

Documentation Problems for Asylum Seekers and Refugees from Afghanistan

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Introduction

Establishing the identity of a person seeking asylum or a refugee is a crucial element of Australia's temporary and permanent residency visa and citizenship processes. To date, the Department of Home Affairs (DHA) has used three different methods to verify the identity of refugees and asylum seekers: biometric data, life narratives and documentation from countries of origin and transit countries¹. Amongst these methods, documentation plays a significant role in making a claim for protection, and in subsequent applications for family reunion and citizenship. Inconsistencies in official documentation and fraudulent documentation can lead to rejections of claims that should be accepted on their merits. In some cases, inconsistencies related to identity documents supporting applications for citizenship by a permanent resident with a refugee background have led to their permanent visa being cancelled, where there are inconsistencies between their original claim for asylum and the application for citizenship.

This paper examines the historical and systemic issues that asylum seekers and refugees from Afghanistan, most of whom are Hazaras, have faced in obtaining Tazkera (National Identity Card) and other documents in Afghanistan or in transit countries such as Iran and Pakistan. It seeks to analyse the following questions:

- Why some asylum seekers and refugees from Afghanistan, who have arrived by boats between 1999 and 2013, did not have Tazkera or other identity documents at the time of their arrivals in Australia?
- How reliable is a hand-written Afghan Tazkera?
- What are the prospects and challenges of Absentee Tazkera and e-Tazkera?

By using the wider literature on documentation issues and informal interviews with the current and former asylum seekers and refugees from Afghanistan in 2019 and 2020, this study demonstrates that some asylum seekers and refugees from Afghanistan who are in Australia may not hold Tazkera and other identity documents due to ongoing conflicts, generational displacements, and historical socio-political problems particularly since the

¹ Hollins, K. (2018, April 11). Comparative international approaches to establishing identity in undocumented asylum seekers, *Lowy Institute*.
<https://www.lowyinstitute.org/publications/comparative-international-approaches-establishing-identity-undocumented-asylum-seekers>

1970s. It analyses the systemic issues with the hand-written Tazkeras which may have resulted in the inconsistency of information in the various documents held by refugees and asylum seekers from Afghanistan. It further notes the recent improvements, and practical problems, in obtaining absentee Tazkera (*Tazkera Ghiyabi*), where asylum seekers and refugees can nominate a legal representative (Power of Attorney) in Afghanistan through the Afghanistan Embassy in Canberra.

This paper will commence with a brief background outlining the legal provisions for and general issues with documentation in weak states such as Afghanistan. It will then analyse the types of and systemic issues with the hand-written Tazkeras in Afghanistan and socio-political barriers that refugees and asylum seekers have faced while obtaining their Tazkeras to verify their identity in Australia. A focus on issues with the Tazkeras will also highlight the cross-cutting problems in providing other identity documents such as Afghan passports, education certificates and marriage certificates. It will also briefly outline the emerging documentation issues for document holders and DHA since the fall of Afghan Government and takeover of Kabul by the Taliban on 15 August 2021.

Historical documentation problems in Afghanistan

It is the most fundamental right of an individual to be recognised as a person before the law, which helps them to enjoy other rights and obligations in both a given jurisdiction and internationally. Article 6 of the Universal Declaration of Human Rights² and Article 16 of the International Covenant on Civil and Political Rights³ have clearly recognised this basic right. Personal documentation is also vital to identify individual citizens, protect national security and maintain public order⁴. According to David Lyon, National Identity Documents (NIDs) are ‘a novel means of governance in a world where surveillance is the dominant organisational mode’⁵. Thus, the practice of producing NIDS, especially electronic ones, have become more global than any other time.

The first decade of the twenty-first century witnessed a veritable explosion of new national ID card initiatives all over the world.... The idea of having a biometric ID card associated with a national registry database has quickly been globalised.⁶

² United Nations. (1948). Universal Declaration of Human Rights. https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf

³ United Nations Human Rights. (1966). International Covenant on Civil and Political Rights. <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁴ UNHCR. (1984). Identity documents for refugees. <https://www.unhcr.org/en-au/excom/scip/3ae68cce4/identity-documents-refugees.html>

⁵ Lyon, D. (2010). National IDs in a global world: surveillance, security, and citizenship. *Case Western Reserve Journal of International Law*, 42(3), 607.

⁶ Ibid.

