

IOM AFGHANISTAN

# DOCUMENTATION AND LEGAL IDENTIFICATION IN AFGHANISTAN

RESEARCH REPORT



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# TABLE OF CONTENTS

GLOSSARY	4
LIST OF ACRONYMS	5
I. INTRODUCTION	6
II. LEVELS OF ACCESS TO DOCUMENTATION IN AFGHANISTAN	14
III. USES AND IMPACT OF DOCUMENTATION UNDER THE DFA	33
IV. CAPACITY, COMMUNICATION, AND COORDINATION ON DOCUMENTATION UNDER THE DFA	46
V. CONCLUSION	61
VI. RECOMMENDATIONS	63
VII. ANNEX A: ANNEX A: BIBLIOGRAPHY	67
VIII. ANNEX B: ANNEX B: LIST OF KIIS, FGDs, SSIs	70

## GLOSSARY

Birth certificate	Issued upon registration of the birth with the relevant authorities, as governed by the Registration of Population Records Act of 2014.
Civil documentation	A document that establishes the identity of a person or that records a vital life event such as birth, marriage, death.
Civil registration	The continuous, permanent, compulsory, and universal recording of the occurrence and characteristics of vital events pertaining to the population as provided through decree or regulation in accordance with the legal requirements of a country. Civil registration is carried out primarily for the purpose of establishing the documents provided by law.
Death certificate	Death certificates are official documents issued by the government to establish or legally prove the death of an individual with its time, location, and cause.
e-Tazkira	An “official document that is printed on polycarbonate cards and distributed to the citizens of the country pursuant to the provisions of this law”, including biometric information. <sup>1</sup>
Internally Displaced Person	“Persons or group of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.” <sup>2</sup>
Legal Identity	A person’s existence everywhere before the law, facilitating the realisation of fundamental rights and corresponding duties. Article 6 of the Universal Declaration of Human Rights affirms this right, which is realised, inter alia, through registration of birth in a state civil registry or population registry.
Mahram	A male chaperone is required for women under the DfA – they must be a close male relative (father, husband, brother, son).
Marriage certificate	Establishes proof of marriage, upon registry by the competent authority in an official marriage contract (nikahnama).
Passport	Document enabling travel abroad and regulated by the Passport Act of 2015.
Returnee	Refugees or IDPs who have returned to their country or community of origin.
Rural	Rural areas are defined by low population density and tend to be dominated by agricultural production.
Tazkira	The national identity document in Afghanistan.
Urban	Areas of dense population and infrastructure, typically large cities. In the Afghan context, the main urban areas are Kabul, Herat, Jalalabad, Kandahar, Khost, and Mazar-e-Sharif.

1- 2014 Afghanistan Law on Registration of Population Records

2- UN, Guiding Principles on Internal Displacement.

## LIST OF ACRONYMS

AFN	Afghani (currency)
COVID-19	Coronavirus Disease 2019
CSO	Civil Society Organisation
DfA	De facto Authorities
FGD	Focus Group Discussion
GoIRA	(Former) Government of the Islamic Republic of Afghanistan
HLP	Housing, Land, and Property
ICLA	Information, Counselling, and Legal Assistance
IDP	Internally Displaced Person
IOM	International Organization for Migration
KII	Key Informant Interview
MoFA	Ministry of Foreign Affairs
Moj	Ministry of Justice
NRC	Norwegian Refugee Council
NSIA	National Statistic and Information Authority
PMT	Programme Management Team
SSI	Semi-Structured Interview
TWG	Interagency Working Group on Legal Identity
UN	United Nations
UNAMA	United Nations Assistance Mission to Afghanistan
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNCT	United Nations Country Team
US	United States



# INTRODUCTION

## 1. STUDY OBJECTIVES

Legal identity and identity management, civil and vital statistics registration (birth, marriage and death certificates) in Afghanistan have historically been sensitive and complex topics. Over the last 18 months, increases and changes in mobility patterns in Afghanistan with high aspirations for many to leave the country, coupled with changes in levels of conflict and continued pressures from natural disaster induced displacement and chronic poverty, have meant that access to legal identity and effective identity management have become even more important since the fall of the Government of the Islamic Republic of Afghanistan (GoIRA).

Legal identity is at the heart of the mobility and protection challenges – and solutions – facing Afghans. The majority of Afghans do not have passports, nor other forms of civil documentation, while many passport offices have been and remain closed, preventing renewals or obtention of documentation throughout the country. Now, more than ever, there is a need for Afghan women, men and children to access legal identity to ensure they are able to access their right to freedom of movement, and many other rights.<sup>3</sup> Since August 2021, passports have become a key priority for Afghans seeking to leave the country, due to the economic and humanitarian crises, political instability, and unemployment. The fall of the GoIRA served as a stark reminder of the importance of identification as a key to protection and to accessing basic life rights, as seen with the current lack of access

to education, the consistently reduced space for women and girls participation in society, and people's overall sense of insecurity about their future under the De facto Authorities (DfA).

Yet, the inclusion of civil documentation and legal identity in humanitarian programming remains limited. Limited access to documentation can have significant protection impacts – such as barring people from accessing basic services, remittances and financial loans, and securing livelihoods. Lacking documentation can also contribute to discrimination, marginalisation, irregular migration, arbitrary and illegal detention, and/or hostility – for both children and adults. Lacking documentation worsens the situation of already vulnerable groups – such as women, children, adolescents, persons with disability, returnees, internally displaced persons (IDPs), minorities, and nomadic and stateless groups. For example, women lacking identity documentation (tazkiras) and/or marriage certificates means that they are unable to access inheritance, or retain custody of their children if they are widowed, divorced or for other reasons become female-headed households. It also restricts their movement, as women are required to have marriage certificates to leave Afghanistan, and there is increased demand for them domestically due to increased checkpoints. Many Afghan migrants – including children - face age determination issues throughout their migration, lacking adequate protection when confronted with law enforcement and unable to access their rights due

3- Majidi, N. Introduction to the Special Issue on Afghanistan, in the Migration Policy Practice, vol XI, number 4

4- NRC / Samuel Hall (2016), Access to Tazkira and other civil documentation in Afghanistan.

to the lack of identification papers. Other children who remain in Afghanistan are unable to attend school without a tazkira or birth certificate. Previous research conducted by Samuel Hall for the Norwegian Refugee Council (NRC) in 2016 found that lacking a tazkira creates a domino effect - as it is often a prerequisite for most other documentation, as well as many basic services in Afghanistan.<sup>4</sup>

Although passports are a key feature of the current gaps in the legal identity system – another is the reliance on both the paper tazkira and the electronic or e-tazkira. Within the current context, both paper and e-tazkiras give holders the same rights, as the DfA will accept paper tazkiras for passport applications. However, there continue to be concerns that the electronic database for e-Tazkira identity cards will be used to target religious and ethnic minorities in Afghanistan, as these categories are included for all individuals possessing this biometric document. Questions over how the DfA will use Afghanistan’s pre-existing digital infrastructure – including for what purpose – remain causes for concern for many Afghans who remain in the country, especially members of religious and ethnic minorities, as well as those with connections to the previous government or Western organisations. The twin challenges of immediate needs for legal identity and civil documentation in a context of political transition and migration – both internally and across borders, and the long -term structural needs for civil documentation will be addressed in this study.

An in-depth assessment of the identification documentation and civil registration procedures in place for Afghans is needed - including accessibility under the DfA, levels of acceptability for the DfA and civilians, and opportunities and risks associated with documentation in Afghanistan. A particular focus of this research is on levels of documentation access and needs for women, children, adults, persons with disability, IDPs, returnees, and ethnic and religious minorities. This report provides analysis to inform programming and advocacy to address the identified challenges concerning legal identity, identity management and civil registration for Afghans.

This includes providing the Interagency working group (TWG) – led by the International Organization for Migration (IOM) and comprising key UN agencies and NGOs such as UNICEF, WFP, UNHCR, and NRC working on legal identity and documentation in Afghanistan – and other key stakeholders with operational recommendations along two core lines of enquiry i) informing “quick wins” in short term programming and advocacy on improvements to accessibility and responses to protection risks associated with lack of documentation and ii) informing a long term strategy to support improvements in civil registration and identity management in Afghanistan.

The overall objective of this research is to assess the current situation around civil documentation and identity management in Afghanistan and provide clear and understandable recommendations for members of TWG on identification. The main research questions this study seeks to answer are: i) How has the legal identity and civil documentation system in Afghanistan evolved, and what are the levels of access, acceptability, opportunities and risks related to these today? and ii) How can specialised agencies support the need for Afghan men, women, children, and adolescents to access their rights by working with specific aspects of the legal identity and identity management system?

This research study focuses on understanding three core elements related to documentation in Afghanistan:

1. The accessibility of legal documentation and civil registration procedures in Afghanistan - and the access these provide (or limit) to basic and other key services.
2. The levels of acceptability of legal documentation and civil registration documentation - for the DfA as well as Afghans in order to access basic services, mobility, employment, and humanitarian aid.
3. The opportunities and risks for the international community in order to ensure adequate support to data protection, and procedures around legal documentation and civil registration. The analysis will focus on sub-groups of the population to better support women, children, displaced people, ethnic minorities, and those in rural areas.

## 2. METHODOLOGY

A phased methodology was used for this study. Phase I includes remote data collection and informs the Rapid Assessment and identification of key issues for Phase II. Carrying out a remote, phone-based survey allowed the team to have a broad overview of documentation access and needs in Afghanistan. Phase II included in person, qualitative fieldwork in four provinces (Balkh, Herat, Kandahar, Nangarhar), built upon the results of Rapid Assessment in Phase I.

Table 1: Phased Methodology Used for the Research study

Tool	Target Group	Location	Total Respondents
<b>PHASE I - REMOTE QUANTITATIVE DATA COLLECTION (SEPTEMBER 2022)</b>			
Random Dial Phone Survey	The questionnaire included different sets of questions to target the immediate documentation and identification needs of: women, men, children, displaced persons, by province, and by ethnicity	Remote - nationwide, covering all 34 provinces	894
Callbacks	Callbacks included additional questions on civil documentation application under the DfA, costs (total and government fees) of documentation and identification and wait times for processing under the DfA for civil documentation.	Nationwide – remote	612 <sup>5</sup>
<b>PHASE II - QUALITATIVE DATA COLLECTION (NOVEMBER 2022)</b>			
Key Informant Interviews (KIIs)	Relevant authorities in departments related to civil registration, documentation and legal identity management; community leaders; legal experts, CSOs, and consulates.	National, regional, international levels	17
Semi-Structured Interviews (SSIs)	Women, men, unaccompanied minors	Balkh, Herat, Nangarhar, Kandahar	42
Focus Group Discussions (FGDs)	Male and female representatives of affected populations and vulnerable groups, including hosts, IDPs, and returnees	Balkh, Herat, Nangarhar, Kandahar	46

PHASE I explored key indicators related to documentation and identification and consisted of a Random Dial Phone survey – as outlined in the Table 1 above. The random dial survey was conducted by a team of both women and men enumerators in Kabul. Numbers were generated randomly in order to eliminate geographic, ethnic, gender, and age bias. Surveys were conducted in both Dari and Pashto between the working hours of 9 AM – 5 PM. The data analysis of the surveys conducted - which informed the Rapid Assessment carried out in October 2022 - focused on levels of access, opportunities and risks related to levels of access to identity and civil documentation reported by respondents, by addressing differences and specific needs of population groups such as women, displaced persons, children and minorities.<sup>6</sup>

5- Please note that while there were 894 successful original interviews and 646 respondents were reached again during callbacks, 34 cases had to be eliminated given mismatching information provided by respondents during callbacks, due to the risk of the original interviews being invalid.

6- Data was analysed with SPSS, initially by running cross tabulations and accounting for statistical significance of the results ( $p > 0.1$ ). To control for different demographic and socio-economic factors such as age, gender, displacement status, education and living in rural settings simultaneously, additional multivariate regression analysis was conducted on access and wishing to obtain different types of identity documents. Only statistically significant ( $p < 0.05$ ) results are included in this Rapid Assessment report.

PHASE II provided depth data collection and analysis, building on the issues identified during the surveys in Phase I related to documentation and identification, to carry out more thorough research on barriers to access, challenges for women, children, minorities, and displaced persons, as well as pressing needs under the DfA related to identification and documentation. This phase also evaluated the challenges the DfA faces in providing identification and civil registration documents to Afghans – namely sanction restrictions, lack of qualified staffing, financial issues, and lack of resources

and equipment to meet demand (passport booklets, e-Tazkira cards). This phase consisted of qualitative fieldwork, including key informant interviews, semi-structured interviews, and focus groups carried out in Balkh, Herat, Kandahar, and Nangarhar provinces. Provinces and participants for qualitative fieldwork were selected based on the following criteria: i) Geographic diversity - including urban and rural areas; ii) Displacement profiles – including returnees and IDPs; iii) Gender parity; iv) Ethnic diversity; and v) Religious diversity.

Table 2: Sampling Phase II

Province	FGDs	SSIs	KIIs
Balkh	15 (5 women, 10 men)	11 (6 women, 5 men)	3 (1 woman, 2 men)
Herat	10 (5 women, 5 men)	10 (4 women, 4 men, 2 unaccompanied minors)	3 (3 men)
Kandahar	10 (5 women, 5 men)	10 (4 women, 4 men, 2 unaccompanied minors)	2 (2 men)
Nangarhar	11 (5 women, 6 men)	11 (5 women, 4 men, 2 unaccompanied minors)	6 (6 men)
Kabul	N/A	N/A	3 (3 men)
TOTAL	46 (20 women, 26 men, 9 FGDs)	42 (19 women, 17 men, 6 unaccompanied minors)	17 (1 woman, 16 men)
GRAND TOTAL			105 respondents

## Research and Methodological Limitations

The random dial survey carried out during Phase I was a short, 15 minute survey designed to provide a rapid assessment of the overall picture for possession of documentation and key challenges faced, more in depth issues were addressed during the qualitative data collection in Phase II. The majority of the respondents (82%) contacted via the Random Dial survey were men. Many women in Afghanistan lack access to cell phones. If they do have a phone, they are less likely to respond to a call from an unknown number and may have the male members of their family respond. In order to account for this, the survey included questions on levels of documentation and identification of both women and girls in the respondents' household – in order to ensure that women and girls' levels of

documentation were included in the survey even if a higher proportion of men responded. The sample size for the callbacks was slightly smaller – out of the 894 survey respondents contacted, three quarters responded to callbacks. The percentages of paper tazkiras reported by those surveyed appear to be high. This could be because of the methodology used - phone survey - and those who have phones are more likely to have documents. Only 60% of people in Afghanistan have phones according to 2020 World Bank figures, so results could be skewed due to this fact.<sup>7</sup>

During Phase II, the security situation in Kandahar province limited the number of KIIs that could be carried out, and all fieldwork was carried out in urban areas. Although data was collected in both urban and

7- World Bank (2020), "Mobile cellular subscriptions (per 100 people) Afghanistan."

rural areas in other provinces, this resulted in data that is more representative of urban areas overall – which could account for higher levels of tazkira and e-tazkira documentation overall amongst the sample surveyed

(see Annex II for a list of interviewees, locations, and documents held).



## PHASE I VS PHASE II FINDINGS

During the phone-based random dial survey carried out in September 2022 during Phase I of the research, very few people stated that fear prevented them from accessing certain types of documentation, such as paper Tazkiras and e-Tazkiras. However, this could be attributed to the fact that people are less likely to speak openly about these issues over the phone, compared to in person.

The importance and high demand for marriage certificates also came out much clearer during Phase II in person fieldwork – as women are required to have them in order to leave the country, and there is increased demand for them domestically due to increased checkpoints.

## 3. SETTING THE SCENE : ADMINISTRATIVE CAPACITIES AND CHANGES IN DOCUMENTATION PROCESSES SINCE AUGUST 2021

In January 2022, the UN Secretary General (UNSG) issued a statement, outlining that the DfA's technical and administrative capabilities had been diminished due to the high number of former civil servants and experts who fled Afghanistan or went into hiding, restrictions on women's right to work, and overall lack of financial resources to ensure smooth operation of services and payment of public sector employees.<sup>8</sup>

Although overall security incidents have declined under the DfA in 2022, the UNSG has found that the security situation is becoming increasingly fragile, largely due to increased attacks by the Islamic State Khorasan Province (ISKP), crime due to the current economic and humanitarian situation, and attacks carried out by the National Resistance Front (NRF).<sup>9</sup> Additionally, since August 2021, assaults on the DfA in Panjshir have

continued, which have resulted in civilian arrests and imprisonment.<sup>10</sup> Additionally, attacks on schools have continued under the DfA, particularly those in Hazara minority communities – school bombings and attacks on Hazaras occurred in Kabul in 2022, most recently in September 2022, where suicide attacks resulted in over 35 killed and 82 injured.<sup>11</sup> Despite these frequent attacks, the DfA have not implemented any protection policies or initiatives to protect Hazaras in Afghanistan. Lastly, denial of humanitarian access – most recently in December 2022, when the DfA announced bans on women working in international and domestic NGOs, preventing the delivery of aid to women in communities throughout the country.<sup>12</sup>

8- UNSG, The situation in Afghanistan and its implications for international peace and security, A/76/667– S/2022/64, 28 January 2022, para. 4.

9- UNSG, The situation in Afghanistan and its implications for international peace and security, A/76/862- S/2022/485, 15 June 2022, para. 15-16; UNSG, The situation in Afghanistan and its implications for international peace and security, A/76/667– S/2022/64, 28 January 2022, para. 15; UN Security Council, Thirteenth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2611 (2021) concerning the Taliban and other associated individuals and entities constituting a threat to the peace stability and security of Afghanistan, S/2022/419, 26 May 2022, para. 38.

10- Susannah George and Aziz Tassal, "Inside the Taliban's secret war in the Panjshir Valley," The Washington Post, June 8, 2022.

11- Forbes, "Yet Another Attack on the Hazara in Afghanistan," October 1, 2022.

12- OHCHR, "Afghanistan: Taliban's targeting of women and NGOs preventing delivery of life saving assistance is deplorable, say UN experts," December 30, 2022.

Afghans residing in urban areas are more likely to possess legal identification than those in rural areas, according to a 2019 report by the Norwegian Country of Origin Information Centre (Landinfo).<sup>13</sup> Civil documentation is often less crucial for the fulfilment of daily tasks in rural areas than in cities and is often not perceived by rural households as a necessity for all household members.<sup>14</sup> However, displacement and changing migration intentions may suddenly make ownership for rural Afghans more crucial. Lacking legal identification is also linked to income levels. Although only a small number of households have no tazkira, for example, in 2018 those households earned, on average, 16 percent less income and reported double the household debt compared to households with one or more members with a tazkira.<sup>15</sup> Families without a tazkira were more likely to report unmet basic needs. Many families lack IDs for multiple generations, pointing to a cycle of vulnerability.<sup>16</sup>

Security concerns and resource constraints has historically led to fewer tazkira registration and passport processing centres in rural areas.<sup>17</sup> Studies on civil registration also point to stark urban–rural and income disparities. Birth registration in Afghanistan is twice as high in urban areas as rural areas. As of 2018, 46% of births in Afghanistan were registered, according to the most recent data reported by the Centre for Excellence for CVRS Systems at the International Development Research Centre (Canada).<sup>18</sup> Furthermore, high levels of birth registration were found to correlate with household wealth.<sup>19</sup> Lastly, Afghanistan’s nomadic and semi-nomadic populations, including the Kuchi, Jogi, Chori Frosh, Bangriwala, and Vangawala, face further difficulties in acquiring documentation and accessing civil registration.<sup>20, 21</sup>

Assessments conducted in 2016 and 2018 revealed significant weaknesses in the nation’s civil registration system.<sup>22, 23</sup> These included a lack of internet access, few tools and training for data quality control, occasional power shortages, and an insufficient number of registration checkpoints and civil registration employees. Political support is necessary to alleviate these problems.<sup>24</sup> Weaknesses in national birth registration systems include health workers’ limited awareness of the legislation and guidelines surrounding birth registration, a lack of a coherent system for registering home births, poor management of rural health facilities, a lack of parental awareness of the benefits of registration, and a lack of transportation for parents and workers to registration offices.<sup>25</sup> Collaboration between the Ministry of Public Health (MoPH), the entity responsible for the registration of vital events, and the Ministry of Interior (Mol), which issues birth and death certificates, was weak under the previous government.<sup>26</sup>

Under the DfA, the functionality of all offices responsible for issuing legal identification documents varies very widely in the country, which has contributed to unequal access. Interviewees for this study stated that they had reports of passport offices taking bribes, as well as others charging different amounts than officially listed. The entire registration system and much of its equipment were looted following the takeover of Afghanistan by the DfA. Furthermore, the economic picture that has emerged under the DfA – where the majority of Afghans are experiencing extreme poverty levels – has made it more difficult for people to afford documentation costs under the DfA, due to lost or lack of income. The picture that has emerged since September 2021 is largely that of unequal access throughout Afghanistan.

13- Landinfo, “Report Afghanistan: Tazkira, Passports and Other ID Documents,” 2019, 6.

14- “I Won’t Be a Doctor, and One Day You’ll Be Sick,” Human Rights Watch, October 17, 2017.

15- Humanitarian Coordinated Assessment Working Group, “Whole of Afghanistan Multi-Sector Needs Assessment,” August 2018, 22.

16- Samuel Hall / NRC, “Access to Tazkira and Other Civil Documentation in Afghanistan,” 2016, 39.

17- M. Bashir Mobasher, “Identity Cards and Identity Conflicts.”

18- Centre of Excellence for CVRS Systems, “Afghanistan.”

19- Abouzahr et al., “Strengthening Civil Registration and Vital Statistics in the Asia-Pacific Region.”

20- “Jogi and Chori Frosh communities: a story of marginalization,” Samuel Hall and UNICEF, 2011; Maira Kuppers, “Stateless in Afghanistan,” Stateless in Afghanistan (Forced Migration Review, May 2014).

21- “Principles on Identification for Sustainable Development – Relevance and Best Practices in Central Asia, OSCE/ODIHR Meeting Report,” OSCE, May 20, 2021.

22- “Afghanistan Civil Registration and Vital Statistics Country Strategic Plan 2016 to 2020,” United Nations ESCAP, December 2015, 11.

23- Ibid.

24- Khalid Ikram, Saeedzai, and Fazli, “Maximizing Completeness of Data and Instilling Trust in Birth Registration in Afghanistan.”

25- Carla Abouzahr et al., “Strengthening Civil Registration and Vital Statistics in the Asia-Pacific Region.”

## Changes to documentation processes since August 2021

### A) Paper tazkira / e-tazkira

According to the 2014 Law on Registration of Population Records, all Afghan citizens must possess a national identity card, the tazkira. In practice, the cards are held by around 60 percent of the population.<sup>27,28</sup> Six versions of the paper tazkira were in circulation at the time of the government change in August 2021, with variances in appearance and application procedures by district. Officially, the application process entails the submission of an application form, photographs, a copy of a relative's tazkira, and an attestation of identity. Paper tazkira applications are carried out either in an applicant's hometown or in Kabul, if accompanied by a letter of permission.

The application previously cost 10 AFN and the card was issued with a validity period of 5–10 years. Although not stipulated by law, the document includes the holder's name; the name of the holder's father and paternal grandfather; and the holder's place of birth, civil status, gender, native language, occupation, physical characteristics, address, and current place of residence. Tazkiras are signed by the district manager of the region where they are issued. The high variability in tazkira application procedures and format led to debates under the former GoIRA regarding which versions should be considered acceptable forms of legal identity. Under the DfA, old versions of tazkiras and e-Tazkiras are generally accepted.

