REPORT

TAKEOVER: ACCESS COORDINATION IN AFGHANISTAN

The role of access working groups in supporting engagement with non-state armed groups and de-facto authorities

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TABLE OF CONTENTS

INTRODUCTION

In many humanitarian crises around the world, non-state armed groups (NSAG) and de-facto authorities (DFA) hold considerable sway over humanitarian access. They often have the power to inflict violence and impose restrictions that can block humanitarian actors from reaching people in need and prevent people from accessing assistance and protection. Engaging with them is a humanitarian necessity.

📷 Shidayee informal IDP settlement in Herat city

Despite this, humanitarian actors often struggle to engage effectively with them. They struggle to negotiate an environment where assistance can be provided in a neutral, impartial and independent manner and to resolve issues that compromise principled ways of working.

Over the past decade, an increasing number of resources and training opportunities on how to engage with NSAGs and DFA have become available to the humanitarian community. These have gone some way to addressing practitioners' needs. Research has complemented this work by exploring the challenges the humanitarian community faces in maintaining proximity to those most in need, and how aid actors incorporate humanitarian principles into their work.

In tandem with these growing resources, humanitarian access working groups (HAWG) have come to complement traditional humanitarian coordination mechanisms like clusters and humanitarian country teams (HCT). Such access fora are now a common feature of many humanitarian responses. They play a key role in forging common positions, shaping access strategies and joint operating principles, and providing the humanitarian community with an overview of the access landscape. The groups are most often co-chaired by the UN and often have a non-governmental organization (NGO) co-chair. They usually consist of UN agencies, international non-governmental organizations (INGOs) and NGOs. At a global level, they are supported by UN access staff and the access focal points of the NGO co-chairs.

Despite their growing importance in the humanitarian coordination architecture, HAWGs have been the subject of relatively little of the research concerning principled humanitarian action, humanitarian negotiations and humanitarian access, and especially their role in supporting engagement with NSAGs and DFAs.

To address this gap, this series of case studies examines the role played by HAWGs across four major humanitarian crises and the role they play in supporting the humanitarian community's engagement with NSAGs and DFAs. It is hoped that a focus on different contexts, in different parts of the world, will offer a range of experiences and recommendations to support the future work of these groups.

RESEARCH GOALS

The remit of each case study is two-fold. First, it is to look at the different experiences of HAWGs in supporting the humanitarian community's efforts to engage with NSAGs and DFAs. Secondly, it is to draw lessons from those experiences to inform future ways of working, not only for HAWGs but also for the other coordination fora that HAWGs engage with and receive support from.

REPORT STRUCTURE

The body of each report consists of five sections. Part one provides a short background to the country context along with an overview of the paper's methodology. Part two provides an overview of the access landscape humanitarian actors face. Part three explores how the HAWGs support engagement with the NSAGs and/or DFAs. Part four looks at the external and internal barriers that constrain more effective access coordination. The final section provides recommendations and concluding reflections.

TERMINOLOGY

Much of the Afghanistan paper focuses on the new authorities that came to power in August 2021. During the interviews for the paper, participants used a variety of terms to describe the group, such as the Islamic Emirate of Afghanistan (IEA), the authorities, the de-facto authorities and the new government, among others. This paper will use the term "the authorities" to refer to the group post August 2021 but will retain the use of other terms used in quotations.

1 THE AFGHANISTAN CASE STUDY

Zaimati IDP settlement in Qala-e Naw city

1.1 BACKGROUND

Afghanistan's new rulers issued a nationwide decree in late December 2022 banning Afghan women from working with non-governmental organisations (NGO). This was followed by a similar decision in April 2023 that extended the ban to Afghan women working for the UN.

The December ban had an almost immediate effect. Many humanitarian organisations described as nearly impossible the task of providing women and girls' with assistance without their female Afghan staff.[1] Several NGOs publicly announced suspensions of their entire operations. High-level delegations from the UN visited the country attempting to negotiate a way out of the crisis with limited success. Some organisations managed, in time, to secure some exemptions from the ban, but the situation is still immensely challenging and precarious.

The authorities' decree was the latest in a string of decisions that have made it impossible for Afghan women to engage safely and meaningfully with many sectors of the humanitarian response. More broadly, the decisions have cast new light on the challenges facing the humanitarian community following the authorities' rise to power in August 2021.[2]

The authorities' control over Afghanistan has pushed humanitarian actors to re-imagine how they can negotiate a principled humanitarian space while responding to growing needs across a country that faces an unprecedented humanitarian crisis and a real risk of systemic collapse and human catastrophe.[3]

[1]   https://bit.ly/46HnwI5

[2]   https://bit.ly/45HaxF7
[3]   https://bit.ly/46vgZ36

The scale of the crisis is significant. Two-thirds of Afghanistan's population, or 28.3 million people, will need urgent humanitarian assistance in 2023 alone.[4] International development donors have largely stopped working in the country, which has reduced the available funding that Afghanistan had come to rely on heavily over the past 20 years. Economic decline, drought, climate change and protection threats, particularly for women and girls, are now driving humanitarian needs. That stands in contrast to the widespread conflict that drove needs in previous years.

Much continues to be written about the depth and complexity of these needs. Less has been written about how the humanitarian community has attempted to negotiate with the country's new rulers so it can work in an impartial, neutral and independent manner. It is a topic that briefly came to the fore amid the flurry of recent humanitarian diplomacy surrounding the ban on female NGO workers. It has, however, remained largely out of sight since the withdrawal of US-led forces in 2021 and the subsequent demise of the former government. The Danish Refugee Council has also explored the topic of principled humanitarian action in Afghanistan, and this study hopes to add to such studies.[5]

1.2 METHODOLOGY AND LIMITATIONS

This study adopted a qualitative research methodology given that it aimed to develop a nuanced and in-depth understanding of the context and processes in Afghanistan. Participants' experiences and perspectives have been placed at the centre of the research. This was deemed appropriate given its exploratory nature.

Data collection

About 20 face-to-face interviews were conducted in Afghanistan over a two-week period in late 2022 (before the ban on female aid workers). An small number of additional interviews were conducted online.

Research participants hailed from UN agencies, INGOs, national non-governmental organizations (NNGOs), coordination bodies and donor agencies and included both Afghan and international staff. Many of them were active members of the HAWG while others were more senior humanitarian staff who were not involved in the HAWG's work day to day.

Analysis

The interviews were recorded, transcribed, and anonymised. The data analysis software, NVivo 12, was used to analyse the transcripts.

Limitations

The focus is on HAWGs and their engagement with DFAs and NSAGs, but the interviews also touched on a wide range of complex issues spanning the entire humanitarian community. Given time limitations, it was not possible to fully explore all the issues raised.

Participants also at times had differing views and interpretations of the same events and issues, making it difficult at times to speak of lessons learned or provide an objectively accurate picture of these events and issues.

Two other principal limitations arise. One, NSAGS and DFAs were not interviewed for this research. Their inclusion would have added further depth, particularly in testing participants' claims that negotiations with the authorities could have been pursued differently after August 2021.

Secondly, the perspectives of Afghan organisations are not reflected strongly enough in this paper. In prioritising the gathering of the HAWG members' perspectives, national organisations were given less attention as international organisations make up the majority of HAWG membership.