However, unlike well-established democracies such as Australia, weak states around the world often have not been able to produce and maintain systemic records of their citizens⁷ let alone refugees and asylum seekers who enter their territories with or without documentation. As Karimi has argued,

In Afghanistan, the government is dealing with a widespread “ghost” phenomenon: It does not know how many people are in the country because it has never conducted a nationwide census, and even accurate data on the number of schools, students, teachers, soldiers, and police officers do not exist. According to one estimation, about half of the population lacks any kind of paper with which to establish their identity. Most land transfers are not registered, and the government has no way of knowing who owns what. Streets are usually unnamed, houses are generally not numbered, and the task of finding an individual is nearly impossible. In a country that suffers from this level of widespread information blackout, building a state that can deliver basic services is a huge challenge⁸.

Also, government officials in Afghanistan have previously provided contradictory accounts of the number of people with Tazkeras in Afghanistan^{9 10}. Different groups in neighbouring countries, particularly in Pakistan, have issued bogus Tazkeras to Afghan and non-Afghan citizens in recent years to influence and undermine political stability and security in this country^{11 12}. Moreover, in 2018, there were reports of fake Tazkera distribution inside Afghanistan to rig the parliamentary election when the country’s independent electoral commission decided to use voters’ Tazkeras instead of the election cards for the voter registration¹³. The ethnic rifts over ‘national identity’ and ongoing political, economic, and technical issues have also undermined the process of e-Tazkera distribution, which commenced in 2018¹⁴.

⁷ Jerven, M. (2013). *Poor numbers: How we are misled by African development statistics and what to do about it*. Cornell University Press.

⁸ Karimi, A. (2019). Surveillance in weak states: the problem of population information in Afghanistan, *International Journal of Communication*, 13, p. 4778

⁹ Shir Mohammadi, R. (2014, July 18). Chara amar-e dadiq-e as nufus Afghanistan dar das nest? (Why is not there a valid census of Afghanistan’s population?), *DW*. <https://p.dw.com/p/1CfF5>

¹⁰ DW. (2017, May 22). Edara sabt-e ahwal nufus: 18 milun Afghan sanad-e huwiyat nadarad (Department of Population Registration: 18 million Afghans do not have Tazkeras). <https://p.dw.com/p/2dNqB>

¹¹ See Shir Mohammadi, R. (2014)

¹² See DW. (2017)

¹³ Fitri, K. B. (2018, September 1). Thousands of fraud Tazkeras distributed to rig elections, *Pajhwok*. <https://pajhwok.com/2018/09/01/thousands-fraud-tazkeras-distributed-rig-elections-humayon/>

¹⁴ Bjelica, J. & Adili, AY. (2018). The E-Tazkera rift: yet another political crisis looming?, *Afghanistan Analyst Network*. <https://www.afghanistan-analysts.org/en/reports/political-landscape/the-e-tazkera-rift-yet-another-political-crisis-looming/>

Despite these problems, Tazkera remains the primary identity document in Afghanistan, which is required for obtaining other documents such as passport or marriage certificate and when one decides to open a bank account and attend schools or other education institutions. The report also noted that Tazkeras are issued upon applications and 'it is mainly men who represent their family to the authorities, and everything suggests that considerably more men than women are in possession of a tazkera'¹⁵. Furthermore, a 2011 report by the US Embassy in Kabul provided examples of different documents in Afghanistan and highlighted important deficiencies with specific documents such as Tazkera and marriage certificate. It found that there are socio-cultural problems in Afghanistan that make it difficult to identify an Afghan by their identifiable characteristics on their documents such as one's first name, surname, and place of birth. In relation to names, it stated:

It is not uncommon for Afghans to use different names for different circumstances. For example, an Afghan may be known by one name to family and friends, and another to his/her employer. Most Afghans identify themselves just by one name, and, occasionally, what appears as a surname is either a father's name or the last part of a long, single name that was broken up. An Afghan man sometimes identifies himself by his first name and his father's first (or only) name. Sometimes, he chooses as his surname the name of his tribe, or his family's home region, or simply a word whose definition is a positive characteristic. It is not uncommon for an Afghan to invent a surname, often based on a word with characteristics the individual likes (such as excellence, religious connotations, etc.). Women before marriage follow the same naming practices. After marriage, a woman either replaces her last name (if she has one) with her husband's or adds it after her original surname (if she had one) or does not take a surname at all¹⁶.

Despite some efforts for improving e-governance in Afghanistan in recent years, the US Embassy report noted in 2011 that 'most, if not all, Afghan documents are ripe for fraud ... they remain handwritten, usually unsealed and quite commonly do not contain true information'¹⁷. Up until the creation of Afghanistan Central Civil Registration Authority in 2018¹⁸ and the current National Statistic and Information Authority (NSIA), Tazkeras were issued by the Population Registration Department (PRD) of the Ministry of Interior in Kabul, its provincial centres or delegated mobile registration teams (the latter specially during

¹⁵ Landinfo. (2019). Afghanistan: Tazkera, passports and other ID documents. <https://landinfo.no/wp-content/uploads/2019/08/Afghanistan-Tazkera-passports-and-other-ID-documents-22052019-final.pdf>, p.5

¹⁶ US Embassy Kabul. (2011). A guide to Afghan documents. https://wikileaks.org/gifiles/attach/10/10776_US%20Embassy%20Kab.pdf, p. 3

¹⁷ Ibid.