Former President Karzai prioritized introducing the e-tazkira – a plastic identity card with a biometric chip – ahead of the 2014 presidential elections to reduce voter fraud. Expediting the introduction of the e-tazkira

meant that little time was allocated to the testing and correction of technical issues and discussions on the design and content of the document. Although the government based the design of the e-tazkira on the paper version, additional procedures were added to verify the identity of applicants – adult applicants were now required to provide biometric data and appear in person to the local authorities. The listing of ethnic groups on the tazkira, supported by former President Ghani, sparked widespread criticism across the country. Non-Pashtun ethnic groups were opposed to their nationality being recorded on the tazkira as “Afghan,” as many perceive the term to be synonymous with Pashtun and thus an inaccurate representation of their ethnic identity. The government rejected a decree proposed in 2017 to include nationality, religion, and ethnicity on the tazkira, and debates persisted as politicians continued to propose amendments to the law up until August 2021. However, current e-Tazkiras include nationality, ethnicity, and religion.

The price of an e-tazkira has increased to 300 AFN and 100 AFN for the paper tazkira, which is a cost that is prohibitive for many Afghans, especially given the current humanitarian and economic crisis. Research for this report found that people are opting to apply for a paper tazkira because there are less delays, and because the DfA have stated that the paper tazkira could be used to procure a passport, compared to the former GoIRA, which required an e-tazkira. However, the types of tazkiras (paper vs biometric) being issued vary depending on province.

27- “Absentee Tazkira,” Embassy of the Republic of Afghanistan, Oslo, Norway, accessed December 2022.

28- “Report Afghanistan: Tazkira Analysis of National ID Cards and the Lessons for Afghanistan,” *Indian Law Review* 2, no. 2 (April 2018): pp. 159-177., Passports and Other ID Documents,” Landinfo: Country of Origin Information Centre, May 22, 2019, 5.

29- “Access to Tazkira and Other Civil Documentation in Afghanistan,” Samuel Hall and NRC, November 8, 2016, 17.

30- “The World Identity Organization,” The World Identity Organization, accessed July 18, 2021.

31- Report Afghanistan: Tazkira, Passports and Other ID Documents,” Landinfo, 10.

32- Adili and Bjelica, “The E-Tazkira Rift: Yet Another Political Crisis Looming?,” *Afghanistan Analysts Network - English*, February 22, 2018.

33- Menafn, “Afghanistan- Paper ID Cards Validated without Government Verification,” *Afghanistan- Paper ID cards validated without government verification (MENAFN.COM)*, January 1, 2021).

34- Bjelica and van Bijlert, *The Troubled History of the E-tazkira (Part 1): Political upheaval* (Afghan Analysts Network, January 25, 2016).

35- M. Bashir Mobasher, “Identity Cards and Identity Conflicts: A Cross-National Analysis of National ID Cards and the Lessons for Afghanistan,” *Indian Law Review* 2, no. 2 (April 2018): pp. 159-177.

36- M. Bashir Mobasher, “Identity Cards and Identity Conflicts.”

37- Hamid Shalizi, “Who Is an Afghan? Row over ID Cards Fuels Ethnic Tension,” *Reuters* (Thomson Reuters, February 8, 2018).

## B) Passports

Afghan passports were handwritten until 2012, when the government began to issue machine-readable biometric passports. At the end of 2017, handwritten Afghan passports were deemed invalid.<sup>38, 39</sup> No recent data were found on the percentage of passport holders in Afghanistan.<sup>40</sup> However, in 2016, around 900,000 biometric passports had been issued in total. Under the previous government, passports were issued for five years and must be renewed, and they are issued either in the province from which the applicant or the applicant's family originated or in Kabul. Under the de facto authorities, adults can only apply for ten-year passports. However, exceptions to this rule are possible if an applicant has resided for more than ten years in a different locality.<sup>41</sup> Tazkiras are prerequisites for obtaining passports – under the DfA, both paper and e-Tazkiras are accepted as part of passport applications.<sup>42</sup> Ordinary, non-diplomatic passports cost 5,000 AFN under the former government.<sup>43, 44</sup> The price has increased under the DfA to 10,400 AFN. The need for passports in Afghanistan remains urgent – however, many with plans to exit the country were forced to stay behind, as they lacked valid passports.<sup>45</sup> Passports and tazkiras are often required to obtain special immigrant visas (SIVs), and the procedures for acquiring documents is difficult under the current context, due to closed consulates, Taliban checkpoints, and destroyed documents.<sup>46</sup>

## C) Civil registration

Systems of civil registration vary by province – both prior to following August 2021. The recording of vital life events such as births, marriages, and deaths of citizens fell under the jurisdiction of the Afghanistan Central Civil Registration Authority (ACCRA) until 2019, when ACCRA merged with the NSIA. Prior to the merger, ACCRA registration offices in 364 out of the 400 districts provided training for officials to conduct birth, marriage, death, and divorce

registration under the former GoIRA. Some districts lacked a registration office due to poor security conditions, which limited people in these areas from obtaining documentation.<sup>47</sup> Under the previous government, provincial and district registration offices were required to submit civil registration data through a monthly vital statistics report containing information on births, marriages, deaths, migration, and divorces to the ACCRA, then transmitted to the National Statistics and Information Authority (NSIA). Following the merger, NSIA offices at the national and provincial level were in charge of registering and issuing births, deaths, and ID registration. This remains the case under the DfA, based on interviews carried out with NSIA officers in Balkh, Herat, Nangarhar, and Kandahar provinces. National legislation requires all civil events to be registered in a timely manner.<sup>48</sup> In 2017, a new standard operating procedure made public health staff and hospital staff responsible for recording births and reporting data to the NSIA. Despite this, deteriorated security conditions and few resources in some provinces mean that birth registration remains inconsistent.<sup>49</sup> According to World Bank data, completely registered births accounted for solely 42.7 percent of estimated total births throughout the country.<sup>50</sup>

Although Afghan law requires the registration of every marriage, data on the percentage of marriages registered throughout the country remain non-existent. Relatively few people, especially in rural areas, are believed to obtain marriage certificates and tend to seek one only for specific purposes, such as when making the Haj pilgrimage or migrating abroad.<sup>51</sup> Previous studies carried out by Samuel Hall found that marriage is often considered to be more of a religious issue to be handled by religious institutions or leaders than a civil registration or government issue. This impacts public perceptions of which rules and laws apply and who the relevant authorities are.<sup>52</sup>

38- "Immigration and Refugee Board of Canada" (The United States Department of Justice, February 13, 2018).

39- Ibid.

40- "Afghanistan Launches Online Passport Application Service," TOLONews, January 14, 2016.

41- Report Afghanistan: Tazkira, Passports and Other ID Documents," Landinfo.

42- Samuel Hall and NRC, "Access to Tazkira and Other Civil Documentation in Afghanistan," 14.

43- Report Afghanistan: Tazkira, Passports and Other ID Documents," Landinfo.

44- Samuel Hall and NRC, "Access to Tazkira and Other Civil Documentation in Afghanistan".

45- Stewart Bell, "Afghans Who Helped Canada Stranded at Kabul Airport Due to Passport Rule, Group Says," Global News, August 10, 2021.

46- Nadia Abramson, "Wasting My Time in the Waiting Line: Solutions for Improving the Afghanistan and Iraq Special Immigrant Visa Programs," Virginia Journal of International Law 55, no. 483 (2014).

47- "UNICEF Report: Status of Civil Registration and Vital Statistics in South Asia Countries" (UNICEF, 2018).

48- "Afghanistan Civil Registration and Vital Statistics Country Strategic Plan 2016 to 2020," United Nations ESCAP, December 2015, 11.

49- Mohammad Khalid Ikram, Amrullah Saeedzai, and Khalid Fazli, "Maximizing Completeness of Data and Instilling Trust in Birth Registration in Afghanistan: Findings from Three Provinces" (UN ESCAP, 2018).

50- "Completeness of Birth Registration, Male (%) - Afghanistan," World Bank, accessed August 10, 2021.

51- "UNICEF Report: Status of Civil Registration and Vital Statistics in South Asia Countries."

52- UNICEF, Child Marriage in Afghanistan: Changing the Narrative (2018), 23.



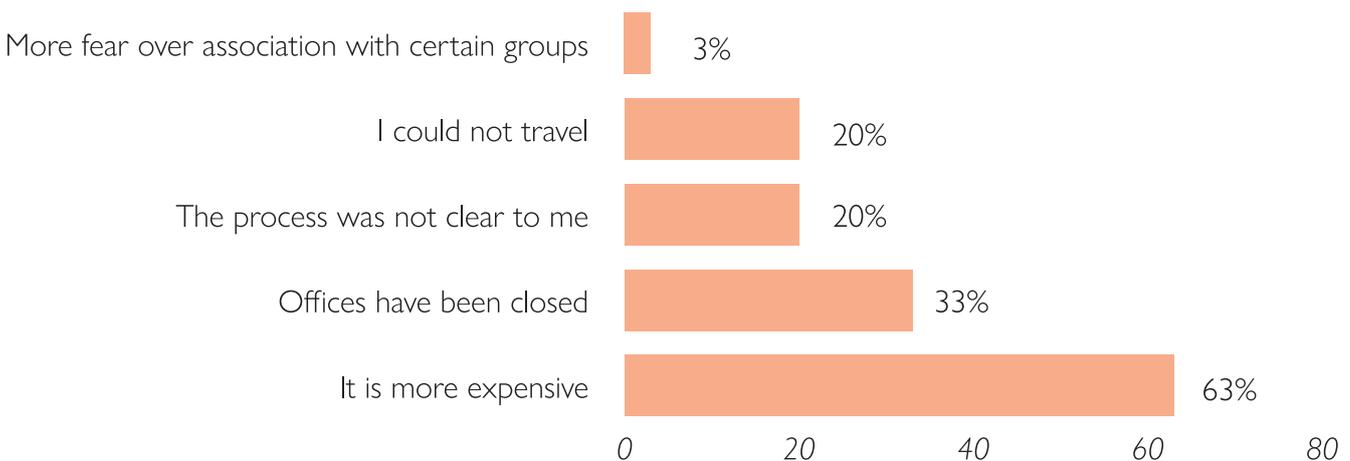
# LEVELS OF ACCESS TO DOCUMENTATION IN AFGHANISTAN

This section provides i) a general overview of access to identification and civil registration documentation in Afghanistan under the DfA, ii) key challenges faced by particular groups in accessing documentation, and iii) greatest documentation needs in Afghanistan under the DfA. This section also includes changes and procedures – including changes to cost of documentation – and their impact on people’s access under the DfA.

## 1. OVERVIEW OF ACCESS TO IDENTIFICATION AND CIVIL REGISTRATION DOCUMENTATION

Figure 1: Changes in Access Levels under the DfA – Phase I Respondents

Why has documentation/identification become harder to access since August 2021?



The DfA are actively trying to increase access to identification documents - notably passports - in Afghanistan – as they see these documents as a source of income for their government. Passport and visa income accounted for a portion of the DfA's \$2 billion 2022 budget. Since taking power in August 2021, the DfA have issued 700,000 passports, earning an estimated \$50 million in revenue. New offices have been opened in Kabul in order to help processing and distributing identification documents - notably passports. The price of passports has increased from 10,000 AFN – from 5,000 AFN in 2021 as the DfA are now issuing passports for 10 years. Passports could be issued for 5 and 10 years under the previous government. Passports have become a lucrative business for the DfA, especially given that having this document does not guarantee Afghans can enter other countries.<sup>52</sup>

The DfA have also increased the price of e-Tazkiras from 100 AFN to 300 AFN. The DfA have also become increasingly interested in biometric technology. Unlike the previous government, who mostly used it for passports and e-Tazkiras, it has been reported that the DfA are now interested in collecting biometric data on homeless people, beggars, and criminals within Afghanistan. This is why they are increasingly promoting Tazkira possession across Afghanistan. The DfA have even used biometric data to carry out identity checks at checkpoints across the country – which include photos, taking fingerprints, and iris scans.<sup>54</sup>

However, despite this, the overall consensus amongst Afghans interviewed is that identification and civil registration documentation have become more

difficult to access under the DfA. Survey respondents throughout all 34 provinces cited higher prices, followed by office closures and lack of clarity regarding processes as key barriers. This was confirmed by those interviewed in Balkh, Herat, Nangarhar, and Kandahar, who confirmed that the price increases for e-Tazkiras and passports, combined with the cost of travelling, have been the largest barrier to procuring documentation since August 2021, given the widespread economic and humanitarian crises that have resulted in widespread unemployment. Furthermore, office closures, and reduced number of staff and resources have hampered access to documentation generally under the DfA. For example, under the previous government (GoIRA), there were many offices in districts where people could get Tazkiras and e-Tazkiras. Currently, however, there are only a few offices that are equipped with the necessary resources to issue these documents. This has caused the processes for applying for documentation to become time-consuming, and people have to wait for months to get their e-Tazkiras, passports, and marriage certificates in particular. Community leaders in Balkh, Herat, Kandahar, and Nangarhar provinces – who were involved in processing documentation requests for their community members under the former and current government regimes – stated that there were more facilities under the GoIRA. Processes were faster overall under the previous government<sup>55</sup>

53- La Prensa Latina, "Taliban to monitor over 6,000 'professional' beggars in Kabul," October 6, 2022.

54- Rina Chandran, Orooj Hakimi, "A year on, Afghans hide out fearing death by data," Context News, August 8, 2022.

55- KII3 Nangarhar Province, Community Leader, 19 November 2022.

Some interviewees felt that the DfA were intentionally understaffing and closing offices for passports to prevent people from migrating abroad, as this would undermine the DfA's legitimacy as a governing authority.

“ A man interviewed in Herat province “In my opinion, the closure of the passport office is an intentional act by the Taliban for two reasons: many people intend to go abroad, which will destroy the internal legitimacy of the Taliban. Second, with the closure of the passport office, the Taliban want to pressure the countries accepting immigrants and take concessions from them.”<sup>56</sup>

Another interviewee in Nangarhar felt that the issue was not access, but rather that employees under the DfA were not carrying out their jobs as they should, stating

“ ...they always tell the people that because you all want to leave an Islamic country and go to a foreign country, so we won't give you those documents. Based on my information, currently passports and marriage letters are the hardest documents to get, and the only and easiest document you can get is a paper national ID [paper tazkira].”

In Jalalabad, many offices for processing documents are closed. A community leader in Nangarhar, who is involved in helping community members access documentation under both regimes, stated

“Their [the DfA] policy is not to let people go to foreign countries. Although they have failed to make a proper situation for the people, they still do not allow them to go to other countries to support their families.”<sup>57</sup>

One interviewee within the Ministry of Internal Affairs

confirmed that the DfA want Afghans – specifically young people – to stay in Afghanistan, stating,

“Passport procedure is limited to patients who have been certified to go abroad for treatment. We need young people by our side to build the nation and the country. As a result, we want the young generation to stay and not leave the country.”<sup>58</sup>

Although travel has become restricted, the demand for passports has increased as previous experience has shown that passports are crucial during times of crisis. Many people have been unable to access a passport and leave the country. People were unhappy about the long processes. After August 2021, the need for passports has increased – competition is high, which has increased levels of corruption, as people are desperate for passports. Furthermore, there are now additional requirements that have been introduced since August 2021 – for example, if someone has a sick family member, a doctor's note is required in order to justify getting a passport. People experienced more challenges procuring passports compared to tazkiras / e-tazkiras overall.

56- SSI6 Herat Province, Host man, 19 November 2022.

57- KII3 Nangarhar Province, Community Leader, 19 November 2022.

58- KII2 Kabul Province, Ministry of Internal Affairs, 12 December 2022.

## Paper Tazkiras / e-Tazkiras

Table 3: Number and percentage of interviewees with paper Tazkiras and e-Tazkiras by province

Province	Respondents with Tazkiras	Percentage of Respondents	Respondents with e-tazkiras	Percentage of respondents
Balkh	23	88%	13	50%
Herat	20	100%	10 <sup>59</sup>	50%
Kandahar	17	85%	12	60%
Nangarhar	19	86%	7	32%
TOTAL	79	89%	42	47%

Overall, paper Tazkiras were the most commonly reported documents people had in all four provinces – 89 percent of those interviewed during Phase II had the document. All interviewees in Herat province had a Tazkira, compared to 85 - 88 percent of those in Balkh, Kandahar, and Nangarhar provinces. However, in most cases, if people did not have a paper Tazkira, they tended to have an e-Tazkira. E-Tazkiras were much less common, with slightly less than half of all interviewees possessing an e-tazkira. Interviewees in Kandahar province were the most likely to have the document (60 percent) and least likely to have them in Nangarhar province (32 percent) out of the sample interviewed. Under the DfA, when people are able to apply for e-Tazkiras, they will do so – even though having e-Tazkiras is not compulsory under the DfA, people still prefer to get it over paper Tazkiras. Many interviewees in all four provinces had applied for e-Tazkiras under the DfA. Those who lack any form of identification will choose to get an e-Tazkira rather than a paper Tazkira if it is available to them.

All respondents faced challenges in obtaining e-Tazkiras / Tazkiras – citing long distances to travel, inability to pay for the document, and lack of information about the process. Survey respondents who obtained Tazkiras in Kunduz were most likely to report challenges, followed by those in Ghazni, Balkh and Kandahar provinces. Those interviewed during Phase II who had applied for an e-tazkira under the DfA reported challenges in access, namely associated

with processing times, higher prices (government fees and the cost of travel), and confusion about the process in general. Under the DfA, some participants spoke about spelling and age mistakes on Tazkiras, which are more common for those applicants who lack birth certificates.<sup>60</sup> Although this occurred under the previous government, the issue has become exacerbated under the DfA due to changes in staff due to former staff leaving the country or being fired. Women interviewed in Kandahar province reported similar mistakes with their e-Tazkiras, which they were required to pay to correct, stating,

“When we went to collect our IDs after a month, there were some errors in our IDs, which were not our fault because the forms were filled correctly; however, they sent us to Sarai Shamali for correction, and we paid 500 AFN for each tazkira and collected our tazkiras after almost two months.”<sup>61</sup>

Many interviewees attributed this issue as well to the lack of literate staff currently working in offices for processing e-tazkiras in particular.

One woman in Kandahar province stated, “currently the problem is that the ongoing government has terminated most of the previous staff, and most of the current staff are illiterate and are not able to spell the names correctly.”<sup>62</sup>

59-This number includes those who have received e-Tazkiras – an additional 5 interviewees had pending e-Tazkira applications.

60- SSI9, Herat Province, Unaccompanied Minor, 19 November 2022.

61- FGD1 Kandahar Province, women (hosts, IDPs, returnees), 30 November 2022.

62- FGD1 Kandahar Province, Women (hosts, IDPs, returnees), 30 November 2022.

## Passports

Table 4: Number and percentage of interviewees with passports by province

Province	Respondents with Passports	Percentage of Respondents
Balkh	7	29%
Herat	6	45%
Kandahar	6	30%
Nangarhar	9	45%
TOTAL	28	32%

Around one third of interviewees in Phase II had passports (32 percent), with interviewees in Herat and Nangarhar the most likely to have a passport. In Kandahar, men were more likely than women to have passports. The other provinces were evenly split between men and women who had passports.

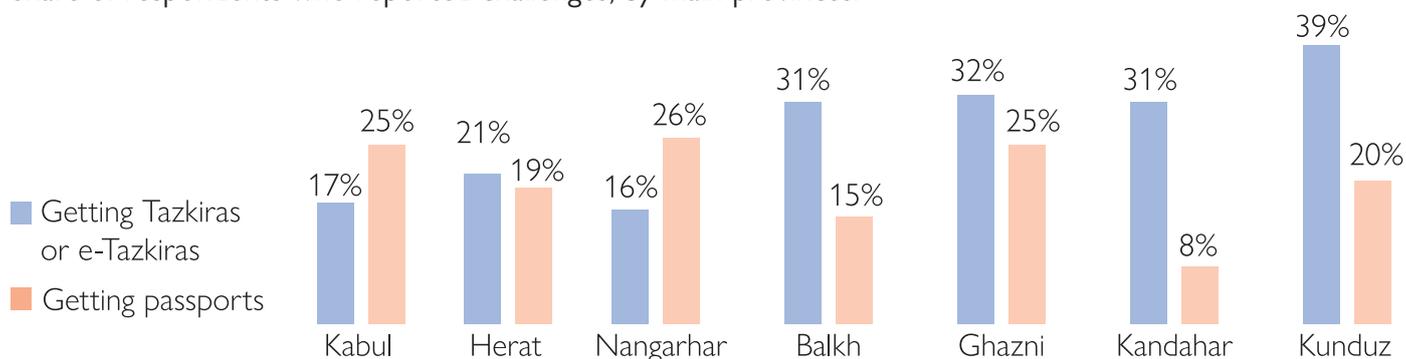
Under the DfA, there is increased interest in procuring passports. However, most people who have applied for passports under the DfA have encountered severe challenges. Not having enough money to pay documentation fees and the associated travel costs to go to the Kabul Central Passport Department - which is the only place issuing passports under the DfA - was the most common challenge, long queues, as well as interviewees who said authorities told to come back because there were too many people. This reflects the key challenges in accessing passports under the DfA, which have included office closures at the provincial level, bottlenecks due to lack of capacity to process the volume of new applications, and the increase in cost of passports (from 5,000 – 6,000 AFN to 10,000 – 12,000 AFN). Under the former GoIRA, more people were able to afford paying 5,000 - 6,000 AFN – although passports are now being issued for 10 years in lieu of 5 years, the majority of Afghans are unable to pay the higher fees and associated costs of travelling to Kabul. Some interviewees reported having to remain in Kabul while their passport processed – which in some cases required them to borrow money from relatives and quit their jobs. Many people also spoke of the risk of travelling all the way to Kabul,

only to find that there was an error in processing their documentation due to the increased levels of miscoordination and processing delays under the DfA. Given the economic situation of most Afghans under the DfA, many people cannot afford to take this risk.

Although the DfA have eliminated the e-tazkira requirement and accept paper Tazkiras in passport applications, the difficulties faced in procuring passports have led many to assume that the bottlenecks, price increases, and office closures are deliberate tactics used by the DfA to discourage people from leaving the country. People reported processing times of between 5 – 7 months after they had their biometric appointments in Kabul. As of October 2022, the passport department in Kabul is closed and is no longer issuing passports at present, save via informal procedures for those who have personal connections and/or enough money to pay higher prices (often 2,000 - 3,000 USD). On October 8, 2022, the Directorate General of Passport in Kabul issued a notice via their Instagram account announcing that the passport distribution process has been stopped until further notice. This department, which is under the control of the DfA, said that the printing machines and other equipment of this department need to be repaired and until the work is completed, it will stop the distribution of passports for an indefinite period. At the time of writing, no announcements have been made signalling the re-opening of the passport office.

Figure 2: Percentage of Phase I Survey Respondents who Reported challenges in getting Tazkiras and passports

Share of respondents who reported challenges, by main provinces:



## Civil Registration Documents (Birth, Marriage, and Death Certificates)

Figure 2: Percentage of Phase I Survey Respondents who Reported challenges in getting Tazkiras and passports

Province	Respondents with Birth Certificates	Percentage of Respondents	Respondents with Marriage certificates	Percentage of respondents	Respondents with death certificates	Percentage of respondents
Balkh	15 <sup>63</sup>	58%	5 <sup>64</sup>	19%	1	3%
Herat	10 <sup>65</sup>	50%	9 <sup>66</sup>	45%	0	0%
Kandahar	7	35%	1	5%	3	15%
Nangarhar	4	18%	0	0%	0	0%
TOTAL	31	37%	15	17%	4	5%

Birth certificates were the most commonly held forms of civil registration documentation in the four provinces – with around half of all interviewees in Balkh and Herat province reporting that members of their households held these documents. However, nearly three quarters of those in both provinces who had birth certificates only had them for their children – not themselves. Few people had marriage certificates (17 percent) – and nearly half of those who had the document did not have an official marriage certificate. Interviewees in Herat were the most likely to have marriage certificates, with interviewees in Nangarhar the least likely – with no interviewees

having this document. Only 4 interviewees total had death certificates – most of whom were in Kandahar province.

