamlined deportation for those whose asylum applications are rejected. Yet EU member states still lack precise mechanisms to monitor post-return outcomes for those sent back to Afghanistan, which after all remains a country at war.

Critics of the European Commission's proposals¹²⁴ argue that there remains some distance to go in balancing legal migration and control of irregular migration. The delineation of legal migration for work, and of pathways for international protection and resettlement, is still inadequate. Genuine partnership necessitates recognition of the vital role of mobility for countries such as Afghanistan.

The proposals in the New Pact on Migration and Asylum are also problematic on the question of human rights and protections for asylum seekers. A core feature of the proposed pact is 'a system of permanent, effective solidarity'¹²⁵ designed to distribute asylum seekers who make it through European borders. Solidarity among EU member states is central to avoiding crises such as the recent burning of the severely overcrowded Moria refugee camp on the Greek island of Lesbos. It demands a real sharing of responsibilities. However, there is a vast gap between rhetoric and reality. At the extreme end of the spectrum, the Visegrád Group of countries (Hungary, Poland, the Czech Republic and Slovakia) are reluctant to embrace the concept. Austria is also sympathetic to their position. These countries would prefer to close their borders to irregular migrants, but this would negate any right to asylum and contradict the EU's international commitments.

Even for member states such as Germany, France and Italy, which have a degree of openness to the concept of solidarity, the European Commission's proposals on migration and asylum simply offer a basis for negotiation. They do not provide a roadmap for the future. This situation complicates EU planning and has cascading implications for Afghanistan.

¹²³ Buz, S., Memişoğlu, H., Dönmez, H. and Verduijn, S. (2020), *Destination Unknown: Afghans on the move in Turkey*, MMC Middle East Research Report, June 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/115_destination_unknown_research_report.pdf (accessed 27 Sep. 2020).

¹²⁴ IOM (2020), 'IOM Welcomes Proposals for a New EU Pact on Migration and Asylum', press release, 25 September 2020, <https://reliefweb.int/report/world/iom-welcomes-proposals-new-eu-pact-migration-and-asylum> (accessed 26 Sep. 2020).

¹²⁵ Riegert, B. (2020), 'Opinion: EU migration pact has already failed', Deutsche Welle, 26 September 2020, <https://www.dw.com/en/opinion-eu-migration-pact-has-already-failed/a-55059684> (accessed 16 Oct. 2020).

In the interim, while migration is not a focus for bilateral or multilateral programming, the EU has provided ad hoc special funding (€260 million since 2016) to support the reintegration of Afghans who return home from Europe, Pakistan and Iran. Plans for a 2021–27 programme are in the ‘pre-identification phase’,¹²⁶ with the EU still studying the situation. Clearly, this is a critical moment for reflection.

At first glance, Europe’s efforts to manage migration through a multidimensional strategy that links returns with wider issues of development, peace and security appear logical. Certainly, none of these goals can be achieved without genuine regional cooperation. Coordinating policy with countries in the regional neighbourhood seems prudent, as does streamlining policy via the humanitarian–development nexus. Yet this is very much a work in progress. Stefan Lock, head of cooperation for the EU delegation to Afghanistan, characterizes the project as consisting of ‘coordinated/parallel activities which have not yet become an integrated programme’.¹²⁷ Meanwhile, the Afghan government has been innovative in its conceptual designs for an integrated plan to handle returns and reintegration. Given these factors, where does synchronization fail and what lessons can be learnt?

The Afghan government has been innovative in its conceptual designs for an integrated plan to handle returns and reintegration.

There have been numerous criticisms of asymmetrical deals, such as the JWF, that incorrectly imply equal partnership. Power imbalances run through almost all of the Afghan government’s efforts to implement EU goals and projects, as is evident with the failing RADA scheme. Moreover, development aid is an existential need both for the government and for Afghan society. The RADA project has a wider context. Its malfunctions point to the weakness of government capacities and the state’s dependence on international partners. Increased autonomy would require appropriate fiduciary risk management by the authorities in Kabul. The government’s nascent discussions around the establishment of a migration fund could be promoted by the EU, as could more extensive capacity-building. However, the health and humanitarian crisis unfolding as a result of COVID-19 could make it much harder for the government to raise financial backing for a potential migration fund.