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[4] *Ibid.*

[5] https://bit.ly/40e8x67

2 ACCESS LANDSCAPE

PURPOSE: To provide an overview of the humanitarian access environment in Afghanistan and the main non-state armed groups and de-facto authorities within it.

📷 View of houses destroyed by the earthquake in Spera district of Khost province

Any HAWG's work is shaped by the experiences and priorities of its member organisations and other coordination fora. For that reason, this section will first look at what characterises the humanitarian access landscape in Afghanistan.

This access environment will set the scene for the support the HAWG is able to provide the humanitarian community and the issues that constrain and facilitate that work. This section will therefore explore three main questions:

❶ What are the main DFAs and NSAGs that humanitarian actors engage with in Afghanistan?

❷ What does that engagement with the main DFAs and NSAGs look like in practice?

❸ What are the main access barriers that humanitarian actors currently face in their engagement with DFAs and NSAGs?

This section will not delve into the cross-cutting concerns or issues participants raised about access engagement in Afghanistan. Those will be covered in more detail in Part 4.

❝ *This is the government now, whether you like it or not, and this is something that we're going to have to start accepting. It baffles me that some people say, oh, but can we negotiate? I say 'we're humanitarians, we negotiate with whoever is in charge.'"*

Donor official

2.1 NSAGS AND DFAS IN AFGHANISTAN

Engagement with the authorities

Interviewees' experiences of who access is negotiated with in Afghanistan focussed overwhelmingly on the country's new authorities. The importance interviewees gave the authorities in this regard far outstripped that of any other group in the country. Engaging with the authorities at various levels is a must for a humanitarian actor operating in Afghanistan.

Participants generally spoke of their organisations and partners engaging with the authorities at three almost distinct levels. This engagement was to secure approval for activities, address access blockages and maintain relationships with key interlocutors.

One level of engagement took place in Kabul where all formal ministries are located, including health, foreign affairs and economy. These ministries are in many respects the same as at the time of the previous government and contain previously employed government employees as well as new ones. There is one focal point ministry for most NGOs. Actors categorised as international organisations have another focal point ministry. The focal point ministry for NGOs issues approval letters for project activities and more comprehensive memoranda of understanding (MoUs) which are then transmitted down to provincial level. On paper, these capital level approvals are meant to supersede any objections there might be at provincial level. All participants spoke of the increasing demands being placed on them to have signed MoUs from Kabul (which is in line with the previous government's NGO Law) before any activity could start. This was a reportedly challenging process, discussed in subsequent parts of this paper. Previous emergency responses did not require an MoU, but organisations said this was increasingly being challenged by the authorities.

A second level of engagement occurs at the provincial level, where governors, their deputies and directorates of the Kabul-based ministries are located.

A third level of engagement, or centre of power, is in Kandahar. Participants sometimes spoke of Kandahar as being the real centre of power in the country, with Kabul holding only symbolic value. The authorities' Supreme Leader is thought to reside in Kandahar.

Within these levels of engagement, the authorities' security/intelligence apparatuses were reportedly often the most challenging to deal with.

The country's NGO Law and a "Control and Procedures" document issued by the authorities are the formal documents for governing and framing humanitarian activities in Afghanistan. Participants, however, highlighted numerous instances of divergence between what the documents outline and how they are interpreted and implemented.

The responsibility for securing project approvals rests with the individual implementing organisations, with local UN partners, for example, negotiating their own MoUs. Organisations generally spoke of trying to resolve access issues themselves first at the local level, either with the relevant line ministry or the governor's office. If unsuccessful they might seek support, either at the provincial or Kabul level from their donor, UN officials and/or the HAWG.

Engagement with other groups

Apart from the authorities, the other groups discussed in the interviews were the National Resistance Front of Afghanistan (NRF), and the Islamic State – Khorasan Province (ISKP). There was consensus among all participants that these groups should be engaged with for humanitarian purposes. There were differing opinions, however, of how this should be done and how much it should be prioritised in the face of other competing access priorities.

> ❝ *Engagement with opposition groups is something that could definitely be useful if it's not harmful to anyone. But that's something that I would feel more comfortable addressing collectively rather than individually."*

NGO official

National and international staff

The role played by national and international staff emerged as a point of discussion among participants in considering the DFAs and NSAGs humanitarian actors engage with. The strengths that national and international staff may each bring to negotiations and the areas where negotiators need to be better supported was a particular focus.

Participants remarked on how Afghan staff conduct many, if not most, of the negotiations and day-to- day engagements with the authorities, particularly at provincial and district level.

They emphasised that national staff are often better placed to lead these engagements than their international colleagues given their potentially stronger links to local communities and to the authorities, as well as their better language skills and contextual and cultural understanding.

Several participants also said that while national staff are essential to successful access engagements there has to be a recognition that they can be exposed to more risks than international staff and that they need to be provided with more training and support.

One international participant said that they explain that while personal connections are important and useful, national staff need to stress they are conveying organisation-wide decisions in their engagements. This participant felt that personal connections were a double-edged sword. They could open doors but also make a colleague vulnerable to pressure from an external interlocutor.

Other participants emphasised that international staff could better participate in **and support** access engagements alongside their national colleagues. Some of them added the caveat that any growing international involvement in negotiations should be tailored as additional support and not result in unnecessarily side-lining their national colleagues.

Some participants also talked about how international staff sometimes eschewed their responsibility to engage with the authorities. This could place an unfair burden on national colleagues to enter into negotiations without the relevant programmatic knowledge or support in

terms of red lines and talking points. It could also result in junior national staff being sent to engage with relatively senior interlocutors without a negotiation mandate.

To address some of these issues, some organisations placed senior international staff at the provincial level to negotiate access blockages while other organisations had their access staff provide support from Kabul or in a roving capacity.

Participants also acknowledged that the community of national access focal points had decreased since August 2021, with many leaving Afghanistan, something which further challenged external engagement efforts.

> **"** *It's very easy to decide on a position in the access working group and say this is the position, this is the red line, and we're not going to budge. And then to ask [national] colleagues to communicate this to the de-facto authorities. I mean, I wouldn't want to be in their shoes, right? We need to have support systems in place to make sure that we're not just talking on the high level and then just letting others bear the brunt or deal with the consequences of it."*
>
> UN official

Community acceptance

Despite the series' focus on engagement with NSAGs and DFAs, some interviewees were keen to stress the importance of community engagement and acceptance in securing and maintaining access in Afghanistan. They emphasised that a singular focus on engagement with NSAGs and DFAs risked being too limited.

Examples were given of projects being blocked because of the authorities' perception that they impinged on cultural or religious norms and values, and the role a community's support played in convincing the authorities that their concerns were not shared by local inhabitants. Local elders were seen as important entry points to start building community acceptance.

Other examples were given of the importance of humanitarian organisations having sustained proximity to the communities they were working with. The establishment of local project offices and hiring from those same communities were given as positive examples.

One participant emphasised that successful community engagement takes time and is not something that should be rushed or eschewed in a context where there are so many areas and communities in equally dire need. Outside of emergencies, any rushed approaches risked damaging community acceptance and humanitarians' ability to work in a safe manner, the participant said.

2.2 ACCESS BARRIERS

Earlier sections have briefly looked at the DFA's and NSAG's humanitarian actors most commonly engage with in the country. They have also briefly examined what the mechanics of that engagement look like when it comes to negotiating approvals and attempting to overcome access barriers or issues of contention.