Overall, the current generation of Afghan children has higher levels of birth certificate possession compared to older generations. Children who are born in hospitals or health clinics are given a card – which must be officially stamped and signed by the civil registry in order to be valid. Many people are unaware of this step – thus many people who claimed their children had birth certificates may not have one that is considered to be official.

63- 13 out of the 15 birth certificates were for children only .

64- 2 out of 5 were unofficial marriage certificates.

65- 5 out of 10 birth certificates were for children only.

66- 5 out of 9 were unofficial marriage certificates.

Children who are born at home are highly likely to lack a birth certificate – pointing to potentially a lack of awareness about how to register births outside of hospital or clinical settings in Afghanistan. This was more common in rural areas compared to urban areas.<sup>67</sup>

This geographical distinction could put the child in question in a situation of disparity, compared to children in urban areas, as lacking a birth certificate<sup>68</sup> could impact ability to get documentation in the future. One woman interviewed in Balkh Province had an empty birth certificate and recorded her daughter's details in it – but this is an isolated case of someone's child born outside of a hospital having a birth certificate. People felt that overall, birth certificates were the easiest documents for people to get in Afghanistan, as they are issued free of charge by hospitals and health clinics. However, this is only a first step, and requires a second step to ensure the birth approved officially, which interviewees in Herat province stated created logistical challenges – as people are required to visit several offices. Many are either unable to afford the transport required to visit these offices or do not know where the offices are located<sup>69</sup>. Awareness about this second step required to register birth certificates appeared to be low amongst those interviewed.

Several community leaders and lawyers interviewed in Nangarhar Province in particular expressed that DfA members will not issue marriage certificates if people are requesting it to go abroad and leave Afghanistan.<sup>70</sup> This was confirmed by interviewees who had attempted to procure marriage certificates under the DfA.

One interviewee in Nangarhar province stated that the DfA refused to give her and her husband a marriage certificate, stating, “The other day we wanted to get a marriage certificate, but Mullah told my husband that you are getting it to go abroad; therefore, it is not being issued now. He told him that there is no need for a marriage certificate.”<sup>71</sup>

Another interviewee in Balkh province confirmed that the DfA were not issuing marriage certificates at all, due to high demand under the DFA.<sup>72</sup> Two interviewees within the Ministry of Internal Affairs stated that distribution of marriage certificates had ceased, due to limited numbers of booklets.<sup>73</sup> Anyone who requires this document must have a confirmation letter stipulating why they require a marriage certificate in order to receive it – however many people lack information about the process.<sup>74</sup>

Death certificates were the document people surveyed and interviewed were least likely to have – this was given the least priority for most people. In Afghanistan, people only apply for death certificates if they are required for legal cases, or to receive money from the Department of Martyrs and the Handicapped in cases where an immediate family member has died not of natural causes. However, under the DfA, the government authorities have only been paying out certain pensions on an inconsistent basis – which has decreased people's overall willingness to get this document even further.<sup>75</sup>

67- SSI1 Balkh Province, IDP Woman, 19 November 2022; SSI4 Balkh Province, Host Woman, 19 November 2022.

68- SSI4 Balkh Province, Host Woman, 19 November 2022.

69- FGD1, Herat Province, 19 November 2022.

70- KII1 Nangarhar Province, Lawyer, 19 November 2022; KII3 Nangarhar Province, Community Leader, 19 November 2022; KII4 Nangarhar Province, Deputy Community Leader, 18 November 2022; KII5 Nangarhar Province, Lawyer, 20 November 2022.

71- FGD1 Nangarhar Province, Women (hosts, IDPs, returnees), 18 November 2022.

72- SSI9 Balkh Province, IDP Man, 19 November 2022.

73- KII2 Kabul Province, Ministry of Internal Affairs, 12 December 2022.

74- KII1 Kabul Province, Ministry of Internal Affairs, 12 December 2022.

75- KII1 Herat Province, Head of District and People's Local Council, 20 November 2022; KII2 Herat Province, Head of Community Development Council, 20 November 2022.

## 2. KEY CHALLENGES FACED BY CERTAIN GROUPS IN ACCESSING DOCUMENTATION

Certain groups face particular challenges in accessing identification and civil registration documentation under the DfA: namely women, displaced persons, children, ethnic and religious minority groups, and former government employees. The research revealed factors that facilitate better access to documentation, as well as markers of inaccessibility.

Who has better access to documentation under the DfA? The research found that there are several factors that contribute to better access – namely financial means, personal connections, and living in urban areas. Those with financial means are typically able to afford the services of middlemen, who charge a fee in order to fill out forms and generally walk people through the process of procuring documentation. Those who had personal connections within the ministries and institutions processing documentation were able to better access documentation under the DfA including members and supporters of the DfA; those with community leaders, family, neighbours, or friends who knew the system and could inform others; educated people who were more comfortable entering official buildings; and co-ethnic groups well represented in the DfA.

What are the markers of inaccessibility? Gender, displacement status, education, and age were the key markers of inaccessibility, based on the research conducted. Under the DfA, women are required to be accompanied by a male companion in order to apply for identification and civil registration documentation. Other key challenges include - husbands not wanting their wives to interact with unknown men in government offices and unwillingness to have women's pictures on ID cards. Under the DfA, some men also believe that identification and civil registration documents are only necessary for those currently working – as women are barred from most professions under the DfA, opinions on acquiring documentation for women have shifted. Another associated challenge is lack of knowledge - many women who have not received formal education

generally are of the opinion that they will not understand people in official government buildings, or feel that only those who are educated can understand the process of acquiring documentation. Both returnees and IDPs face additional difficulties, related to their displacement, in accessing identification and civil registration documentation, which deprives them of many crucial services – significantly humanitarian aid under the DfA.

IDPs and returnees face challenges in accessing documentation within their host communities, as host members often do not want to act as a witness for people applying for Tazkiras. Age and education levels also impacted access regardless of gender, ethnicity, or location. Although there are specific guidelines requiring personnel to help illiterate people to fill up their forms, illiteracy and lack of education remain key factors that prevent people from actively getting documentation – as many do not feel comfortable entering official offices, or are unable to read any of the written awareness programs about the importance of having identification.

Age also remains a key factor in determining access to documentation, as children's legal identity remains tied to their parents Tazkira until age 7, after which they are usually required to procure paper or e-tazkiras in order to register for school. If their parents lack documentation, this typically means their children will also lack it. Unaccompanied minors and child heads of household are also more likely to lack documentation.

## Women

Women's access to documentation was already challenging prior to August 2021 – but challenges have grown. Under the DfA, women are required to be accompanied by a male companion in order to apply for identification and civil registration documentation.

One woman interviewed in Herat province stated, “The Taliban are very sensitive to the issue of Mahram and do not listen to anyone in offices without Mahram.”<sup>76</sup>

If women are accompanied by a mahram, they are not required to carry their Tazkiras. This has dissuaded or prevented many women from attempting to access documentation under the DfA, as men are often unable to forgo work to accompany their wives to get documents.

One interviewee in Herat province stated, “I am trying to get documents for my daughter. My husband must accompany me to the office, but he is unable to do so because he must go to work. Therefore, we have not been able to get all the required documents since the Taliban seized power.”<sup>77</sup>

Women also face cultural barriers – many women refuse to enter tazkira offices in general, and rural women rarely request e-Tazkiras.

“One woman interviewed in Herat province stated, “One of the problems women face is that only men are in government departments under the current rule, which makes women feel uncomfortable. When [women] talk to men, they don't listen...Men can get the documents earlier because the employees are men, and they are comfortable.”<sup>78</sup>

Furthermore, many administrative officers no longer accept women due to female staff shortages – male authorities are also not comfortable interacting with women.

Cultural and societal norms also act as barriers to accessing documentation: Other key challenges include husbands not wanting their wives to interact with unknown men in government offices and unwillingness to have women's pictures on ID cards. Under the DfA, some men also believe that identification and civil registration documents are only necessary for those currently working – as women are barred from most professions under the DfA, opinions on acquiring documentation for women have shifted.

Another associated challenge is lack of knowledge – this was one of the main reasons given by women surveyed during Phase I, and was mentioned by many women interviewed during Phase II. One returnee from Balkh province estimated that around 90 percent of women are unaware of the process to obtain tazkiras, due to low literacy levels throughout the country for women. Many women who have not received formal education generally are of the opinion that they will not understand people in official government buildings, or feel that only those who are educated can understand the process of acquiring documentation.<sup>79</sup>

76- FGD1, Herat Province, Women, 19 November 2022.

77- SSI8, Herat Province, Host woman, 19 November 2022.

78- FGD1, Herat Province, women, 19 November 2022.

79- SSI5 Balkh Province, Female returnee, 19 November 2022

Women who are head of their households face many challenges and barriers to accessing documentation under the DfA. First, they have to seek representation. They have to seek representation:

- For each document, they must reach out to the community representative (malek) to receive the required confirmations for ID documents. This process is even more complicated for IDP female heads of households, as they are required to travel back to province of origin to get ID, which is complicated for women under the DfA, due to a combination of mahram requirements and the cost of travel. This has prevented many women IDPs, as well as widows, from accessing aid. One community leader in Herat province outlined,

“There are many poor and needy IDP women in our district, as well as widows who are the head and the only breadwinner of their families. Although they are eligible and have all the requirements to receive aid from organisations, instead of being the priority for charity and aid programs, they are deprived and forgotten, just because they do not have a tazkira.”<sup>80</sup>



- Their administrative status was never updated: Female-headed households reported challenges

## Displaced Populations (IDPs, returnees)

Both returnees and IDPs face additional difficulties, related to their displacement, in accessing identification and civil registration documentation, which deprives them of many crucial services – significantly humanitarian aid under the DfA. IDPs and returnees face challenges in accessing documentation within their host communities, as host members often do not want to act as a witness for people applying for Tazkiras - as interactions between the two groups are limited, more so under the DfA. One community leader in Balkh stated that it was challenging for him to confirm request letters received from returnees and IDPs in his community due to this issue.<sup>82</sup>

getting e-Tazkiras for their children in the absence of their husbands under the DfA. Many women initially obtained a paper Tazkira as part of a family application with their fathers – thus, their status is listed as single. Many women do not change their status to “married” once they do get married – thus, their status remains officially listed as “single women.” This is likely because once married, most of the responsibilities outside the home that require a Tazkira are carried out by their husbands – such as registering children for school or paying bills. However, for those women whose husbands went abroad after August 2021 due to the economic and/or political situation, or women whose husbands are deceased, getting documentation – such as e-Tazkiras - for their children is challenging, as it typically requires they first change their status to “married”<sup>81</sup>. Furthermore, in cases where married women are the heads of households, they are required to fill out a form, as if this is not registered officially, they must go to the e-Tazkira office with their husband, who is assumed head of household until this is changed. This is challenging for women heads of household whose husbands are currently abroad, or who have passed away – as they are unable to change this registration without them.

Displaced people must go back to their place of birth in order to procure a paper Tazkira. This is partially because paper tazkira records are not available online in one database and must be checked in archives. In certain cases, IDPs who have been settled in the community for a few years or have purchased land or homes are typically not required to go back to their place of birth to get Tazkira. When the maliks / wakils of the community confirms that a particular IDP lived for a few years in the community and/or has a house or land, IDPs can apply for a tazkira in their current location. However, this practice is not widespread and at present, IDPs are still required to validate their paper tazkiras in their province of birth in order to apply for an e-tazkira.

80- KII1, Herat Province, Head of District and People’s Local Council, 19 November 2022.

81- SS15 Balkh Province, Returnee Woman, 19 November 2022.

82- KII1 Balkh Province, Community Leader, 19 November 2022.

There is widely documented discriminatory behaviour towards IDPs throughout Afghanistan – especially those who lack a tazkira – paper or biometric. In order to rent houses without a tazkira – paper or e-tazkira – IDPs require confirmation of community. If the IDP does not have any land or property deeds and is not accepted by the community, they are required to return to their province of origin in order to procure the necessary documents. However, when IDPs go to their original community to have their documents verified, sometimes, the current community leader will refuse to stamp their documents because they do not personally know the person – especially in cases where the person in question has not lived in the community for several years, or the community leader has changed.

Furthermore, sometimes no one within IDPs' community of origin will validate their identity – especially if it has been years since they left.<sup>83</sup> This process is also often fraught with other access challenges such as poor road infrastructure or dangerous pathways. Internally displaced respondents

surveyed during Phase I were more likely than returnees and non-displaced interviewees to list inability to travel as another reason behind more difficult access.<sup>84</sup> Returnees were also more likely to fear being associated with certain groups in comparison to IDPs and non-displaced respondents surveyed during Phase I – likely due to being associated with western countries. Returnees being rejected for standing out as a westernized, non-traditional people who will not fit with the dominant culture and norms at home. There is a widely held perception in Afghanistan that returnees from the West have been westernized, in some cases even “contaminated.”<sup>85</sup>

Displaced women and girls struggle to access documentation in particular. Due to their displacement status, it is a challenge for them to have proper access to documentation, especially in rural areas. Most of these women and girls who live in remote, rural villages are illiterate, so they are not well informed about documentation procedures. Most of them are poor and cannot afford to travel to provincial capitals or Kabul to process documentation.<sup>86</sup>

Table 6: Barriers faced by IDPs vs the general population in accessing identification

BARRIERS SPECIFIC TO IDPs AND RETURNEES	BARRIERS FACED BY ALL RESPONDENTS
High cost and risks associated with travelling to communities of origin	Associated government fees
Fear of being associated with certain groups due to identification	Confusion about the processes and requirements
Children more at risk of lacking documents and being marginalised	Lengthy and unpredictable processing times
Lack of connections in host communities to facilitate or provide information on the process	Fewer offices and understaffing

83- KI14 Nangarhar Province, 18 November 2022.

84- 23% of IDPs surveyed listed inability to travel as the reason behind more difficult access, compared to 17% of returnees and 17% of non-displaced respondents.

85- L. Schuster and N. Majidi, “What Happens Post-Deportation? the Experience of Deported Afghans,” *Migration Studies* 1, no. 2 (August 2013): pp. 221-240.

86- KI15 Nangarhar Province, Lawyer, 20 November 2022.

## Children – including unaccompanied minors

Although birth certificates are one of the most important documents for children to have – in order to prove their official age – less than half of Afghan children under the age of 5 have birth certificates, per the 2015 Demographic and Health Survey.<sup>87</sup> There are several reasons for this - inability to pay for associated transportation costs, lack of information, and a high level of illiteracy. A lawyer interviewed in Nangarhar province highlighted that the main difficulty with obtaining a birth certificate is that people are only able to do this in their own province for 6 years, after which, they are required to go to Kabul. Many people are unable to afford the cost of travel to Kabul – and in many cases prior to August 2021, roads were unsafe to Kabul from certain provinces.<sup>88</sup>

Female-headed households often struggle to get documentation for their children, as if their father is not present, children are typically unable to access paper Tazkiras and e-Tazkiras alike, which are required in Afghanistan to enrol children in school. This is especially true in cases where the father is deceased, and a death certificate – which is covered under Article 20 of the 2014 Registration of Population Law - is required in order to procure tazkiras, as highlighted by a lawyer interviewed Herat province.<sup>89</sup> Furthermore, children whose parents lack documents will be unable to get documents themselves, such as tazkiras, as children's tazkiras are provided based on their father's Tazkira. Thus, there is a domino effect when parents do not have any form of identification, as parents – namely the father – must get a Tazkira in order for their children to receive one.

Unaccompanied minors and child heads of households are often at a disadvantage especially if they had

no forms of identification, such as a paper tazkira, e-Tazkira, and/or birth certificate. In cases where fathers have died, other men in the family – such as uncles – are accepted as next of kin in proving identity – as mothers' identification are not accepted. However, sometimes they do not support their nephews or nieces in procuring identification, as outlined by an unaccompanied minor in Kandahar province.<sup>90</sup> As described by an unaccompanied minor in one province, children like him live in precarious situations, and are thus unable to take time off from earning money, or spend money required to get documentation. Furthermore, they are often not educated and are unaware of the processes and steps needed to get necessary documents in Afghanistan. However, their lack of any form of identification prevents them from getting “formal” jobs, often relegating them to employment in dangerous and precarious professions, such as informal work like bricklaying or collecting trash.<sup>91</sup> The unaccompanied minors and child heads of family interviewed in Herat and Nangarhar provinces were acutely aware of the prices of documentation – specifically for passports, which demonstrates how dominant discourse on getting passports to leave the country is in Afghanistan under the DfA. The unaccompanied minors interviewed in Herat province had paper Tazkiras and expressed desires to get passports in order to go abroad to better support their families.

“However, in addition to the barriers they faced due to the cost, concerns about safety remained, as one interviewee stated, “I am also worried about my safety because the Kabul-Herat-Kabul highway is insecure and there is a suicide and explosion every day.”<sup>92</sup>

87- Central Statistics Organization – Afghanistan et al. 2017. Afghanistan Demographic and Health Survey 2015. Kabul, Afghanistan. [dhsprogram.com/publications/publication-FR323-DHS-Final-Reports.cfm](https://dhsprogram.com/publications/publication-FR323-DHS-Final-Reports.cfm)

88- KII5 Nangarhar Province, Lawyer, 20 November 2022.

89- KII3 Herat Province, Lawyer, 20 November 2022.

90- SSI10 Kandahar Province, Unaccompanied Minor, 5 December 2022.

91- SSI6, Nangarhar Province, Unaccompanied boy, 20 November 2022.

92- KII3 Herat Province, Unaccompanied minor, 20 November 2022.

IDP children are particularly affected and at risk of being deprived of education, as their parents are required to travel back to their province of origin to get tazkiras. However, given that IDPs are often economically marginalised, this is often impossible, which has led to a higher likelihood of out-of-school IDP children.

Girls experience triple deprivation of documentation under the DfA, as outlined by the Head of District and Local People’s Council in Herat province.<sup>93</sup> Under the previous government, parents were often motivated to get documentation for themselves and their children in order to enrol their children in school. However, under the DfA, parents are less likely to get Tazkiras for their daughters, given the restrictions placed on girls attending school beyond 6th grade. This has contributed to – in some cases – parents deprioritizing

getting Tazkiras (both paper and e-Tazkiras) for their daughters, as they do not see the need under the DfA.

Lacking documentation places children at higher risk of child marriage and child labour. Although legally the age of marriage is 18 in Afghanistan, and an official certificate cannot be issued for anyone younger than 18, the DfA’s application of sharia law takes precedence over the constitution. According to a lawyer interviewed in Herat province, under Sharia law as applied by the DfA, once a girl is between 12 – 14 years of age, she is considered an adult and is thus eligible for marriage. This is compounded if the child lacks any documentation that might prove they are legally under 18 – without a birth certificate or an identification document such as a Tazkira or e-Tazkira, children are more at risk of being married underage.<sup>94</sup>

## Ethnic and Religious Minority Groups

Vulnerable groups, such as ethnic and religious minority groups, face more challenges accessing documentation in certain communities - especially those communities that are not majority Pashtun ethnicity or Pashto speakers, as most government employees do not understand Dari, which is spoken by most ethnic and religious minorities in Afghanistan, such as Hazaras. Knowledge of Pashto facilitates people’s access to and tasks carried out in governmental offices.<sup>95</sup> Interviewees from groups less represented in the DfA (Hazaras, Tajiks) claim that minority groups face discrimination whilst trying to access documentation under the DFA, as non-Pashto speakers are treated differently. There is a general feeling amongst many Hazaras and Tajiks interviewed – especially in Balkh and Herat provinces - that Pashto speakers are treated better under the DfA due to ethnic favouritism.<sup>96</sup>

One Tajik interviewee in Herat province spoke about his experience trying to access documentation, stating, “I went to the governmental offices for the processing of some documents or other purposes and

I saw that the officials of the offices treat well and solve the problems of Pashto speakers they do not have an interest in helping others like Tajiks and this issue makes me disappointed and concerned.”<sup>97</sup>

Some interviewees who were part of both ethnic and religious minority groups stated they had not faced any discrimination in procuring documentation under the DfA – however, they felt this was largely due to personal connections.

“ One Hazara woman interviewed in Balkh Province stated, “Although it is crystal clear that Hazaras are being persecuted and suffer from discrimination, we did not face discrimination during the registration process of getting e-Tazkira because we knew a person who helped us during the process. I know some people who waited for a long time to get documentation because they were Shias and Hazaras, especially during the current regime.”<sup>98</sup>

93- KI11 Herat Province, Head of District and Local People’s Council, 20 November 2022.

94- KI13, Herat Province, Lawyer, 20 November 2022.

95- KI11 Balkh Province, Community Leader, 19 November 2022.

96- FGD2 Balkh Province, Male interviewees, 19 November 2022.

97- SSI2, IDP man, Herat Province, 21 November 2022.

98- SSI7 Balkh Province, Returnee woman, 20 November 2022.

Hazaras reported being treated differently in state institutions, and some interviewees mentioned that each employee processes the work of people of their tribe and/or ethnicity first.

One Hazara man interviewed in Balkh province experienced discrimination in applying for a passport under the DfA, “I faced issues in the state institutions just because I was a Hazara. The officials had a different behaviour from me. To be more concise, they had a negative approach toward me. I needed the passport and went there early on, but they didn’t behave well with me.”<sup>99</sup>

Furthermore, some people expressed fear of having their identity on their Tazkiras, out of concerns they would discrimination and violence because of their ethnicity.

Some interviewees stated that it was more difficult for Shias to get official marriage certificates under the DfA, claiming that they took longer to process requests from Shias. He stated, “Now, they [the DfA] don’t recognize the Jafary religion. They don’t care about

the religious consul’s letter. Therefore, Shia religion faces more problems to get a marriage certificate. If a person needs a marriage certificate urgently, she/he should wait for a long time. They don’t recognize our religion therefore, they make us more problems, and they don’t accept your religious letters.”<sup>100</sup>

Although 99 percent of Afghanistan’s residents are Muslims, a lawyer interviewed in Herat stated that several ethnic and religious minority groups such as Jogis, Hindus, and Christians were not given national ID cards with their respective religion under any circumstances under the DfA.<sup>101</sup> All people are identified as Muslims in their Tazkiras, regardless of their actual religion. Although the current constitution of Afghanistan states that non-Muslims have the right to a Tazkira, officers who are currently employed Tazkira offices are not aware of this issue, and applicants are afraid of declaring any other religion outside of Islam out of fear of persecution.

## Former government employees

Afghans who had worked under the previous government are trying to leave, largely due to the economic and political challenges they face. Although when the DfA initially took power, they claimed they would provide all those employed under the former GoIRA with amnesty, they have been targeting people with affiliations to the previous government or western countries. Biometrics remain a threat for former government employees under the DfA, as there remain concerns that these systems and documents will be used by certain members to track down former government officials.

As one community leader in Balkh province stated, “If a former employee of the previous government goes through the biometric process while receiving Tazkira,

the employee may be identified and arrested because the regime is looking for such people. Although it is not dangerous for all people while receiving Tazkira, it is dangerous for certain people.”<sup>102</sup> ”

One interviewee in Nangarhar province was a former military employee who received a passport under the DfA – although he had reported no safety concerns thus far, he posited that the level of uncertainty and chaos during the fall of 2021. A key informant interviewed in the NSIA in Mazar-i-Sharif in Balkh province stated that at present, there are no security issues because the databases are not connected because of lack of budget.<sup>103</sup>

99- SS18 Balkh Province, IDP Man, 20 November 2022.

100- FGD3 Balkh Province, Men (Hosts, IDPs, Returnees), 6 December 2022.

101- KII3 Herat Province, Lawyer, 20 November 2022.

102- KII1 Balkh Province, Community Leader, 19 November 2022.

103- KII3, Balkh Province, NSIA, 19 November 2022.

