



Nomad-settler conflict in Afghanistan today

Dr. Antonio Giustozzi
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Afghanistan Research and Evaluation Unit

Synthesis paper

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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul that was established in 2002 by the assistance of the international community in Afghanistan. AREU's mission is to inform and influence policy and practice by conducting high-quality, policy relevant, evidence-based research and actively disseminating the results and promote a culture of research and learning. As the top think-tank in Afghanistan and number five in Central Asia according to the Global Go To Think Tank Index Report at the University of Pennsylvania, AREU achieves its mission by engaging with policy makers, civil society, researchers and academics to promote their use of AREU's research-based publications and its library, strengthening their research capacity and creating opportunities for analysis, reflection and debate. AREU is governed by a Board of Directors comprised of representatives of donor organizations, embassies, the United Nations and other multilateral agencies, Afghan civil society and independent experts.

AREU's core donor is the Swedish International Development Cooperation Agency (SIDA). Specific projects in 2019 are being funded by the European Union (EU), Global Challenges Research Fund (GCRF), Norwegian Institute of International Affairs (NUPI), Central Asia Regional Economic Cooperation Institute (CAREC), The Foundation to Promote Open Society (FPOS), The French Medical Institute for mother and children (FMIC), The Royal United Services Institute (RUSI), Institute for Integrated Transitions (IFIT), UN Women and Save the Children.

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In 2018, AREU was awarded Best International Social Think Tank by Prospect Magazine.



About the Author

Dr. Antonio Giustozzi has researched and published extensively on Afghanistan. For AREU he has released ‘Thirty years of conflict’ (2012), ‘The Resilient Oligopoly: A Political Economy of Northern Afghanistan 2001 and Onwards’ (2012), ‘The Afghan National Army: Sustainability Challenges beyond Financial Aspects’ (2014), ‘The Politicisation of Afghanistan’s High Schools’ (2015), ‘Reaching Boiling Point: High School Activism in Afghanistan’ (2015), and ‘The Afghan National Army After ISAF’ (2016). Dr. Giustozzi holds a PhD from the London School of Economics in International Relations and a BA in Contemporary History from the University of Bologna. Since 2017, he has published a series of articles and papers for AREU on the Nomad-farmer conflicts in Afghanistan.

Foreword

We are pleased to present our new report “Nomad-Settler Conflict in Afghanistan today”, written by Dr. Antonio Giustozzi and generously funded by the European Union. The paper is part of the broader EU funded project: Three-pronged research effort into essential areas of Natural Resources Management (NRM). The paper is based on and complements a series of AREU publications related to nomadism in Afghanistan.

This paper aims at presenting a preliminary mapping of nomad-settler conflict in Afghanistan, and at exploring its changing character. It looks at the several drivers of nomad-settler conflict, including the opacity around the Pastures Law, the government weakness, or demographic pressure over a scarcer irrigated land. It then looks at past conflict resolution efforts and their limited impact, before formulating recommendations around hybrid solutions where the state would play only a limited role.

The fieldwork included 98 interviews with elders of nomad and settler communities as well as interviews with government officials, political figures, analysts, mediators and other stakeholders. The interviews were distributed between eight case studies of nomad-settler conflict, four case studies of nomad settlements, a study of conflict resolution between nomads and settlers, and issued follow-up in Kabul and in the provinces.

AREU is grateful for the enormous support of the anonymous peer-reviewers for their contribution to further strengthening the paper by their insight and expertise and Dr Antonio for his painstaking research work in Afghanistan.

I hope this paper serves as a resource to help in the formulation of policies and programs that are focusing on addressing the nomad-farmer conflict and the future of nomadism in Afghanistan.



Dr Orzala Nemat,
AREU Director

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Acronyms

AAN	Afghanistan Analysts Network
ALCS	Afghanistan Living Conditions Survey
ALP	Afghan Local Police
ANP	Afghan National Police
ARAZI	Afghanistan Land Authority
CSO	Central Statistics Organisation
EU	European Union
IGDK	Independent General Directorate of Kuchi
MAIL	Afghanistan Ministry of Agriculture, Irrigation and Livestock
MRRD	Ministry of Rural Rehabilitation and Development
MUDL	Ministry of Urban Development and Land
NRM	Natural Resources Management
PEACE	Pastoral Engagement, Adaptation and Capacity Enhancement
USAID	United States Agency for International Development

Executive Summary

This paper aims at presenting a preliminary mapping of nomad-settler conflict in Afghanistan as it had evolved by 2016-2019, when fieldwork was carried out. The nature and character of the conflict has changed considerably since the last few analyses were published around 2007-2010. The primary line of enquiry guiding this research looks at the conflict between nomad and settlers and explores its changing character how they resolve conflicts. The purpose of the paper is primarily to inform and update policy making on matters related to nomad-settler conflict in Afghanistan, as well as to lay the foundations for future research efforts.

The fieldwork included 98 interviews with elders of nomad and settler communities as well as interviews with government officials, political figures, analysts, mediators and other stakeholders. The interviews were distributed between eight cases studies of nomad-settler conflict, four case studies of nomad settlements, a study of conflict resolution between nomads and settlers, and issued follow-up in Kabul and in the provinces.

Getting reliable figures on the state of nomadism in Afghanistan is impossible, but the Kuchi Directorate provided some preliminary figures, coming out of an on-going survey. If those figures are correct, nomadism has greatly shrunk, to the extent that pure nomadism is essentially extinct. No more than 220,000 semi-nomads are believed to be left active, with the rest of the nomad population having settled for good. Although the government sponsored a number of not very successful settlement schemes, nomad sedentarisation has largely taken place spontaneously. Nomads were sometimes forced to settle because they had lost their livestock, and sometimes because they wanted some of the comforts of modern life. The remaining semi-nomads are often integrated in settled nomad communities. In practice, nomadism in Afghanistan today has hybridised.

- The drivers of nomad-settler conflict as described by the sources are several. The legal opacity surrounding Pastures Law certainly generated much friction between nomads and settlers over village pastures and public pastures.
- Government weakness in rural areas has meant that the authorities have lost most of the ability to manage structural friction between nomads and settlers, compared to before the war. It also reduced the ability of the authorities to intervene in the conflicts, once these flare up.
- Urban expansion has pushed up the price of land in pasture areas surrounding urban areas, creating strong incentives for grabbing pastures and turning them into townships. Nomads and settlers compete with each other and among themselves for appropriating these pastures, and fight over it.
- Demographic pressure sees a rising population competing over scarcer irrigated land, while in some areas at least more and more settlers have started to keep animals to supplement their meagre agricultural income. These animals need pastures too, and the settlers start using public pastures, which were once dominated by nomads.
- Nomad sedentarisation results in pastures being grabbed for building houses, generating jealousy among surrounding settlers and irritating those nomads who are still taking their animals around Afghanistan, in search for pasture.
- The emergence of powerbrokers is a feature of Afghanistan's political and social life of the last 20-30 years, and it has an impact on nomad-settler conflict too. Powerbrokers are reported to be encouraging nomads and settlers to grab land, who then powerbrokers proceed to 'regularise' with the central government, in exchange for financial benefits and political support.
- The on-going war impacts conflict between nomads and settlers by further reducing access to pastures, and by further weakening the central authorities.

- The shifting ethnic and political balance has made some settler communities more assertive or aggressive vis-à-vis the nomads, often resulting in nomads being shut out of whole areas.

The conflict often takes place in remote areas, but the surroundings of Kabul are also affected. The inability of the state to handle the conflict damages its legitimacy, and the gradually worsening conflict adds fuel to the fire of the already violent war that is going on.

Conflict resolution efforts have so far had limited impact. Direct state efforts had no success whatsoever, whereas non-state mediation efforts were successful in resolving some relatively superficial conflicts. But where powerbrokers or strong economic interests are involved, non-state conflict resolution has been of little use.

Recommendations

- As long as the war in Afghanistan goes on, the central authorities will have limited options vis-à-vis conflict between nomads and settlers. Nonetheless, the government should replace the old royal decrees that gave large portion of pastures to specific nomad communities for indefinite periods, with more up-to-date solutions.
- Partial solutions such as demarcation of agricultural fields, the patrolling of nomad migration routes, scheduling the migrations in accordance with agricultural cycles will not be implementable until there is peace in Afghanistan, and in many cases would be too expensive.
- Hybrid solutions, where the state plays a limited but realistically sustainable role are the way forward:
 - Supporting spontaneous sedentarisation with services and utilities, in exchange for the nomads accepting to settle in land assigned by the authorities.
 - Make land available for urban expansion, weakening some key drivers of illegal land grabbing.
 - Offer incentives to change their ways at least to the extent of abandoning long range migrations.

1. Introduction

Conflict between nomads and settlers appeared repeatedly in the media in Afghanistan and elsewhere after 2001, but it has rarely been studied systematically. While anthropological research on nomads was happening from the 1970s–1990s¹ and some sociological research was carried out early on in the post-2001 period,² developments that became apparent in more recent years have not yet been analysed in the literature. In particular, as nomad townships started popping up throughout Afghanistan, the question emerged of whether the process of nomad sedentarisation has accelerated after 2007, as well as the impact it was having on the nature of the conflict. Another development barely surfacing in the literature, and potentially of major relevance, is the role played by a number of nomad powerbrokers in the conflict.³ Clearly, a new survey of the nomad-settler conflict is in order to inform policymaking.