In principle, the composite structure of Afghan migration policy, which intertwines peace and security with repatriation and reintegration, is valuable. In practice, DiREC’s attempts at coordinating this synthesized vision are fraught with difficulty. Different sectors and departments within government compete both with one another and with the perspectives of international personnel. More focused EU interventions could be beneficial. Strengthening a ‘whole of government’ strategy centred on the Afghan Ministry of Finance and elaborating discussions around

¹²⁶ Interview with Stefan Lock, Head of Cooperation, EU Delegation to Afghanistan, 20 February 2020.

¹²⁷ Interview with Stefan Lock.

the establishment of a specific migration/reintegration budget code within each ministry could facilitate greater institutional cohesion and independence. Crucially, it could also strengthen financial oversight.

The Afghan government's whole-of-community approach is constructive, as is the aspiration to treat all returnees equally. However, policy should not ignore the fact that returnees have diverse needs, experiences and expectations. Those who have lived in Europe will be accustomed to greater freedoms, opportunities and possibly higher standards of living. The EU is aligned with the Afghan authorities on equality of access in repatriation – but at what price? Dr Alema Alema, a deputy minister for the MoRR until recently, argues that returnees present opportunities for Afghanistan;¹²⁸ but to make those opportunities real and avoid serious losses in human capital, deeper coordination must occur. Understanding returnees' potential contributions to host communities and the economy requires mapping their skills and experiences in detail. One way to achieve this would be to combine such information with contextual knowledge gathered from communities via the Citizens' Charter.

Conserving human capital also requires changes at the regional level, where the meanings of connectivity are contested. Afghan governments have consistently blamed Pakistan and Iran for fomenting conflict, mainly through proxies. Pakistan claims that it is no longer a 'militant safe haven',¹²⁹ yet Sarwar Danesh, the Afghan second vice-president, accuses Islamabad of allowing the Taliban to recruit new fighters from Afghan refugee camps in Pakistan.¹³⁰ For a peace deal to succeed, Pakistan's support is imperative, and such differences need to be hammered out. This will require facilitated high-level dialogue and confidence-building between the two countries, on top of ongoing bilateral activity.

Fostering goodwill, from the bottom up, between citizens of the two countries is also a necessary component for confidence-building. In this regard, there is a need for further research and analysis to examine whether, and how, people-to-people contact can be facilitated through informal economic ties, media, technology and private television channels. Research is also needed into how populist narratives on social media contribute to negative perceptions of Afghan refugees in Pakistan, increasing their vulnerability and marginality. Similarly, the prevalence of negative expressions of sentiment about Pakistan in Afghan media and on social media hinders the prospects for constructive people-to-people dialogue.

Improving regional connectivity will partly depend on carefully calibrated repatriation. Iran's geopolitical tensions with the US and some Gulf states have, at times, heightened the propensity for hastily forced returns of Afghans.¹³¹ Now COVID-19 has introduced additional uncertainty into the socio-economic contexts of both Iran and Pakistan, creating unsustainable conditions for refugees

¹²⁸ UN Web TV (2018), 'People on the Move'.

¹²⁹ *The News* (2020), 'Pakistan no longer a militant safe haven: PM Imran', 18 February 2020, <https://www.thenews.com.pk/print/615453-pakistan-no-longer-a-militant-safe-haven-pm-imran> (accessed 9 Aug. 2020).

¹³⁰ VPO (2020), 'Statement of H. E. Sarwar Danesh'.