A few interviewees with connections to the previous government were denied access to certain documentation because of their history. However, one person who previously worked in the National Directorate of Intelligence was able to get a passport after bribing a staff member \$1,200.<sup>104</sup> Recently, the DfA have been distributing census forms to people through community leaders, which must be filled out by the heads of family. In order to fill out the form, a tazkira is mandatory – as people are required to affix a copy of their tazkira to the form. This was only

reported by a few interviewees in the same community in Herat. When asked, the community leader in this community believed that the forms will be used to identify or classify suspected people, former high-ranked officials, and former military officers – although there was no evidence of this in the research, it does demonstrate the level of fear and concern people have about documentation and the DfA's ability to trace people using their national identities.<sup>105</sup>

### 3. GREATEST DOCUMENTATION HURDLES UNDER THE DFA

There are time, space, and financial hurdles that lead many Afghans to deprioritise documentation and prioritise instead food, clothes and education over documentation. Yet some solutions will never be unlocked until and unless people have documentation. The lack of documentation leads to a vulnerability trap.

#### Waiting times and Administrative Barriers

Time was a key barrier in access due to three key reasons identified by participants – 1) waiting times associated with documentation; 2) unpredictability of timelines to receive documents; and 3) many steps involved in getting documentation.

Waiting is a pervasive feature within the documentation landscape in Afghanistan under the DfA. Interviewees in all four provinces spoke of long waiting times outside of Kabul. People agreed that documents take longer to be processed and delivered compared to under the former GoIRA. Interviewees who had applied for passports under the DfA reported that once people are called in to Kabul in order to register their fingerprints, the process of receiving their passport can take as little as four days. However, the time from when they apply to when they are called in can be several months. As mentioned in previous sections of this report, an overall lack of budget prevents the government from fast turnaround – due to decreases in equipped offices and personnel. For example, under the GoIRA, there were many offices in districts where people could get Tazkiras. Currently, however, there are only a few offices that

are equipped with the necessary documents and they are all located in urban centres. Thus, the process has become time-consuming, and people have to wait for months to get their Tazkiras. There has also been a significant decrease in personnel and working hours under the DFA – which has increased the amount of time it takes to process, approve, print, and send documents. With the transition, many offices are no longer taking new applications due to high demand and decreased capacity.

Accessing documentation under the DfA has also been fraught with unpredictability – with interviewees reporting processing times between as little as 1 month for paper Tazkiras to over a year for e-Tazkiras. Figure 3 below captures the range mentioned – e-Tazkiras had the widest range, with interviewees reporting anywhere from 2 months to over a year between the time they submitted the application to the time they received the document. Processing e-Tazkiras in Kabul was faster, followed by those who used middlemen, who were able to receive the document in 5-6 months.

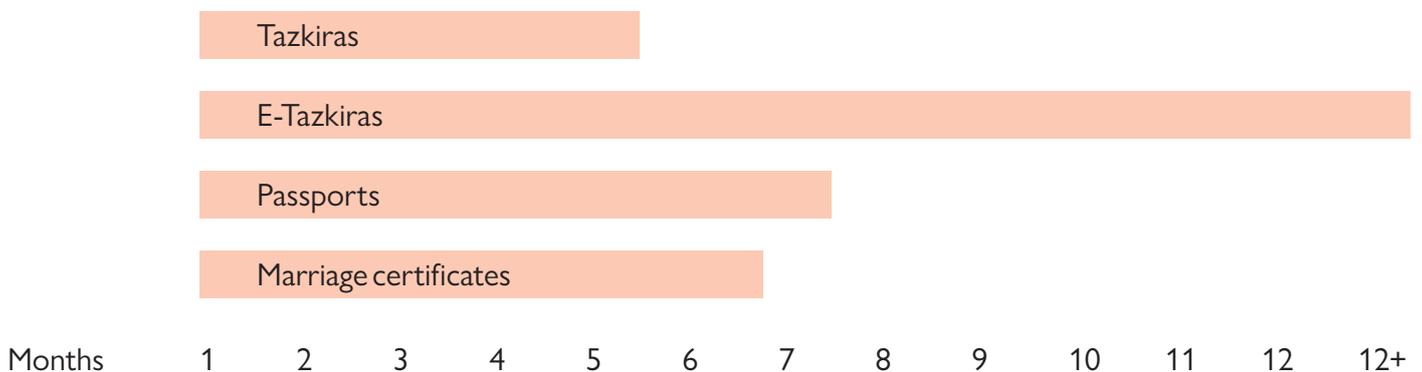
104- FGD2 Nangarhar Province, 19 November 2022.

105- KII1 Herat Province, Head of District and People's Local Council, 20 November 2022.

. Paper tazkiras are processed in less than 1 month – typically in a matter of days. However, this does not account for the fact that many people must travel back to their provinces of origin, which can take a significant period of time. Passports – when they were being issued – typically took between 5-7 months in total. Birth certificates are issued immediately by hospitals and health clinics - the Ministry of Public Health distributes birth certificate forms to these institutions directly. Although there are additional steps to make them official - such as having them registered and confirmed by the NSIA, as well as stamped and signed by both the MoFA and MoJ, people are able to have this done the same day. Marriage certificates were reported to be issued in 1 day – if the applicant had connections or was able to bribe officials – to 6 months due to demand. The levels of unpredictability in processing times have contributed to people’s inability to plan

ahead – as people have no idea when they will get the documents they applied for, and are thus unable to access basic services, education for their children, humanitarian aid, or make plans to go abroad while they wait in limbo. Under the DfA, there is a lack of transparency, confusion, and faulty online application systems. Although documents such as passports and e-tazkiras can be applied for online in theory, in practice, people have reported having to apply dozens of times, with many people eventually forced to apply in person. The DfA have also been distributing hard copy forms for e-Tazkiras in particular, encouraging people to apply in person, rather than online due to the issues people have faced with the system. This has created an environment of chaos, confusion, and delays that have come to define the documentation landscape in Afghanistan under the DfA.

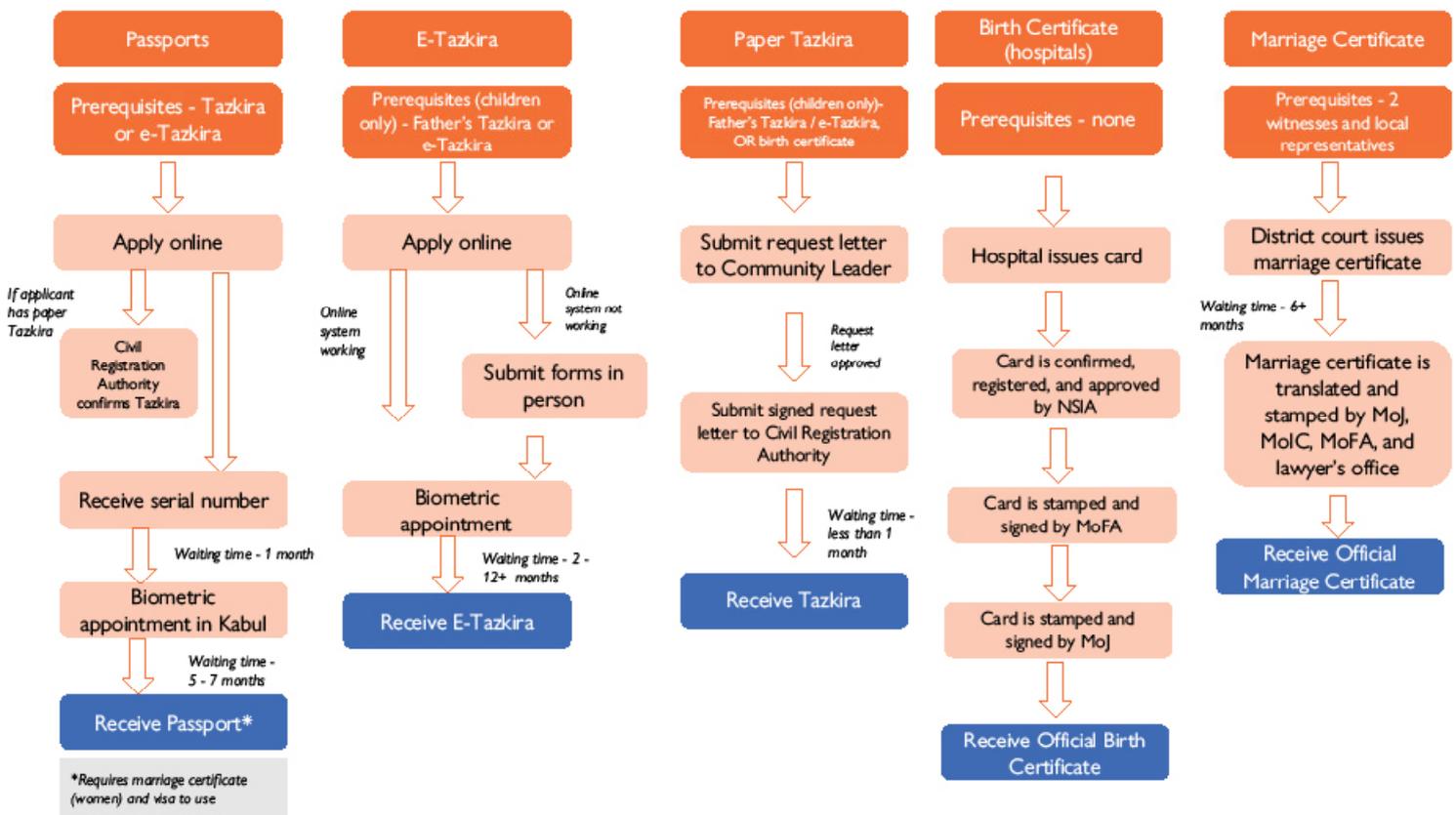
Figure 3: Processing times mentioned by interviewees



Procuring documentation in Afghanistan involves multiple steps. Although this was the case prior to the DfA, additional requirements, such as marriage certificates for women, have further complicated an already complex process. Furthermore, many documents still require witnesses in order to be approved – such as paper Tazkiras or marriage certificates. Given the current economic and humanitarian context in Afghanistan – and the

requirement for a mahram for women – the possibility of finding witnesses or being accompanied by one’s husband is low, given that time spent procuring documentation often means lost income for those who are employed in the informal sector. Additionally, for IDPs and returnees – who may lack personal networks in their host communities – this presents an especially difficult challenge.

Figure 4: Steps to Procure Documentation under the DfA



## Geographic and Financial Barriers

Space and cost also plays a key role in preventing people from accessing documentation under the DfA, as the overall space for accessing documentation has diminished greatly, due to closed offices. Only accessible in Kabul – passports, centralised system “must go to Kabul for a passport”, then resulting into poverty in Kabul, stuck for an indeterminate period of time, a “transit population” who go into further debt and poverty

Other provinces lack centralised systems, which has forced people to run between different offices and locations in order to get the documents they need. This is primarily the case for e-Tazkiras as other documents are less complicated. This is further coupled with the fact that there is not sufficient equipment or means

outside of Kabul to process documentation in order to meet demands. This includes poor road infrastructure – which prevents many people from easily traveling to other locations in order. Long and unpaved roads are an obstacle.

The biggest dissuading factors related to getting documentation under the DfA are largely related to 1) travel costs; 2) increased costs of documentation; 3) higher levels of corruption and fraud; and 4) new obstacles to getting e-Tazkiras posed by tax booklets. Given office closures, people reported having to travel longer distances to apply for documentation under the DfA – which increased the overall costs of getting documents.

Table 7: Document Fees under the GoIRA and DfA<sup>106</sup>

DOCUMENT	COST – GOIRA	COST – DFA
Tazkira (paper)	10 AFN	100 AFN
e-Tazkira	100 AFN	300 AFN
Passport	5,000 – 6,000 AFN	10,000 – 12,000 AFN
Birth certificate	Free of charge	Free of charge <sup>107</sup>
Marriage certificate	1000 AFN	Free of charge

106- This reflects only the government fees – not any additional costs associated with travel, lodging, bribes, etc.

107- Note: Ministry of Foreign Affairs charges 400 AFN to stamp birth certificates, Ministry of Justice charges 100 AFN, and 100 AFN is charged if the birth certificate requires translation. Although birth certificates are theory issued free of charge, in order to get them “officialised”, people can pay up to 600 AFN in fees.

 CASE STUDY 1

## NAFISA IS AN IDP WOMAN IN HERAT PROVINCE. HERE IS THE STORY OF HER ACCESS TO DOCUMENTATION

I am Nafisa\*. I am 40 years old and have been married for 19 years. I have three children including two girls and one boy. I am a housewife, and I studied until the 12th grade. I could not continue my education because I got married. I got married in Herat and later moved to Kabul with my husband in order to find better job opportunities during the spring. Our living conditions were very good in Kabul, and we were a middle-class family. After the change of government [in August 2021], I returned to Herat with my family due to some issues including security, high expenses, family problems, and loneliness in Kabul. We returned to Herat two months after the Taliban seized power. We wanted to go abroad, but we could not go because we could not renew our passports.

We got our e-Tazkiras when the distribution process had just started [under the previous government]. We got our Tazkiras very easily and at a low cost. I think it did not take more than two or three days. We also got our passports during the administration of the former government, and because my husband knew someone who worked in the office where passports are issued, we were able to get our passports in 10 days. We applied for a renewal a few days before the fall of the former government and were supposed to be included in the biometric process. However, when the Taliban seized power, we did not apply again for the passport.

Although I have not applied for documents under the Islamic Emirate, I am aware of how our relatives got their documents. Government offices have become less capable because their equipment is worn out, and there are few employees left in the relevant offices. The rest of the employees [who still work there] are not professional. Also, there are few agencies, and you have to travel to Kabul to print and get your passport.

The mentioned problems have made the services unavailable for people. They have to wait for a document for a long time. For example, my sister and her husband wanted to travel to Iran, but they did not have any other documents except paper Tazkiras. They first applied for e-Tazkiras, in which they filled out an online form. After the approval of the immigration attorney and the relevant offices, they waited two months for their Tazkiras. They could not apply for a passport until they had their Tazkiras. They waited here for two months and then applied for passports. At first, it was so overwhelming that their request letter was registered, but it was not approved.

After one and a half months, the officer in the Civil Registration Authority set the reference date for five months and 20 days later. After almost seven months, they were able to pass the biometric process. Two weeks later, they went to Kabul and stayed there for a week in order to get their passports. Meanwhile, they also got a marriage certificate after suffering many difficulties. Although they were not asked for a bribe, they faced problems such as waiting for a long time, travelling to faraway places, and standing in long queues in hot weather while enduring thirst and hunger.

When they obtained all the required documents, they had a party to celebrate their achievement of getting the documents. Therefore, getting a passport has become a dream these days.

It is very difficult for those who live in remote provinces which are far from Kabul to travel with their families. You must travel to Kabul to get a passport. The difficulty of travelling and staying in Kabul until you receive your passport is a big challenge for those who do not have a stable financial condition.

Many people, especially women, refrain from getting passports because of the difficulties of travelling to Kabul and waiting for a long time. The displaced women, however, are forced to travel, and cannot travel without Mahram (male companion). Women are asked for their male companion in administrative offices [...] otherwise, they will face a big problem because their work will not be processed, and will be deprived of the assistance they are supposed to receive. Women suffer the most from not having access to documents.

*\*Name has been changed.*



# USES AND IMPACT OF DOCUMENTATION UNDER THE DFA

## 1. ATTITUDES TOWARDS DOCUMENTATION UNDER THE DFA

This section will begin with a general overview of opinions on documentation – including i) which documents are the most and least important for Afghans under the DfA and ii) documentation requirements and levels of enforcement under the DfA, including the impact on women specifically.

### a) Overview

Table 8 outlines different services where a Tazkira is required in Afghanistan – as Tazkiras (paper and biometric) were deemed to be the most important document for Afghans under the DfA. It uses the following “traffic light” rating system:

- **Red** indicates Tazkiras are required but not everyone is unaware of this requirement
- **Orange** indicates people are unclear in terms of whether Tazkiras are needed
- **Green** indicates that a Tazkira is required and people are aware of the requirement

The below table demonstrates how necessary Tazkiras are to access most services in Afghanistan – including getting other documentation, such as passports; and that Afghans are aware of this, as they are indeed aware

of the majority of the services that documentation can unlock for them. Article 9(2) of the 2014 Law on Registration of Population Records requires all Afghans to hold a Tazkira. On the basis of this, most services (education, electricity, banking, formal employment) require the Tazkira as a form of national identification. However, Tazkiras are less required for employment, as many people are employed in the informal sector which does not require this form of documentation. Access to medical care also varied, in terms of people’s experiences with being asked for documentation. Some interviewees stated they were required at hospitals and at doctor’s appointments, whilst others were able to access medical care without any documents for themselves or their children.

108- Afghanistan: Law of 2014 on Registration of Population Records [Afghanistan] (2014).

Table 8: Services requiring a tazkira in Afghanistan under the DfA

SERVICES REQUIRING A TAZKIRA (PAPER OR BIOMETRIC)	RATING
Banking	
School registration	
Humanitarian / government aid	
Basic services	
Employment	
Taxes	
Loans	
Medical Access	
Travel within Afghanistan	
Travel outside of Afghanistan	
Disability and martyrdom pensions	
Legal purposes – court, witness, inheritance	
Ownership of property and assets	
Accessing passports	
Rent / buy housing, land, or property	
Getting a SIM card	

## b) Most and Least Important Documentation and its Consequences

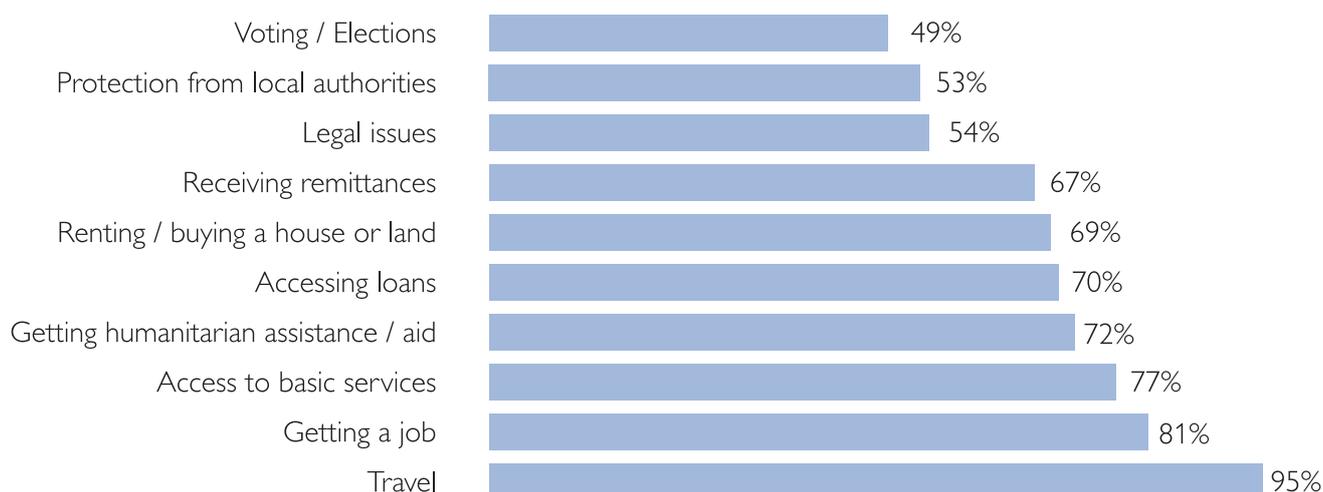
The most commonly cited reason for having documentation by respondents in both Phase I and II was to travel (both internally and externally) – the most basic function of documentation is the one that is the most sought after, as an adaptation measure to the current context. During Phase II, access to humanitarian aid was equally as important for interviewees to have documentation.

This was followed by employment, basic services, loans, renting/buying housing, land, and/or property (HLP), and remittances. Overall, paper Tazkiras, e-Tazkiras, passports, and marriage certificates were

the top documents Afghans want to obtain under the DfA.

Interviewees in rural communities were slightly less likely to say that travel or getting a job were important reasons to have documentation when compared to urban respondents, yet there were no major differences between urban and rural respondents when asked about other situations, such as accessing basic services, humanitarian aid, loans, and receiving remittances.

Figure 5: Phase I Survey Responses – Usefulness of Documentation and Forms of Identity under the DfA



In all seven of the biggest provinces in Afghanistan, e-Tazkiras and passports were the top documents survey respondents' household members would like to obtain. In most provinces, this was followed by a marriage certificate. This was also reflected in the qualitative interviews. While there were no significant differences in whether respondents lived in urban or rural settings on whether their household members wished to obtain passports, birth, marriage and death certificates, those living in rural settings were twice as likely to wish to obtain paper Tazkiras (24% compared to 12%) as well as substantially more likely to wish to obtain e-Tazkiras (80% compared to 55% of urban respondents). Regression analysis

showed that respondents living in rural areas are more likely to wish to obtain both Tazkira and e-Tazkiras when accounting for gender, age and displacement status – reflecting that people in urban areas are more likely to have documentation than those in rural areas. Displaced interviewees were more likely to wish to obtain almost all types of identity and civil registration documents when compared to those interviewees who had not experienced displacement. Displaced persons often live outside of their community of origin and are often asked more than non-displaced members for proof of documentation to access humanitarian aid, education, HLP, loans, and formal employment.

Figure 6: Documents Household Members of Phase I Survey Respondents most want to obtain

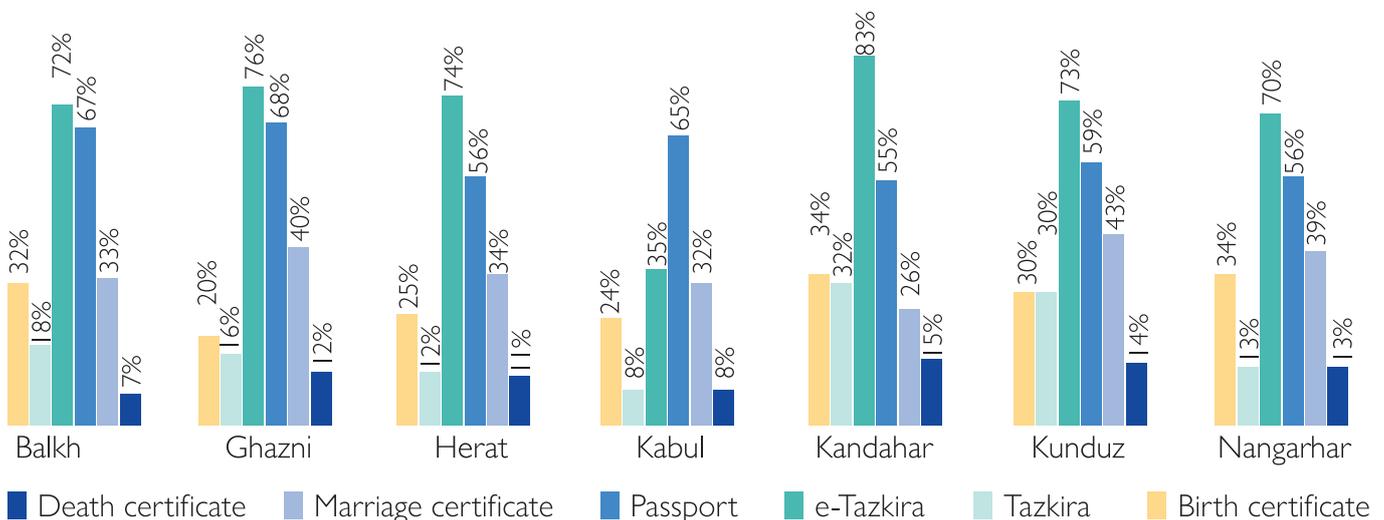
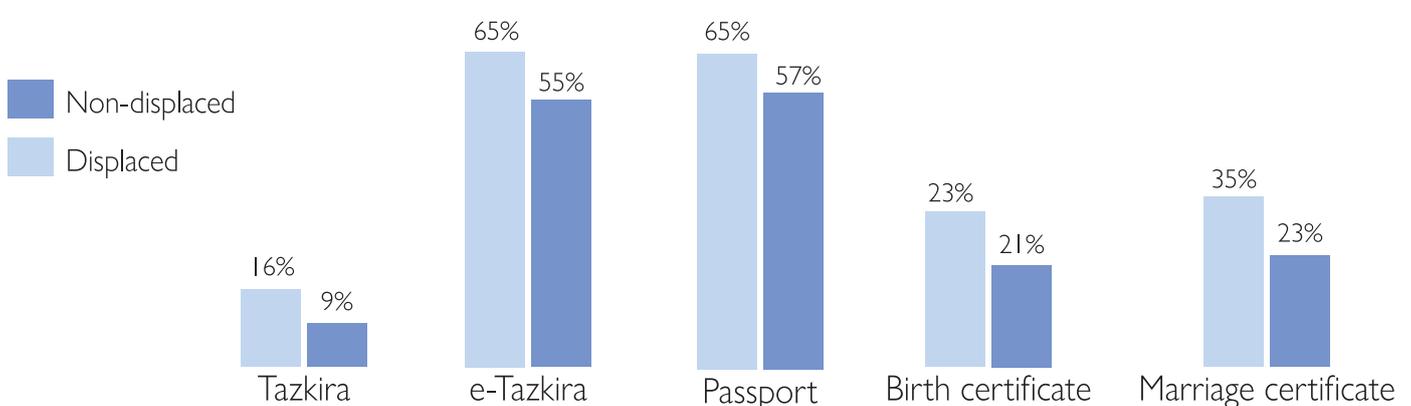


Figure 7: Documents Household Members of Phase I Survey Respondents would like to obtain, by displacement status



The e-Tazkira is the most important identification document to have in Afghanistan under the DfA, regardless of gender, age, ethnicity, or displacement status. In the seven biggest provinces surveyed during Phase I, e-Tazkiras and passports were the top documents respondents' household members would like to obtain, followed by marriage certificates. This was reflected in the qualitative research carried out during Phase II – where people overwhelmingly wanted tazkiras, e-tazkiras, passports, and marriage certificates.