¹⁸ See Bjelica, J. & Adili, AY. (2018)

presidential and parliamentary elections¹⁹. According to the annual national corruption survey by Integrity Watch Afghanistan, the Population Registration Department was the fifth most corrupt institution after the Court, the Attorney-General's office, the Ministry of Education, and the Municipality²⁰. The high-level corruption in PRD has historically undermined the formal distribution process of Tazkeras and court documents such as marriage certificates.

Moreover, the ongoing conflicts in Afghanistan have produced one of the largest forced displacement in the world in the past four decades²¹. Initially, it was believed that Afghan conflicts forced five to six million people to take refuge in Pakistan and Iran between 1979 and 2001. However, as Daniel Kronenfeld argued the UNHCR-administered repatriation of millions of Afghan refugees from Pakistan to Afghanistan in 2001 and the estimated remaining Afghan refugees, including those who were born in Pakistan and had (or had not) seen their parents' birth country of Afghanistan, showed a significant 'anomaly' about the true number of Afghan refugees in Pakistan²². A recent study also correctly noted:

A second, third and even a fourth generation of Afghan refugees is currently living in Pakistan. The majority of Afghan refugees are children and adolescents who are born and raised in Pakistan. As of 17 February 2020, as a part of the UNHCR repatriation monitoring, registered Afghan returnees from Pakistan were asked about their time in displacement. 65 % of the respondents said they returned to Afghanistan after spending more than ten years in Pakistan while 32 % reported that they were born in Pakistan²³.

Therefore, there is sufficient evidence that millions of refugees from Afghanistan have lived in Iran²⁴ and Pakistan²⁵ with or without documentation in the past four decades²⁶. For example, in Iran, some refugees from Afghanistan may hold temporary residency cards (Kart-

¹⁹ See Landinfo. (2019)

²⁰ Integrity Watch Afghanistan. (2018). National corruption survey: Afghans' perceptions and experiences of corruption. https://iwaweb.org/wp-content/uploads/2014/12/NCS_2018_English_WEB.pdf, p. 39

²¹ World Bank. (2017). Afghanistan's forced displacement legal and policy framework assessment. <https://documents1.worldbank.org/curated/en/117261515563099980/pdf/122556-WP-AfghanistanForcedDisplacementLegalandPolicyFrameworkAssessmentF-PUBLIC.pdf>

²² Kronenfeld, A. D. (2008). Afghan refugees in Pakistan: not all refugees, not always in Pakistan, not necessarily Afghan, *Journal of Refugee Studies*, 21(1), 43-63.

²³ European Asylum Support Office. (2020). Pakistan: situation of Afghan refugees. https://coi.easo.europa.eu/administration/easo/PLib/05_2020_EASO_COI_Report_Pakistan_Situation_of_Afghan_Refugees.pdf, p. 15

²⁴ UNHCR. (2011). UNHCR Global Appeal 2010-2011. <https://www.unhcr.org/4b03cdc39.pdf>

²⁵ Margesson, R. (2007). 'Afghan refugees: current status and future prospects, US Congressional Research Service. <https://apps.dtic.mil/sti/pdfs/ADA464830.pdf>

²⁶ See European Asylum Support Office. (2020). pp. 32-36

e Iqamat Muaqad), which are issued by the Iranian Bureau for Aliens and Foreign Immigrants Affairs. In recent years, Afghan refugees have been given the right to obtain Tazkeras from Afghanistan's Embassy in Tehran²⁷. There is a need for more research about who have taken Tazkeras in Iran, but this author has been aware of at least two groups who have obtained their Tazkeras from Afghanistan's Embassy in Tehran: students from Afghanistan who have studied in Iran and decided to continue their tertiary education in Afghanistan's higher education institutions and refugees from Afghanistan who have applied in Iran for North American, European, or Australian partner visas. Finally, a small number of refugees in Iran have been registered with the UNHCR²⁸.