¹³¹ In 2012, Iran threatened to expel Afghan refugees and workers if Afghanistan ratified a strategic partnership agreement with the US. This was signed two years later as the so-called Bilateral Security Agreement (BSA). See Farmer, B. (2012), 'Iran threatens to expel Afghan refugees if Kabul ratifies US strategic partnership', *The Telegraph*, 10 May 2012, <https://www.telegraph.co.uk/news/worldnews/asia/afghanistan/9256602/Iran-threatens-to-expel-Afghan-refugees-if-Kabul-ratifies-US-strategic-partnership.html> (accessed 10 Aug. 2020).

and displaced people and further blurring any distinction between ‘forced’ and ‘voluntary’ returns.

It is impossible to envisage any form of sustainable regional economic integration given this context. As Sarwar Danesh argues, ‘Afghan refugees in Pakistan and Iran or anywhere else should not become a political matter and be a tool to put pressure on Afghanistan.’¹³² He points to the government’s CMP and underlines the need for a joint consultative mechanism with UN oversight to facilitate control of illegal and legal immigration, economic development and growth. The main challenge involves sequencing the appropriate steps. Can Afghanistan become stable while dealing with potentially large-scale returns from neighbouring countries? How can returns be managed simultaneously with efforts to build stability and ensure sustainable development? How will the pandemic affect existing arrangements between Afghanistan and neighbouring countries?

Afghanistan’s tremendous vulnerability to COVID-19 may raise even greater obstacles. If the country becomes an epicentre for the spread of the virus, refugees will suffer additional stigmatization; it is likely that their ability to move will be hindered as a result.

Developments in border control are something of a barometer in this situation. In 2017, Pakistan began construction of a 1,600-mile barbed-wire fence along the Durand Line. Islamabad argues that the fence serves mutual security interests, but Afghan officials are critical of Pakistan’s unilateral control over it.¹³³ Pakistan closed the border with Afghanistan at the start of the pandemic, in March 2020, causing serious humanitarian repercussions for vulnerable people on the move.

Unilateral decisions about border crossings also have implications for the lucrative political economy around people-smuggling. Networks facilitating the trade will try to circumvent border closures by using more perilous routes, further endangering those involved. Afghanistan’s tremendous vulnerability to COVID-19 may raise even greater obstacles. If the country becomes an epicentre for the spread of the virus, refugees will suffer additional stigmatization; it is likely that their ability to move will be hindered as a result.

Threats of large-scale returns from neighbouring countries make vulnerable Afghan refugees in Iran and Pakistan pawns in regional and international diplomacy. Symmetrical power relations and mutually beneficial regional connectivity with these two neighbours cannot be achieved while millions of Afghans reside as refugees or are undocumented in both countries.

¹³² VPO (2020), ‘Statement of H. E. Sarwar Danesh’.

¹³³ Farmer, B. and Mehsud, I. T. (2020), ‘Pakistan Builds Border Fence, Limiting Militants and Families Alike’, *New York Times*, 15 March 2020, <https://www.nytimes.com/2020/03/15/world/asia/pakistan-afghanistan-border-fence.html> (accessed 10 Aug. 2020).

A key policy consideration should be to focus on the risks of mass outward migration, or displacement, if Afghans deem the peace process with the Taliban to be a failure; or if the severity of violence and conflict leads to a real or perceived failure of the state. These risks could be compounded by the socio-economic challenges associated with COVID-19 and dwindling international aid. Unlike in the 1980s and 1990s, when it was easier to flee to Pakistan and Iran, Afghans at present face significant restrictions on their entry into these countries. If either blocks the entry of Afghans into its territory, even for transit, it will contribute to a worsening of humanitarian conditions in Afghanistan and could potentially create a new migration crisis. It would also likely alter the dynamics of criminality, and of the illicit economy around mobility and people-trafficking. Policies to address the drivers of migration in Afghanistan therefore need to recognize that such drivers will not dissipate on their own, and that new socio-economic, political and security realities could alter the dynamics of outward migration and displacement.