People are more interested in having documentation – mostly for the purpose of leaving Afghanistan. People who worked under the previous government and have friends outside Afghanistan want to leave – due to the economic and political challenges they face. One community leader interviewed in Nangarhar province stated that interest in documentation in general had increased under the DfA. Under the GoIRA, he would receive 2-3 requests per month for his assistance with documentation applications (signatures, stamps). Under the DfA, the demand within his community has increased over tenfold – between 30 – 50 people come each month. Previously, under the former government, people would apply for Tazkiras only to enrol their children in school. Under the DfA, people want paper tazkiras, e-tazkiras, and marriage certificates for themselves and for their families in order to eventually go to foreign countries.

“ He stated, “Everyone wants to leave the country in different ways.”<sup>109</sup>

Currently, the people's demand is higher than available resources for tazkiras (both e-tazkira and paper tazkira). Tazkiras – whether they be paper or biometric – remain the first and foremost important document for Afghans under the DfA. As under the previous government, without a tazkira people cannot apply for a passport, cannot go to foreign countries and cannot process other documents. Without a tazkira, people are less likely to be able to access humanitarian and social aid, or find a job – all of which have become

more important for Afghans amidst widespread poverty, unemployment, and increased needs for humanitarian aid. Although as a practice, humanitarian actors do not exclude individuals from receiving aid or assistance due to lack of documentation, practical impediments – such as being able to more easily verify identity – can lead to humanitarian actors preferring to assist documented individuals over those without documentation. If aid is limited within communities, this puts undocumented individuals at a higher risk of being excluded from receiving support.

As a community leader in Balkh province stated, “Overall, having Tazkira is necessary for almost every activity...Our Tazkira identifies us. For example, if I do not have a document showing it is my house, I cannot claim ownership. Having a Tazkira is important because it proves my identity. A person is recognized by his Tazkira.”<sup>110</sup>

After tazkiras, passports and marriage certificates are important documents for Afghans. For basic services and accessing employment, finances and remittances, as well as basic services, Afghans require a tazkira. If people want to go abroad, a passport and marriage certificate, as well as birth certificates are required.<sup>111</sup> The importance of marriage certificates has also increased domestically, as under the DfA, there are more frequent checkpoints, where the DfA have been known to interrogate passengers about their family relations.<sup>112</sup>

Passports also remain important documents under the DfA – since August 2021, passports have become idealised by Afghans. One woman interviewed in Nangarhar province stated,

“In the past passports were only made by those women who had to go abroad for the purpose of to cure any illness, to go for Hajj or Umrah, or any educational scholarships. But nowadays the situation is not fair, all the people (men and women) are in the effort to get a passport to go abroad and escape from the unfavourable situation.”<sup>113</sup>

109- KII3, Nangarhar Province, Community Leader, 19 November 2022.

110- KII1 Balkh Province, Community Leader, 19 November 2022.

111- KII3, Nangarhar Province, Community Leader, 19 November 2022.

112- FGD2, Herat Province, Men (mixed host, IDP, returnee), 20 November 2022.

113- SSI10 Nangarhar Province, Female IDP returnee, 20 November 2022.

Many interviewees seemed to believe that passports will automatically grant them the ability to travel abroad – very few people seemed to grasp that they would also require a visa to leave the country, even if they were able to receive a passport. Many Afghans believe passports have more power than they hold in reality, and passports have more than ever become symbols of opportunity and freedom to leave Afghanistan.

“ One interviewee stated, “My brother paid \$2,000 to receive his passport after the fall of the former government. Imagine paying \$2,000 for a passport that does not actually open any doors outside of Afghanistan. It’s the most expensive yet the most useless passport in the world!”

This demonstrates how desperate people are to leave the country, and a general lack of awareness people have about how few options remain, even with a valid Afghan passport. Although under the previous government, Afghans could go to Pakistan without a passport or a visa, this is no longer the case under the DfA. Under the DfA, Afghans are faced with a complete lack of legal pathways outside Afghanistan, even for those who have passports, as having a passport does not guarantee a visa. A community leader interviewed in Nangarhar province said that one person within his community was given a visa from a foreign country, but couldn’t find a way to Pakistan, even for 100,000 AFN.<sup>114</sup> In addition to fleeing the country, people also wish to obtain passports for getting medical treatment – which was typically the 2<sup>nd</sup> most common reason for wanting a passport – and carrying out business in other countries.

Tazkiras and marriage certificates are the most important documents for women in Afghanistan. Under the DfA, women are required to have a marriage certificate in order to travel to other countries and need a Tazkira – either paper or biometric – in order to apply for a passport. Several women interviewed confirmed that without a marriage certificate, holding a passport is useless, as both are required to leave

Afghanistan under the DfA.<sup>115</sup> Many women felt that they would be increasingly stuck at home if they didn’t have any form of identification or civil registration documents, as most official tasks within the public require ID documents.<sup>116</sup> Although the requirements for documentation to carry out certain tasks under the DfA do not appear to have drastically shifted from the previous government, restrictions on women’s movements that have been implemented since August 2021 have added a barrier – namely that now women must be accompanied by a mahram or their husband should they wish to procure any kind of document in an official office.

The majority of people surveyed during Phase I (89%) did not have official marriage certificates, and most people interviewed in Balkh, Herat, Nangarhar, and Kandahar provinces during Phase II also lacked official marriage certificates, although many reported having “unofficial” marriage certificates from religious authorities. Afghanistan uses unofficial certificates issued by the Imams or Elders (maleks) that married the couple in question, which is still accepted the majority of the time domestically. However, if an official certificate is required, it requires 2-5 witnesses and the unofficial certificate. Unless there is a clear need for an official certificate – such as divorces, travel abroad (visa applications, passports), or each time a Mahram is required for official tasks— people do not usually go through the steps of getting one in Afghanistan.

114- KII3, Nangarhar Province, Community Leader, 19 November 2022.

115- SII1 Balkh Province, Female IDP, 19 November 2022; SSI7 Herat Province, Female Host, 21 November 2022.

116- SSI7 Herat Province, Female Host, 21 November 2022.

However, given the high demand for passports and people wanting to leave the country due to the economic and humanitarian crisis, the demand for marriage certificates has risen exponentially under the DfA. Many interviewees reported that marriage certificates are not given to people out of fear they will flee abroad.

“One woman in Kandahar province stated, “I requested a marriage letter; when we were referred to the appropriate office, they told me that you are attempting to flee the country, and thus we will not give you the marriage letter.”<sup>117</sup>

Although the interviewee was able to convince them the document was needed for another reason, the authorities informed them that given the high volume of requests for marriage letters, it could take over six months.

#### d) Perceived Least Important Documentation under the DfA

Civil registration documents tended to be less prioritised for interviewees and those surveyed during Phase I, especially as compared to paper Tazkiras, e-Tazkiras and passports. In general, people do not tend to prioritise having documentation unless it is required. There has been increased interest in birth certificates and marriage certificates under the DfA, as people learn these documents are required to leave Afghanistan.

Most parents do not tend to get tazkiras for their children until they are needed to enrol in school. Out of the sample interviewed for this study, families tended to not prioritise birth certificates because education (and therefore formal records) begins at 7 years in Afghanistan.

“When we returned after six months, they informed us that they had completed all of the marriage letters and could not provide us with anything,” she stated.<sup>118</sup>

The most important documents for children in Afghanistan to have, according to parents interviewed, are Tazkiras and birth certificates. Tazkiras are required in order to enrol children in school, and birth certificates ensure that children’s age can be verified, as well as relationship to other family members.<sup>119</sup>

117- FGD1 Kandahar Province, women (hosts, IDPs, returnees), 30 November 2022.

118- FGD1 Kandahar Province, women (hosts, IDPs, returnees), 30 November 2022.

119- SSI1 Herat Province, Host man, 19 November 2022.

120- KII1 Nangarhar Province, Lawyer, 19 November 2022.

121- SSI7 Herat Province, Female Host, 21 November 2022.

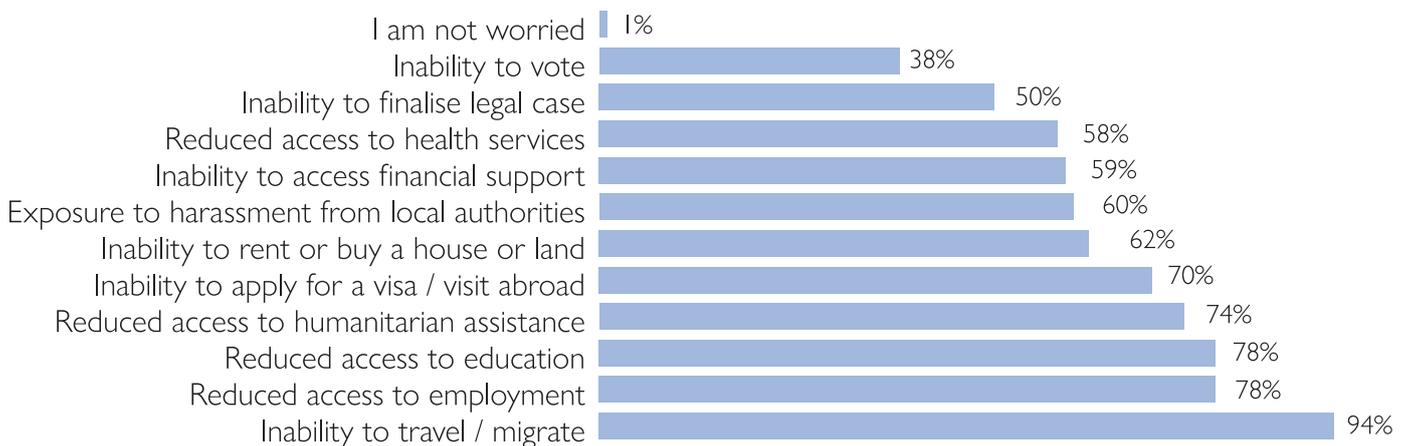
## e) Implications and Consequences

Two key findings emerged regarding consequences of lacking any type of documentation from survey data, which were supported by qualitative interviews carried out in Phase II –

- 1) Immobility, lack of access to basic services, employment, and limited access to humanitarian aid were cited as the most common consequences of lacking documentation under the DfA and
- 2) More displaced respondents reported negative consequences of not obtaining the necessary documentation.

Both IDPs and returnees more frequently reported reduced access to humanitarian assistance and services due to lacking documentation. As highlighted in Section 3 of this report, displaced people face increased challenges under the DfA, as the availability of e-tazkiras remains limited, and Afghans – regardless of displacement status – are still required to return to their provinces of origin in order to procure paper Tazkiras.

Figure 8: Implications of lacking documentation in Afghanistan since August 2021 – Phase I Survey Respondents



Nearly all interviewees – from both Phase I and II - listed inability to travel / migrate as the main consequence of not obtaining necessary documentation, followed by the share of respondents who reported reduced access to employment, education and humanitarian assistance.

Many people also reported increased checkpoints along domestic highways in Afghanistan – where they stop to check Tazkiras mostly as a security measure. They also check the marriage certificates for men and women travelling together to prove their relationship.

“One community leader interviewed in Herat province witnessed the consequences of lacking documentation for fellow bus passengers, describing, “Currently, the Taliban forces have set up many checkpoints on the highways and they stop passengers’ buses and check passengers’ tazkiras, they treat harshly with those who do not have a tazkira, and even they got down a person who does not have an identity tazkira as a suspected person.”<sup>122</sup>

In certain communities in Kandahar province, community councils will not accept any complaints if the people lack Tazkiras – either paper or biometric. In these cases, they must first go and get an official form of identification in order to bring their case to the council for review. This does not appear to be a form of discrimination on the part of the community councils themselves, but rather ensure that the wider community takes their complaints seriously.

One man interviewed in Kandahar province stated, “If there is a problem in the community, we will solve it with the help of community elders. Some families have disputes, but they didn’t have Tazkira. We told them to get Tazkira first because no one listens to them if they don’t have it, nor does their voice reach somewhere. We were told to get Tazkira first, and we will discuss other documents later. They then left, and it took them 7-8 days to get Tazkira. After that, they returned to the council and continued their matter. There will be such problems when Tazkira is not available.”<sup>123</sup>



However, in disputed cases between IDPs and hosts, where IDPs lack any form of identification, this puts them at a significant disadvantage if they are unable to access e-tazkiras in their host province, as procuring paper tazkiras under the DfA still requires people to travel back to their provinces of origin.

Displacement status impacted interviewees’ views of the negative consequences of lacking documentation—namely reduced access to humanitarian aid,

basic services, housing, exposure to harassment. Proportionally more displaced respondents reported negative consequences of not obtaining the necessary documentation when compared to non-displaced interviewees. Although few people interviewed during Phase II fieldwork – 4 out of 88 - lacked any type of documentation, all of them were IDPs. Returnees were more likely to have at least a tazkira (paper or biometric), and those who were born in neighbouring countries – Iran and Pakistan – tended to have birth certificates as well. Both IDPs and returnees interviewed reported reduced access to humanitarian assistance and basic services, inability to rent or buy a house or land, exposure to harassment from local authorities when compared to non-displaced respondents.

Lacking a form of identification and/or civil registration documentation directly impacts the future of Afghan women, especially given the new restrictions imposed on their mobility, education, and employment under the DfA. The increasingly precarious education situation for women and girls will be impossible to access without proper documentation. Additionally, given the new requirements women face to leave the country – as the DfA now requires marriage certificates for women to leave Afghanistan – the majority of women lack official marriage certificates. However, many women – especially heads of households – are struggling to access marriage certificates in the absence of their husbands.

## 2. DOCUMENTATION REQUIREMENTS AND LEVELS OF ENFORCEMENT

### 1. Use of Documentation under the DfA

A new requirement that has emerged under the DfA in procuring an e-tazkira related to tax collection and internal revenue. Under the DfA, homeowners are required to procure a tax booklet from their municipality and pay fees to the DfA each year. Although this practice existed under the previous government, the DfA have regulated this practice more, which is linked to the DfA’s goals to achieve self-sufficiency and reduce overall poverty levels via tax

collection. Now, when applicants for e-tazkira go to the municipality office for confirmation of their formal letter - which is a mandatory letter for applicants to receive every document – the DfA require applicants to bring the tax booklet associated with the house they reside in in order to be issued an e-tazkira. Many people in Herat province specifically have been unable to get an e-tazkira due to their inability to present a tax booklet.<sup>124</sup>

123- SSI2 Kandahar Province, Host man, 27 November 2022.

124- KII1 Herat Province, Community Leader, 20 November 2022.

Tazkiras – paper or biometric – are generally required to receive humanitarian aid. In case of absence of head of family, a birth certificate – either from the head of household or one of their children – can be used, as well as a picture or a copy of the head of household's Tazkira, as it is then compared with names on NGO lists. However, tazkiras and birth certificates are mostly required, as most NGOs distribute the aid to the head of the families only. However, in cases where heads of families are outside the country – which is highly common, especially after August 2021 – their wives, the de facto heads of household, often lack a tazkira. They are usually asked to present the birth certificate or vaccination card of their child in order to verify eligible people for receiving aid.

One community leader stated he had witnessed this situation recently in his community, describing, “A woman whose husband was not in the country, wanted to receive the aid on behalf of her husband, as the name of her husband was already on the list of eligible people for aid, she brought tazkira of her husband, and NGO wanted to know that this woman and her child can represent the man or not. The employee of the NGO told that woman that she must

bring the tazkira of her brother-in-law or tazkira/birth certificate of her child.”<sup>125</sup>

Tazkiras are also required to demonstrate house or property ownership even in unofficial customary processes. One interviewee in Balkh province did not have an official legal document to demonstrate ownership, but she and her husband have a document signed by the elders of the community and her husband that proves his ownership of the house. Having access to Tazkira was required in order for the community elders to sign the document.<sup>126</sup>

Birth certificates remain necessary for legal disputes and determining children's ages. In cases where two parties are involved in a legal dispute over a child, a party can prove their claim by producing the birth certificate of the child and demonstrating a family relationship. Birth certificates are registered either in the record books of the Ministry of Public Health or in clinics under the name of the children's mother. This makes it impossible to question the relationship between a mother and her children, but the children's fathers can be another person – which makes verification via birth certificate in the absence of a father challenging.<sup>127</sup>

## 2. Levels of enforcement of official document requirements

After the arrival of the Islamic Emirate government in the country, Afghan's overall demand for identity documents has increased – however, this does not appear to be linked to increased need for documentation compared to the previous regime, but rather a higher number of people within Afghanistan who are attempting to migrate abroad. This is evidenced by the increased interest in tazkiras, e-tazkiras, passports, and marriage certificates under the DfA.

In general, based on the experience of interviewees, the DfA are asking people for documentation in order to

access basic services, register children for school, and apply for other documents such as passports. Under the DfA, demands for paper tazkira have increased – under the previous government, there were plans to phase out the paper tazkira and replace it with the e-tazkira. However, due to the financial capacity, paper Tazkiras have been in high demand, as they cost less than e-Tazkiras (10 AFN versus 300 AFN) and are issued throughout Afghanistan, as opposed to only in certain urban centres.

125- KII2 Herat Province, Community Leader, 19 November 2022.

126- SSI1 Balkh Province, IDP Woman, 19 November 2022.

127- KII3 Herat Province, Lawyer, 20 November 2022.

Documentation requirements in order to receive aid have also bolstered increased levels of interest in getting documentation amongst the sample interviewed. Although documentation requirements have not changed in order to receive aid under the DfA, since the fall of the previous regime, increased numbers of people require support from humanitarian organisations. Typically, in order to receive aid, people must present a tazkira – either paper or biometric – so their names can be verified. In cases where people do not have a tazkira, people have provided their election

cards, or the birth certificates of their children. This strategy was most used by female-headed households interviewed in all four provinces, who were much less likely to have a tazkira. However, unaccompanied minors in Afghanistan are often unable to access assistance if they lack any form of documentation – as they are often unable to rely on any next of kin to confirm their identity. This population in particular is in dire need of government support, because they cannot enroll in school and will not be able to receive any kind of humanitarian aid without a tazkira.

### 3. Impact of Restrictions on Women

Given the restrictions on women's movement under the DfA, women have faced increased difficulty in accessing documentation, as they can no longer travel alone or enter official buildings unless accompanied by a male family member. If women are travelling with a mahram, they are not required to have any form of identification with them. Additionally, under the DfA, offices for processing documentation are more crowded due to lower staff numbers and higher demand, which has also dissuaded women. Mahrams have become indispensable for women getting documentation.

One woman interviewed in Nangarhar province stated, "Before it was possible to get the ID only by being accompanied by a kid but now if you don't have Mahram (family member) they get angry at us. For example, a female neighbour of ours had gone to the IDs distribution centre alone, they had got mad at her because of not being accompanied by a Mahram. We face such difficulties. She did not have a Mahram. Her Mahram died. Another woman told them that my husband is sick, they told her that even if he is sick, bring him so that we see him then we will give you the ID otherwise there is no ID for you."<sup>128</sup>

However, IDP female heads of households lack this option within host communities. Furthermore, given the shortage of biometric e-tazkiras under the DfA – especially outside of Kabul and provincial capitals – most people opt for paper Tazkiras, which still

require travel back to the province of origin. Under the DfA, this is impossible for these women, as they are often unable to find a mahram to accompany them back to their province of origin. Community leaders interviewed spoke of acting as mahrams for women in their community – this includes women whose husbands work during the day and are unable to accompany them, as well as women whose husbands have gone abroad or have passed away. These requests have increased under the DfA.

He stated, "In the previous regime females could easily process their documents. All female areas faced the same problems in this regime. Some women come to me or to the village Mula to go with them as a mahram, because without one, the Taliban don't process their documents. There are different political circles in this regime that make various obstacles for women... Female-headed households have a lot of problems because the Taliban don't process the documents of those women who don't have a mahram and that's why they come to me or to the village Mula to go with them as a mahram to take the documents."<sup>129</sup>

Female heads of households appeared to be given some leniency if their children lacked tazkiras to enroll in school. However, schools eventually ask for children to procure tazkiras in order to continue their studies – which presents a challenge for many women whose husbands are abroad or have passed away, given the requirement for a mahram under the DfA.<sup>130</sup>

128- SSI11, Nangarhar Province, Host Woman, 19 November 2022.

129- KI13 Nangarhar Province, Community Leader, 20 November 2022.

130- SSI7 Balkh Province, Returnee woman, 20 November 2022.

Most of the women who were interviewed who had tazkiras or e-tazkiras had received them either through their father or with their husbands.

One unaccompanied minor interviewed in Kandahar province was able to procure an e-tazkira when her father was still alive, stating, “When our father was alive, he obtained tazkira for us and he told us that tazkira is really important in people’s lives.”<sup>131</sup>

Women whose husbands still lived in Afghanistan typically depended on their husbands to carry out daily tasks that required documentation, such as

paying electricity and water bills. Several interviewees in Balkh province only had documentation recently, other than education, but overall did not face problems accessing clinics, for example. Although many women interviewed did not receive any assistance during the administration of the former government, they had received assistance packages through WFP programs under the DfA. Women whose husbands are still in Afghanistan submit a copy of their Tazkiras in order to receive assistance.<sup>132</sup> In the absence of their husbands, women have been able to use unofficial marriage certificates that can be used as a proxy for husband’s documents.<sup>133</sup>

### 3. PRACTICES THAT EXIST TO SUPPORT ACCESS TO DOCUMENTATION

Although research conducted in Balkh, Herat, Kandahar, and Nangarhar provinces revealed a complex and confusing environment regarding documentation, several good practices emerged from the interviews conducted, which all present opportunities for further support and scale up in the future.