In order to fill this gap, AREU launched a three-pronged research project on Natural Resources Management (NRM) in December 2016 supported by the EU. Nomad-settler conflict was identified as one prong. The project has unfolded over three years and was organised in stages. This paper concludes the nomad-settler conflict component and brings together all the research and analysis carried out.

The purpose of this paper is primarily to inform and update policymaking on matters related to nomad-settler conflict in Afghanistan, as well as to lay the foundations for future research efforts. It provides a first, and necessarily mapped, assessment of the conflict and of resolution efforts as they stood in 2017–2019. It also discusses possible options for future, improved resolution efforts. The present paper should be intended as a preliminary study of the topic, aimed at enabling planning for more focused, in-depth research. A much more extensive research effort is needed to comprehensively map and study nomad-settler conflict in Afghanistan.

Because the understanding of nomad-settler conflict was (as of 2016 when the project started) still stuck around 2005-2007 and largely focused on the conflict in Behsud, the project commenced without specific research questions. Instead, it adopted some broad range “reconnaissance” objectives:

- Approach nomad and settler communities believed to be locked in conflicts with each other, as well as government officials, and then capture their own understanding of the drivers of conflict and of conflict resolution efforts;
- Seek to reconcile different accounts of the conflict and of conflict resolution efforts, and from that basis:
 - develop a preliminary analysis of the drivers of conflict;
 - develop a preliminary analysis of the wider impact of the conflict on Afghan society and the Afghan state;
 - develop a preliminary analysis of the impact of conflict resolution efforts;

1 In particular: Klaus Ferdinand, *Afghan Nomads: Caravans, Conflicts and Trade in Afghanistan and British India 1800-1980* (Copenhagen: Rhodos, 2006); Birthe Frederiksen, *Caravans And Trade In Afghanistan: The changing life of the nomadic Hazarbuzz* (Copenhagen: Rhodos, 1995); Gorm Pedersen, *Afghan Nomads In Transition: A century of change among the Zala Khàn Khèl* (Copenhagen: Rhodos, 1994); Richard Tapper (ed.), *Tribe and State in Iran and Afghanistan* (London ; Routledge, 1983); T.J.Barfield, *The Central Asian Arabs of Afghanistan: Pastoral Nomadism in Transition* (Austin: University of Texas Press, 1981).

2 “A study of the Kuchi population in the Kabul New City area” (Kabul: Samuel Hall, 2012); Hervé Nicolle, “Qu’elle était verte ma vallée l’avenir sans terre des populations Kuchi dans le district de Deh Sabz’ (Revue de Mondes Musulmans et de la Méditerranée, 133, 2013); Frauke de Weijer, “Afghanistan’s nomad Pastoralists: Change and Adaptation,” *Nomadic People*, Volume 11, Issue 1 (2007): 9-37.

3 Fabrizio Foschini, “The Social Wandering of the Afghan nomads” (Berlin; AAN, 2013).

- On the basis of the drivers of conflict, identify policy recommendations for making progress toward the resolution of the conflict.

The methodology of the study is discussed in Section 2 while Section 3 is dedicated to sketching the characters of the conflict. A brief discussion of the nomad universe in Afghanistan today (Section 3.1) serves the purpose of highlighting the massive changes that have taken place since 2001. However, a detailed discussion of nomadism in Afghanistan, or even of nomad-settler conflict in pre-2001 Afghanistan, is beyond the scope of this paper.

Section 3.2 then outlines what the research team found concerning different nomad-settler conflict drivers in Afghanistan today. The drivers' list does not have the pretence of being exhaustive, nor are any of these drivers studied or analysed in-depth—this is due to the character of preliminary survey of this study. Finally, the research team explored conflict resolution efforts in nomad-settler conflict so far (Section 4). Section 5 is dedicated to discussing possible solutions based on what was discussed with interviewees. Again, it should be kept in mind that the information on which the recommendations are based is based on a preliminary survey, and not on a series of in-depth studies.

2. Methodology

Because so little was known about how nomad-settler conflict has evolved in recent years, the first task of the research effort was to survey the conflict landscape. Based on indications provided by officials of the Independent General Directorate of Kuchi (IGDK), the research team started enquiring with nomads, settlers and government officials about the drivers of conflict as they interpreted them. The interviews were carried out between April 2017 and May 2019. The nomad-settler component included four parallel streams of research:

- a. Eight case studies of nomad-settler conflict, featuring interviews with government officials, community leaders and other conflict observers in the districts of Deh Sabz, Khaki Jabbar, Behsud, Malistan, Derai, Farah, Azra and Imam Sahib. For discussions on the case studies, refer to the 2017 AREU report from this same project: “Mapping nomad-farmer conflict in Afghanistan.”
- b. Four case studies of nomad settlements, with two in Kabul province and two in Logar province;
- c. A study of conflict resolution between nomads and settlers, with interviews distributed between the provinces of Kabul, Bamiyan, Khost, Ghazni, Farah, Logar and Wardak;
- d. Issue-led follow-up interviews in Kabul and the provinces.

In total, as shown in detail in Table 1 below, the research team carried out 98 interviews. The bulk of the interviews (75) were conducted with elders of nomad and settler communities, while the remaining 23 were with government officials, political figures, analysts, mediators and others.



Table 1: Summary of interviews carried out

	Nomad elders	Village elders	Government officials	Politicians and representatives	Analysts	Strongmen	Non-state mediators	TOTAL
Behsud	3	4	1					7
Malistan	3	2						5
Deh Sabz	3	3	1					6
Khaki Jabbar	3	3						6
Azra	3	3	1				1	7
Farah	4	2	1				2	8
Imam Sahib	2	2	1			1		5
Khost	3	3	1				2	8
Bamiyan		3						3
Haji Jinnat Gul town (Kabul)	4							4
Nomad Abad (Kabul)	4							4
Wazir Kariz (Khoshi)	4							4
Dasht-i Khaka (Baraki Barak)	4							4
Other locations	4	6	6	8	2	1		27
TOTAL	44	31	6	8	2	2	5	98

The interviews were designed to elicit information concerning patterns and causes of conflict. The primary purpose of the case studies was to have multiple interviewees for each local conflict in order not only to cross reference the answers for factual information, but also to have nomad and settler versions of the same incidents.

The conflict between nomads and farmers is not a new phenomenon in Afghanistan, nor is it something that has never attracted scholarly attention before. However, in previous studies the focus of attention was the conflict between Hazaras and Pashtun nomads on the southern fringes of the Hazarajat, which is the single conflict that attracted the most (in fact, almost all) media attention. The main exceptions are Patterson's and Kreutzmann and Schütte's studies of the Shiwa pastures in Badakhshan.⁴ Because of the attention and past history of political and ethnic conflict

4 Fabrizio Foschini, "The Social Wandering of the Afghan nomads" (Berlin ; AAN, 2013); Liz Alden Wily, 'The Battle over Pastures: The Hidden War in Afghanistan', *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013; Abbas Farasoo, 'The Dynamics of Nomad-Sedentary Conflict in Afghanistan: The Kuchi-Hazara Confrontation in Hazarajat', *Annals of Japan Association for Middle East Studies*, Volume 33 (2017) Issue 1, 1-37; Hermann Kreutzmann and Stefan Schütte, 'Contested Commons - Multiple Insecurities Of Pastoralists In North-Eastern Afghanistan', *Erdkunde*, Vol. 65 · No. 2 · 99-119, 2011. For previous AREU output on this topic see Liz Alden Wily, 'Looking for Peace on the Pastures: Rural Land Relations in Afghanistan', Kabul : AREU, 2004; Mervyn Patterson, 'The Shiwa Pastures, 1978-2003: Land Tenure Changes and Conflict in Northeastern Badakhshan', Kabul : AREU, 2004; A. Giustozzi, 'Mapping nomad-farmer conflict in Afghanistan', Kabul : AREU, 2017.

between the two communities, which were at various stages sponsored by the state and/or political groups, Hazara-nomad conflict makes it difficult to insulate the social, agricultural, economic and demographic sources of conflict. The project leading to this paper took a much wider view of the conflict between nomads and settlers, while not disregarding the conflict in Hazarajat.

Table 2 and Map 1 show in detail the location of the case studies for Research Stream I. Although the large majority of nomads are Pashtuns, there are also Uzbek, Pashai, Aimaq, Baluch, Turkmen and Gujar nomadic communities. In fact, of the eight case studies selected, one involves Uzbek nomads and one includes Baluch nomads. The sample of case studies selected is not representative of the universe of nomad-farmer conflicts, as no accurate mapping of such conflicts has been carried out. There are cases of conflicts reported between Pashais and Pashtuns, for example.⁵ Instead, the case studies were selected on the basis of the following considerations out of a list of known cases of conflict, supplied by various nomad shuras⁶ in Kabul:

- The logistics of reaching the location for the interviewers;
- The inclusion of various types of social, ethnic and economic environments;
- The inclusion of a mix of successfully negotiated resolutions and of ongoing conflicts;
- The inclusion of mostly conflicts taking place in relatively densely populated areas, where the impact of violence and disruption would be greatest.