07 Conclusion

For Afghanistan, strategic priorities should include pursuing societal reconciliation and creating jobs. For the EU, there is a potential role in facilitating capacity-building, supporting efforts to instil confidence in the ‘intra-Afghan’ dialogue, and backing progress towards peace.

Part of the rationale behind the EU’s approach to migration management is that increased development aid, essentially contingent on Afghanistan’s acceptance of returns, will address the root causes of migration. In this framing, migration is treated as a response to instability. However, the wider historical picture, the *longue durée* of people-to-people connections and movement across Eurasia, needs to be taken into account. Mobility is deeply embedded in, and of historic significance to, Afghanistan and the region. Sovereign borders in the region have always been porous; in some respects, this characteristic is a strength to be reinforced rather than a problem to be solved.¹³⁴

Moreover, in many cases development aid strongly correlates with *greater* emigration rather than a fall in emigration. Although a turning point typically occurs once a country’s average annual incomes reach \$7,000–10,000 per person – at which point, emigration starts to decline as domestic economic prospects improve – Afghanistan is far from achieving such income levels.¹³⁵ Data from the United Nations Development Programme suggest that the average household income in Afghanistan was \$145 per month, or about \$1,750 per year, in 2019.¹³⁶ In light of this, the government has been calling for long-term assistance to promote economic growth.

¹³⁴ Marsden, M. and Henig, D. (2019), ‘Muslim circulations and networks in West Asia: Ethnographic perspectives on transregional connectivity’, *Journal of Eurasian Studies*, 10 January 2019, <https://journals.sagepub.com/doi/full/10.1177/1879366518814668> (accessed 10 Aug. 2020).

¹³⁵ Howden, D. (2018), “‘Root Causes’ Development Aid: The False Panacea for Lower Migration”, *News Deeply*, 23 February 2018, <https://www.newsdeeply.com/refugees/community/2018/02/23/root-causes-development-aid-the-false-panacea-for-lower-migration> (accessed 10 Aug. 2020).

¹³⁶ United Nations Development Programme (2019), ‘Afghanistan: Human Development Indicators’, <http://hdr.undp.org/en/countries/profiles/AFG> (accessed 5 Sep. 2020).

The issue of negotiating a political settlement with the Taliban remains a thorny one. Even if peace is eventually achieved, the mechanisms that exist under the Citizens' Charter are not ready to support the reception and reintegration of former Taliban fighters. Relying on some form of 'organic reconciliation' for former combatants in communities traumatized by violence may be asking too much. There is a need for more than a political settlement; there must be a vision for societal reconciliation as well.¹³⁷ Any peace deal arguably needs to have a transformative and tangible positive impact on the lives of Afghans, and go beyond deal-making among the elites. However, the rising violence currently seen across Afghanistan needs to abate significantly for any optimism to take root among ordinary Afghans.

In urban centres, where most returnees will find themselves, the package of basic services provided under the auspices of the Citizens' Charter Cities seems inadequate. There is little in the way of policy to create long-term, sustainable employment. At the same time, reliance on the private sector has failed to yield tangible results. Provision of 'security' must mean more than establishing short-term economic programmes as a buffer against winter hunger. Efforts must focus on economic and labour market development: for instance, mapping market needs to viable skills training and meaningful investment in infrastructure and the agrarian sector. Stronger efforts to tackle the illicit economy are also a prerequisite for stability. If the illicit economy fills gaps in livelihoods, new problems are likely to be created for the reintegration process. These may persist beyond any peace agreement. Viable plans for alternative livelihoods clearly need more consideration and serious scenario-planning.

Provision of 'security' must mean more than establishing short-term economic programmes as a buffer against winter hunger. Efforts must focus on economic and labour market development.

In 2019, the World Bank held discussions about economic initiatives that could be activated as soon as circumstances permit. The EU has analysed potential scenarios of what the intra-Afghan dialogue could produce. But, like the Afghan government itself, the process cannot move beyond hypothetical planning. The EU is working with partners such as the UK's Foreign, Commonwealth & Development Office to determine prerequisites for future engagement, without drawing red lines.