- **Partnership between community leaders and middlemen in Balkh province:** In certain communities in Balkh province, some community leaders bring in a photographer to take people’s photos and bring in middlemen to help community members fill out the initial ID application forms and submit them to the required authorities. Photography studios have already become an important part of the process under the DfA compared to the GoIRA, as photos are required for all applicants, even children.<sup>134</sup> Working in partnership with middlemen helps widen access to documentation, especially in communities that are in rural and remote areas, as well as peri-urban communities where residents may still need to travel long distances to documentation centres. Community leaders and middlemen alike tend to be more aware of current processes and requirements under the DfA – although it costs slightly more, it has saved many the step of visiting documentation centres multiple times.

- **Financial assistance with documentation fees from IRC in Herat province:** In Herat province, IRC helped people financially. They came to the village and coordinated with the village’s local council to gather 150 people, and covered the costs of Tazkiras. Although this support was found to be helpful and was highly appreciated by residents, it was purely financial in nature. One interviewee outlined that he had asked for the IRC’s support in applying for the document and was told that he would have to apply for it himself.<sup>135</sup> However, the financial support helped many residents get documentation. This kind of cash assistance would remove one of the main barriers many Afghans face in getting documentation under the DfA.

- **Legal assistance with documentation:** Legal offices were a source of support – namely in Nangarhar province. Lawyers interviewed for this research spoke of providing guidance to people on how to access tazkiras, passports, marriage certificates and other documents, as well as refer people to organisations helping people apply for documentation in the area.<sup>136</sup>

131- SSI1 Kandahar Province, Female unaccompanied minor, 29 November 2022.

132- SSI3 Balkh Province, Female IDP, 20 November 2022.

133- FGD1 Balkh Province, Women (hosts, IDPs, returnees), 19 November 2022.

134- KII1 Balkh Province, Community Leader, 19 November 2022.

135- SSI1 Herat Province, Host man, 19 November 2022.

136- KII1 Nangarhar Province, Lawyer, 19 November 2022.

- Awareness raising, counselling, and legal assistance on documentation procedures for IDPs and returnees from NRC in Nangarhar province: In Nangarhar province, NRC is implementing a programme which provides key services to help IDPs and returnees access identification and civil registration documentation. This includes an awareness raising programme, where NRC provides instructions on the steps required to get certain documents. NRC also offers counselling and legal assistance, which includes support for individuals wishing to procure documentation, such as filling in forms, accompanying people to offices, and reimbursing related costs. This programme was started under the previous government and is still in operation under the DfA.<sup>137</sup>

- ID and passport distribution centres / hubs to improve access – a recommendation from Kandahar: In Kandahar province, many interviewees identified that closed offices were a key challenge for them and recommended establishing more centres or hubs at the village level, as people’s financial situation does not give them the possibility to travel long distances to get documents.<sup>138</sup>

- Community members supporting each other in accessing documentation – including providing information about the process, or supporting IDPs and returnees who have less connections or knowledge of the local context. In Nangarhar province, a senior official of the community was assisting IDPs and returnees who lacked documentation. One IDP / returnee interviewee spoke of receiving assistance

from the senior officials within their host community in regard to identification and documentation. The assistance was offered specifically for the IDPs and returnees in the community to help access documentation, which included walking people through the process and procedure.<sup>139</sup> One woman interviewed in Kandahar Province spoke of providing support to other women in her village to help them access Tazkiras, based on her experience applying for documentation under the previous government. She supported people – many of them women - applying for e-Tazkiras under the DfA – by informing them of the process and accompanying them to offices. At the time of interview, she had supported 200 people in total under the DfA in applying for e-Tazkiras.<sup>140</sup> The head of the community council in a community in Herat province also reported that within his community, those who understood the importance of having documents encouraged and assisted their friends and family members get documents.<sup>141</sup> Family ties generally seemed to be the greatest factor in whether people offered to support others within their community in the process of applying for identification and civil registration documents.

137- SSI4 Nangarhar Province, Host man, 18 November 2022.

138- SSI6 Kandahar Province, IDP and returnee woman, 28 November 2022.

139- SSI10 Nangarhar Province, IDP / Returnee woman, 20 November 2022.

140- SSI4 Kandahar Province, Female host, 28 November 2022.

141- KII2 Herat Province, Head of Community Development Council (CDC), 19 November 2022.



## CASE STUDY 2

### IBRAHIM IS AN CHILD HEAD OF HOUSEHOLD. HERE IS HIS STORY OF KNOWLEDGE AND UNDERSTANDING OF REQUIRED DOCUMENTATION

This case study includes the experiences of a 13 year old boy in Nangarhar province. The child was unaccompanied, as his father married another woman and left them alone. Their father doesn't support them and they are in trouble because they are unattended. He was unable to complete his education because he lacks the necessary documentation.

In the name of Allah, who is the most merciful, the most compassionate. My name is Ibrahim\*, my father's name is Abdulrazaq\*. Originally, I come from the Koot area of Jalalabad, and now live as a displaced person in Rohan Mena. I work as an electrical-cradle rider. I have six brothers and four sisters and as a whole we are eleven members' family. My father lives in Pakistan and does not support us. He is separated from our family. We are not even aware about the exact place where he lives. My favourite food is beans and vegetables. In fruit, I love mangoes and guava.

I want to [apply for] documents. I know about tazkiras. It has a picture, the name of the person, their father's name, and the village name of the person. Through tazkiras, we can identify ourselves to the government or other people. I do not know [anything] about birth certificates.

I know about passports. Passports are usually used when we go to other countries, for example, to Pakistan or India. Passports are small booklets which have a green cover and have a picture of the person inside the pages. On the other hand, tazkiras are in a paper shape, which has writing and pictures of the specific person. Until now, I have not seen e-tazkira.

I [would] love to be enrolled in school, but I do not have a tazkira to continue my studies as a student. When I wanted to enrol in school, the authorities asked me for my tazkira. We did not have any financial support to afford my tazkira. So my mother told me, when we find some money, we will work on your tazkira.

I do not have the money to pay to get my documents. The most difficult issue [I face] in getting documents is financial problems. Also, I don't know about the process of getting documentation, where to go or how to get the documents. In addition, I do not know where the office of taking documents is located. These are the three main and biggest obstacles against my efforts to take the required documents.

Because of the lack of documents I was deprived from school and my studies. With a high school diploma we can find different and better jobs. I also lost working opportunities and other social services. I wanted to work with an ice-cream factory, [but] they asked for my tazkira. Although, I have brought some guarantors but they did not accept that either.

I need financial support to get my documents. Also, authorities should help me to easily get my tazkira for to be eligible for school enrolment. Through this way I will be an educated person and will serve my family and my society people.

Definitely, compared to me, other children who have a responsible and supportive person in their family can easily get their documents. I am a supporter for my family and all work and responsibilities are on my shoulders. I cannot get documents easily as other children can take them.

When I think about my future, I want to become an educated person. I want to get my tazkira, enrol in school and obtain university documents. I believe tazkiras and school documents can help me in fulfilling all my dreams."

\*Name has been changed.

# IV.

# CAPACITY, COMMUNICATION, AND COORDINATION ON DOCUMENTATION UNDER THE DFA

This section will outline the key stakeholders and processes for accessing documentation under the DfA, including key actors, levels of coordination and communication, and the process for providing documents – highlighting key changes since August 2021. The section will also cover levels of acceptability of documents issued under the previous government.

## 1. KEY STAKEHOLDERS AND PROCESSES FOR ACCESSING DOCUMENTATION

### a. Key Stakeholders in Charge of Implementing and Distributing Documentation

Under the GoIRA, the Ministry of Interior Affairs was responsible for processing both Tazkiras and birth certificates. This role was transferred to the National Statistics and Information Authority (NSIA) in July 2021, according to a key informant in the NSIA offices in Balkh province.<sup>142</sup> Under the former government, Civil Registration and Vital Statistics merged with the NSIA – who now handles processing of both birth and death certificates. The supreme court remains responsible for issuing marriage certificates under the DfA – which was the same authority responsible under the former government. The data collected from the biometrics system used to belong to the Communication and Information Technology authorities. The system has now been handed over completely to the NSIA under the DfA.

Under the previous government, there were several passport offices within provinces. Under the DfA, all passports are processed by the Kabul Central Passport Department, even in cases where applicants are from another province. Tazkiras – either paper or biometric – are required to apply. In cases where

applicants have a paper Tazkira, the Civil Registration Authority must confirm Tazkira before submitting it to the Directorate of Passport, which is a lengthy process. Applications for passports are submitted online – applicants receive a serial number and are then asked to come to the Kabul office to submit their fingerprints.

The processes for civil documentation are governed by several different entities, depending on the type of document. Marriage certificates are processed and adjudicated by local district courts and the Supreme Court – who ultimately decides whether to issue official marriage certificates. Two witnesses and local representatives are required in order to confirm the married couple's identity. Birth certificates are typically issued by hospitals and health clinics – however this must be stamped by the NSIA under the DfA in order to be considered official. Death certificates require confirmation from community leaders, two witnesses, a Tazkira from a close relative, as well as confirmation from district authorities. In some cases, authorities also require the Tazkira of the deceased.

142- KII3 Balkh Province, NSIA, 20 November 2022.

Community leaders in Afghanistan remain actively involved in access to documentation at the community level. Community leaders send letters to entities to get Tazkiras and other forms of identification for their community members. Community leaders in Afghanistan give the stamp of approval for people in their communities to get their documentation—without the approval of community leaders, requests for documentation will be rejected.<sup>143</sup> Interviewees in Balkh province expressed receiving help from their community leaders, who support people in filling out and submitting forms to the government for e-Tazkiras. In some cases, community leaders would submit the application forms directly – saving community members from paying associated travel fees.<sup>144</sup> In Nangarhar province, one of the community leaders spoke of a community association at the village level, which provides public awareness to the public, namely their right to documentation and the importance of having documents such as tazkiras, passports, and civil registration documents. There was also a youth-focused committee that specifically worked with young people in the community to encourage them to get documentation.<sup>145</sup>

Under the DfA, middlemen have become an increasingly visible stakeholder within the documentation landscape in Afghanistan – namely for e-tazkiras. In certain communities, some community leaders invite

middlemen in order to respond to requests for documentation – they often bring in a photographer to take pictures of applicants and will fill out the initial application forms. Although there are fees associated with middlemen for this service, using these services within the community means that people are typically only required to take – and pay for – one trip to the processing centre.

“One community leader in Balkh stated that this was the only support they were able to provide to help facilitate the process of getting e-tazkiras at the community level, stating “we bring the photographers and other persons familiar with the registration and filling of the forms for getting E-Tazkira so that people do not have to pay for the carfare to go to the city and reach out to middlemen themselves. When they take photos and record the personal details of people in the community, they return to the city, fill out the necessary forms, and proceed with the rest of the process. This is the only support we can provide to ease the process of getting E-Tazkira.”<sup>146</sup>

However, it should be noted that not all middlemen are legitimate – some interviewees reported experiences with people who presented themselves as middlemen who turned out to be frauds.

## b. Level. Of Coordination, Communication, and Capacity

Overall, the general consensus amongst key informants interviewed within the MOI, NSIA, law offices, and at the community level in all four provinces was that there has been an increased lack of communication and coordination under the DfA about documentation processes and procedures. This was also confirmed by many interviewees, who felt that generally, they were more confused and unsure about the processes and requirements associated with accessing identification and civil registration documentation under the DfA - mostly related to getting e-tazkiras, passports, and marriage certificates. Interviewees in Kandahar

province claimed that addresses have changed under the new regime, and people do not know where to go.<sup>147</sup>

Furthermore, several offices have been closed under the DfA due to financial constraints, which have reduced overall personnel working in identification and civil registration departments. This led to many people feeling that procedures and requirements had changed under the new government.

143- KII2 Balkh Province, Community Leader, 20 November 2022.

144- SSI4 Balkh Province, Female IDP, 19 November 2022.

145- KII3 Nangarhar Province, Community Leader, 19 November 2022.

146- KII1 Balkh Province, Community Leader, 19 November 2022.

147- FGD1 Kandahar Province, Women (hosts, IDPs, returnees), 30 November 2022.

One man interviewed in Kandahar province stated that procedures had changed under the DfA, stating, “We know the authorities that are in Kandahar, but there have been several changes in the directorates; however, we don’t know what the changes are. We cannot get the documents we are applying for.”<sup>148</sup>

Furthermore, as discussed in the first section of this report, many of the offices for processing official identification have been closed under the DfA – with most offices for processing identification and civil registration documents located in Kabul or the provincial capitals. Given the reduced number of open facilities and available staff, processing times are lengthy.<sup>149</sup> Overall, the offices at the provincial level lack budgets to pay people’s salaries and material, which has significantly impacted their ability to implement a fully functioning environment for processing documentation under the DfA. Online systems are not operational, making submission of forms to the offices more difficult for people, compared to under the former GoIRA.<sup>150</sup>

Under the previous government, the NSIA, Ministry of Internal Affairs, and Passport Directorate were responsible for distributing and issuing documentation. However, when the government changed in August 2021, all the offices were closed for a period of time, and none of the ministries and offices were operating. A key informant within the Ministry of Internal Affairs in Kabul stated that following the DfA takeover, new employees could not initially access the systems for processing passports and e-Tazkiras as they lacked passwords.<sup>151</sup> Additionally, since offices have reopened under the DfA, they have operated at lower capacity, due to staff fleeing the country, many female staff being fired, and replacement staff lacking proper experience and knowledge of documentation systems.

“As highlighted by an employee in the Ministry of Internal Affairs, “Even when they restarted their operation, they could not operate properly due to their employees’ absence.”

Some of the employees were fired like women and some others had gone to other countries. The new government employees who have been recruited in these offices did not know the system well.”<sup>152</sup>

There remain many capacity gaps for new employees, due to lack of knowledge about systems and lack of working capacity – largely related to the need for training on computers and IT technology. However, the current government is unable to implement capacity building programmes or services internally due to lack of finances.<sup>153</sup>

Once the GoIRA fell in August 2021, the Statistics and Information Directorate in Balkh province lacked a responsible leader for two months. After the provincial government introduced the chairman to the directorate, the provision of services was resumed in October.

However, a key informant within the NSIA in Balkh stated that, “we had many problems when the directorate started to operate after the collapse of the former government. At that time, the applicants needed to spend two days and nights submitting their forms to the directorate.”

Under the DfA, staff shortages have been rampant – within the NSIA in Balkh province for example, the number of staff was reduced by 30 people, which has drastically impacted the ability of the office to process applications. An interviewee within the e-Tazkira department at the NSIA in Nangarhar province echoed these sentiments, highlighting that compared to the current government, the personnel was bigger under the GoIRA, especially as the new government removed some positions within the e-Tazkira authority. They also posited that whilst the previous government had a structure and system which focused on facilitating staff capacity within the e-Tazkira department, under the DfA, competent employees have been replaced with DfA members who lack any previous knowledge of documentation.<sup>154</sup>

148- SSI2 Kandahar Province, Host man, 27 November 2022.

149- KII1 Kandahar Province, Community Leader, 27 November 2022.

150- KII3 Balkh Province, NSIA, 20 November 2022.

151- KII2 Kabul Province, Ministry of Internal Affairs, 12 December 2022.

152- KII1 Kabul Province, MOI, 12 December 2022.

153- KII1 Kabul Province, MOI, 12 December 2022.

154- KII2 Nangarhar Province, NSIA, 18 November 2022.

Capacity to print documentation – namely e-tazkiras—has decreased significantly under the DfA, and remains centralised in Kabul, despite NSIA branches and e-tazkira departments located in other provinces. Under the former government, during 24 hours and three working shifts, 25,000 to 40,000 e-Tazkiras were printed in Kabul province. At present, under the DfA, working shifts have been decreased to two shifts in Kabul province – and printing only occurs over an 8 hour period. The province’s NSIA branches also have problems regarding the shipping and transportation of e-Tazkiras – as they are shipped to all centres in provincial capitals after printing.<sup>155</sup> Thus, those who apply for e-tazkiras in Kabul province receive their documents quicker than those in other provinces. However, although supplies of biometric materials for e-tazkiras remain low, the DfA has a greater capacity to provide them compared to 2021. The DfA purchased 3 million identification cards from Korea, according to a key informant in the NSIA in Nangarhar province. Under the previous government, there were never shortages, but compared to the first days of the Emirate, its overall capacity to process and print e-tazkiras has increased.<sup>156</sup>

Most of the staff in e-Tazkira departments under the DfA are recruited based on open competition. According to a key informant within the e-Tazkira department at NSIA in Nangarhar province, those who have been hired largely carry out their tasks based on the job description and standard operating procedures (SOPs) they were given. When there have been changes in the job description or policy, they have been shared internally with employees. Every employee in the centres is aware and understands the processes, policies and SOPs. However, one of the key challenges in coordination and communication is that under the DfA, new policies are not shared through official seminars or training sessions with staff, but rather via social media channels – notably via WhatsApp groups.<sup>157</sup> Under the DfA, communication about how to access identification and civil registration documentation has been limited to certain information pages on social media, as well as other sites to advertise and help with

the process. The NSIA regularly publishes information on Instagram, under the handle @nsia\_afghanistan. Under the DfA, they use this page to share census data, Tazkira office opening announcements, guidelines on how to get documents in Afghanistan under the DfA, and in some cases, total revenues. For example, in Nangarhar province, the NSIA has collected nearly 29 million Afghani in revenue through the issuing of e-Tazkiras, which have been deposited into the DfA’s treasury. Via the NSIA’s Instagram page, the head of statistics and information in Nangarhar stated after restarting the activities of electronic tazkira distribution centers in this province, with three active centers, the NSIA has been able to distribute nearly 140,000 e-Tazkiras. The electronic ID card distribution centers of this province have a total of 120 employees, 12 of whom (only 10 percent) are female, who provide services to about 1,800 male and female applicants daily.<sup>158</sup> In Herat province, the head of statistics posted that Herat’s electronic ID card distribution centers have a total of 129 employees, 114 of whom are male and the remaining 15 are female (12 percent of total employees).<sup>159</sup> Although written information published on social media is in both Pashto and Dari, all video explanations of processes on getting documents are in Pashto – which leaves Dari speakers at a significant disadvantage.

“One key informant in the NSIA in Balkh province stated that under the DfA, they advertised less, largely due to the lack of capacity at the institutional level to quickly process all requests. It appears this strategy has been used so less people apply at once, as stated by the NSIA interviewee, “Our administration has some informative pages on social media. For instance, we provide people with information via our Facebook Page. Our IT manager shares the news of the new arrival of e-Tazkiras with the directorate and asks the applicants to receive theirs. Regarding encouraging the people, we have no such program. We do not need to encourage people because we fall behind in processing the applications. It would be logical to give announcements when no applicants are applying for e-Tazkiras.”<sup>160</sup>

155- KII3 Balkh Province, NSIA, 20 November 2022.

156- KII2 Nangarhar Province, NSIA, 18 November 2022.

157- KII2 Nangarhar Province, NSIA, 18 November 2022.

158- As posted on the NSIA’s Instagram page - @nsia\_afghanistan, 4 September 2022.

159- As posted on the NSIA’s Instagram page - @nsia\_afghanistan, May 29 2022.

160- KII3 Balkh Province, NSIA, 20 November 2022.

The demand for e-tazkiras has remained high in Balkh province under the DfA, as it is one of the central provinces in Afghanistan. However, the process differs significantly from the process in Kabul province – applicants are required to visit several addresses to process documents, whereas in Kabul, they are able to visit one central office to carry out identity verification and biometrics data registration.<sup>161</sup>

Although not commonly mentioned by interviewees, a few asserted that there is a lack of understanding within the DfA about certain documents in Afghanistan.

## 2. CHANGES IN PROCEDURES AND IMPACT OF ACCESS ON LEGAL DOCUMENTATION AND CIVIL REGISTRATION

Officially, the process for obtaining identification and civil registration documents has not changed under the DfA. A key informant from the Ministry of Internal Affairs stated that their internal systems were at once active and inactive – in many ways, the internal procedures for processing documentation remained the same as under the GoIRA. However, many systems have been rendered inactive due to lack of funding under the DfA to keep them operational – including the system used under the GoIRA to confirm paper Tazkiras.<sup>163</sup>

The main changes that have occurred in terms of procedures under the DfA mostly centre around lengthier processing times due to reduced staff and gender restrictions on employment, changes in the price of documentation, and increased levels of bribery.

One interviewee in Balkh province described the process for getting documents under the DfA, stating, “The process of obtaining documents has not changed. Now, there is no guidance from the government about getting documents, while the government should publish information about the necessary documents through the media. For example, people should be told that a marriage certificate is necessary for everyone who gets married or a birth certificate is required for every child.”<sup>164</sup>

“ One woman interviewed in Kandahar province spoke of a need for awareness raising within the DfA, as she stated, “the Taliban came to our home for investigation, and they were not able to differentiate bank cards from tazkiras.”<sup>162</sup>

“ Another woman interviewed in Herat province echoed her comments, stating, “My sister got a passport from the previous government, which was very simple. I have been struggling to obtain a passport for a year and a half, but so far, I have not been able to get one. The current de facto administration has such strict rules that we regret getting a passport; they make excuses over meaningless matters. We now do not know where to go or what to do. We register at different websites, and no one shows us the appropriate way. Previously, people could get a passport or Tazkira within a month or two months, but now they cannot get these documents even within a year.”<sup>165</sup>

Under the DfA, personnel in charge of conducting biometrics are now required to be separated by gender. Female officers are assigned to collect fingerprints for women applicants and male officers take men’s fingerprints and process their documents. Women are also required to wear the burqa during the procedure.<sup>166</sup>

161- KII3 Balkh Province, NSIA, 20 November 2022.

162 FGD1 Kandahar Province, Women (hosts, IDPs, returnees), 30 November 2022.

163- KII1 Kabul Province, Ministry of Internal Affairs, 12 December 2022.

164- FGD2 Balkh Province, Men (hosts, IDPs, returnees), 19 November 2022.

165- FGD1 Herat Province, Women (hosts, IDPs, returnees), 20 November 2022.

166- SSI7 Balkh Province, Returnee woman, 20 November 2022.

Under the DfA people receive their documents later than under the GoIRA, due to longer processing times, as well as a lack of agreement between the DfA and the postal services. Under the DfA, there have also been frequent issues with the printing and provision of e-Tazkiras in particular at the province level which have delayed provision of documents, as the required items were over in the Kabul province branch. Hours of operation have also been significantly reduced for e-Tazkira departments in particular.

One employee at the NSIA in Balkh Province stated, “in 24 hours and three working shifts, 25,000 to 40,000 e-Tazkiras were printed [under the previous government]. Now, however, the working shifts have been decreased by one working shift in Kabul province; no matter how many Tazkiras are printed, they just print during 8 working hours. The province” branches have problems regarding the shipping and transportation of e-Tazkiras. Meanwhile, the reason for faster submission of them to the applicants is because the branches do it themselves. They have shuttles, and e-Tazkiras are distributed to all centres after printing. If an applicant applies for an e-Tazkira in Kabul province, it is handed over to the applicant 10 days after biometrics data registration because they have their transportation unit.”<sup>167</sup>

Having a paper Tazkira appeared to only slightly speed up the process of procuring an e-tazkira. Applicants who had paper tazkiras reported waiting four months to receive their biometric identification cards, even in cases where they had hired middlemen to facilitate the process.<sup>168</sup>

Under the DfA, although for a short period of time after August 2021, passports were issued in some provincial cities, passports are no longer issued in people’s own provinces and only in Kabul, which has increased the overall costs for people.

One community leader interviewed in Kandahar stated, “It impacts public’s ability a lot because people were able to obtain the passport in their own

province previously, but now they have to travel to another one. It is obvious that both short and long distance travels increase the costs, as well as the cost of accommodation, food are also the costs associated with [the process].”<sup>169</sup>

One IDP interviewed in Balkh province stated he had spent 16,000 AFN alone on transportation, living expenses, and processing costs while waiting to receive his passport under the DfA. He was required to travel abroad due to medical issues, and had to leave his job during this period, in order to move to Kabul and remain there while his application was processed.<sup>170</sup>

In order to officially process and register a birth certificate, an applicant is required to go to three places: hospital offices, civil registry office, and a tazkira office.