> " *We had massive access issues, access constraints all over the country, and we had different project managers not knowing what to do and how to engage."*
>
> UN official

This section will give an overview of the access issues that participants felt were most serious and frequent. Naturally, a HAWG's work is most often focussed on addressing access challenges. For that reason, this paper leans in that direction and looks less at what is working well in terms of humanitarians' relationships with external actors.

Some participants wanted to stress, however, that since the Taliban's takeover of Afghanistan physical access to most of the country has improved. This, they said, was the result of the end of the armed conflict between the authorities and the former Afghan government.

Others pointed out that while current access challenges should not be downplayed, the former government was not shy of making a multitude of requests and demands on the humanitarian community.

Many access barriers raised by participants fell under the broad category of bureaucratic and administrative impediments (BAI) as defined in the Inter-Agency Standing Committee's document on the issue. We have kept separate some restrictions that spread across multiple categories of access barriers, such as those affecting female Afghan aid workers. Issues related to the internal functioning of the humanitarian coordination systems are covered in a later section.

Participants highlighted at least 15 separate access barriers. The most frequently raised issues revolved around authorities' perceived interference in humanitarian operations, the impact of sanctions against authorities' officials and restrictions facing female Afghan aid workers.

Summary of access topics raised by participants		
Below is a list of the most common issues raised by participants in their interviews. This list is not exhaustive. A number of other topics that were raised less frequently have been omitted for the sake of brevity.		
Programmatic Interference	Sanctions/Legal and Political Barriers to Engagement	Detention of Humanitarian Staff
Requests for Staff Information	Memorandums of Understanding	Restrictions on Female Afghan Aid Workers
Memorandums of Understanding	Armed Escorts	

Faristan-2 IDP settlement in Qala-e Naw province

Given that the research did not interview DFA or NSAG officials, this paper is cautious not to make judgements about the intentionality of some of the requests and actions described below. Where participants have offered perspectives on these questions, the paper conveys them, but their views are their own and could be contested by the authorities or parts of the humanitarian community.

> " *I think we're not actually good about talking about our problems with the donors. And, you know, we're always a bit afraid. Should I say this? Should I say my MoU isn't getting signed?"*
>
> NGO official

Programmatic interference

The most common access impediments raised by participants were attempts by the authorities to influence how programmes were structured and delivered and what programmes were approved.

By and large, participants felt that these attempts amounted to undue interference that compromised humanitarian principles, specifically the impartiality of their assistance and their operational independence.

A number of participants couched some of the authorities' attempts to influence programmes in a more understanding light. They said that since needs across the country were so large and so many areas of the country had been under-served during the conflict, it was natural for the authorities to seek to direct assistance to areas and people they felt were most in need or simply to "do more".

The authorities' actions spanned multiple fronts. The most common and frustrating, according to participants, involved attempts to influence who would receive assistance. Participants recounted numerous cases in which the authorities tried to direct programming to specific areas or groups or provided names of people to be included in the beneficiary lists. A follow-up interview also highlighted that the authorities have raised concerns about humanitarian actors accepting project participant lists from community focal points without conducting verifiable needs assessments.

Participants said that some attempts to push back on these alleged efforts of interference were successful. In other instances, programmes were suspended or prevented from moving forward when demands were not acquiesced to. Examples were given of how attempts would be made to explain to the authorities that not anyone could be added to recipient lists without first verifying who they were and whether they were eligible for a specific programme. One organisation said it had incorporated some of the authorities' suggestions (after verification) in order to maintain good relations with their interlocutors.

Other attempts, according to participants, related to the authorities seeking to influence which NGOs, suppliers and contractors humanitarian organisations partnered with or which staff they hired. One participant recounted how a provincial authority wanted to be the implementing partner of a humanitarian agency, adding that one organisation had already set a precedent in this regard.

The participant believed this precedent was directly responsible for the authorities' denial of approval for a proposed activity of their organisation, after having refused to accept the authority's preferred implementation modality.

Another challenge raised by participants was securing approvals for certain types of activities. Participants highlighted that there were interventions that the authorities more heavily scrutinised. These included health (gender-based violence (GBV), mobile clinics, nutrition, vaccinations), education and protection interventions. They also included "softer" interventions, like conflict sensitivity assessments.

Participants said some interventions, like GBV and protection, were at times viewed by the authorities as running counter to Afghanistan's culture or Islamic values. A follow-up interview highlighted that when it came to vaccinations, mobile clinics and nutrition actvities the authorities disagreed with how humanitarian actors were choosing to deliver some assistance and how they were selecting geographic areas to work in.

Participants generally said these incidents were countrywide in nature, although more intense in some provinces. They also said that while some types of interventions were more affected, no sector was spared. The sheer volume of requests was highlighted as challenging, with requests popping up in different districts one week after the next. One organisation said their field coordinators spent close to a majority of their time trying to stay on top of the all the requests they received from the authorities and communities.

> **"** *I told you, about the distribution list. The next day there is another directive coming; the next day another. There is not even enough time to find these senior people in Kabul and meet to discuss these issues. They turn out to be very difficult things to address."*
>
> NGO official

Requests for staff information

Authorities' requests for information were broad in scope, according to participants, ranging from information about suppliers and associated contracts to staff lists and budget information. The issue of sharing staff information was of greatest concern to participants, especially that related to Afghan staff.

While organisations share staff information with the ministry overseeing NGO affairs in Kabul (and their provincial colleagues) the increase in security/intelligence actors requesting staff information was of particular concern. Participants' said the requests ran counter to the country's NGO law. They also said they feared for the safety of staff who might have worked with the previous government.

According to participants, advocacy by the humanitarian community had led to a decrease in these requests for a while. Some provinces, however, seemed to have ignored a directive from the authorities in Kabul that instructed security actors to channel any requests or concerns they had through Kabul, rather than directly from humanitarian organisations at the provincial level.

Participants said they attempted to push back on such requests but got caught up in uncomfortable exchanges. If an NGO told a security actor to request the information through the responsible ministry, for example, the security actor would say "if you're comfortable sharing with them, why not us?". Efforts to deny these requests, according to participants, were sometimes made more difficult by the fact that some organisations had already set a precedent of sharing the requested information.

Memorandums of understanding

Memorandums of understanding (MoU) with the authorities were a common topic of discussion and a challenge facing many organisations. The former government's NGO Law required the signing of an MoU. The current authorities were increasingly pushing NGOs to have MoUs signed with Kabul-level ministries in order to implement activities. In previous months, provincial authorities had been willing to allow activities to continue while MoUs remained under negotiation in Kabul, but there was growing pressure to ensure these agreements were signed. Some participants cited examples of activities being suspended in the absence of a signed MoU. The authorities were reportedly saying that this willingness to allow humanitarians to continue operating in the absence of an MoU was being used by some actors as an excuse to avoid having to negotiate one.

MoUs represent a more detailed agreement, and many organisations were apprehensive about them. Participants' concerns around MoUs with the authorities fell across three main axes.

The first was the scope of projects for which MoUs were now required. Previously, emergency response projects only needed a comparatively simple approval letter from Kabul-level authorities. Now MoUs were also being sought for these projects, and participants worried that emergency responses were being unnecessarily slowed down by the requirement.