Overall, the research team considered that the eight case studies provide a sufficient basis for a preliminary assessment of nomad-settler conflicts, distributed as they are among several of the main areas of Afghanistan where nomad migrations occur.

Map 1: Case study locations



5 Communication with nomad shura member, March 2016.

6 The Arabic word for “consultation” that describes a decision-making process.

Table 2: Surveyed communities in conflict

Malistan (Ghazni)	Hazara farmers vs Pashtun nomads
Behsud (Wardak)	Hazara farmers vs Pashtun nomads
Azra (Logar)	Pashtun farmers vs Pashtun nomads
Derai (Matoon district, Khost)	Pashtun farmers vs Pashtun nomads
Farah	Baluch farmers vs Pashtun nomads
Farah	Baluch nomads vs Pashtun nomads
Deh Sabz (Kabul)	Tajik farmers vs Pashtun nomads
Khaki Jabbar (Kabul)	Tajik and Pashtun farmers vs Pashtun nomads
Imam Sahib (Kunduz)	Uzbek nomads vs Pashtun farmers

For Research Stream II, the locations were deliberately chosen close to each other, with one spontaneous and one state-sponsored case study in Kabul province (Haji Jannat Gul and Nomad Abad) and one of each in Logar (Wazir Kariz and Dasht-e Khaka) (see Table 3).

Table 3: Nomad settlements surveyed

Location	District	Province	Tribal composition
Haji Jannat Gul	Kabul	Kabul	Mixed
Nomad Abad	Kabul	Kabul	Sahak (Edokhel)
Wazir Kariz	Khoshi	Logar	Musakhil (Ahmadzai)
Dasht-e Khaka	Baraki Barak	Logar	Ahmadzai

The interviews in the rural areas were mostly carried out by experienced Afghan researchers with semi-structured questionnaires, which were adapted as the research progressed, on the basis of the feedback provided by the researchers and the outcome of the interviews. The author carried out most of the interviews in Kabul, with an unstructured format.

3. Sketching nomad-settler conflict in Afghanistan

3.1 Nomads in Afghanistan

While the real number of nomads in Afghanistan is unknown, their presence is still significant and affects the rural economy. The 2004 assessment put the number of “actively migrating” nomads at 1.5 million (including both entirely nomadic households and actively migrating members of partially settled households), but no matter that number’s accuracy, the number is certainly lower today. Around 365,000 nomads were considered to have settled as of 2004, while another 500,000 or so belonged to nomad households, but were not going on seasonal migration with the livestock. Fully nomadic households, who live in tents and have no fixed homes, are probably relatively few in numbers today.⁷

Many nomadic communities have partially settled, creating a kind of hybrid, semi-sedentary community where some members live in houses and do not migrate seasonally, while others migrate with the livestock toward greener pastures every year. There are also so-called semi-nomadic groups who have houses, but still take the whole household on seasonal migration routes every year.⁸

The Kuchi Directorate, established in 2006, has not yet been able to complete a new survey of the nomads, but estimates that there might be 4.5–5 million nomads, semi-nomads and settled nomads in the country in 2019. Of these, about 150,000–220,000 are believed to be semi-nomads, while full nomadism appears to be substantially extinct nowadays. This suggests a dramatic decline of nomadism post-2001, even if all these figures are taken with a pinch of salt.⁹ The 2016–2017 ALCS (sampled on the basis of the outdated 2004 assessment) suggested, however, that almost 94 percent of those describing themselves as nomads had no other dwelling than a temporary one.¹⁰ Table 5 collects estimates of the state of sedentarisation, provided by nomad community elders, which also seem to confirm a trend toward increasing sedentarisation. Figure 1 shows the distribution of nomad, semi-nomad and settled nomad families in the 19 provinces surveyed as of May 2019. Furthermore, even within the residual semi-nomadic population, about 20 percent were involved in activities other than agriculture and animal husbandry, according to the 2016–2017 ALCS.¹¹

3.1.1 Planned and spontaneous sedentarisation

In accordance with Article 14 of the Afghan constitution, nomads are to be settled based on the ability of the government to do so. The nomads should be offered land where they can settle. One such experiment in identifying settlement areas for the nomads was the Bari Kaw area in Deh Sabz. The authorities were, in fact, unable to enforce their decision.¹² Among the reasons why other experiments failed, such as Dasht-e Zarghoun in Logar, was a lack of careful planning and poorly chosen locations.¹³ Another reason was that sedentarisation has its drawbacks too. The nomads lost their (relative) independence and became subject (like most of the rest of the Afghan population) to the whims of local notables:

*[The elders] are collecting money from us and we are required to pay them because if we do not pay, then they bad-mouth us and try to isolate us in the settlement.*¹⁴

7 Frauke de Weijer, “National Multi Sectoral Assessment on Nomads,” (Kabul, 2005); Frauke de Weijer, “Afghanistan’s nomad Pastoralists: Change and Adaptation,” *Nomadic People*, Volume 11, Issue 1 (2007): 9-37.

8 Emma Graham-Harrison, “Hidden casualties of Afghan war: nomadic farmers adopt more settled life,” *The Guardian*, 9 January 2013; Liz Alden Wily, “Looking for peace on the pastures” (Kabul: AREU, 2004).

9 Interview with official of the Kuchi Directorate, Kabul, May 2019.

10 CSO, *Afghanistan Living Conditions Survey 2016-17*, Kabul, 2017, p. 210.

11 CSO, 2017, p. 68.

12 Interview with nomad elder of Tarakhel tribe in Dehsaz District of Kabul Province, January 2017.

13 Interview with staff of the Grasslands Department, Kabul, September 2017.

14 Interview with settled nomad in Wazir Kariz settlement, Logar, 3 April 2019;

At present, the Kuchi Directorate is working on three different types of settlements for nomads:

- Nomad townships near cities where nomads could settle and urbanise;
- Nomad farms in remote areas, with 10 acres of land provided to each family for a home, crops and livestock;
- Service centres around the seasonal settlements of the nomads (health, education, etc.).

As of early 2018, one such scheme was already ongoing in Khwash (Badakhshan), and more were planned for Balkh, Logar and Farah, among others.¹⁵ As of May 2019, the settlements established by the Afghan authorities consisted of the following:

- Boot Khak, located in the eastern part of Kabul city, with 100,000–130,000 inhabitants;
- Nahr Shahi district, located in Balkh province, covering 3,000 jeribs¹⁶ of land and with an unknown number of inhabitants;
- Paktika province, covering 1,500 jeribs of land and with an unknown number of inhabitants;
- Farah province, covering about 2,500 jeribs of land and with an unknown number of inhabitants;
- Nimruz province, covering 23,000 jeribs of land and with an unknown number of inhabitants;
- Marjah district, Helmand province, covering about 45,000 jeribs of land and with an unknown number of inhabitants;
- Kohe Karz nomad settlement located west of Kabul city, covering approximately 1,709 jeribs of land and with an unknown number of inhabitants;
- Six nomad settlements in Logar province, located in various districts, covering in total about 30,000 jeribs of land, and with an unknown number of inhabitants;
- Kapisa province, covering approximately 400 jeribs of land and with an unknown number of inhabitants.¹⁷

Overall, however, government-driven sedentarisation has been relatively marginal so far. If sedentarisation accelerated after 2001, it was largely independent of any state-driven effort and was driven, instead, by economic, political and environmental conditions. A study by Samuel Hall found that after 2001, the process of sedentarisation among the nomads of Kabul province accelerated dramatically. Of those interviewed, only 0.7 percent had settled in 1971–1980, and just 2.1 percent in 1981–1990. In the 1990s, the first serious acceleration occurred: 11.4 percent sedentarised during this decade. However, the real acceleration was from 2001 onward: 44.3 percent settled in 2001–2006 and 41.4 percent in 2007–2011.¹⁸ The 2005 survey found that 15 percent of the Kuchis were permanently settled.¹⁹ The interviewees of the ongoing AREU project confirmed that the trend toward settlement appears to have accelerated.²⁰ One settled nomad hinted that it was temporary migration to Pakistan in the 1980s that started undermining nomadism on a serious scale:

15 Interview with Zamarud Khan Mangal, Economic and Accommodation Department Chief, Kuchi Directorate, Kabul, March 2018; Interview with Engineer Fazal Ahmad Noorzai, Nomads Department Director, Farah province, February 2018; Interview with Zamarud Khan Mangal, Economic and Accommodation Department Chief, Kuchi Directorate, Kabul, Kuchi Directorate, March 2018.

16 A unit of measurement used for land holdings, similar to an acre or hectare.

17 Interview with official of the Kuchi Directorate, Kabul, May 2019.

18 “A study of the Kuchi population in the Kabul New City area,” Kabul: Samuel Hall, 2012, Table 3.1.

19 Frauke de Weijer, “National Multi Sectoral Assessment On Kuchi,” May 2005.

20 A. Giustozzi, “Mapping nomad-farmer conflict in Afghanistan,” Kabul, AREU, 2018.

Some of our people had migrated to Pakistan during the Russian invasion and saw the benefits of settled life in Pakistan, then immediately sold all of their livestock and turned to local businesses.²¹

The few figures available also support the view that there are now large number of settled nomads. A source in the Kuchi Directorate estimated that in 2019, about two million nomads lived in official and unofficial settlements.²² AREU interviewees for this project provided rough estimates of the percentage of members of their community that had fully settled by the time of the interview (Table 5).