Key informants interviewed in Herat province expressed frustration with this requirement, stating, “This administrative bureaucracy is frustrating and the officials should fix it.”<sup>171</sup>

However, this does not appear to be a new requirement introduced under the DfA, but rather a process from the former government that has remained under the DfA. Given the increased demand for these documents – as a growing number of people attempt to leave the country – it could be that this is the first time that many interviewees have interacted with the procedures for accessing civil registration documentation in Afghanistan. In order to determine age without a birth certificate, after the applicant applies for Tazkira in a particular district, the person who confirms the applicant’s age is the district governor. The district governor confirms the age of the applicant based on their appearance. In cases where someone has lost their birth certificate or procures one at a later date, the age determination is inconsistent with the person’s birth certificate, the governor has delegated the authority to determine the age to the head of the Civil Registration Authority.<sup>172</sup>

167- KII3 Balkh Province, NSIA, 20 November 2022.

168- SSI7 Balkh Province, Returnee woman, 20 November 2022.

169- KII2 Kandahar Province, Lawyer, 2 December 2022.

170- SSI6 Balkh Province, Male IDP, 20 November 2022.

171- KII1 Herat Province, Head of the District and Local Council, 20 November 2022.

172- KII3 Herat Province, Lawyer, 20 November 2022.

Although not widely reported, interviewees in Kandahar province who had applied for e-tazkiras for their children with birth certificates reported isolated cases of being charged an additional 100 AFN to officially register the birth certificate by the DfA.

“One woman interviewed described the process: “We have spent money to access the tazkira. While I was accessing tazkira for my little son, I took his birth certificate and the Islamic Emirate took 100 AFN from me. They said that the certificate was sent by the hospital, that’s why we take 100 AFN for it. When you would like to access taskira for your children. You have to pay 100 AFN for it. That’s why they have taken 100 AFN from me without the cost of taskira. For Tazkira I have paid 300 AFN. Previously under the republic government the rate was 100 AFN and currently the rate is 300 AFN for single taskira.”<sup>173</sup>

Furthermore, there appears to be a different process for getting marriage certificates for Sunnis and Shias, based on the interviews carried out. In Balkh province, the community has an official Shia council that provides marriage certificates. However, these certificates are not accepted by the DfA, who require people to go to the district’s local court to get an official certificate. Shias are able to procure official marriage certificates from Shia scholars’ offices, whereas Sunnis go directly to courts to get these documents. Two witnesses and the village representative are needed in court to get a legal marriage certificate.<sup>174</sup>

### a. Changes in Cost of Documentation under the DfA and Impact on Access

Three key points emerged regarding the cost of documentation under the DfA – 1) the price increases of e-Tazkiras and passports under the DfA have made accessing these two documents more difficult, 2) the price varies significantly by province - depending on how much travel is required, and 3) many people are unable to get documentation because they have other priorities, such as survival (food, clothing, housing, humanitarian aid), and ensuring their children are enrolled in school. Table 9, below, outlines the cost people surveyed during Phase I paid for tazkiras and passports by province, including government fees and other fees (travel, bribes, accommodation, etc) associated with getting the document since August 2021.

Table 9: Cost of Tazkira / Passport by Province – Survey Data, Phase I

Province	Kabul	Herat	Nangarhar	Balkh	Ghazni	Kandahar	Kunduz
Reported average cost of Tazkira / e-Tazkira (AFN)	2250	3311	1327	2645	1643	2847	1974
Of which, how much of these were government fees? (average)	410	772	455	150	790	93	120
Of which, how much of these were government fees? (%)	18%	23%	34%	6%	48%	3%	6%
Reported average cost of passport (AFN)	8432	8608	8042	17490	8000	7467	8375
Of which, how much of these were government fees? (average)	6153	5958	5965	6076	7333	5837	6050
Of which, how much of these were government fees? (%)	73%	69%	74%	35%	92%	78%	72%

173- SSI8 Kandahar Province, Host woman, 27 November 2022.

174- KII2 Balkh Province, Community Leader, 20 November 2022.



## COST OF DOCUMENTATION – PHASE II FIELDWORK

Interviewees in Balkh, Herat, Nangarhar, and Kandahar provinces provided various ranges for the price of documents under the DfA, which are outlined below, in contrast to the numbers identified during the Phase I survey.

**PASSPORTS:** Those in Balkh province gave estimates from 5,000 AFN - the government fees for passports under the old regime (GoIRA) – to 45,000 AFN – the price of a passport on the black market. Interviewees in Nangarhar listed 12,000 AFN – the government fees for 10 year passports issued under the DfA – to 20,000 AFN on the black market. Passport prices in Herat ranged the most – from 5,000 AFN under the former government to 100,000 AFN on the black market.

**E-TAZKIRAS:** E-tazkira costs were uniform, with most people paying 300 AFN for the document itself, plus an extra 50 AFN if the applicant used a middleman to apply. Anecdotal evidence from key informant interviews and interviewees also pointed to people being charged 500 AFN to fix any mistakes in spelling.

**PAPER TAZKIRAS:** Paper tazkiras were uniformly 100 AFN under the DfA – most interviewees across all 4 provinces were aware that the price had changed.

**BIRTH CERTIFICATES:** There are no government fees for birth certificates under the DfA. However, people do have to travel in order to access these documents – usually with a cost of around 500 AFN.

**MARRIAGE CERTIFICATES:** These previously cost 1,000 AFN under the GoIRA. There is not a consensus on the price under the DfA – some officials mentioned they are now free of charge, whilst some interviewees paid 300 AFN to get them. However, given the high demand – as they are required for visa and passport applications – many interviewees spoke of people needing to bribe officials in order to get marriage certificates.

The costs of passports are substantially higher than the costs associated with Tazkiras and e-Tazkiras. Respondents on average spent more than 4 times more on passports than they did on Tazkiras. The reported cost of passports was particularly high in Balkh – more than twice the amount reported in other provinces— and lowest in Kandahar. The black market for passports has also increased significantly under the DfA, due to multiple closures of the main passport

office in Kabul, with people willing to pay several times the official price in order to procure the document.<sup>175</sup> Bribes and corruption have become intrinsic to passport processes under the DfA – interviewees in all four provinces were of the opinion that processes are longer and difficult if one lacks the money to bribe officials or uses a middleman.

175- Marjana Sadat, "Escaping the Taliban: how much is a passport on the black market?", La Repubblica, February 16, 2022.

Overall, under the DfA, there has been a rise in middlemen used to facilitate the process of applying for e-Tazkiras and passports in particular. When the head of household is available, middlemen were reported to charge people 2,000 AFN for their services. However, the prices were higher 3500–4500 AFN to get Tazkiras or e-Tazkiras if the head of household is unavailable. This solution is mainly used by women-headed households – namely those who have husbands abroad or are widowed – who are required to resort to using middlemen in order to manoeuvre around the requirement of having a male head of household.<sup>176</sup> Many people have been forced to turn to middlemen due to the delays in processing times under the DfA. In some cases, interviewees reported middlemen taking their money to process applications for e-Tazkiras or passports, only to disappear.

“ One IDP woman interviewed in Nangarhar province stated, “recently we wanted to get a national ID for one of my daughters-in-law, but it was really hard to get it; thus, we gave around 5000 AFN to one of the brokers to get it for us, but unfortunately, he escaped and stole our money.”<sup>177</sup>

Furthermore, many districts and provinces lack the adequate facilities to provide identification documents, so many people have to travel long distances to other provinces, with many spending more on travel than the cost of the document. Reported average costs, as well as government fees, varied considerably across provinces. Survey respondents who were called back were asked about the exact cost of obtaining different types of documents, as well as how much of these costs were government fees. For Tazkiras / e-Tazkiras,

respondents in Herat on average paid the most, followed by interviewees in Balkh and Kabul. Yet, the government fees were largest in Ghazni and Herat.

Although many people in Afghanistan want to procure documentation, the cost is a major deterrent – and was mentioned by nearly all interviewees, regardless of their gender, age, displacement status, ethnicity, or province. Given widespread unemployment, people are struggling to survive, especially large families.

One man interviewed in Nangarhar province stated, “The biggest problem nowadays is the economic problem. Many works have collapsed or are not the same as they were before. The biggest problem is the economy, suppose a family with 20-25 members will first try to solve their food and clothing problem. The most important things in a community are clothes, food, and education. After these people will want to get access to documents.”<sup>178</sup>

This accurately encapsulates the paradox of documentation in Afghanistan under the DfA – many people are focusing on accessing food, employment, housing, and humanitarian aid for survival, but often having one or several forms of identification or civil registration documents will facilitate their access.

176- SSI2 Balkh Province, IDP and Returnee Female interviewee, 19 November 2022.

177- SSI5 Nangarhar Province, Female IDP, 20 November 2022.

178- SSI1 Nangarhar Province, Returnee Man, 20 November 2022.

## b. Processing Times for Documentation under the DfA

Overall, under the DfA, processing times for all documentation – save for paper tazkiras – have increased. A key informant lawyer in Nangarhar province stated that the lack of legal booklets and biometric documents has increased processing times for e-Tazkiras, passports, and marriage certificates in particular. Under the previous government, people were able to get documents a few days after application. Under the DfA, it takes several months.<sup>179</sup>

One key informant from the e-Tazkira department in the NSIA in Nangarhar province felt that compared to the previous government, demand for the e-Tazkira has decreased under the DfA, largely due to price increases and people's inability to pay for the document due to widespread unemployment and the humanitarian crisis. If people have money to spare, they tend to choose to apply for a paper tazkira, as they are cheaper (10 AFN), the processing times are quicker, and the document meets their daily needs under the DFA.<sup>180</sup> Processing times for paper tazkiras were reported to be the quickest under the DfA out of all identification and civil registration documents – if people were able to afford the cost and potential risk of travelling back to their places of origin. Although people have been using middlemen to apply for e-Tazkiras and passports, the process still requires several months, with many interviewees still waiting for their documents at the time of interview in November 2022.

Wealthier Afghans tend to access documentation at faster rates, as they are able to bribe office members to allow for quicker processing. Personal connections in documentation offices also were reported to facilitate faster processing times under the DfA. Under

GolRA, army personnel, the disabled and the retired were prioritised in the procedure and processing of their documents. Under the DfA, in theory, everyone is given the same chance and priority.<sup>181</sup> However, in practice, DfA members are given priority.

“A few interviewees also felt that staff in offices were intentionally lengthening processing times in order to receive bribes, with one interviewee in Herat province stating, “the most challenging thing we encountered was its time-consuming nature, which requires a lot of time; this is an intentional tactic by the staff of relevant departments so that they can get bribes from applicants.”<sup>182</sup>

Lastly, interviewees reported that members of the DfA and their family members get priority for getting IDs. Some are even offered money to sell their place in the “waiting” list.

“One women interviewed in Herat province stated, “the Taliban can get documents, including passports, without waiting and going through the necessary legal process. They are even allowed to get passports for some of their family members through this pathway. Some Taliban receive 20,000 AFN bribe for each passport to give their turns to others.”<sup>183</sup>

179- KII1 Nangarhar Province, Lawyer, 19 November 2022.

180- KII2 Nangarhar Province, NSIA officer, 19 November 2022.

181- KII3 Balkh Province, NSIA, 20 November 2022.

182- KII4 Herat Province, Male Returnee, 21 November 2022.

183- SSI5 Herat Province, Female IDP, 21 November 2022.

### 3. LEVEL OF ACCEPTABILITY OF DOCUMENTS HELD UNDER THE PREVIOUS GOVERNMENT

Overall, all identification and civil registration documents issued under the former government are still accepted as valid by the DfA, even if they have the old emblems and format. Passports have remained the same as well and use the old format bearing the former GoIRA insignia when issued. Some people expressed concerns that whenever passports are eventually issued by the DfA, they would not be accepted abroad – however, this concern has yet to arise as the old GoIRA booklets are still used. Furthermore, paper Tazkiras are still being provided, and are now accepted as part of passport applications – which is a change from the previous government, which required e-tazkiras in order to apply for a passport. Following the transition of power in August 2021, the DfA continued to process applications for various types of documentation submitted under the previous government.

According to an interviewee within the Ministry of Internal Affairs in Kabul, the DfA are not requiring people to have e-Tazkiras, stating “we cannot force people to have electronic national ID cards.”<sup>184</sup>

Under the DfA, the forms used for documents have remained the same – even the name of the previous government regime has remained on new e-tazkira cards issued.<sup>185</sup> However, further verification processes are required if an employee who officialized the document under the previous government has left their job, their signature is no longer acceptable to the DfA. Furthermore, e-Tazkira applications submitted under the previous government are being processed under the current Islamic Emirate, despite the forms dating back to the previous government, as confirmed by a key informant in the NSIA in Balkh province.<sup>186</sup>



## AFGHAN CONSULATES AND DOCUMENTATION: PROCESSES AND LEVELS OF ACCEPTABILITY POST-AUGUST 2021

Afghan embassies and consulates remain open abroad – it is estimated that 45 embassies and 20 consulates are still in operation, most of which remain aligned with the former GoIRA and largely function independently from the DfA. They receive no funding from Kabul.<sup>187</sup> No country has formally recognized the Islamic Emirate of Afghanistan as the legitimate successor to the GoIRA. In April 2022, DfA appointees for the embassy *chargés d'affaires* were accredited by China, Pakistan, Russia, and Turkmenistan.<sup>188</sup> Although the DfA's ultimate goal is to take over all functioning Afghan embassies and consulates globally, lack of funds has deterred them from doing so. All of the embassies and consulates in the countries below that remain operational are still issuing civil registration documentation and visas under the former GoIRA logo. None are issuing new Tazkiras (paper or biometric) and passports are being extended, rather than renewed or issuing new documents. Based on information communicated via NSIA's Instagram page in November 2022, according to the decision of the Cabinet of the Islamic Emirate of Afghanistan, until the normalisation of diplomatic relations with foreign countries, the distribution of e-Tazkira cards to Afghan immigrants living outside the country has been postponed.<sup>189</sup>

**SUPPORT FOR AFGHANS ABROAD IN AFGHANISTAN:** For the convenience of Afghans living abroad, the National Bureau of Statistics and Information has restarted the service of distributing, correcting and verifying paper Tazkiras cards, which is provided through the population registration office of the department – as communicated via the NSIA's Instagram account.

**UNITED STATES:** The Afghan embassy in DC and consulates in Los Angeles and New York closed in March 2022, largely due to lack of financial means to continue operations, largely due to the impact of frozen assets in the US banking system. Afghan diplomats were given 30 days to apply for residency or humanitarian parole and the State Department is currently maintaining the properties until the mission is able to resume operations. All Afghan diplomatic and consular activities have ceased in the US.<sup>190</sup>

**UNITED KINGDOM:** : The Afghan embassy in the UK is only issuing certain documents – namely extending passports, issuing birth certificates, as well as providing educational equivalency certificates. The embassy is not accepting any new applications for Tazkiras or passports.<sup>191</sup>

**CANADA:** The Afghan Embassy in Ottawa is extending passports for 5 years but is no longer accepting absentee Tazkira requests. It is still issuing birth and marriage certificates.<sup>192</sup>

**NORWAY:** The Afghan Embassy in Oslo is no longer issuing absentee Tazkiras, marriage certificates, or new passports. Those with machine readable passports are eligible to extend them, and Afghan nationals living in Iceland, Norway, and Denmark can apply for certification of their birth in Afghanistan, their Afghan identity, and their citizenship status in Afghanistan. All documents are issued under the previous GoIRA insignia.<sup>193</sup>

184- KII3 Kabul Province, 14 December 2022.

185- KII3 Balkh Province, NSIA, 20 November 2022.

186- KII2 Balkh Province, NSIA, 19 November 2022.

187- Jack Detsch, "Afghanistan's Diplomats Refuse to Represent a Terrorist Group," 7 January 2022.

188- Voice of America News, "Russia Latest Country to Establish Diplomatic Ties with the Taliban," 9 April 2022.

189- As posted on the NSIA's Instagram page - @nsia\_afghanistan, 29 November 2022.

190- Anwar Iqbal, "Afghan embassy consulates in the US shut their doors," Dawn, 27 March, 2022.

191- See website for the Afghan Embassy in London

192- See website for the Afghan Embassy in Ottawa

193- See website for the Afghan Embassy in Oslo

IRAN: Although the website of the former GoIRA embassy in Iran has not been updated since July 2021, the GoIRA embassy and consulates remain operation in Iran, largely communicating updates via social media – largely via their Instagram account (@sefaratafg). The account shares information about how to access documentation processes in Iran, as well as combats false rumours about processes circulating within the Afghan community in Iran. Some posts have also advocated for the re-opening of the passport authority in Kabul. The embassy is extending Afghan passports issued from 2015 onwards for those Afghans possessing Iranian visas. Although the embassy and consulates are not issuing new Tazkiras (either paper or biometric), they are providing identification verification forms, which serve a similar purpose, as well as civil registration documents (birth and marriage certificates). All are issued under the former GoIRA insignia.

INDIA: The Afghan Embassy in Delhi and consulates in Mumbai and Hyderabad remain open and operates with little coordination from the DfA. Visas and passports remain issued under the former GoIRA. Under the first Taliban regime, the Afghan Embassy in Delhi continued to function under the previous government. Both the embassy and consulates communicate daily with the foreign ministry in Kabul on paperwork for Afghan citizens in India – including civil registration documents (birth, marriage, divorce, and death certificates). The embassy and consulates have been able to continue their operations from their consular work – visa fees, passport fees, and civil registration documents.<sup>194</sup>

MULTILATERAL ORGANISATIONS: All previous representations of the former GoIRA have ceased operations for multilateral organisations. This includes the permanent representation to the EU in Brussels, the permanent representation to the OPCW in The Hague, the permanent missions to the UN in Geneva and New York, and the permanent mission to UNESCO in Paris.

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194- BBC News, “Delhi Afghanistan embassy not taking orders from the Taliban,” 28 June 2022.

## CASE STUDY 3

SOHRAB IS A MUNICIPAL ACTOR IN JALALABAD CITY, NANGARHAR: HERE IS THE STORY OF THE PROCESS IN HIS PROVINCE TO ACCESS DOCUMENTATION – THIS IS THE PROCESS FLOW AS HE EXPLAINS IT

Greetings. I am Sohrab \*, one of the employees of E-Tazkira [Jalalabad city, Nangarhar]. When the applicants visit the centre. We deal with them in different sections. For example, we collect the forms from the applicants. Since the first step in forms is its collection, in this step the applicants' information and the entered date are checked. Likewise, the applicant's form is prepared and gets ready for the next step. After the process of collection, the file is sent to the scan-file step which is the second step. In this step the applicant's identity is verified. That's to say that the applicant's information is identified based on the central database to see whether the hard copy of the file that the applicant has is similar to the one archived in the central database or not. There are other steps as well

Currently, The National Statistics and Information Authority (NSIA) is an independent authority and is responsible for the design and distribution of civil documentation. Due to the situation, E-Tazkira services couldn't reach districts even though they had been planned to. However, in the structure of the Civil Registration Deputy paper Tazkira section is active in districts. Paper Tazkiras are distributed in districts; however, if the applicants request for e-Tazkira, they can receive it in the centre/capital.

Whenever a child is born, the birth certificate is provided to him/her. That certificate is not only required for childbirth but is also needed in the further process by us. One of the most important documents after childbirth is a birth certificate which should be available.

One of the most important certificates for a married couple is having a marriage certificate while visiting e-Tazkira centres. A marriage case, what we call, will be registered for the individuals who were previously single and received their Tazkiras with family and are married now by providing the centre with a marriage certificate and other important documents. Through this process, their information will be joined and that will allow their children to get Tazkiras in the future.

The previous government had a structure and system which increased staff's capacity to a high level. In short, I can say that compared to the current government, the personnel was bigger. The new government, considering the current situation, decided to remove some positions in e-Tazkira authority. Since most people are not willing to get e-Tazkira, and the government is changed, changes have occurred in E-Tazkira personnel's structure.

There used to be over 230 employees in three e-Tazkira centres in Nangarhar Province, but the number decreased to half. Besides, most talented youths have lost their jobs. {Older people have been appointed, which has] decreased the capacity of staff. Unlike young and energetic staff, older employees have low capacity. For example, older staff members may misspell the name of an applicant in E-Tazkira due to memory problems.

As a result of the aforementioned problems, workload increases on staff because the applicant who was supposed to visit the centre once may, now, visit it 2 or 3 times to make the problem right. These visits will cross the limit of applicants the centre sets for a day which is a problem. And this not only impacts the women but also impacts every person in the country whether they are displaced, returnees, men or hosts.

Moreover, other problems such as economic problems and insufficiency of e-Tazkira cards exist. All these have highly impacted the distribution process of e-Tazkira. In the past, about 3,000 Tazkiras were being issued in 3 centres of Nangarhar every day. [Under the DfA], we can estimate that even half of the mentioned statistics [less than 1,500 per day] are not being processed now.

The documents issued by the previous government are acceptable by the new government. For example, some applicants applied for e-Tazkira in the previous government that are being processed in the Emirate even though the forms date back to the previous government.

The only problem is that the Civil Registration Authority is faced with is that the new policies are not shared through seminars rather social media is used to share them like WhatsApp groups. The current process for informing people about the cost of documentation is not made public through the media; however, it is made public by simple paper posted on the walls of the Tazkira centres to inform people that the cost has been raised.

Compared to the past, demand for the e-Tazkira has decreased. Since poverty has increased, the demand has decreased. When a person is struggling on a daily basis, how would he/she deposit money for the E-Tazkira? The process for getting an E-Tazkira is long and expensive [...] therefore, they prefer paper Tazkira since it's cheap, fast and meets their daily needs.

*\*Name has been changed.*



# CONCLUSION

Overall, this research demonstrated that access to and availability of documentation overall has decreased for Afghans under the DfA – largely due to closure of offices, lack of staff, and limited financial and material resources to meet higher demands. Those who live in urban areas, have personal connections, and/or the financial means are more likely to be able to access documentation under the DfA. Gender, belonging to a minority ethnic and/or religious group, being displaced, age, living in a rural area, and education all contributed to lower access levels for documentation, due to the many barriers posed under the DfA. The research carried out on documentation in Afghanistan demonstrates several opportunities and risks related to legal identity and civil registration, which can facilitate future advocacy and support from the DfA, humanitarian partners, and the international community.

**OPPORTUNITIES:** Overall, the research demonstrates that there is a rise in interest in getting all types of identification and civil registration documentation in Afghanistan, as people's need for documentation has increased since August 2021. This represents a critical opportunity to implement awareness raising programmes, as well as programmes that accompany people in their application procedures. Additionally, every interviewee from both phases of research emphasized the importance of having a Tazkira – either paper or biometric in form – regardless of

their gender, age, location, ethnicity, and displacement status. This demonstrates that overall, Afghans have been educated on the necessity of Tazkiras for the past 20 years, with most accepting the necessity. If people lack Tazkiras, it is typically due to lack of means or knowledge of the application procedure, rather than lack of understanding of the document's importance.

**RISKS:** The research also revealed several crucial risks in accessing and using documentation under the DfA, which require further support and investment at the international, national, and local levels. Access to documentation is not equal for all groups in Afghanistan – with groups such as women facing ever increasing barriers to accessing documents under the DfA. Those in rural communities struggle further to access documentation due to office closures which increase the time and cost of transportation. Secondly, the demand for documentation under the DfA far exceeds the capacity to supply. Under the DfA, many offices have been closed, staff has been reduced, and offices lack the necessary materials (biometric cards, passport booklets, marriage certificate booklets) in order to respond to increased documentation requests.