The second was the content of MoUs. Some participants shared their frustrations with the different templates ministries were using and the varying requirements of different ministries. Authorities' demands that they be directly involved in recruitments, that equipment be handed over at the end of a project regardless of whether it was still being used, that the authorities' flag be flown at some project locations, and that per-diems be paid to the authorities, were examples of MoU clauses that were either problematic for organisations or their donors.

Participants emphasised that the direct involvement of the authorities in recruitments compromised their independence and that the payment of per-diems was out of the question for some donors. They said their organisations were attempting to negotiate the removal of these clauses, and their efforts were being stymied by organisations willing to sign MoUs with the clauses included.

Third, was the amount of time it took for ministries to sign-off on an MoU, even in situations where the content was agreed upon in principle. The authorities had recently committed to approving MoUs within a 15-day period, but there was scepticism they could deliver on this.

Some participants acknowledged that organisations' apprehension about MoUs was also shaped by negative experiences under the former government when MoUs were sometimes used to control humanitarian operations rather than facilitate them. Some participants also noted that while MoU negotiations were challenging, they were also not necessarily against having MoUs.

In their view, MoUs did not confer legitimacy upon the authorities per international law, a concern of some organisation's donors. Well-crafted MoUs were potentially also a way of holding the authorities accountable. One organisation highlighted a project for which it had to work closely with the authorities. This organisation said that in the absence of a formal document making it clear what each party was expected to deliver, it was difficult to get the authorities to follow through on their commitments. This organisation also lamented that opposition to MoUs was often driven more by politics than a discussion about whether an MoU could help facilitate communities' access to assistance and protection.

> **❝** *If the MoUs are delayed, the ministries will blame us and say, 'we said we'd sign it in 15 days, why aren't you bringing your MoU?' But how can we bring our MoUs to the ministries if there is something [in them] that is against the NGO law or our principles."*

NGO official

Sanctions/legal and political barriers to engagement

Another frequently raised issue revolved around what level of engagement with the authorities was permitted by sanctions, donors and their respective governments.

Multiple participants highlighted a series of overlapping frameworks and barriers that their engagement with the authorities had at times to be filtered through. These included international sanctions against specific individuals in the authorities (**these sanctions do not target the group as a whole**), donor conditions, politically motivated barriers, national legislation in the organisations' home countries and the risk appetite of organisations.

Participants recounted numerous examples of engagements that needed clearance from their donors and/or internal legal departments before they could proceed. These were as simple as speaking to the authorities, providing capacity building to a ministry and renting municipal buildings. One participant described the challenge of navigating these layers as Byzantine.

Participants also highlighted two overarching points. The first was that their understanding of the remit of the sanctions had been improving over time, partly facilitated by a sanctions expert that the UN had brought to Afghanistan to brief the humanitarian community.

The second was that, despite this increased understanding, there still remained a gap between what the sanctions permit and what international donors and governments are comfortable supporting.

Participants said this risk aversion was driven by fears that anything but a minimal level of engagement with the authorities could be construed as recognition of their rule over

Afghanistan. They cited examples of being unable to sign MoUs with the authorities, transfer equipment (obsolete laptops in this case) to them at the end of a project, and transfer any funding to authority-controlled institutions as situations in which political interests outweighed what was permitted under the sanctions regime. One participant also felt that donors sometimes found it convenient to use the existence of sanctions as a cover to justify politically driven interests in not supporting authority-run institutions.

Participants also said that this risk aversion was also a feature within their own organisations, particularly among legal teams that feared that any support to ministries would filter through to sanctioned individuals.

One NGO staff member recalled how their organisation had paid per-diem and transport costs for ministry employees to visit a project during the previous government. Following the authorities' takeover, the same employees continued in their positions, and the organisation continued its policy of paying per-diem and transport for the exact same type of visit. The organisation's legal department, however, suddenly baulked at the practice and pushed the NGO staff member to repay the costs from their own pocket – all because of a fear, and conservative interpretation, of the sanctions.

Other impacts were also highlighted by practitioners. First, a lot of time and effort had to be spent understanding what was legally and politically acceptable for organisations' donors and their governments. Secondly, despite instances in which ministries were in genuine need of capacity building that might facilitate the humanitarian response, this was largely vetoed. And lastly, according to one participant, the lack of willingness to engage on money issues deprived the humanitarian community of an important lever in its negotiations with the authorities.

> **❝** *From a legal perspective, what is allowed under the current sanctions regime is actually much more than is being done in practice. There is no political appetite to engage fully under the legal framework allowed by the sanctions regime because it would somehow be perceived as a recognition of the de-facto government."*

Donor official

Restrictions on female Afghan aid workers

The growing restrictions on female Afghan aid workers were another issue raised by participants. These restrictions were increasing even before the 24 December 2022 edict banning Afghan women from working for NGOs, which, in turn, came after restrictions on female's ability to access secondary and tertiary education and participate in other aspects of public life.

At the time of the interviews, participants main concern revolved around the requirement that female workers have a *mahram*, or male guardian, with them at all times when they travelled more than 72 kilometres from home. Within this limit, female Afghan colleagues regularly faced harassment and threats for travelling to and from work without mahrams, participants said. A follow-up interview also highlighted the challenges for female staff needing a *mahram* when they did not have a family member who was male.

On one level, the requirement added the surface-level burden of having to seek approval permits for mahrams and the added cost of paying for their per-diems and expenses. On another level, it represented a deeper effort to exclude females from the humanitarian sector and to restrict Afghan women's ability to access assistance and protection, according to participants.

Mahram permits were also a point of contention between humanitarian organisations. One participant highlighted contrasting approaches to the issue. Some organisations provided minimal information to the authorities. Others provided far more, resulting in a precedent being set in the authorities' eyes that was difficult to push back against. One NGO official lamented that the issue was not being taken seriously enough by the humanitarian community and that a stronger collective approach was badly needed.

> ❝ *It's one of the biggest pressures we face, making sure our female colleagues can come to work safely and go to the field. They're under a lot of pressure and this takes a lot of time and engagement."*
>
> NGO official

Armed escorts

Several participants raised multiple concerns about the UN's use of the authorities' armed, paid escorts for their movements outside of Kabul. At the time of the interviews in late 2022, the UN used such escorts, but NGOs did not use them, and the authorities were not seeking to impose their use on NGOs.

Participants views on the issue related to different issues, including neutrality and staff safety. They viewed the threats facing the UN from groups like ISKP as greater than those facing NGOs. Some of them questioned, however, whether these threats placed the UN in a situation of last resort that would provide sufficient justification for the use of armed escorts. This was a concern given its potential impact on the UN's, and by extension the humanitarian community's, neutrality. Another participant said such concerns would only grow if the authorities were to lose control of parts of the country or if tension within the authorities increased.

One UN official disagreed with such assessments. This official said that the decision to use armed escorts was taken as a last resort and took into account access and acceptance considerations at the community level. In this official's view, the threat facing the UN from ISKP was serious, as demonstrated by a series of threats and incidents, and had to be mitigated against. As such, the decision to use armed escorts was not in any way a political decision, but based on a thorough analysis of the available evidence.

Participants also said that the mixing of the authorities' and the UN's vehicles could endanger staff if the authorities' vehicles were to come under attack by opposition groups. It was noted that armed groups might be incapable of distinguishing vehicles in the heat of the moment or might not care what the composition of the convoy was.

This combination of fears around neutrality and security had pushed one NGO to limit its field teams' visibility around the UN in various provinces.