Table 5: Settled nomads by tribe, according to tribal elders²³

Tribe/sub-tribe	Estimated percent fully settled as of 2017
Nasar	30
Karokhel	55
Ahmadzai	30
Suleimankhel	45
Mullahkhel	5 -20
Niazi	65-70
Sultankhel	80
Babar	55
Akbarkhel	20-25
Masukhel	60
Taghar	40
Babakar	40
Aladdinkhel	55
Tarakhel	80

Many other members of these nomadic communities had turned semi-nomadic. In the case of the Aladdin Khel, for example, an estimated 25 percent had turned to semi-nomadism and only 20 percent were still believed to be living a fully nomadic life.²⁴

21 Settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019;

22 Interview with official of the Kuchi Directorate, Kabul, May 2019.

23 Interview with nomad elder of Nasar tribe, Sarchushma area between Jalriz and Behsud districts of Maidan Wardak province, 22 November 2016; Interview with nomad elder of Kharokhel tribe, Maidan Wardak province, 22 November 2016; Interview with nomad elder in Behsud Awal of Maidan Wardak province, 19 November 2016; Interview with nomad elder of Sulaimankhel tribe, 27 March 2017; Interview with nomad elder of Mullah Khel tribe, 9 April 2017; Interview with nomad elder of Mullah Khel tribe, 8 April 2017; Interview with nomad elder of Mullah Khel tribe, Derai of Khost province, 7 April 2017; Interview with nomad elder of Sultan Khel tribe in Logar province, 23 November 2016; Interview with nomad elder of Babar tribe of Azra district of Logar, 28 January 2017; Interview with nomad elder of Akbar Khel tribe, 20 March 2017; Interview with nomad elder, Nomadhi Abad of Botkhak, Kabul, 9 March 2017; Interview with nomad elder of Taghar tribe in Deh Sabz district of Kabul province, 18 January 2017; Interview with nomad elder of Babkarkhel tribe, Deh Sabz district of Kabul province, 28 January 2017; Interview with nomad elder of Tarakhel tribe, Deh Sabz district of Kabul province, 13 January 2017.

24 Interview with MR, elder of Aladdin Khel sub-tribe, May 2018.

3.1.2 Why sedentarisation?

- Economic necessity, poverty and war:

Drought, lack of access to water and lack of access to pastures were, by far, the most commonly cited causes for settling.²⁵ As Nicolle points out, in order to make nomadism sustainable, a nomadic family needs at least 40–50 animals (typically sheep). Once the herd falls below this number, it is only a matter of a few years before the family is likely forced to sedentarise. Often, in order to buy land, the nomads have to sell even more animals, therefore becoming more dependent on other types of economic activities for survival.²⁶

The ongoing conflict is also a reason cited by 47 percent of Samuel Hall's interviewees for sedentarisation.²⁷ The interviewees of this project confirmed that drought, conflict with settlers, rising levels of violence in the country, livestock disease, and, of course, war were the causes of the sedenterisation process. In the words of one of them:

*[The nomads] are following the main highways and roads due to fear of mines. When traveling on these routes, they're facing abuse, humiliation and harassment by travellers, settlers and government people.*²⁸

- Improving access to education, healthcare and utilities:

Sedentarisation tends to bring greater access to health and educational services, previously very hard to access for nomads, as confirmed by our interviewees.²⁹ While this might not have been a driver of early sedentarisation efforts, once the settled nomads started appreciating these gains, they also began inviting fellow nomads to settle in order to access them. This driver came into play after 2001, as Afghanistan started recovering from the war and education and health systems began to be rebuilt. It seems to have had a significant impact. Indeed, while re-nomadisation was not uncommon in the 1990s, it became rare after 2001. In the 1990s, nomadic life still looked attractive to nomads forced to take refuge in Pakistan from the war and substantial numbers bought herds in the 1990s to try just that.³⁰ Samuel Hall's interviewees listed the attraction of a sedentary lifestyle as the second most important cause of sedentarisation (45 percent), with particular reference to education for children and health services.³¹ Maternal care is particularly deficient among nomads. Lack of education is another specifically sore point. According to the 2016–2017 ALCS, just 5.8 percent of active nomads adults are literate (10.6 percent for men and 0.7 percent for women).³² Even settled nomads have only limited access to education. A source in the Kuchi Directorate estimated in 2019 that only seven percent of the children of settled nomads had access to primary education, and four percent to secondary education. Just 0.4 percent had access to higher education. Similarly, only eight percent of the settled nomads have access to public health services.³³

As for utilities, only 3.9 percent of the active nomads had access to safe water according to the 2016–2017 ALCS. On the other hand, almost 80 percent of the nomad households reported having access to electricity, mostly solar. Just 24.8 percent of nomad households owned a mobile phone.³⁴

25 "A study of the Kuchi population in the Kabul New City Area," Kabul: Samuel Hall, p. 23.

26 Hervé Nicolle, "Qu'elle était verte ma vallée L'avenir sans terre des populations Kuchi dans le district de Deh Sabz" (Revue de Mondes Musulmans et de la Méditerranée, 133, 2013), p. 235-236.

27 A study of the Kuchi population in the Kabul New City area, Samuel Hall, Kabul, p. 25-6.

28 Settled Kuchi, Kuchi Abad settlement, 3 March 2019.

29 Nicolle, "Qu'elle était verte ma vallée", p. 235-236; Interview with settled nomad in Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled nomad, Wazir Kariz settlement, Logar 2, April 2019.

30 Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 4 May 2019; Interview with settled nomad in Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled nomad, Wazir Kariz settlement, Logar, 2 April 2019.

31 "A study of the Kuchi population in the Kabul New City Area," Kabul: Samuel Hall, p. 25-6.

32 CSO, 2017, p. 190.

33 Interview with official of the Kuchi Directorate, Kabul, May 2019.

34 CSO, 2017, p. 216, 230, 233.

- Forming a tighter community:

Living together also means that the settled nomads are better able to help their larger kin group, compared to being spread along migration routes in small familiar nuclei. The nomads can finally have a richer social life and celebrate events and traditions together, as well as support each other.³⁵ Living together also means that the settled nomads are better able to help their kin, finally have a social life, and celebrate events and traditions together.³⁶

- Financial accumulation and acquisition of new skills:

Some nomads have managed to accumulate significant capital, which they then turned into properties and businesses after the war appeared to have ended in 2001. In other cases, it was migration to the Arab Gulf or Pakistan that allowed some of them to make money and invest at least a portion of it back into Afghanistan (see Box 1).³⁷ Moreover, by settling, nomads could put recently acquired skills to good use or discover new opportunities as a result of the dislocation caused by long years of conflict.

Box 1: Nomads' investment in Derai

In the area of Derai (Khost), farmers and nomads started fighting as early as 2003. The settlers resisted attempts by the nomads to settle in the area. A Teron tribe settler explains:

These nomads bought a little land in the time of Zahir Shah and Daud Khan in the Derai area. Then they were coming with animals and fed them in the pastures. Then they would go to Pakistan. In the Taliban's time, they found money and built houses in their areas. They also brought other Niazis from Nangarhar, Paktia and other places. They attacked our lands and brought animals to our agriculture fields and we told them not to bring animals there, but they did not agree. They also started building houses in our areas [...]. We prevented them. We told them not to start construction here or grow things. Then nomads hit one of ours with a knife and he was seriously injured. Then fighting started and a few people were killed by them. Nomads also have problems with Sabari and in the fighting more than 60 casualties took place on both sides.³⁸

3.1.3 The hybridisation of nomadism

By 2001 already, and even more so in 2019, nomads and settlers were no longer always two clearly distinguishable categories. As is obvious from the figures quoted above, “pure” nomads have, for years, been a minority of the estimated nomad population of about three million. Hybrid, semi-sedentary nomad communities are a large category that defies traditional definitions: while adult males and some other members of the community keep on with their seasonal migrations searching for good grass to fatten their livestock, babies, children attending school, the unfit, sick and other members may stay behind in solid homes at one end of the nomads' migration route. Settled members may even engage in some agricultural activities, despite livestock remaining the primary interest of the community. Among settlers, many are former nomads who have given up on nomad life in recent years, but might retain relatively large herds and have close relatives still migrating seasonally with their livestock. This blurring distinction makes the task of analysing conflict patterns more complex, but the author opted to keep even the less clear-cut cases of nomad-settler conflict in the sample because this “blurred” picture is the reality that policymakers and others involved in addressing the situation will have to face.