Unlike the changing registration requirements in Iran, Afghan refugees in Pakistan did not need to have legal documents until 2006²⁹. Since then, Pakistani authorities with the help of UNHCR have made several attempts to register refugees from Afghanistan, some of whom have been living in Pakistan for the past four decades or even more. Accordingly, some refugees may have Proof of Registration cards (PoR cards) while others may hold Afghan Citizen Card (ACC) that were mostly issue between August 2017 and February 2018³⁰. There are also media reports that some refugees from Afghanistan have held fake Pakistani identity cards, some of which were recently cancelled by Pakistani authority³¹. However, the circumstances of how Pakistani documents may have been issued for refugees from Afghanistan remain unknown in the media reports. In a recent registration development, Pakistan's National Database and Registration Authority (NADRA) has started last month to issue the first biometric identity cards to refugees from Afghanistan³². In the past few years, there are also some Afghans in Pakistan who hold Afghan? passport with Pakistani visas. Despite these registration efforts, there are still refugees from Afghanistan who are not registered with UNHCR or Pakistani authority³³.

Different Tazkeras

There are different types of Tazkeras in Afghanistan depending on when they were issued to Tazkera holders: handwritten booklets (pre-2001), handwritten one-page (A4) Tazkera (2001-2021) and the recent E-Tazkera card³⁴. Prior to 2001, the handwritten Tazkera booklets contained basic personal information such as name, father's name, grandfather's name, place

²⁷ See Landinfo. (2019). p. 6

²⁸ See UNHCR. (2011)

²⁹ See European Asylum Support Office. (2020). pp. 16-17

³⁰ Ibid, p. 7 & 16-17.

³¹ PTI. (2021, January 3). Pakistan cancels 200,000 fake citizen ID cards held by Afghan refugees, *The Hindu*, <https://www.thehindu.com/news/international/pakistan-cancels-200000-fake-citizen-id-cards-held-by-afghan-refugees/article33486026.ece>

³² UNHCR. (2021, May 25). Government of Pakistan delivers first new biometric identity smartcards to Afghan refugees. <https://www.unhcr.org/asia/news/press/2021/5/60ae48424.html>

³³ See European Asylum Support Office. (2020). pp. 16-17

³⁴ See Landinfo. (2019). p. 8

of birth (or more precisely the province and district in which one's paternal parents had lands or from which they got their Tazkera), religion, gender, marital social status, profession, an identification number and a photograph and signature/fingerprint of a Tazkera holder.

However, the distribution of Tazkeras remained very limited in Afghanistan throughout the 20th century for several reasons. Prior to the 1978 Coup that ended the monarchy rule and brought a Communist government in power, most people were fearful of compulsory military conscription³⁵ and refused to get Tazkeras or bribed government officials to reduce their sons' age³⁶. During the Communist-led government in the 1980s, people in Afghanistan did not get Tazkeras because of fear of association with the Communist regime in Kabul. Additionally, the pro-Soviet regime in Kabul failed to establish its authority in rural areas, which were mostly controlled by different factions of anti-Soviet and anti-Communist 'resistance' groups known as the Mujahidin. The 'Holy Wars' against the Soviet forces and subsequent civil wars resulted in internal displacement and millions of undocumented Afghan refugees fleeing to the neighbouring countries of Pakistan and Iran. Since then, the conflict has continued in Afghanistan and has produced ongoing internal displacement and different waves of refugees that have fled (and some returned to and fled again) Afghanistan^{37 38 39}. Inside Afghanistan, the conflict destroyed most of the already poor documentation records, such as Tazkera registration. As mentioned earlier, in transit countries, Pakistani and Iranian authorities as well as UN agencies failed to register all Afghan refugees and provide them with genuine and valid documents.

From 2001 to early 2021, government of Afghanistan has issued handwritten Tazkeras in an A4 paper in Pashto or Dari and maintained the basic personal information that was commonly used in the old booklet Tazkeras. According to the US Embassy report, there were significant problems with the handwritten Tazkera because:

It is usually applied for when a child reaches school age but can also be obtained and/or modified throughout adulthood. Even if it is not obtained or modified fraudulently, the tazkera is an unreliable identity document. Biometric information is limited to vague physical description, and it may not even include a photo. Biographic

³⁵ Meyerle, J., Samaranayake, N., Markowitz, M., Waters, L., Zarin, H., Ellison, B., Jehn, C. & Rosenau, B. (2011). Conscription in the Afghan Army: compulsory service versus an all-volunteer force, CAN Analysts and Solutions, https://www.cna.org/CNA_files/PDF/D0024840.A2.pdf, pp. 23-24

³⁶ Information provided by a refugee from Afghanistan, who has been living in Australia since 2001.

³⁷ Maley, W. (2009). *The Afghanistan Wars (2nd ed.)*, Palgrave Macmillan.