The five years of power-sharing under the NUG from September 2014 to March 2020 were profoundly turbulent, and damaged popular trust and government legitimacy. After another power-sharing deal between President Ghani and Dr Abdullah in May 2020,¹³⁸ the new Afghan administration has inherited most of the challenges that bedevilled internal cohesion, governance and public trust under the NUG. The legacy of the political crisis that began in 2014 is likely to exacerbate infighting and fragmentation within the government, potentially impairing its

¹³⁷ Interview with Khyber Farahi, 18 February 2020.

¹³⁸ Mashal, M. (2020), 'Afghan Rivals Sign Power-Sharing Deal as Political Crisis Subsides', *New York Times*, 17 May 2020, <https://www.nytimes.com/2020/05/17/world/asia/afghanistan-ghani-abdullah.html> (accessed 24 Sep. 2020).

ability to deliver progress in peace talks with the Taliban. Prospects for formulating substantive policy responses to returns, reintegration and repatriation will remain fragile.

Government cohesion in Afghanistan will be vital for fortifying the slender protections available to displaced people. However, the EU can play a constructive role too, mainly by positively engaging with civil society, retaining and using the institutional memory of EU engagement in Afghanistan, and fostering expertise among the EU's Afghan staff. Turnover of international personnel has been a persistent issue.

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Key benchmarks for more effective migration policy could include (a) evidence of progress in efforts to bridge the urban–rural divide, particularly with respect to effective recognition of the developmental and humanitarian needs of Afghans in rural areas; (b) the development of more granular and analytical data on the situation in Afghanistan's diverse urban contexts; (c) improvement of service delivery across Afghanistan; and (d) expansion of both short- and long-term employment opportunities in line with the needs of the market, which should include the promotion of appropriate training and capacity development initiatives.

The EU mission in Afghanistan states that it seeks to support the intra-Afghan dialogue, and to remain actively involved in ensuring stability in the country after any future reconciliation with the Taliban.¹³⁹ With the US planning further troop withdrawals, and dialogue between the Afghan government and the Taliban under way at a slow pace, there is space for the EU to play a more proactive part in facilitating and supporting a political settlement. In the absence of guarantees that a settlement could lead to a long-term cessation of violence, and given uncertainty as to whether the two sides will honour any agreement, fear among Afghans about individual and national futures is palpable.

In partnership or through a shared (and impartial) platform with the UN and other international stakeholders, such as the Organisation of Islamic Cooperation, the EU could engage with the Afghan parties involved in the peace talks. The aim should be to encourage public commitments from both sides on adherence to any agreement. Such an effort, led by the EU, could help to alleviate public anxiety in Afghanistan about the implications of a settlement with the Taliban. Crucially, the use of such a platform would not violate the international commitment to non-interference in the Afghan peace process. Instilling confidence in this process could have a profoundly positive impact on Afghans' views about their future in their country. In contrast, any scepticism over the ability of the intra-Afghan talks to end the conflict will have a negative impact on efforts to manage mobility, outward migration and internal displacement.

¹³⁹ Interview with Stefan Lock.

Peace, stability, economic growth, job creation, healthcare and basic services are all fundamental for the viability of the current – and any future – government in Afghanistan. The EU wants Afghan policies to include a financial buffer against the additional burdens imposed by potentially higher levels of returns, and by the need to resettle former fighters and increase the geographical coverage of target areas. The spread of COVID-19 has added to the policy challenges. Against the odds, the Afghan government has stepped up to address key issues around regional and European returns. It has factored the need to ensure support for IDPs into its policy programming. It has also sought to leverage the power of bottom-up integration and development through the Citizens' Charter, and to streamline its management of and vision for displaced people. The government has sketched out the foundations for an effective approach. The next steps will entail tailored, context-led revisions, combined with consistent, carefully sequenced long-term support to realize effective implementation.

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