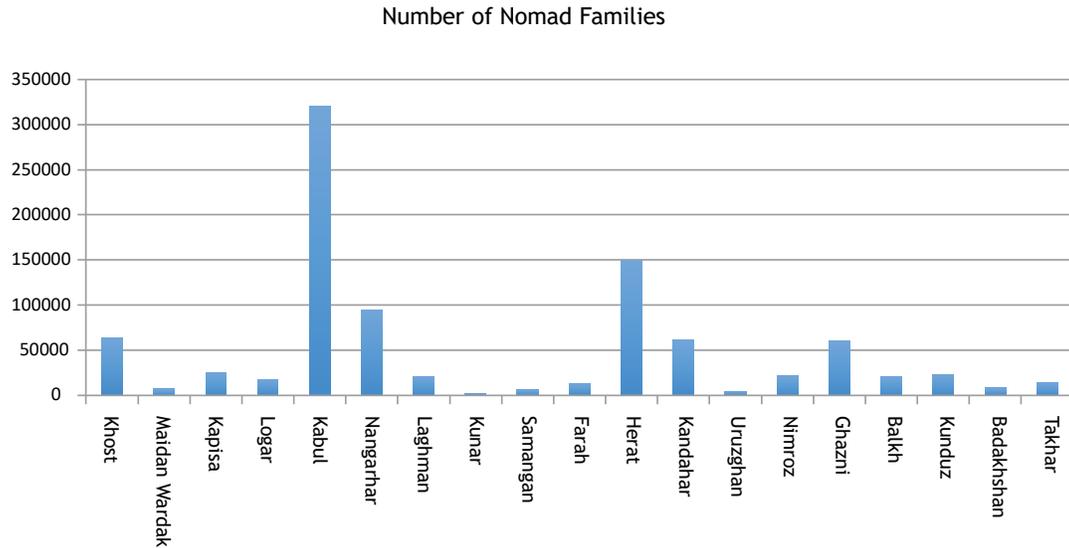
35 Interview with settled nomad in Haji Jannat Gul, 1 February 2019; Interview with settled nomad in Haji Jannat Gul, 2 February 2019; Interview with settled nomad in Haji Jannat Gul, 3 March 2019; Interview with settled nomad in Haji Jannat Gul, 4 March 2019.

36 Interview with settled Kuchi Haji Jannat Gul 1, February 2019; Interview with settled Kuchi Haji Jannat Gul 2, February 2019; settled Kuchi Haji Jannat Gul 3, March 2019; Settled Kuchi Haji Jannat Gul 4, March 2019; Interview with settled Kuchi Haji Jannat Gul 1, February 2019.

37 Interview with nomad elder, Niazis tribe, Derai of Khost province, 8 April 2017.

38 Interview with village elder, Teron tribe, Derai of Khost province, April 2017.

Figure 1: Distribution of nomad, semi-nomad and settled nomad families by province; Particle survey data covering 19 of 34 provinces (May 2019)



Source: Kuchi Directorate

Imprecision in counting does not just affect nomad numbers in Afghanistan. One source estimated livestock at four million in 2017, down from 17 million in 2004. Although the average size of herds is sure to have declined during these years, such a massive decline in livestock seems to confirm a continuing, steep decline in the number of nomads.³⁹ The ongoing Kuchi Directorate survey of nomads' herds, however, pointed to a much larger number of animals, with over 13 million counted in just the 19 provinces surveyed in May of 2019.⁴⁰ The difference between the data sets might be due to definitional issues (nomadic livestock vs livestock of nomads, including settled ones).

Map 2 shows the most recent assessment of the nomads' migration routes, carried out in 2008–2009 by a USAID-funded project, PEACE (Pastoral Engagement, Adaptation and Capacity Enhancement). It is obvious from the map that the majority of the nomads were migrating toward the pastures of Hazarajat (central highlands), considered to be the best by the nomads, during the summer, but also that there have always been pastures used by the nomads along their long migration routes.⁴¹ Much of the Afghan countryside was, therefore, affected by these migrations to some extent.

The relationship between nomads and settlers is a complex one. Before the war there used to be at least some symbiotic elements. For example, the nomads would take goods to sell in remote villages that would be difficult to obtain otherwise. They also made abundant fresh meat and dairy products available for at least part of the year in many areas. Overall, it is estimated that about two-thirds of all animals sold in Afghanistan are raised by nomads.⁴² However, as the Afghan road network developed, the trading activities of the nomads became increasingly redundant for a growing portion of the rural population.⁴³

39 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomads, October 2017.

40 Interview with official of the Kuchi Directorate, Kabul, May 2019.

41 For some background on conflict between nomads and Hazara farmers in Maidan Wardak, see K. Nawabi, "Fractured relationships" (Kabul: CPAU, 2010).

42 "Reducing Risk for the Afghan People" (USAID: Afghanistan PEACE Project) <http://afghanpeace.org/>

43 Klaus Ferdinand, "Nomad expansion and commerce in central Afghanistan," *Folk* 4, 1962.

Map 2: Pre-war migration routes of nomad groups



Source: Afghan Peace.

3.2 Drivers of nomad-farmer conflict in Afghanistan

Even before 2001 there was obvious tension between nomads and settlers, particularly in certain areas. The tension stemmed primarily from two sources:

- Under the monarchy, large tracts of land were transferred to the nomads by government decree at the expense of settled communities, in particular Hazara ones. The Hazaras question the validity of an order by Yaqub Khan, governor of Kabul in December 1878-February 1879, to hand over large tracts of land to the nomads during a time of disorder and political instability in Afghanistan.
- The herds of the nomads often encroached into the (undemarcated) village pastures and agricultural land, damaging harvests and hampering farmers' efforts to raise their own livestock.⁴⁴

Government attempts to regulate nomad-farmer relations were light footprinted. There has been a widespread perception, at least among Hazaras, that the government backed the nomads and complaining against their encroachment of farm land and village pastures would only bring more

44 Liz Alden Wily, 'The Battle over Pastures: The Hidden War in Afghanistan', *Revue des Mondes musulmans et de la Méditerranée*: p. 133, June 2013; Liz Alden Wily, 'Looking for Peace on the Pastures: Rural Land Relations in Afghanistan', Kabul: AREU, 2004.

trouble to the farmers.⁴⁵ Afghan governments, however, were not always fully supportive of the nomads; their smuggling across the Pakistani border undermined tax collection and could be used by opposition groups to move weapons inside the country.⁴⁶

Today, sources in the Kuchi Directorate identify the following causes of current conflicts involving the nomads:

- a. Denied access to pastures, by either settlers or other nomads;
- b. Trespassing: disputes over the boundaries of special pastures of villages and public pastures for nomads, or settlers complaining about nomads' herds damaging crops;
- c. Land grabs and illegal land occupation: nomads building on pastures or settlers taking over pastures for cultivation;
- d. Conflict between nomads and government authorities (which does not fall within the scope of this study).⁴⁷

Nomad representatives roughly agree with the list above, stressing the importance of land grabbing as a source of conflict compared to other types of conflict.⁴⁸ This assessment is shared by the Kuchi Directorate. Land grabbing and illegal appropriation of pastures appear today to be the most important type of conflict involving nomads, eclipsing older types of conflict, such as disputes over boundaries and schedules.⁴⁹

It can be noted that these conflicts involve not just nomads and settlers, but also nomads vs other nomads and nomads vs settled nomads. The Kuchi Directorate estimates that about 45 percent of the existing nomads, semi-nomads and settled nomads are involved in some type of conflict. Of these, about 20 percent are active nomads involved in conflicts with other active nomads, 60–70 percent are active nomads involved in conflicts with settlers, and 10–20 percent are active nomads involved in conflicts with settled nomads.⁵⁰

3.2.1 Legal opacity

The literature has already pointed out how the conflict between nomads and sedentarists was, in part, the result of property and usage rights being enforced weakly (or not at all, in some cases) by the authorities, and of what Wily described as the “opaque” status of rangelands.⁵¹

Before the long series of ongoing war that started in 1978, Afghan nomads were migrating seasonally, more or less seamlessly, throughout Afghanistan and even beyond the border with Pakistan (except for periods when the border was closed). Pastureland was only defined “state land” in the 1987 and 1990 constitutions, both since repelled. The laws of the 1960s and 1970s defined pastureland as “public property.” There is often nostalgia for those years, and for the strong and effective government believed

45 All eight Hazara interviewees in this project reaffirmed this feeling.

46 Fabrizio Foschini, “The Social Wandering of the Afghan nomads” (Berlin; AAN, 2013); de Weijer, F., “National Multi Sector Assessment.” In the 2005 assessment led by de Weijer, loss of livestock was cited as by far the most important reason for nomads deciding to settle.

47 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomads, October 2017.

48 Interview with Hajji Khan Wazir, head of Khumari Khil Shura for Dehsabz and Qarabagh, Poza-e-Kharoti Bareekaab, October 2017.

49 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

50 Interview with official of the Kuchi Directorate, Kabul, May 2019.

51 Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan’, *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

to be managing things at that time.⁵² The Taliban acknowledged two different types of pastureland in their Law on Pasture and Public Land (2000): public and private, with the latter being for the exclusive use of the adjacent communities. Private pasturelands were defined as “the area from where the loud voice of someone standing at the edge of the village can still be heard.”⁵³ However, today the law is widely criticised for its vague definition of village pastures, as even some government officials accept.⁵⁴ One senior official in the Kuchi Directorate commented that:

*If they precisely defined the village pastures and the common pastures, then we would see a halving of these conflicts and conflict resolution would become easier too.*⁵⁵

Although government officials would not openly question the pre-1978 system, such vagueness of the Pastures Law must have also been a source of conflict before 1978. Although violent conflict was rare between the time of Abdur Rahman and the start of the war in 1978, friction did occur. From the 1980s onwards, the settlers started becoming more assertive and violent conflict between them and the nomads began, especially in Hazarajat.