Fears were also expressed that the UN's use of armed escorts could set a negative precedent for NGOs. One participant said that the UN needed to advocate for a voluntary, rather than forced, use

of escorts by NGOs with the authorities, even if the UN remained in favour of using them.

For another participant, the use of the armed escorts reflected broader contradictions within the humanitarian response. On one hand, money was freely flowing to the authorities for the use of these escorts, the participant said. On the other hand, NGOs, such as theirs, were under pressure from certain donors not to channel any money to the authorities.

> **❝** *It is [armed escorts] a huge problem that nobody wants to talk about. It was raised, and everybody just ignores it. We are yet again, as a humanitarian community, unwilling to talk about how we are being used within a system that we don't properly understand. We never think about the unintended consequences of the decisions that we take."*
>
> Donor official

Remarks about the UN's use of armed escorts did not always express great anxiety. One participant downplayed the concerns, saying the UN's use of armed escorts was not unique to Afghanistan. They did acknowledge, however, that recognised state militaries more commonly provided these escorts for the UN.

> **❝** *The authorities are a target for ISKP, and they're not going to [care] if you're a UN vehicle. The UN is also a target for them. It's doubly stupid sometimes if you're travelling with the authorities."*
>
> NGO official

Detention of humanitarian staff

Several participants raised the issue of the detention of humanitarian staff. They reported that detentions of humanitarian staff by the authorities had been increasing in the latter half of 2022 across multiple provinces. They noted incidents of detention, ranging from a few hours to several days, and said that Afghan staff were most likely to be detained.

Several reasons were offered to explain this increase. For some participants, it was partly an effort to exert control over humanitarian operations, with some provincial officials reportedly prone to arbitrary demonstrations of power to "show humanitarian organisations who was in charge". In other cases, a lack of awareness among security forces manning checkpoints about humanitarian actors' permissions had contributed to detentions. These were cleared up with the intervention of a relevant ministry.

For participants who raised the issue, the detention of humanitarian staff represented a sort of red-line that always required a strong and unified response from senior UN officials and the wider humanitarian community. Given the seriousness of the issue, participants believed that rather than a phased, agency-specific response to detention cases, UN officials should immediately advocate for the release of arbitrarily detained staff. A UN official reported that all cases of staff detentions reported to them had been resolved via the intervention of senior UN officials.

Beyond advocacy, one organisation felt that the detention of humanitarian personnel warranted a collective suspension of activities in the area where the detention took place, even though this would be a measure of last resort and could affect project participants.

For some participants, there was a lack of clarity on how detentions should be addressed: how the affected organisation should respond, when the UN would or should be involved, and when the Humanitarian Coordinator would advocate for a staff's release.

> **❝** *I think this comes with the de facto authorities' assertive approach in really trying to control the humanitarian space. Also, what we've seen is that detentions are used as a pressure instrument, very arbitrarily and not as a last resort."*
>
> UN official

3 THE ROLE OF ACCESS COORDINATION

PURPOSE: Highlight the role played by the HAWG

📷 Displaced family returning to their village in Badghis province

3.1 STRUCTURE AND MEMBERSHIP

At the time of the interviews, humanitarian access coordination was split across multiple fora in Afghanistan, the main one being the humanitarian access group (HAG) and, under its leadership, an operational arm in the form of a national level HAWG.

In essence what set the groups apart is that the HAWG is a smaller grouping of organisations (about 20) meant to dedicate more time and effort to furthering the HAG's objectives. Most of the HAWG's membership is comprised of UN agencies and INGOs, with a small percentage of representation from operational Afghan NGOs. Multiple participants expressed unease at the UN's political wing being a member of the HAWG.

The HAWG and HAG was chaired by one UN staff member at the time of the interviews. The groups were meant to have an INGO access specialist as co-chair, but there was a months' long vacancy in this position, and it was only being filled again in early 2023. Given this vacancy, the UN staff member served as the central focal point for the working of the groups.

Both the size of the HAWG and the profile of its members have been shaped by previous experiences in the HAG. The HAWG membership (at the time of the interviews) purposely consisted of access specialists rather than more senior decision-makers such as country directors/heads of mission. One participant highlighted that the

mixing of access specialists and country-director-level staff had not in the past been conducive to constructive discussions as some senior staff would immediately shut down proposals their organisation would not accept.

The need for a smaller, more operational group in the form of the HAWG was also driven by previous experiences. These demonstrated that it was not practical to involve all HAG members in the minutiae of discussions or to expect every organisation to commit large amounts of time to the group's work.

At the time of interviews, the HAWG was meeting on a weekly basis (hybrid and online because it was a smaller group) with the HAG convening (online) every two weeks. The online formats were partially driven by COVID-19 restrictions. The HAG meetings are conducted in two separate forms: one meeting in English and a separate one in Dari and Pashto. There was a stated intention to move the HAWG to a fully in-person format: Some participants said that in the online setting there was not enough comfort in sharing potentially sensitive information. As a result, most participants felt that the smaller nature of the HAWG was preferable to trying to facilitate a discussion among the entire HAG.

3.2 OBJECTIVES AND REPORTING LINES

The HAG's most recent terms of reference (ToR) states that the HAG "reports to the Humanitarian Country Team, acting as an analytical and advisory body focussed on increased and sustained humanitarian access".[6] The HAWG's ToR situates the group as being "under the leadership of the HAG...to operationalize the access strategy to sustain humanitarian access...".[7]

In line with the HAG/HAWG's ToRs, several participants emphasised that the groups are and should be an advisory body to the HCT. Participants raised several examples of being tasked work by the HCT, although they did not speak in detail about how the HAG/HAWG leadership interacts with the HCT.

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6   ToR HAG 2019

7   Afghanistan HAWG ToR 2022

3.3 ACTIVITIES

Information sharing and discussion

Participants reported that the HAG meetings were generally an opportunity for the chairs/co-chairs to update members on the latest access challenges and trends, and external engagements with the authorities. Some HAWG members said they had hoped the HAG meetings would stimulate greater discussion among members, rather than a one-way briefing, but acknowledged that online meetings and the large numbers of participants were perhaps not conducive to this.

Participants said that the HAG and the HAWG fora offered an opportunity to initiate discussions on emerging access issues that could affect all (or a cross section) of the humanitarian community. These issues could be flagged directly to the chairs by HAG members or emerge via the UN's Access Monitoring and Reporting Framework.

In addition to the formal meetings, informal online channels were also set up for HAG members to flag issues in a more expedited manner. Participants noted that after a slow start the use of this channel had increased, although one participant felt there was also a risk of information overload.

Contributing to common approaches, positions and strategies

In discussing the day-to-day work of the HAG/HAWG, participants spoke most frequently about contributing to approaches, positions, and strategies for the entire humanitarian community. This was something the groups were engaged in and where they wanted HAG/HAWG to be more active. This included contributing to a common position on staff-list sharing and on joint operating principles. It also included the country access strategy, analyses of the authorities' policies, recommendations on female participation in the aid response and MoUs.

The issues that were raised to the HAG/HAWG for input generally related to situations where there was a risk of un-principled precedents being set by NGOs or UN agencies.

The HAWG led on contributing to documents and then incorporating input and feedback from both HAGs (English and Dari/Pashto) before they were sent back to the HCT for endorsement.