³⁸ UNHCR. (2008). Afghan refugees in Pakistan during the 1980s: Cold War politics and registration practice. <https://www.refworld.org/docid/4c2325650.html>

³⁹ Willner-Reid, M. (2017). Afghanistan: displacement challenges in a country on the move. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/afghanistan-displacement-challenges-country-move>

information is even more opaque. The date of birth is usually a mere estimate, and the place of birth is based on tribal origin, not the actual location of birth⁴⁰.

Moreover, during the country's presidential and parliamentary elections in the past two decades, the delegated mobile registration teams and provincial departments of PRD distributed multiple Tazkeras using different details to the same person to allow them to get more than one election card. This fraud has been carried out for various personal and political reasons, including helping the powerful power-brokers and particular presidential and parliamentary candidates, and increasing their respective ethnic votes. That is why a significant number of eligible voters in Afghanistan hold more than one election card, which resulted in fraud and disputed results in previous elections⁴¹. Moreover, as Wiles has found:

There is an additional cultural feature at play here: in most cases, networks (personal, professional, etc.) are needed to get anything at all done when dealing with Afghan government agencies, be it getting the power supply (re-)connected to a house, a tazkira (Afghan identity document) re-issued, a driver's licence, etc. People need to call in favours or ask for assistance from well-placed relatives or acquaintances. The use of favours and influence (*wasita*) produces (at best) an implicit expectation of reciprocity. The idea of information sharing as a public good has little history in Afghan government agencies: the idea of anyone from the public sphere having the right to ask for, and receive, government information is new and challenging to the established system of reciprocal favours. Sharing information publicly is perhaps an affront to this system since it opens up ways for otherwise disempowered or non-influential people to call or hold powerful or influential people to account, particularly with regard to information about government decisions, financial or legal matters. It also has the potential to de-mystify the legal professions to some extent by making the text of laws, decrees, regulations, and judgements available to all⁴².

Systemic issues with and inconsistency of personal information on Tazkera

DHA may find significant inconsistencies between the information provided in Tazkeras and passports or other documents of asylum seekers and refugees from Afghanistan. These inconsistencies are understandable and explicable. Tazkeras have only one's first name, father's name, and grandfather's name. Unless the applicants or their *wasita*, the

⁴⁰ See US Embassy Kabul. (2011). p. 3

⁴¹ Graham-Harrison, E. (2014, February 3). Afghanistan election guide: everything you need to know, *The Guardian*. <https://www.theguardian.com/world/2014/feb/03/afghanistan-election-guide-candidates-list>

⁴² Wiles, R. (2012). Trophy Libraries and Strategic Opacity: Information Management Challenges in the Afghan Legal Sector (2004–11). In M. van Bijlert and S. Kouvo (eds.), *Snapshots of an intervention: the unlearned lessons of Afghanistan's decade of assistance (2001–11)*, Afghanistan Analyst Network, pp. 150-151

intermediary person, informed government officials in the Passport Department of the Ministry of Interior, the officials used to write the applicant's father name instead of their surname in the old handwritten Afghan passports. In the new electronic Afghan passports, applicants are required to have surnames and most refugees and asylum seekers have given the surnames they chose during their journey to/ or on arrival to Australia (as mentioned above, historically having a surname has not been very common in Afghanistan).

Furthermore, Megerdooian has highlighted significant differences with names in Western societies such as the US and Australia, and Persian and Arabic names in Afghanistan. Firstly, most Afghan families include an Islamic or Arabic component to their first names such as Mohammad Javid or Ahmed Hussein. However, these persons could simply be known respectively as Javid and Ahmed or Hussein in their families, workplaces, and villages/towns⁴³. In recent years, young educated Hazaras inside and outside Afghanistan have changed their original Arabic names to shorter Persian names. Due to these socio-cultural changes, young male and female Hazaras may have Tazkera, education and employment certificates showing different names for the same person⁴⁴. Moreover, there is no standard orthography in Afghanistan and people and government officials often transcribe the Persian names into English according to their own preferences or dialects.

Hence, the same name may be pronounced differently based on the geographic region within the country. The many ways available in transcribing a certain sound into English can also add further variance: the name محمد can be transcribed in many ways including Mohammad, Mohamed, Muhammad, or Mohamad. The lack of orthographic standardization, combined with a high level of illiteracy, gives rise to many discrepancies in the transcription of Afghan names into English⁴⁵.

Accordingly, it has happened that DHA officials have treated the second part of an asylum seeker's first name as their surname during their arrival in Australia. For instance, when the Persian name عبدالکريم has been spelled as Abdul Karim, the first part has been written instead as the first name while the second part has been accepted as the same person's surname. However, if it had been spelled as Abdulkarim, DHA official may have asked the asylum seeker to provide a surname. In similar cases, asylum seekers have either chosen their father's names (as per the old handwritten passport) or just adopted a surname during their arrival to comply with the requirements of government officials in Western countries⁴⁶.