Another implicit limitation of the Pastures Law of 1971 was that the gradual expansion of settlements due to population growth would, in the long run, eat into the public pastures. The contradiction between the definition of the public pastures as “public land” and the royal decrees assigning specific pastures to groups of nomads would eventually come back to haunt the Afghan authorities.⁵⁶

Interviewees for this study convened that ppastures laws introduced from the 1960s recognised the right of farmers to their own pastures around the villages, but these were poorly defined and essentially not enforced.⁵⁷ At the MAIL, government officials seem to consider the Pasture Law of 1971 as the basis for their operations. One official stated that, “According to the law of the grasslands, the grasslands belong to the state and every citizen of Afghanistan who has animals can use the grassland.”⁵⁸ In principle, Afghanistan’s Pasture Law has always distinguished between private, community and public pastures, with nomad access limited to the latter. In practice, the distinction has always been fuzzy: the limit of each village’s special pastures is determined by the distance at which a voice shouting from the village can be heard. This imprecise definition and the lack of demarcation between agricultural fields, village pastures and public pastures makes the emergence of conflicts easy.⁵⁹ The 1971 Pasture Law was not only imprecise, but was also so weakly implemented that many farmers do not even know that it actually gives them the right to the exclusive use of village pastures.⁶⁰

Even when there is awareness of the law, it is clear that there is no agreement between farmers and nomads on how this should be interpreted. In practice, the nomads and settlers interviewed often saw pastureland as “theirs” (as opposed to the state’s). In the case of the settlers, this is usually because

52 Interview with MIB, tribal elder in Farah province, June 2017; Interview with elder SAN, nomad Farah province, June 2017; Interview with elder NNN, Nurzai tribe, Farah province, settler; Interview with IB, tribal elder and nomad, Farah province, June 2017; Interview with MKB, nomad elder, Farah province, June 2017; Interview with Advisor to the Director General of Independent General Directorate of Nomads, October 2017.

53 Conor Foley, A guide to property law in Afghanistan, NRC/UNHCR, 2005.

54 Interview with officer of the Kuchi Directorate in Khost province, February 2018; Interview with Engineer Fazal Ahmad Noorzai, director of nomads department in Farah province, February 2018; Interview with Zamarud Khan Mangal, chief/head of Jirga’s, economic and accommodation department in Kabul, Kuchi Directorate, March 2018; Interview with Advisor to the Director General of Independent General Directorate of Nomad, October 2017; Interview with Barakzai Mukhlisyar, director here for the Nomad department in Kunduz province, February 2018.

55 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

56 Interview with Hazara elder, Waras district of Bamiyan province, May 2018.

57 Interview with ARAZI official, Kabul, September 2017; Interview with land tenure specialist, Kabul, September 2017. See also M. Sharif and M.Y. Safar, “Land Administration and Management in Afghanistan” (Blue Mounds: Terra Institute, June 2008).

58 Interview with staff of Grasslands Department.

59 Sharif and Safar, “Land Administration and Management.”

60 Interview with member of Commission for Resolving Disputes between Kochi and Hazara Commission, 1 December 2016.

of geographical proximity. The nomads, by contrast, will identify pastures, where they used to bring their herds to graze before the war on the basis of the royal decrees, as “theirs” too.⁶¹ Nomads and settlers agree to disagree. “There is no agreement with the farmers on these grasslands,” said one Uzbek semi-nomad.⁶² Although the lack of demarcation and the poorly defined boundary between public and village pastures was never mentioned as a major source of conflict, one source described it as a source of constant friction between nomads and farmers.⁶³

A major flaw in the Pastures Law is that in the long run the expansion of rural settlements can dramatically affect the extension of public pastures. Building a few new houses at the outer limit of one village can extend the village pastures by a few hundred metres, at the expense of public pastures. Indeed, Hazara settlers in the central highlands have framed their demands over the pastures in terms of enforcement of rights over village pastures, which, according to them, were largely ignored before the war. Because Hazara settlements have expanded and new settlements have popped up to exploit the little land available in the central highlands, much of the land that would have been considered public pastures is now technically village pastures, but the settlers are afraid that the nomads would contest their old pastures being used by somebody else. The settlers will often claim that even public pastures near their villages are for their animals only, especially when they have many animals that need feeding. In recent years in some areas of Afghanistan, such as Hazarajat, farmers have dramatically expanded the number of animals they keep in order to diversify an otherwise extremely poor local economy (see also “Spread of animal husbandry” below).⁶⁴

The claims to “ownership” discussed above have resulted in nomads settling on public pastures illegally in a number of locations, or in nomads and settlers using pastures that had earlier been used by others, who are often even pre-empted from accessing the pastures at all. While settlement on public pastureland is clearly illegal, competition over grazing rights is a more complex issue. Public pastures, on the one hand, are supposed to be available to all who have animals that need feeding. As a senior official in the Pastures Department put it, “According [to] the law of the grasslands, the grasslands belong to the government and every Afghan citizen who has sheep can use the grasslands.”⁶⁵ On the other hand, there are decrees dating back to the monarchy that assign specific public pastures to specific nomad tribes.

Trespassing might be thought of as a minor issue, but it has the potential for escalation. Moreover, it also happened on a large scale, with devastation of fields (see also Box 2).

In sum, what the interviewees told the researchers is in line with what had already been pointed out in the pre-existing literature for almost 20 years. Despite that, the discussion about a more precise definition of village and public pastures has been happening for many years; the 2011–2012 draft of the new pasture law reportedly did not mention village pastures anymore. This development was seen as a result of nomads lobbying the authorities.⁶⁶ The current (2017) version of the law again introduces village pastures, whose extent is to be defined by ad hoc regulations (likely up to three kilometres from the village).⁶⁷

Another bone of contention deriving from unclear or poorly implemented law and regulations is the absence of nomad migration schedules. The following complaint by a settler is typical of what other settlers told the interviewers:

61 Interview with AJ, Osan Khel nomad elder from Maidan Wardak, 8 May 2018; Interview with elder of Adramzai community in Awbazak village, 20 December 2016; Interview with AJ, Osan Khel nomad elder from Maidan Wardak, 8 May 2018.

62 Interview with Uzbek Baig tribe nomad elder, Kalam Guzar area, April 2017.

63 Interview with elder of Alakozay tribe, Koh Dana area, June 2017.

64 Interview with member of the Commission for Resolving Disputes between Kuchi and Hazara, December 2016; Interview with Hazara elder Haji HA, Waras district of Bamiyan province, May 2018; Interview with Haji RA, elder from Bamiyan Province, May 2018.

65 Interview with staff of Grasslands Department, Kabul, September 2017.

66 Liz Alden Wily, “The Battle over Pastures: The Hidden War in Afghanistan,” *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

67 Interview with ARAZI official, September 2017.

*They should graze in the pastures and then should also come to our land, but only after we harvest. By contrast, if these nomads come to our lands when we are harvesting, for sure a conflict will take place. We would be using any kind of power.*⁶⁸

Box 2 Case study: the evolution of nomad-settler conflict in Hazarajat

The best studied source of nomad-farmer conflict in Afghanistan is the rivalry over nomad access to pasturelands in the Hindukush Mountains, populated by Hazara farmers. The conflict has deep historical origins in the use made by the nascent Afghan state in the late 19th nineteenth century of the Nomads to subjugate the Hazaras.⁶⁹ Indeed in the course of this study the officials and other interviewees in Kabul automatically focused their attention on the Hazara-nomad conflict, alleging that the Hazaras, motivated by a desire for revenge, were blocking the nomads' migration routes towards the central highlands in Daymirdad, Hesa Awwal and other locations. Undoubtedly, as long as the authorities rely on the 1971 law, by blocking the access routes to the pasturelands of central Afghanistan, the Hazara communities prevent the nomads from using most of the pastures. At present, therefore, the conflict is limited to a few passages on the nomads' migration route that block access to the pasturelands of the Hazarajat. These passages are controlled by local Hazara militias.

The blocking of nomad migration routes by farming communities appears to have happened mostly on the southern fringes of Hazarajat, particularly in Behsud district of Wardak province, but also in parts of Ghazni province. Behsud is one of the main routes of access to the pastures of central Afghanistan. By blocking it, the Hazaras have prevented nomads from reaching the pastures of Hazarajat.⁷⁰ Clashes between nomads and settlers started on a small scale in 2004, although the conflict flared up to a larger scale in 2007. One reason given for blocking access was to prevent damage to crops and village pastures, as an elder from Behsud explained:

*... Nomads [...] tried to come to the central provinces of Afghanistan with their thousands of animals[...]. The fighting started in Dan Barak village of Kajab area belonging to Hesa Dowom of Behsud district. When the nomads were passing through Dan Barak village with their thousands of animals over the agricultural lands and wanted to continue their journey to Bamiyan Province, they were stopped by a farmer who did not want them to cross his land, but they fired at and killed him. Then the fighting started between the Hazara people and nomads. [...] Because Wardak province is the gate for nomads to enter Bamiyan and Ghor provinces, they are passing with their thousands of animals over our lands and destroying our cultivations.*⁷¹

The conflict has deep historical origins in the use made by the nascent Afghan state in the late nineteenth century of the nomads to subjugate the Hazaras.⁷² One of the Hazara elders described the situation from the Hazara point of view:

*When Yaqub Khan was the governor of Kabul, he issued an order allowing nomads to use the grasslands of the central provinces of Afghanistan. Because we were powerless, [...] we let the nomads do anything in our area and we kept quiet. That was the reason why there was no fighting here. The role of Habibullah Khan's government, Zahir Shah and others were like the role of the Taliban.*⁷³

The Hazara farmers of Behsud were possibly those suffering the greatest damage from the nomads' seasonal migration because it was the main point of access with thousands of animals coming through. Damage to undemarcated and unprotected village pastures and crops was considerable and probably higher than anywhere else, as the nomads would then split along different routes.⁷⁴ While most nomads reject any idea of damage to crops and village pastures being caused,⁷⁵ even a nomad interviewee admitted that the problem may exist:

68 Interview with village elder, Nurzai tribe, Nangab village of Farah province, June 2017.

69 S.A. Mousavi, *The Hazaras Of Afghanistan*, London : Curzon, 1998; Hassan Kakar, *A Political And Diplomatic History Of Afghanistan 1863-1901*, Leiden: Brill, 2012.