One participant noted that the two HAGs are meant to mirror each other, with the only difference being the language of the meetings. The participant also acknowledged that there was sometimes a delay in getting a document to the Dari/Pashto HAG members because of the need to translate from English.

3.4 PERCEPTIONS OF THE HAWG/HAG

At the time of the interviews, the HAWG was a nascent structure, still trying to realise its potential after several months in existence. Overall, participants held a positive view of its trajectory and its help in ensuring that the access perspective remained on the agenda of senior officials within the response. There was appreciation for its greater focus on fostering common positions among members and for its efforts to steadily improve information sharing.

There was also wide-spread appreciation of the UN chairs' increased responsiveness to partners' concerns and challenges. It was difficult, however, to discern when participants' praise was directed at the HAWG and when specifically at the UN, which often negotiates on humanitarian actors' behalf.

Participants also praised the UN chair of the HAWG/HAG in working to build a more cohesive group and in consulting members on their challenges. The chair's approach was a significant factor in the improved perception of the groups' work. Despite the praise for the group's work and its improvements, one participant noted that it still had a way to go before it could be deemed fit for purpose. Another participant felt the group could have a stronger voice in providing direction and guidance on how the humanitarian community should engage with the authorities.

Such comments also served to highlight that such praise for the HAWG needed to be situated within the evolution of access coordination since the authorities took power in 2021. Despite the positive trajectory of the group in late 2022, there was criticism about how the HAG, and particularly its steering committee, functioned in the initial months after August 2021.

The steering committee, was according to interviews, meant to serve a function similar to the HAWG, as an "operational arm" of the HAG,

again in response to the difficulties of managing a large number of member organisations. Despite the intentions behind the formation of the committee, however, participants were critical about what they perceived as a lack of transparency and communication in how members were selected, what was discussed, and the level of communication with the HAG membership.

Participants highlighted that given the presence of country directors on both the steering committee and the HCT, the steering committee took on the air of a "VIP group", leading the HAG rather than being led by it. One participant went so far as to say that the steering committee effectively cut the HAG out of access discussions.

In looking back at this period, members of the HAWG highlighted that lessons were being learned in terms of the need to be transparent and actively communicate with the HAG.

> " *The HAG has been very active, including in providing context as to what's happening, asking different NGOs and UN agencies what a problem was, and, how they were actually fixing it. And so, on that front, fine. But on the negotiation front and engagement with the authorities and finding a solution to a common problem, it might be accurate [to say that it could be better]."*
>
> Donor official

Following this period, several UN standby staff came to Afghanistan to support access initiatives. Their work was praised by participants with the caveat that they felt the work took place largely outside the confines of the HAG.

> " *There needs to be a coordinated consensus around how we do access in this country. And that's where the access working group should be leading and troubleshooting key issues. And it should also be used to call out partners who are [taking unprincipled stances]*
>
> Donor official

4 CHALLENGES FOR ACCESS COORDINATION

PURPOSE: Highlight the internal and external barriers that are affecting access coordination

📷 IDP family in Kabul

Participants described the role played by the HAG/HAWG in supporting engagement with the authorities and other groups. They raised issues that could be described as hindering community-wide efforts to improve humanitarian access – either now or in the future. These issues sometimes focussed directly on the HAG/HAWG, but were generally wider reflections on the humanitarian response and efforts to engage with the authorities.

The remarks by participants below should not be construed as blunt criticism. There was equal acknowledgement across interviews of the immense challenges, pressures and competing priorities humanitarian actors faced in navigating the access environment that was born out of the events of August 2021.

❝ *If you look at engagement with the authorities across the UN and across the humanitarian community, last year was a year of failures. It's been a mess. It's been so uncoordinated. People are acting on their own. No one is playing to each others' advantages. No one has any idea of each other entry points for engagement. We're operating blind in many respects."*

UN official

4.1 IMPROVING THE HAG/HAWG WORKING CULTURE, RELATIONSHIPS, AND ACCESS REPORTING

One participant said that more work needed to be done to create a more open and trusting culture within the HAG/HAWG. They said that especially prior to the restructuring of the group, members tended not to share their experiences and challenges, inhibiting collective responses to access challenges. The sharing of incidents had improved, the participant felt, but there was still a lot of room for progress. The participant added that while improving relationships with the HAG's wide membership was key to this, it was a time-consuming challenge.

A participant working closely with the HAG estimated that 50% of organisations were reporting into the UN's Access Monitoring and Reporting Framework (AMRF) at the time of the interviews. For this participant, that percentage was not high enough and was contributing to the HAG and other fora not having an accurate enough picture of the access environment. They cited an example of travelling to a province where a different environment generated access issues completely different from those being raised through the HAG/HAWG.

Another participant highlighted that there was also a tendency for implementing partners not to report issues for fear that they would be viewed as "bad" partners for "compromising" with the authorities in order to secure approvals for their programmes.

> *We're trying to build this culture all the time and keep repeating that if you face an access constraint it's better that we think together about it and we are aware so we can make decisions jointly."*
>
> UN official

One organisation cautioned against a drive to have every organisation report every access constraint to improve access incident reporting. They highlighted the time-consuming nature of such an approach and said organisations needed to prioritise implementation over reporting.

> *It's very difficult for [national staff] sometimes because they feel like reporting … [but] they don't want to because they think that we will go to the authorities and say, 'Oh, so-and-so reported this.' So that's why, when I say we need to improve reporting it's to go and understand and try to clarify these misunderstandings."*
>
> UN official

4.2 RECONCILING CONTRADICTORY ACCESS APPROACHES

Several participants highlighted what they felt were unnecessary and contradictory positions adopted by some humanitarian actors in their engagement with the authorities compared to the positions they adopted with the former government. In essence, participants felt that more principled stances were being taken by some humanitarian actors *now,* stances that contradicted the less principled decisions that organisations took with the former government.

Participants said that the change among humanitarian actors was partly driven by a re-appraisal of their access approach, a fear of donors' reactions and people's perceptions of the authorities.

Some of the examples participants cited included:

➔ A greater willingness to share staff information, including staff IDs, with the former government than with the authorities;

➔ More willingness to accept demands from the former government about which suppliers to work with while rejecting those demands from the authorities in the same geographical area;

➔ A willingness to pay per-diems/travel for monitoring visits (for the exact same ministry employees) during the time of the former government but not with the authorities;

➔ Signing MoUs with the former government that included items counter to the NGO law but baulking at the same clauses in their negotiations with the authorities.

In all these situations, participants said it was often difficult to stop implementing practices adopted during the time of the former government, regardless of the justification, and this was especially true when other organisations were willing to continue such practices with the authorities. Participants highlighted multiple examples where the authorities pointed out these discrepancies in current and past approaches and held it over humanitarian actors.

One organisation went so far as to say that humanitarian actors' compromises with the previous government should continue with the authorities. Otherwise, the organisation felt, humanitarian actors would be exposed as having double standards: one rule for the former government, another one for the authorities.

Most participants acknowledged that while current positioning was in some ways more principled there needed to be greater transparency about what compromises organisations made during the time of the conflict between the Government of the Afghanistan and the Taliban, and how previous practices might be influencing the current access environment.