⁴³ Megerdooian, K. (2009). The structure of Afghan names. *The MITRE Corporation*.
<https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.717.5010&rep=rep1&type=pdf>

⁴⁴ Information provided by several interviews.

⁴⁵ See Megerdooian, K. (2009). P. 2

⁴⁶ Ibid, pp. 6-7

Moreover, regardless of where one was born, government officials in Afghanistan write the village, district, and province as per the Tazkera of one's male relatives (i.e., father, grandfather, uncle, brother, etc.) on the new Tazkera. However, in some electronic passports, they have written the actual birthplace of an applicant if the applicant was born inside Afghanistan. For instance, a boy was born in Kabul in 2006. His father's Tazkera was from Ghor Province. On the boy's Tazkera, his birthplace was written Ghor while in his electronic passport his birthplace has been written Kabul. Similarly, there have been cases where government officials have failed to write the correct place of birth for applicants who were born outside Afghanistan⁴⁷.

In addition, most Afghan Tazkeras do not show exact date of birth, except for some young children who were born in major city centres, such as Kabul, and have hospital records. A Tazkera only shows how old someone was at the time of obtaining the document⁴⁸. In practice, however, government officials decide one's age for the Tazkera based on how old they looked at the time of their application. It is a process that involves harassment, shame, and intimidation specially for young people with lesser connections to the government officials and young female applicants. If one wishes to have an exact date or place of birth (which is often the case for refugees and asylum seekers applicants in countries like Australia), they can be asked to pay significant amounts of money to the officials to write those details on their Tazkera⁴⁹.

Absentee Tazkera

In recent years, the process of getting an Absentee Tazkera through Afghanistan's Embassy in Canberra has improved in the past two years. Many applicants have been able to book their appointments online via the Embassy's website and get a Power of Attorney (wikalkhat) to delegate a family member or friend to obtain their Tazkera on their behalf⁵⁰. However, after they get their wikalkhat, there are still several problems with this process. They are required to send the original wikalkhat to Afghanistan to their legal representatives but given most people do not have valid home and business addresses in Afghanistan, this process can take weeks and sometimes months. For some applicants whose family do not have a valid address, they must wait until they find a friend to take the original wikalkhat to Afghanistan. As such, this process results in unnecessary delays that have a direct impact on the processing of their visa and citizenship applications by DHA⁵¹.

⁴⁷ Information provided by several asylum seekers and refugees in Australia.

⁴⁸ See US Embassy Kabul. (2011).

⁴⁹ Information provided by current and former asylum seekers and refugees from Afghanistan.

⁵⁰ Afghanistan Embassy Canberra, (2019). Absentee Tazkera. <https://www.canberra.mfa.af/consular-affairs/absentee-tazkira.html>

⁵¹ Information provided by several Absentee Tazkera applicants in Australia.

More significantly, in Afghanistan, legal representatives face significant challenges in verifying the authenticity of the wikalatkhat and obtaining absentee Tazkeras through different government departments. In most cases, government officials seek bribes from legal representatives because they know that refugees and asylum seekers desperately require these documents in Australia and may have the money to pay for them. Legal representatives have been asked to pay bribes from around \$100 to \$2,500 to different government officials, Arbabs and suburb representatives depending on what details the asylum seekers and refugees wanted to show on their Tazkeras (and indeed other documents such as marriage certificate). In other cases, the legal representatives have not been able to speak directly with government officials in the relevant departments. They have had to pay for a wasita before speaking to the government officials⁵².

E-Tazkera

In May 2018, the former President of Afghanistan, Ashraf Ghani, announced the roll out of E-Tazkera in Afghanistan and became the first person to receive one. The stated intention was to address the systemic problems with the handwritten Tazkeras and to help improve governance, security, transparency, and accountability (Ahmad, 2018⁵³). However, political, and ethnic rifts over what details should be included on the E-Tazkera have undermined the initial roll out of this document.

The roll out of electronic national identity cards, also known as the e-tazkera has begun, heating up a contentious political debate, which had been simmering since 2013. That debate centres on whether the new ID should mention the holder's ethnicity, and his or her nationality using the term 'Afghan' and in particular whether the words 'Afghan' and 'Pashtun' are synonymous or not⁵⁴.