70 Interview with staff member of Grasslands Department, 2 January 2017; Interview with Mohammad Hamayoun Azizi, Nomad Department in Wardak province, February 2018.

71 Interview with farm community elder from Lata Band village of Kajab area in Behsud district, February 2017.

72 S.A. Mousavi, *The Hazaras Of Afghanistan* (London: Curzon, 1998); Hassan Kakar, *A Political And Diplomatic History Of Afghanistan 1863-1901* (Leiden: Brill, 2012); Interview with farm community elder from Lata Band village of Kajab area in Behsud district, February 2017.

73 Interview with village elder, Kar-e-wani village of Sarchashma area, February 2017.

74 Interview with farm community elder of Kajab area, Hesa 2 Behsud district, Gandab village, February 2017; Interview with village elder, Kar-e-wani village of Sarchashma area, 15 February 2017.

75 Interview with nomad elder of Kharokhel tribe in Maidan Wardak province, 22 November 2016.

*The government must collect weapons from these commanders and Hazaras and also from us and tell them to leave nomads in the mountains and also tell nomads not to encroach on the crop fields of the Hazaras...*⁷⁶

The conflict in Behsud inflicted considerable economic damage to the nomads, who have not been able to use the pastures of central Hazarajat. In some cases, the nomads rerouted their migrations toward other pastures in different parts of Afghanistan, in others they lost some of their livestock. The local farmers also suffered major damage, as regular fighting prevented them from growing crops.⁷⁷

Parties and lobbies also provided political support to the warring groups, resulting in increasing politicisation and “nationalisation” of the conflict, which also received widespread media coverage. Gradually, the local causes of conflict have lost importance, being overtaken by a wider political confrontation.⁷⁸ One MAIL official said:

*This dispute is more a political dispute than a grasslands problem. This problem will not be solved by the land law regarding usage of grasslands. The commission for resolving these disputes didn't come to us even once and didn't ask about the law on pastures. This is a political issue. very high-ranking officials and even foreign countries are interfering in this dispute.*⁷⁹

While the conflict in Behsud has turned into the most violent spot of nomad-farmer conflict in Afghanistan, it is likely that if the blockade to the nomad migration routes was lifted, conflict would spread around the highlands, albeit in a diluted form. Interviewees in Malistan, for example, had not seen nomads turning up since the blockades were put in place, but indicated being ready to fight if the nomads were to arrive.⁸⁰

As a result of nomad landlords being unable to reach the land they own in Hazarajat, a series of land disputes have also emerged, affecting the nomad-farmer conflict. Local farmers and, allegedly, some strongmen (usually protected by local authorities) have seized agricultural land owned by some of the nomads and now have little interest in seeing the nomads recover their access to the central highlands. For this same reason, they might be lending support to the Behsud and Daymirdad farmers.⁸¹ One local source in Bamiyan province confirmed that some lands, owned by nomads, were seized by Hazara commanders, whereas other lands were seized by the farmers who had been tilling them. According to the source, 80 percent of the lands owned by nomads in Bamiyan were seized or grabbed. Often, the commanders continue letting the land to the same farmers who were renting it from the nomads.⁸²

One nomad interviewee explained that the nomads fear that if they gave up on Hazarajat, they would soon be shut out of all other pastures across the country, as every farm community would start to feel that challenging the nomads is a viable option when faced with insufficient resources:

*We will fight with them because if we do not do this and they will not give permission to us here, tomorrow in the north people will also not give permission to us and next time in the south people will not give permission to us.*⁸³

The nomads insist they need access to the pastures of Hazarajat in order to feed their large herds. A nomad source explained that, “If Hazaras do not give permission to us, then we need to use violence because we do not have another way. There is good grass in Hazarajat.”⁸⁴ Although the area was quiet as of spring 2017, one Mullah Khel source claimed that, “If this problem is not solved, we are ready to use any kind of violence.” The source threatened to link with insurgents if negotiations over access did not progress.⁸⁵

76 Interview with nomad elder of Kharokhel tribe in Maidan Wardak province, 22 November 2016.

77 Interview with village elder, Kajab area of Hesa 2 Behsud district, Gandab village, February 2017; Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018; Interview with village elder, Kar-e-wani village of Sarchashma area, February 2017.

78 Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

79 Interview with staff member of Grasslands Department of Agriculture Ministry, 2 January 2017.

80 Three Hazara farmers were interviewed in Malistan and all expressed similar views.

81 Interview with member of Nomad Council of Afghanistan, Kabul, June 2017; Interview with nomad elder, Jalal Khil tribe, Maidan Wardak province, June 2017; Interview with nomad elder, Baharam Khil tribe, Logar, June 2017.

82 Interview with village elder, Panjab district of Bamiyan Province, July 2017.

83 Interview with nomad elder, Behsud Awal of Maidan Wardak province, November 2016.

84 Interview with nomad elder, Sulaimankhel tribe, March 2017.

85 Interview with nomad elder, Mullah Khel tribe, Ghazni province, April 2017.

3.2.2 Government weakness, inefficiency and corruption

The Afghan government has very limited capacity to manage nomadism and prevent nomad-settler conflict. The Directorate has insufficient transportation even for monitoring accessible areas.⁸⁶ The Khost branch of the Kuchi Directorate had an operational expenses budget of 1,000 USD for 2018 and a dozen employees, including support staff, dealing with about 60 small and large cases of nomad-settler conflict throughout the province.⁸⁷ In Wardak, despite being one of the provinces most affected by nomad-settler conflict, the provincial branch of the Kuchi Directorate had just four staff members in early 2018, including one guard.⁸⁸ The Farah provincial branch had a 145 USD operational budget for expenses in 2018 and no transport, despite having 82,300 nomads registered in the province.⁸⁹ The Kunduz branch had five members of staff, including a cleaner and a guard, to deal with 22,243 nomad families.⁹⁰

Other government departments that are involved with nomads in a variety of ways might sometimes even contribute to the emergence of conflict, rather than contribute to resolving it. In Wazir Kariz (Logar), for example, the MUDL (Ministry of Urban Development and Land) identified a settlement area for nomads. After the settled nomads started converting the land to agricultural purposes, other nomad communities started to be attracted toward the land: in particular, the Babar tribe. The Logar authorities recognised these other communities as refugees, the ARAZI department sided with them and began distributing a sizeable part of the land once allocated to the Musakhils (3,000 jeribs), refusing to issue any land titles to the Musakhils. The Musakhils allege corruption at the ARAZI and felt they too had to raise contributions within the community for making sure their case had some defenders in the administration of Logar. A conflict immediately started between the Babars and the Musakhils, who continued to enjoy the support of the Ministry for Urban Development. The conflict was compounded by the fact that some of the Musakhils started trespassing the original boundaries allocated by the authorities, grabbing land.⁹¹

The clashes with the “refugees” occurred in 2016–2018, often requiring the police to intervene. During the main clash, people on both sides were left injured; however, the Musakhil won the fight and captured 10 rivals. The police intervened and arrested elders from both sides. Haji Naim Kuchi lobbied for the release of the Musakhil elders in exchange for the release of the captured “refugees,” but the issue has not been resolved. The latest clash occurred as recently as early 2019.⁹²

Some of the sedentarisation schemes have been affected by a considerable extent of abuse and corruption, such as in Haji Jinnat Gul town.⁹³ Here, due to the interference of “powerful nomad leaders” and/or inability of many nomad beneficiaries to actually build houses on their plots, much of the land was, in fact, sold to settlers, nomads who had no title to it (because their communities had not traditionally been using those pastures) or some (or even many, according to certain versions) who should have received it for free. A number of informants even believed that nobody actually received a free plot. In 2019, it is estimated that perhaps half of the population of Jannat Gul Town has no nomadic background. The prices of land plots in Jannat Gul town have been rising from the original 50,000 Afs (per plot of 400 square metres) to about 300,000 Afs today and are now unaffordable to

86 Interview with Musa Popal, director for Nomad Department in Logar province, February 2018.

87 Interview with officer of the Kuchi Directorate in Khost province, February 2018.

88 Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

89 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018; Interview with Mawlavi Abdul Rahman Ulema Shura of Farah, Mediator, April 2018.

90 Interview with Barakzai Mukhlisyyar, director for the Nomad Department in Kunduz province, February 2018.

91 Interview with settled Kuchi, Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 4 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019.

92 Settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019; Settled Kuchi, Wazir Kariz settlement, Logar, 4 April 2019.