Thirdly, passports have been idealised under the DfA – with people paying several thousand dollars without understanding that they will then be required to get a visa in order to leave the country. This has resulted

in many people resorting to irregular pathways, after paying for passports. Fourth, there remain concerns about biometric data and the use of documentation to track down and punish former government employees or those with links to western countries. Although this research did not reveal any strong evidence of this, there have been increased reports of the DfA visiting homes of former government officials, women's rights and human rights activists – many of which are felt to be linked to the DfA's use of biometric databases to punish people they deem deviant to their own cause and values. Fifth, although documents were still issued with the former government's insignia during the time of interview (November 2022), documents issued with the Islamic Emirate insignia could further prevent travel, due to lack of recognition from the international community. Lastly, costs of documentation have increased at a time where inflation, and poverty have increased throughout Afghanistan. Financial barriers are real and the most common barrier to access for everyone, both to travel to get documentation and to pay for documentation.

Based on the opportunities and risks defined above, future work on identification and civil registration should be centred around the below objectives – which have informed three pillars of recommendation (representation, protection, and safe migration and international protection). All recommendations outlined include transversal elements of improving overall knowledge, intersectionality of access, and geography, due to the systemic and localised issues identified in this report related to documentation.

**1) REPRESENTATION FOR ALL AND PARTICIPATION IN SOCIETY:** If Afghanistan is to be an inclusive society under the DfA, the government needs to be able to use documentation as a key to

unity and inclusion. Making it accessible is a crucial first step. Financial and legal assistance is fundamental in order to ensure this occurs.

Overwhelmingly, there remains a need to increase awareness of systems and their rights to procure identification and civil registration documentation, as the research revealed key gaps in people's understanding about processes to procure documentation. Although people overall recognized the importance of having a Tazkira (paper or biometric) in Afghanistan, overall processes remain unclear and inaccessible for many Afghans to access identification and civil registration documents for themselves and their families.

**2) PROTECTION FOR VULNERABLE GROUPS:** This refers both to groups – such as ethnic and religious minorities – feeling safe in applying for documentation and being treated equally during the process, as well as reducing potential protection risks faced as the result of having documentation. The community-based support systems identified in the research are examples of good practices that can be scaled up and respond to the protection risks faced by women, minorities, children, and former government employees.

**3) SAFE MIGRATION AND INTERNATIONAL PROTECTION:** Given that travel was the most commonly cited reason people interviewed were interested in getting documentation under the DfA, there is a need to ensure that Afghans have more opportunities for legal migration and protection abroad. Furthermore, the research demonstrated significant amounts of corruption related to procuring a passport – which doesn't let people access the rights they need.

# RECOMMENDATIONS

## REPRESENTATION FOR ALL AND PARTICIPATION IN SOCIETY

### A) TO THE DE FACTO AUTHORITIES

- Increase the number of centres for processing identification and civil registration documents: The number of processing centres needs to be increased for processing of documents in Afghanistan, and their hours should be expanded. At present, people are required to go to Kabul or the provincial capital. In larger cities, more processing centres and offices are needed in each Police District (PD), so people can process their documents within their own neighbourhoods in order to respond to increased demand.

- Recruit and retain qualified staff, given that many previous employees either left Afghanistan or were let go under the DfA after August 2021. This should be done in tandem with increasing the overall number of centres, as both are required to ensure that Afghans can better access quality and timely documentation.

- Clarify the processes for acquiring civil documentation, given the overall confusion specifically among the most vulnerable groups, in terms of the process to acquire documentation, and specifically on the importance to secure civil documentation.

### B) TO HUMANITARIAN PARTNERS

- Increase public awareness campaigns via radio, television, and religious leaders due to low literacy rates: Many people interviewed reported a widespread lack of awareness about how – and often if – processes to apply for identification and civil registration documentation had changed under the DfA and what was required. Some interviewees stated that only written announcements about requirements were the only way that the DfA had communicated to the public. Given people's general unfamiliarity with many processes, the levels of demand, literacy levels, and the length of distance people must travel to access documentation, there is a need for public awareness campaigns carried out on the radio, television channels, and through religious leaders in local communities to help inform people about the processes. Targeted campaigns could be developed specifically to engage women, displaced people, minorities, as well as children and youth access documentation.

- Organise mobile teams at the district level to widen access within more rural areas, as well as areas outside of provincial capitals: Facilities should be provided for people at the district level through mobile teams, as many Afghans cannot afford to go to Kabul or provincial capitals – or in some cases even city centres for those in peri-urban areas.. Mobile teams could be assigned for i) those who are coming from districts and remote areas and ii) those in remote areas to provide awareness raising, filling out forms, and legal counselling and assistance to people who have barriers to accessing documents, such as paper and e-tazkiras, passports, and civil registration documents ( birth and marriage certificates).

- Support moving the process of acquiring documentation online to eliminate travel for people: The majority of the processes for applying for documentation under the DfA require applicants to complete the process in person, which puts people in rural and more remote areas at a significant disadvantage, especially given the barrier the cost of transportation poses. The only process that can be carried out online is applying for e-tazkiras. However, several interviewees who had applied for e-tazkiras under the DfA were unable to complete the process online and had to go in person. Although computer ownership and internet access is not widespread throughout Afghanistan, stations in villages with computers could be set up in partnership with community leaders, given their involvement in helping people apply for documentation.

## LEGAL PROTECTION FOR CERTAIN KEY GROUPS

### A) TO THE DfA

- Establish ID and passport distribution centres / hubs to improve access outside of urban areas: Closed offices were a key challenge for many people establishing more centres or hubs at the village level, as people's financial situation in rural areas often does not give them the possibility to travel long distances to get documents.

### B) TO HUMANITARIAN PARTNERS

- Launch documentation programmes in mosques and in coordination with religious leaders at the community

- Partner with legal offices to implement formal legal assistance programmes with documentation: Legal offices were identified as a key source of support in Nangarhar province and many interviewees had sought help from community leaders with documentation. Given their knowledge of processes related to documentation, legal offices and/or community leaders in all 34 provinces could be engaged by humanitarian partners to provide guidance to people on how to access tazkiras, passports, marriage certificates and other documents. More regular and official referral mechanisms could be established between legal offices, community leaders, and organisations helping people apply for documentation in the area. Programmes could specifically target women, displaced people (IDPs, returnees), and unaccompanied minors specifically in order to accompany them in their applications, as they tend to face more barriers in access, as well as protection risks as the result of having documentation.

### C) TO DONORS

- Financial support to open greater numbers of facilities for issuing tazkiras/e-tazkiras, passports, and civil registration documents: Under the DfA, many centres previously open under the GoIRA government closed, and the remaining centres were downsized significantly, with reduced staff/hours. There is also a need to fund awareness programs and capacity building initiatives related to civil registration and identification – to ensure that current staff are well informed about procedures, as well as well-equipped to address the current challenges faced.

level: Under the previous government, organisations and people had advocated for getting documentation in mosques, as this would facilitate awareness about documentation and increase people's access. These programmes could include sensibilization on different types of documentation and their importance, as well as help people fill out applications. This could increase protection for women, minority groups, displaced people, as well as those lacking formal education, who might feel more comfortable in these settings compared to formal offices.

- Provide cash assistance to help people access documentation: The current economic and

humanitarian situation that has unfolded in Afghanistan since August 2021 has resulted in many people – especially women – losing employment and thus their sources of incomes. Many people are struggling to cover their basic expenses for survival – such as food and housing costs. Although many recognize the importance of having documentation, only wealthier Afghans are able to pay for documentation – including associated fees and travel costs – “just in case”. International organisations should provide cash assistance along with humanitarian packages in order to help people access identification and civil registration documents they need.

- Support and scale-up community members supporting each other in accessing documentation: Several senior community officials were assisting IDPs and returnees who lacked documentation, and women with knowledge of the processes related to applying for documentation were accompanying other women in their applications. Humanitarian partners should aim to identify these types of practices at the community level and offer support, in order to help

scale up these efforts, as they are a positive coping strategy to the current environment of confusion surrounding process to apply for documents. These measures also serve to increase social cohesion at the community level, which also contribute to greater protection for key groups at risk, such as women, children, minorities, and displaced people.

### C) TO DONORS

- Agree to financing capacity building under the DfA on issuing documents: Although some former GoIRA employees remained within the NSIA and other institutions for processing documentation, the capacity within institutions and offices responsible for processing documentation remains low, with many people complaining about spelling mistakes, lengthy processing times, and DfA members being unaware about certain processes. There is a need for greater capacity building within institutions processing and issuing identification and civil registration documentation.

## SAFE MIGRATION AND INTERNATIONAL PROTECTION

### A) TO THE DFA

- Strengthen national civil registration and identity management systems: this will need to be achieved by giving as much importance to registration of vital events (civil registration) as for identity management (civil identification) as part of one inclusive national legal identity system, that allows for mobility, alongside access to rights.

### B) TO HUMANITARIAN PARTNERS

- Support displaced persons and migrants caught in crisis situations with recording their vital events when unable to access services directly: humanitarian partners can issue identity documents needed for crisis assistance and international evacuations.

- Provide evidence for the nexus between migration, displacement, and legal identity including their impact

on the protection of migrants as a basis for continued advocacy for instance for access to humanitarian visas, and to facilitate further dialogue to facilitate access to legal identity for forcibly displaced persons and other migrants where access to legal identity records is not possible.

- Pursue and strengthen a “whole of UN approach” in delivering a holistic and concerted support to national legal identity to contribute to enhance protection of Afghans outside of Afghanistan: the UN will need to support a national campaign to provide legal identity and civil registration documentation.

### C) TO DONORS

- Fund organisations to assess and improve the security of documents: national technology systems for legal identity data storage and processing need to reflect, in Afghanistan, good practices, and support the

digitization of paper-based archives. This will ensure that nationals – in Afghanistan or abroad – can access their registered information, online.

- Facilitate more legal pathways for Afghans outside of Afghanistan: Given the number of people in Afghanistan who are procuring documents in order to flee the country, there is a need for the international community to have coordinated responses. Many people are given passports but struggle to receive visas – which are effectively required for any Afghan citizen to leave the country. Afghans in vulnerable situations are unable to prove their legal identity and face obstacles to accessing critical services, including international evacuation assistance.

- Support Afghan embassies and consulates abroad financially to enable continued operations. Although most Afghan embassies and consulates continue to carry out more limited activities and financial struggles threaten to halt their services – which remain critical for all Afghans resident abroad, including those who have applied for or have received asylum. Donors should provide financial support to these consulates so they can continue to extend passports, issue civil registration documents, and any other key consular services that Afghans need in order to maintain legal resident or refugee status abroad.

# VII.

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## VIII.

ANNEX B: LIST OF KIIS,  
FGDS, SSIS

Table 1: Key Informant Interviews (KIIs)

Code	Date	Location	Position	Gender
KII1 B	19/11/2022	Dehdadi District, Balkh City, Balkh Province	Community Leader	M
KII2 B	20/11/2022	Gozar Sajjadia, Balkh Province	Community Leader	F
KII3 B	20/11/2022	Mazar City, Balkh Province	Social Statistics Officer, National Statistics and Information Affairs (NSIA)	M
KII1 H	20/11/2022	Qader Abad, Herat Province	Lord of the District and Head of People's Local Council	M
KII2 H	19/11/2022	Guzara district, Herat Province	Head of Community Development Council (CDC)	M
KII3 H	20/11/2022	Herat city, Herat Province	Lawyer, Directorate of Justice	M
KII1 N	19/11/2022	Jalalabad, Nangarhar Province	Lawyer, Owner of Barrister's Office	M
KII2 N	18/11/2022	Jalalabad, Nangarhar Province	Employee in e-Tazkira department, National Statistics and Information Affairs (NSIA)	M
KII3 N	19/11/2022	Jalalabad, Nangarhar Province	Community Leader	M
KII4 N	18/11/2022	Jalalabad, Nangarhar Province	Deputy Community Leader	M
KII5 N	20/11/2022	Jalalabad, Nangarhar Province	Lawyer, Owner of barrister's office	M
KII6 N	20/11/2022	Jalalabad, Nangarhar Province	Defense Lawyer, Barrister's Office	M

KII1 K	27/11/2022	Kandahar City, Kandahar Province	Community Leader	M
KII2 K	02/12/2022	Kandahar City, Kandahar Province	Lawyer, Barrister's Office	M
KII1 Kabul	12/12/2022	Kabul Province	Ministry of Internal Affairs	M
KII2 Kabul	12/12/2022	Kabul Province	Ministry of Internal Affairs	M
KII3 Kabul	14/12/2022	Kabul Province	Ministry of Internal Affairs	M

Table 2: Balkh Province: SSIs and FGDs

Code	Date	Urban / Rural	Age	Gender	Ethnicity	Displacement Status	Documentation
SSI1 B	19/11/22	Rural	26	F	Hazara	IDP	None, waiting for e-tazkira
SSI2 B	19/11/22	Rural	23	F	Hazara	IDP/Returnee	e-Tazkira, informal marriage certificate
SSI3 B	19/11/22	Rural	28	F	Hazara	IDP	e-Tazkira, tazkira, birth certificate (children)
SSI4 B	19/11/22	Rural	30	F	Hazara	IDP	e-Tazkira, tazkira, birth certificate (children), vaccination card, voting card
SSI5 B	19/11/22	Rural	27	F	Hazara	Returnee	Tazkira, informal marriage certificate
SSI6 B	20/11/22	Urban	25	M	Tajik	IDP	Tazkira, Passport
SSI7 B	20/11/22	Urban	35	F	Hazara	Host	e-Tazkira, Tazkira, Birth certificate, Marriage certificate
SSI8 B	20/11/22	Urban	40	M	Hazara	IDP/Returnee	e-Tazkira, Tazkira, Passport, Birth certificate, Marriage certificate, Death certificate
SSI9 B	19/11/22	Urban	60	M	Hazara	IDP	Tazkira
SSI10 B	21/11/22	Urban	42	M	Hazara	IDP	Tazkira, Birth Certificate (children)
SSI11 B	21/11/22	Urban	52	M	Hazara	IDP	Tazkira, Birth Certificate (children)
FGD1 B - R1	20/11/22	Urban	60	F	Hazara	Host	Tazkira, e-Tazkira, Passport (expired), Birth certificate (children)
FGD1 B - R2	20/11/22	Urban	40	F	Tajik	IDP	None
FGD1 B - R3	20/11/22	Urban	35	F	Hazara	IDP	Tazkira, e-Tazkira, Birth certificate (children)

FGD1 B - R4	20/11/22	Urban	40	F	Hazara	IDP	Tazkira
FGD1 B - R5	20/11/22	Urban	53	F	Hazara	Returnee	Tazkira, e-Tazkira, Passport, Birth certificate (children), Marriage Certificate
FGD2 B - R1	19/11/22	Rural	70	M	Hazara	IDP	Tazkira, Passport
FGD2 B - R2	19/11/22	Rural	42	M	Hazara	IDP/Host	Tazkira, E-Tazkira
FGD2 B - R3	19/11/22	Rural	48	M	Hazara	IDP	Tazkira
FGD2 B - R4	19/11/22	Rural	35	M	Hazara	Returnee/IDP	Tazkira, E-Tazkira, Birth certificates (children)
FGD2 B - R5	19/11/22	Rural	51	M	Hazara	IDP	Tazkira, e-tazkira Expired Passport
FGD3 - R1	06/12/22	Peri-urban	52	M	Hazara	IDP	Tazkira, e-tazkira (waiting), birth certificate (children)
FGD3 - R2	06/12/22	Peri-urban	32	M	Hazara	IDP	Tazkira, e-tazkira (waiting), passport (in process), birth certificate (children), marriage certificate, death certificate
FGD3 - R3	06/12/22	Peri-urban	29	M	Hazara	IDP	Tazkira, e-tazkira (waiting), passport (in process), birth certificate (children), marriage certificate
FGD3 - R4	06/12/22	Peri-urban	26	M	Hazara	IDP	Tazkira, e-tazkira, passport, birth certificate (children), marriage certificate
FGD3 - R5	06/12/22	Peri-urban	21	M	Hazara	IDP	Tazkira, e-tazkira, passport, birth certificate (children), marriage certificate
SSI6 B	20/11/22	Urban	25	M	Tajik	IDP	Tazkira, Passport

Table 3: Herat Province SSIs and FGDs

Code	Date	Urban / Rural	Age	Gender	Ethnicity	Displacement Status	Documentation
SSI1 H	19/11/22	Peri-urban	60	M	Pashtun	Host	Tazkira, e-tazkira
SSI2 H	21/11/22	Peri-urban	23	M	Tajik	IDP	Tazkira, Birth Certificate (children)
SSI3 H	20/11/22	Urban	17	M	Tajik	Returnee	Tazkira
SSI4 H	21/11/22	Peri-urban	34	M	Tajik	Returnee	Tazkira, Passport (expired), Birth Certificate (children)
SSI5 H	21/11/22	Urban	40	F	Arab	IDP	Tazira, e-tazkira, passport, marriage certificate, Birth certificate (official one)
SSI6 H	19/11/22	Peri-urban	40	M	Sadaat	Host	Tazira, e-tazkira, passport, marriage certificate, birth certificate (children)
SSI7 H	21/11/22	Urban	31	F	Tajik	Returnee	Tazira, e-tazkira, passport, marriage certificate
SSI8 H	21/11/22	Urban	32	F	Turkmen/ Azerbaijani (Bayat)	IDP	Tazira, passport, marriage certificate, Birth certificate (children)
SSI9 H	19/11/22	Peri-Urban	17	F	Hazara	IDP	Tazira, e-tazkira
SSI10 H	20/11/22	Urban	35	F	Pashtun	IDP	Tazira, e-tazkira, Birth certificate (children)
FGD1 H - R1	19/11/22	Peri-Urban	26	F	Hazara	IDP/Returnee	Tazkira, Pending e-tazkira, Pending passport, unofficial marriage certificate
FGD1 H - R2	19/11/22	Peri-Urban	23	F	Hazara	IDP/Returnee	Tazkira, Pending e-tazkira, lost birth certificate, marriage certificate (unofficial)
FGD1 H - R3	19/11/22	Peri-Urban	31	F	Hazara	IDP/Returnee	Tazkira, Pending e-tazkira, lost birth certificate, marriage certificate (unofficial)
FGD1 H - R4	19/11/22	Peri-Urban	27	F	Hazara	IDP/Returnee	Tazkira, Pending e-tazkira, Birth certificate from Iran, marriage certificate (unofficial)
FGD1 H - R5	19/11/22	Peri-Urban	25	F	Hazara	IDP	Tazkira, Pending e-tazkira, Pending Passport, Birth certificate from Iran, marriage certificate (unofficial)

FGD2 H - R1	20/11/22	Urban	45	M	Pashtun	Host	Tazkira, e-tazkira,
FGD2 H - R2	20/11/22	Urban	55	M	Pashtun	IDP	Tazkira, Passport
FGD2 H - R3	20/11/22	Urban	63	M	Pashtun	IDP	Tazkira, e-tazkira,
FGD2 H - R4	20/11/22	Urban	43	M	Tajik	IDP	Tazkira, e-tazkira, Passport
FGD2 H - R5	20/11/22	Urban	44	M	Pashtun	IDP	Tazkira, e-tazkira

Table 4: Kandahar Province SSIs and FGDs

Code	Date	Urban / Rural	Age	Gender	Ethnicity	Displacement Status	Documentation
SSI1 K	29/11/22	Urban	16	F	Pashtun	IDP	e-tazkira
SSI2 K	27/11/22	Urban	40	M	Tajik	Host	e-Tazkira, Tazkira, Passport
SSI3 K	02/12/22	Urban	33	M	Pashtun	IDP	e-Tazkira, Tazkira, death certificate
SSI4 K	28/11/22	Urban	43	F	Pashtun	Host	Tazkira, marriage certificate
SSI5 K	27/11/22	Urban	28	F	Pashtun	Returnee	Tazkira, birth certificate, death certificate
SSI6 K	28/11/22	Urban	40	F	Tajik	IDP/Returnee	e-tazkira, birth certificate
SSI7 K	30/11/22	Urban	30	M	Pashtun	Host	Tazkira, Passport
SSI8 K	27/11/22	Urban	37	F	Pashtun	Host	e-Tazkira, Tazkira, Birth certificate
SSI9 K	28/11/22	Urban	27	M	Pashtun	IDP	Tazkira, passport, birth certificate (younger siblings)
SSI10 K	05/12/22	Urban	17	M	Pashtun	IDP	Birth certificate
FGD1 K - R1	30/11/22	Urban	59	F	Tajik	IDP	Tazkira, e-tazkira, passport, birth certificate
FGD1 K - R2	30/11/22	Urban	37	F	Pashtun	IDP	Tazkira, e-tazkira, death certificate
FGD1 K - R3	30/11/22	Urban	49	F	Pashtun	IDP	Tazkira, e-tazkira
FGD1 K - R4	30/11/22	Urban	21	F	Pashtun	IDP	Tazkira, e-tazkira
FGD1 K - R5	30/11/22	Urban	21	F	Pashtun	IDP	Tazkira, e-tazkira

FGD2 K - R1	26/11/22	Urban	32	M	Pashtun	Returnee	Tazkira, e-tazkira
FGD2 K - R2	26/11/22	Urban	40	M	Pashtun	IDP	Tazkira, e-tazkira, passport
FGD2K - R3	26/11/22	Urban	28	M	Pashtun	IDP	Tazkira, passport, birth certificate
FGD2 K - R4	26/11/22	Urban	23	M	Pashtun	IDP	Tazkira
FGD2 K - R5	26/11/22	Urban	27	M	Pashtun	IDP	Tazkira

Table 5: Nangarhar Province SSIs and FGDs

Code	Date	Urban / Rural	Age	Gender	Ethnicity	Displacement Status	Documentation
SSI1 N	20/11/22	Urban	32	M	Pashtun	Returnee	Tazira, e-tazkira, passport, Pakistani birth certificate
SSI2 N	20/11/22	Urban	38	M	Pashtun	IDP	Tazkira
SSI3 N	18/11/22	Urban	38	M	Pashtun	IDP	Tazkira, birth certificate (children)
SSI4 N	18/11/22	Urban	37	M	Pashtun	Host	e-tazkira
SSI5 N	20/11/22	Urban	55	F	Pashtun	IDP	Tazkira, e-tazkira, passport
SSI6 N	20/11/22	Urban	13	M	Pashtun	IDP	None
SSI7 N	20/11/22	Urban	15	F	Pashtun	IDP	Tazkira
SSI8 N	19/11/22	Rural	40	F	Pashtun	Host	Tazkira
SSI9 N	19/11/22	Rural	42	F	Pashtun	Returnee	Tazkira
SSI10 N	20/11/22	Rural	35	F	Pashtun	IDP/Returnee	Tazkira, Passport, Birth certificate (children)
SSI11 N	19/11/22	Rural	40	F	Pashtun	Host	Tazkira
FGD1 N - R1	18/11/22	Urban	55	F	Pashtun	IDP/Returnee	Tazkira, e-tazkira, Passport
FGD1 N - R2	18/11/22	Urban	32	F	Pashtun	IDP	None
FGD1 N - R3	18/11/22	Urban	38	F	Pashtun	Host	Tazkira, passport, Birth certificate
FGD1 N - R4	18/11/22	Urban	33	F	Pashtun	Host	Tazkira
FGD1 N - R5	18/11/22	Urban	48	F	Pashtun	Returnee	Tazkira, e-tazkira, Passport

FGD2 N - R1	19/11/22	Rural	54	M	Pashtun	Host	Tazkira, e-tazkira
FGD2 N - R2	19/11/22	Rural	25	M	Pashtun	Host	Tazkira, passport
FGD2 N - R3	19/11/22	Rural	25	M	Pashtun	IDP	Tazkira, passport
FGD2 N - R4	19/11/22	Rural	29	M	Pashtun	Host	Tazkira, passport
FGD2 N - R5	19/11/22	Rural	47	M	Pashtun	Returnee	Tazkira, passport
FGD2 N - R6	19/11/22	Rural	57	M	Pashtun	IDP	Tazkira, e-tazkira

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