> ❝ *This is affecting us now because in the past we were so easy with the former government. Whatever they wanted, we could do. We needed to sign an MoU? Let's sign it. You cannot deal with all of these WASH providers, you need to deal with these 11. We said, OK, fine. All NGOs. Whatever they wanted we signed it. Then it came to this government. They request the same things as the old government and we say no. Then they say 'what's changed for you?' It's the same principle, the same approach, the same NGOs. Then why the double standard? It's a big question."*
>
> NGO official

Multiple participants highlighted that it was very easy for the authorities to see where contradictory positions had been taken (regardless of the reasons behind them), as many civil-servants who had worked under the previous government still occupied the same roles and could tell the country's new rulers what happened in the past.

> ❝ *I think if we want to properly negotiate something, we also need to come to the table acknowledging what happened before and say let's discuss [it] again. But if we're in this position where we don't even want to discuss [the past] then we're not going to get anywhere."*
>
> NGO official

4.3 WILLINGNESS TO ENGAGE WITH THE AUTHORITIES

Humanitarians' willingness and attitudes towards engaging with the authorities were raised by multiple participants. These reflections were largely based on the initial months after the authorities came to power.

As mentioned in the section on sanctions, the authorities' rise to power created, for some participants, legitimate questions about how their organisations could engage with them and the potential legal implications, given that members of the group were sanctioned by various governments.

Some participants said that, after August 2021 when the authorities took control of Kabul, their organisations did not know how to start a dialogue with the group and what the entry points were, among other issues. Such comments could point to organisational paralysis or a lack of proper planning. Participants also highlighted instances they felt represented outright conservative stances towards the authorities.

One participant noted several cases in which international staff from their organisation refused to go to meetings with the authorities, meetings directly related to their programmes. In this participant's eyes, this pushed onto Afghan staff the responsibility of resolving access issues when, in fact, they needed more support from their international colleagues.

The fall of the previous government and the authorities' rise to power was shocking for some people who had worked in the country for years, according to some participants. Those people were shocked at having to confront a new reality in which the authorities controlled the whole country.

📷 Sunset over Herat

> *When the authorities took power… all the UN agencies and international and national NGOs were in hiding. They could not face [the] authorities because they were scared and didn't know how to start a relationship*

UN official

This resulted in an overly cautious and slow approach towards engaging with the authorities in the months following the takeover and contributed to access arrangements and agreements not being discussed or reached in a timely fashion, according to participants.

> *As an outsider and a newcomer, it's obvious… everyone was a bit traumatized. What should we do? And I think NGOs, honestly, lost a bit of understanding on neutrality."*

NGO official

4.4 AUTHORITIES' POWER DYNAMICS AND STRUCTURES

Many participants noted the challenges in understanding how power is structured and divided within the authorities and the difficulties this poses for negotiating access for individual organisations and for collective efforts. This challenge was not necessarily new but continued after the authorities had taken over the country.

Participants described having to navigate three centres of power – Kabul, Kandahar, and the provincial level. Kabul is where the ministries and other senior officials are based; Kandahar where the Supreme Leader was thought to be based: and each of Afghanistan's provinces where governors and other officials hold sway.

At once many participants spoke of a 'highly localised' and 'decentralised system' of power where provincial based officials held significant power but also that decisions emanating from the authorities' Kandahar based leadership would be largely adhered to.

Some participants assessed that while there was important officials in Kabul, it held more of symbolic role compared to the power that lay in Kandahar or the provinces.

One participant noted that even if Kabul-based ministries were receptive to humanitarians' requests, it did not count for much if the authorities' Supreme Leader or other powerful figures in Kandahar were not in agreement.

There were multiple references throughout interviews to Kandahar as the true seat of power, but organisations seemed to have less structured approaches to engagement there compared with their approaches to ministries and officials based in Kabul.

Some participants, reflecting on difficult access issues, said that more often than not the solution lay in negotiating at the local and provincial level rather than in Kabul.

Participants highlighted that organisations' approaches to resolving access issues were evolving. There was a sense, however, that there had been an overreliance on advocating with the Kabul-based ministries and ministers to address access challenges compared to Kandahar-based officials. They also commented that highly localised dynamics meant that organisations needed to tailor their engagement strategies for each geographical area rather than relying on Kabul-based engagement alone to solve access issues.

Some participants stressed the importance of having a strong understanding of the stakeholders in a given area and their links and relationships with each other. Several examples from the provinces were shared of unassuming officials holding considerable power because of their links with officials in Kandahar, or with the provincial governor, or because of their long-standing involvement with the authorities. Participants emphasised that understanding this level of detail was key to securing and maintaining access and overcoming access challenges.

Participants also said that their ability to better understand the authorities' internal structures and dynamics was frustrated by a high turnover among the authorities' officials. Numerous examples were shared of officials being moved out of their positions. Humanitarian actors would then have to re-start discussions and sometimes re-negotiate agreements with the new officials. Participants had few explanations for this turnover beyond assessments that officials were being punished or that it was a strategy to mitigate corruption.

Experiences with this decentralised system veered towards challenging and frustrating. Some provincial officials, participants said, could hold up activities with few perceived opportunities for recourse. The frustration partly emanated from a belief or hope that access approvals from Kabul would supersede any provincial objections. This, however, was often not the case.

A number of positive examples were also shared. These involved provincial officials flexibly interpreting directives from Kabul and allowing organisations' activities to continue when other provinces were suspending activities as a result of directives from Kabul.

> *You cannot start from Kabul. There is a disconnect between Kabul and the provinces. In each province it depends on who is governing and who dominates in terms of power. You need to contextualise your approach. It's very, very important. There is no set system or procedure. Do 1, 2, 3. This is not going to work."*
>
> NGO official

Participants' said that in trying to better understand this system of power they that were concerned about reports of tension and competition among the authorities and what this could mean for the access landscape were it to erupt into serious incidents of violence. They noted that the tensions could be seen in competition over which ministry would be the focal point for large humanitarian programmes and competition over provincial or ministry roles.

> *Some people say, 'OK, I've coordinated in Kabul, but I'm still facing issues.' This is because this is not enough. This government is still new. They have no systems. They have no order. You need to approach the local authority, even at low or mid-level. You need to do your actor mapping and analysis to understand how you can approach them, how you can engage with them."*
>
> NGO official

4.5 PROMOTING COMMON POSITIONS

Participants spoke of the challenges created by organisations taking different approaches to the same access issues, not adhering to widely agreed upon positions and/or the humanitarian community's inability to agree on a joint position.

Participants felt that some organisations often failed to consider the broader implications and negative precedents their actions were causing for other organisations. Some of them said these divergent stances emanated from organisations' desire to prioritise programme implementation over the wider impact their actions could have on the ability of others to work in a principled manner.

Many of the issues involving divergent stances and potentially negative precedents were highlighted earlier. They include those around MoUs, information sharing, recruitment, and acquiescing to authorities' demands that could be considered unprincipled.

" *We made it very clear at the beginning of the first meeting that we had to be unified and speak with one voice. And if that is the red line, that is the red line. If you are not going to compromise, we should not compromise. But we noticed that many national and international organizations are compromising, and it makes the job of the HAG and Access Working Group quite difficult."*

NGO official

Some HAG/HAWG participants were exasperated by incidents in which they said organisations would agree to a common position and then do the opposite in their projects. There were also divergent opinions about how this issue should be addressed, with some advocating for a softer approach, with HAG/HAWG members and other saying that members needed to be confronted publicly.