After a slow start in the roll out of E-Tazkera⁵⁵, National Statistics and Information Authority (NSIA), which is the country's new authority for Tazkeras, has stopped issuing handwritten Tazkeras in 2021. According to the information on NSIA website, individual or family members can use the respective form to apply for their E-Tazkera(s). It appears that e-Tazkera applicants can request for the renewal, registration of new family members and changing their signature at any time, but there is no information on NSIA website about each of these

⁵² Information provided by several legal representatives in Afghanistan.

⁵³ Ahmad, T. (2018). Afghanistan: distribution of controversial electronic identity cards launched, *Library of Congress*. <https://www.loc.gov/item/global-legal-monitor/2018-07-19/afghanistan-distribution-of-controversial-electronic-identity-cards-launched/>

⁵⁴ Bjelica, J. & Adili, AY. (2018). The E-Tazkera rift: yet another political crisis looming?, *Afghanistan Analyst Network*. <https://www.afghanistan-analysts.org/en/reports/political-landscape/the-e-tazkera-rift-yet-another-political-crisis-looming/>

⁵⁵ Sultani, S. (2019, May 9). People complain e-tazkera not accepted in public offices, *Pajhwok*. <https://pajhwok.com/2019/05/09/people-complain-e-tazkera-not-accepted-public-offices/>

processes⁵⁶. Depending on their personal and social circumstances, E-Tazkera application form⁵⁷ requires applicants to include all or most of the following details:

- Name and surname
- Paternal parent and grandparent name (and surname by choice)
- Mother's Name (no mention of surname)
- Husband's Name (no mention of surname)
- Date of birth (day, month, and year)
- Education qualifications
- Original residential address (Suburb/Village, District, Province)- no mention of street name and number
- Current residential address (suburb/Village, District, Province)- no mention of street name and number
- Contact number
- Marital status
- Blood type
- Ethnicity (this is a difficult issue because minorities like Sunni Hazaras may have been recorded as Tajiks or Pashtuns in their old Tazkeras)
- Disability status
- Religion and sect (sect is a controversial aspect of one's identity in Afghanistan)
- Profession and army service
- Foreign nationality
- Details of handwritten Tazkeras (whereas applicable)

The design of E-Tazkera card demonstrates a significant improvement from the pre-existed handwritten Tazkeras. For example, the E-Tazkera shows one's full name and his/her father's and grandfather's name; date of birth with day, month, and year of birth using Persian and Christian calendar; gender, ethnicity, and religion in Afghanistan's national languages (Dari and Pashto) and English. In principle, the biometric features also make it harder to duplicate or produce several E-Tazkeras for the same person. Nevertheless, there are still several important issues with the E-Tazkera that have consequences for the consistency of personal information on E-Tazkeras and other documents in Afghanistan. First, the National Emblem

⁵⁶ NSIA. (2021). About national identity. <https://nsia.gov.af/services>

⁵⁷ NSIA. (2021). E-Tazkera Individual Form. https://www.nsia.gov.af:8080/wp-content/uploads/2019/10/eNID_Individual_Form_Oct_14_2019.pdf

of Afghanistan on E-Tazkera is slightly different to the official description of the National Emblem of Afghanistan, which was used on all government documents and institutions in Afghanistan until the fall of former Afghan Government on 15 August 2021⁵⁸. Therefore, the emblem on one's E-Tazkera and electronic Afghan passports and other documents such as marriage certificate is not the same.



Photo 1: The left-hand side emblem is used on E-Tazkera, and the right-hand side is the correct official emblem of Islamic Republic of Afghanistan⁵⁹. Inconsistencies are shown by the blow arrows.

Second, the initial application form for E-Tazkera requires applicants to write their full name (i.e., first name and surname) in Dari or Pashto and English language. However, providing surname for one's father and grandfather, which are also shown on the E-Tazkera card, is not mandatory for the applicants. As such, some E-Tazkeras have full name of Tazkera holders and the full names of their fathers and grandfathers while other E-Tazkeras might show the full name of Tazkera holders and *only* the first name of their father and grandfather. Moreover, due to lack of standard orthography in translating Persian to English names that was explained earlier in this paper, applicants or someone who help them with completing the initial application form for E-Tazkera often use their preferred English spellings for one's full name and their father's and grandfather's name. Therefore, it is possible that the spelling of one's full name would be different on their E-Tazkera and the visa and citizenship application forms that their family members have previously submitted (or will submit) in DHA.