" *I think unfortunately, we're now in a world, in the humanitarian community where we don't have solidarity anymore. People are only interested in their programmes, their projects or staff and they'll do whatever it takes to get it done. They won't necessarily care how it affects others. And I think that's a global problem, not just an Afghanistan problem."*

Donor official

4.6 REACTIVE VS. PROACTIVE APPROACHES TO ACCESS

Many participants touched on the reactive nature and pace of the humanitarian community's approach to dealing with access constraints. In essence, they said too much time was being spent on dealing with day-to-day access issues and not enough time strategizing to prevent a longer-term deterioration in the access environment.

One donor official said this reactive approach resulted from a lack of a strong engagement plan and access strategy. They also said, however, that they understood that in the aftermath of August 2021 there was such an information overload and so many competing priorities that coming up with a strong coordinated approach would have been difficult.

A number of participants feared that the access environment in Afghanistan (or certain provinces) could become very tightly controlled, akin to that in Yemen or Pakistan. They acknowledged the differences between the contexts, but said the authorities would look to tighten their grip over the humanitarian response in the months and years to come and would be successful in doing so unless there was a stronger, longer-term and more coordinated approach to engagement with them.

Participants also said they were frustrated with how long it took to form common positions on issues like the sharing of staff lists or MoUs. They expressed frustration both with the time it took for the issues to be collectively prioritised and how long it took to find agreement on the common position.

> **❝** *There's a very firefighting approach to access. If there's a problem..find a senior person, get access, start again."*
>
> _____
> NGO official

One participant said they understood it was difficult to think long-term with the volume of support requests the UN receives and the available resources, but a better approach was needed.

> **❝** *Too reactive. Not pro-active. Some key advocacy points should have been discussed months ago. I feel like we're all discovering access. For example, staff list sharing. This is a hot topic and it's been going on for weeks. Should we share? Should we not share? It took them much too long to agree on the key messages… I'm really grateful that there has been an improvement but it needs to be much faster."*
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> _____
> NGO official

4.7 HUMANITARIAN LEADERSHIP

Across both the two preceding sections on common positions and reactive approaches participants also highlighted that the humanitarian community's most senior leadership, both within the UN and the NGO community, could have been stronger and more effective.

Since the authorities' takeover of the country and the ensuing scaling up of humanitarian programmes, the efforts of the humanitarian community's leadership to negotiate a principled working environment and prevent organisations from setting negative/unprincipled precedents had not been sufficient or timely enough, and these problems have not been fully rectified, they said.

> **❝** *One of the biggest problems is that we kind of missed the boat, a long time ago… all the windows that were there for negotiating with the authorities in a coordinated fashion as a humanitarian community were kind of missed."*
>
> _____
> Donor official

> **❝** *Instead of taking a step back and stopping, and as a community saying, 'OK, let's discuss how we're going to respond to this' you have everybody negotiating individually.*
> *And then a lot of people make compromises.. setting precedents that then screwed other people over."*
>
> _____
> Donor official

In addition to commenting on the leadership that was and has been in place, participants noted that gaps in leadership was also damaging, pointing to the gaps in UN and NGO HAWG positions.

5 FUTURE OPPORTUNITIES

The varying and overlapping access landscapes and issues in Afghanistan are complex and will likely continue to shift in the coming months and years.

Charqala-e Waziraabad IDP camp in Kabul

This paper has touched upon a fraction of that complexity, opportunity and difficulty. Physical access has improved in most parts of the country and this offers opportunities, but it is hard to overstate the challenges the humanitarian community faces in trying to negotiate a principled space to operate. Previous missteps may have made that job harder, at least in the short term.

The overall impression of participants was that access will become increasingly constrained in Afghanistan. This has proved accurate to a degree given the ban on female aid workers that was implemented after the data collection for this paper was conducted.

The HAWG, as of late 2022, was seen by most participants to be playing an increasingly positive role, including in efforts to engage with the authorities. This favourable view of the group and its work was largely in contrast to perceptions of the group's previous iterations, including when it was less active.

The HAWG's progress can also be said to be fragile for two reasons. First, its ability to be effective seems very reliant on the presence and capability of its leadership. It is not a stretch to see that its work could be set back with changes or gaps in the chair/co-chair position.

Secondly, as a technical advisory body, the HAWG's future direction and success also seems to depend on its relationship with the HCT. From the research team's perspective, it was not always clear how the HAWG/HAG and the HCT worked in tandem with each other, a potential cause for concern. In the interviews, for example, it was often not easy to distinguish between the work of the HAWG/HAG and the UN's work.

Senior figures across the humanitarian community have a great responsibility to help the HAWG/HAG realise its potential. Their active collaboration and support will be sorely needed in the coming period.

The specificities of engaging with the authorities centred on the impact of sanctions and counter-terrorism measures and donor governments' political stances. They also centred on the challenges of engaging with a group that is itself dealing with internal competition and different power bases, a group in which the most senior leadership is notoriously difficult to access and the systems and procedures for governance remain in flux.

Ultimately, the perspective that emerges from this research is that the humanitarian community and particularly its senior leadership need to be more strategic, more coordinated and more forward looking if it is to avoid scenarios in which the humanitarian action becomes so tightly controlled that working in a principled manner becomes nearly impossible. As in many contexts, it can be too easy to fall into the habit of addressing today's problems without allowing sufficient capacity to articulate longer term strategies and activities.

Multiple recommendations emerged from this research. Not all of them are directly linked to the work of the HAWG/HAG, though they include those that participants felt were relevant for the broader humanitarian access environment.

DONOR ENGAGEMENT AND FUNDING

1. ....
Dedicate more funding to provide in-country UN and NGO capacity on humanitarian access coordination, including for national and sub-national access positions.

2. ....
Humanitarian donors should at a minimum increase their visits to Afghanistan to better understand the humanitarian landscape and take a more pro-active approach to engaging with the authorities.

STRUCTURAL

3. ....
Clarify HAWG's relationship with both the HCT and UN and further articulate how each body works with each other, through the HCT country access strategy.

4. ....
Clarify HAWG's membership criteria through a HAWG ToR revision led by the UN chair and the NGO co-chair.

POLICY, STRATEGY AND RESEARCH

5. ....
Establish a joint UN-NGO accountability mechanism to promote adherence to common positions.

6. ....
Develop access-advocacy escalation criteria to provide greater clarity on how humanitarian partners can and should escalate access blockages through the humanitarian system and the roles and responsibility of the HCT and senior humanitarian officials in addressing these requests for support.

EXTERNAL ENGAGEMENT

7. ....

Ensure the HAWG is consulted on issues the UN raises on behalf of the humanitarian community in its engagement with the authorities.

8. ....

Increase the presence of international staff who have the expertise to share capacity with local staff leading negotiations or lead negotiations themselves where potential risks to local staff might be too great. This should not be equated with pushing local staff out of their role in leading negotiations but as additional support.

9. ....

Ensure negotiations are being tasked to staff with the appropriate seniority, expertise and authority and that national staff are not being put at undue risk in their negotiation roles.

10. ....

Assess whether areas and communities that were underserved by humanitarian actors during the conflict are now being adequately assisted.

As a final note, this paper has been skewed towards discussing organisational access barriers, negotiations and structural issues within the humanitarian response. As a result, many important topics have not received adequate attention, none more so than the pressure Afghan humanitarian staff face in their jobs. A final recommendation is that organisations not lose sight of this and continue to take the necessary steps to support and protect their staff.