Third, Tazkeras (handwritten or electronic) have been used obtain other documents in Afghanistan such as passports (including e-passports), marriage certificates, education

⁵⁸ Habibi, AA. (2021, July 4). Tazkera Elektronik: Ishtibahat-e Kochak, Aamil Dardasarhay-e Buzurg (Electronic Tazkera: Small Mistakes Causing Major Problems), *Etilaatroz*, <https://www.etilaatroz.com/129123/electronic-id-card-small-mistakes-cause-big-troubles/>

⁵⁹ Ibid

documents, election cards and driver licenses. For this reason, it is common for refugees and asylum seekers from Afghanistan to have similar systemic and socio-political problems while obtaining any of these documents in Afghanistan. For example, a person from Afghanistan may hold more than one passport, marriage certificate and driver license because of holding multiple Tazkeras. For the reasons outlined above, it is difficult for document holders to know which documents are or are not genuine. In absence of accurate and timely records of major life events in Afghanistan, asylum seekers and refugees from Afghanistan may have inconsistent personal information for the same person on different documents. More importantly, the inconsistent information in different documents has had undeniable impacts on the life narratives that they have provided to DHA at the time of their arrival on Australian shores and in their subsequent interviews.

Moving forward

This study explained that some asylum seekers and refugees from Afghanistan may not have held identity documents, including Tazkeras, at the time of their arrivals because of ongoing conflicts, generational displacement, and weak institutional capacity in Afghanistan. It was also demonstrated that personal information such as date of birth, name, or surname of the same person could have been recorded differently in various identification documents because of complex socio-political and cultural reasons including social norms such as using one's first name, date of birth issues and lack of standard orthography in translating Persian or Arabic names to English language. Despite systemic issues with the E-Tazkeras, obtaining absentee Tazkeras, where asylum seekers and refugees in Australia could nominate a legal representative through Afghanistan's Embassy in Canberra, to obtain their Tazkera in Afghanistan was an important step forward in recent years. The same official process was available for obtaining marriage certificate. Nevertheless, in some cases, nepotism and corruption in Afghanistan undermined the official processes of obtaining an absentee Tazkera and resulted in significant financial cost to asylum seekers and refugees in Australia. More importantly, the process has also led to unnecessary delays in assessing their asylum and family reunion visa or citizenship applications by DHA.

Since the fall of former Afghan Government on 15 August 2021, the 'interim' Taliban cabinet reportedly has stated that the former Afghan Government Tazkeras and passports are still valid⁶⁰. However, verifying these documents, and other identification documents from Afghanistan, is a huge logistical and political challenge for the holders of these documents and DHA because, as of now, Afghanistan has effectively two governing administrations : the 'interim' Taliban cabinet inside Afghanistan and officials of Islamic Republic of Afghanistan in

⁶⁰ Ranjan, R. (2021, September 26). Afghanistan Passports And National Identity Cards To Be Changed By Taliban: Reports. *Republic World*. <https://www.republicworld.com/world-news/rest-of-the-world-news/afghanistan-passports-and-national-identity-cards-to-be-changed-by-taliban-reports.html>

Afghanistan's Embassies including in Canberra. Furthermore, the Taliban 'interim' cabinet, which is not yet officially recognised by any other state, has also commenced issuing of E-Tazkeras and e-passports in Afghanistan⁶¹, but there are conflicting reports about what might have been changed on these documents. For example, there were some reports that they might use 'Islamic Emirate of Afghanistan' instead of 'Islamic Republic of Afghanistan' on the E-Tazkera and electronic passport. Amidst these uncertainties and heightened security risks inside Afghanistan, there is an urgency for DHA to give priority and assess existing and new visa and citizenship applications from Afghan applicants. Given the complex issues with identification documents from Afghanistan, DHA should further enhance its engagement with the existing Afghan communities and associations in Australia to help establish the true identity of visa and citizenship applicants.

***About the Author**

Ali Reza Yunespour works as Academic Internships Coordinator in the School of Social and Political Sciences at the University of Melbourne. His PhD thesis examines the political economy of Afghanistan's higher education; and his research interests are education politics in fragile contexts and asylum seeker and refugee issues in Australia. Ali Reza has been advocating for refugee and asylum seeker rights through his current and previous roles with Community Refugee Sponsorship Australia (CRSA), Academics for Refugees, and Auburn Diversity Services Inc. (ADSI). He is also a member of the newly formed Advisory Panel on Australia's Resettlement of Afghan Nationals that reports to Australian Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs. Ali Reza has also extensive community development experience in Afghanistan, where he helped around 8,000 students in 22 rural schools in Afghanistan through his volunteer work with Indigo Foundation Australia. Previously, Ali Reza has worked in DFAT and as a lecturer at American University of Afghanistan in Kabul. He was a People of Australia Ambassador in 2012 and 2013 and was awarded the National Volunteer Award for his works with refugees and migrants in Australia and his contributions to indigo foundation's education programs in Afghanistan. Ali Reza arrived as a refugee in Australia in 2005.

⁶¹ Ibid.