93 Established in 2009 with the authorisation of President Hamid Karzai.

most nomads. One source claims that a major nomad powerbroker made 35 million USD from the sale of such land; he and his family have been charging fees on all land transactions taking place in the town, with their armed retinue of 50 men intimidating local dwellers into submission. The powerbroker also raises cash for public works and services delivered in the town, as well as taxes from shops and any economic activity. There were allegations that the same plot of land was sold to multiple buyers and plots previously sold being expropriated and sold again.⁹⁴ The authorities do not interfere in any of this.

The role of land grabbers is not only tolerated, but might have even been encouraged by senior government officials, who have been relying on nomad strongmen as counterparts in at least some of their land distribution schemes. One government official expressed the view that:

It is wrong to trust such [land distribution] schemes to one person. It becomes land grabbing and personal profit.⁹⁵

Corruption and abuses aside, the boost powerbrokers may receive from sedentarisation processes can turn them into more powerful conflict actors. In the absence of a government programme to settle the nomads in specific areas, they either end up in the cities or grab whatever piece of land they find. Few nomads have the resources to buy land, so one alternative they have is to occupy pastureland where they can. The weak, incoherent and slow action of the state in dealing with sedentarisation left much space to the action of powerbrokers trying to build personal constituencies and make personal profits.

3.2.3 Urban expansion

Clearly another deep cause underpinning the rise in conflicts over pastureland is the expansion of urban and peri-urban settlements. There was a consensus among interviewees that this trend has, in some cases, pushed up the value of grasslands previously used by the nomads, thereby causing local villagers, returnees from Pakistan and powerbrokers to try and seize control over pastureland for the purpose of building on or selling it.⁹⁶ Areas neighbouring big cities were inevitably affected to a greater extent, such as Deh Sabz and Khaki Jabbar (Kabul province, see Box 3).⁹⁷ Other examples within our sample include Khost.⁹⁸ A nomad elder of the situation in Derai, close to the city of Khost, said:

This is very expensive land and Khosti people want to intimidate us and take this land from us. One hectare of land is worth 100,000 USD.⁹⁹

It is not just a problem of Kabul or other large urban areas. Sources, for example, reported it in Farah and Imam Sahib (Kunduz).¹⁰⁰ In Azra, too, the potential for conflict increased dramatically as the price of land rose, according to one elder:

Our conflict started in Khalilabad. When the Stanikzai tribe seized our pastures in Khalilabad, this conflict did not start before that because the value of land was not high. But now when the land becomes expensive, these powerful people seized all the areas and they also want our pastures as well.¹⁰¹

94 Settled Kuchi in Haji Jannat Gul, 1 February 2019; Settled Kuchi in Haji Jannat Gul, 2 February 2019; Settled Kuchi in Haji Jannat Gul, 3 March 2019; Settled Kuchi in Haji Jannat Gul, 4 March 2019.

95 Interview with Ministry of Tribal Affairs official, Kabul, 7 May 2018.

96 Interview with Baluchi nomad elder, Farah province, June 2017; Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomads, October 2017.

97 Interview with village elder, Deh Sabz of Kabul province, January 2017.

98 Interview with village elder, Perai tribe, Shamal area of Derai, Khost province, April 2017.

99 Interview with nomad elder, Niazi tribe, Derai of Khost province, April 2017.

100 Interview with village elder, Nurzai tribe, Nangab village of Farah province, June 2017; Interview with Baluchi nomad elder, Farah province, June 2017; Interview with village elder, Kol Akakhel area of Imam Sahib, Kunduz province, April 2017.

101 Interview with elder, Naeemkhel tribe, Khalil Abad area of Logar province, November 2016.

It does not help that the authorities play little or no role in trying to channel urban expansion toward dry areas, as opposed to pastures and agricultural land.¹⁰²

Settlers and nomads, while casting each other as the villains, are seemingly often trying to do exactly the same thing: appropriate a portion of pastures for urban development. Because government schemes to make land available for development are so rare, the hard-pressed communities have few options other than to act illegally or to collaborate with the land grabbers. In the process, friction is also generated with other communities who are not involved in any land occupation or grabbing scheme, but simply see their pastures disappear. Rising land prices and demand for housing are the result of the growth on the Afghan economy in 2002–2014. They, in turn, created business opportunities, which a particular category of entrepreneurs (land grabbers) has been quick to exploit. But the demand is real, has not been created artificially by the land grabbers and has to be met somehow. Among other things, failure to create space for the cities to grow would choke off any future economic growth.

Box 3: Impact of urban expansion in Kabul's surroundings

The elder of a farming village in Deh Sabz described developments in recent years as follows:

*In the last 15 years a lot of changes took place. For example, before our population was smaller and there was also no fighting in other provinces, so there were free areas for nomads to bring herds for feeding. But now the population increased significantly and a lot of people came to Kabul from other provinces to escape fighting. So those pastures are becoming towns and houses. Now the nomads also want to find places for their living and they know the worth of land. This is the reason why the relationship between nomads and settlers everywhere gets worse.*¹⁰³

What seems to be happening is that, at least in Deh Sabz, settler and nomad communities both aim at taking control over portions of the old pastures and end up competing for them. The account provided by a nomad elder is the mirror image of the one provided by the settler above:

*Our conflict with Tajiks started six years ago. Tajiks do not want us to live here. They are telling us that this is not our area, the government gave us land in Bari Kaw so we should live there. But we do not care about them because this is our pasture area. [...] Now land prices are also very high, so they captured all other areas and built towns on them. Now the other areas are full and they want to capture our pastures as well. This is the reason why the conflicts started and fighting took place from both sides.*¹⁰⁴

These descriptions are echoed by another settler elder in Khaki Jabbar (Kabul Province):

*In the last 15 years a lot of changes took place in our village. Reconstruction occurred, our population increased and the road connections from Kabul city to our village were rebuilt. Yes, these changes affected our relations with the nomads. Before we did not use Charbazgi Desert, but now we need to use it, so this is the cause of conflict between nomads and our community.*¹⁰⁵

3.2.4 Demographic pressure

Scarcity of irrigated land and pasture erosion

The decline of irrigation and repeated droughts, combined with pasture erosion as a result of urban expansion and of pasture appropriation by settlers has led to a scarcity of irrigable land. In the 2016–2017 ALCS it was reported that only 60 percent of active nomads had access to pastureland and just 32 percent had sufficient access to pastures.¹⁰⁶ The nomads started taking their animals to the village's pastures and agricultural land. Irrigated land is estimated to be at 2.3 million hectares

102 Interview with Hajji Khan Wazir, head of the Khumari Khil Shura for Dehsabz and Qarabagh, Poza-e-Kharoti Bareekaab, October 2017.

103 Interview with elder and farmer in Deh Sabz of Kabul province, 1 January 2017.

104 Interview with nomad elder, Taghar nomad tribe, Deh Sabz district of Kabul province, January 2017.

105 Interview with elder and farmer of Malang village, 28 February 2017.

106 CSO, 2017, p. 94.

currently, down from 3.4 million before the war. Meanwhile, the population has doubled.¹⁰⁷ However, the declining number of animals in Afghanistan (see Section 2: Nomads in Afghanistan above), while difficult to assess precisely due to contrasting estimates, should translate into lower pressure on the pastures. If the higher end estimates of the number of animals owned by nomads and former nomads are correct (showing only a relatively modest decline in numbers), on balance pressure over pastures should be up considerably, compared to pre-war estimates.

An elder from a village in Logar explained how settlers were taking over pastureland:

*We do not give permission to nomads, whether they wish to graze or make houses because we want to make this land ready for cultivation. We want to make water pumps in these deserts and grow things here because the number of our people is increasing day by day. We also want to make houses in these areas. [...] It is not necessary for these areas to be the places of nomads forever and to use them as pastures and build houses on them.*¹⁰⁸

This is a type of conflict over shrinking resources to be divided among an ever increasing population, which would be difficult to avoid even if the communities were empowered to decide among themselves how to exploit the pastures. Another elder from Logar pointed out how population growth accelerated in recent years because so many people returned from Pakistan.¹⁰⁹

Spread of animal husbandry

While much pastureland has been taken over by urban development near cities and towns, and some pastures have been taken over for agricultural purposes, the latter trend should not be overestimated. Especially elders in Hazarajat denied this was a significant trend.¹¹⁰ An elder from Waras (Bamiyan) said:

*The pastures never change to farming land, because the pastures don't have water and they get their water from rain. The farming lands always need water. [...] We never turned any pastures to farming land.*¹¹¹

Only on the fringes of Hazarajat were there some instances of pastures turned into farmland, as reported by an elder from Malistan:

*It happened only in Nawur Desert, which is very big, and people turned the pastures to farming fields. It works very well [...]. In other districts of Ghazni, it didn't happen and all the pastures were left at their places.*¹¹²

Instead, at least in Hazarajat, what really happened was that settlers started raising animals in far greater numbers and, therefore, became more and more reliant on public pastures for their own use (see Box 4).¹¹³ The research team found some evidence of settlers taking over public pastures for their own livestock outside Hazarajat as well. According to both nomad and settler elders in the Kalam Guzar area of Kunduz Province, Pashtun settlers from the Kharoti, Akakhel and Andar tribes tried to exclude Uzbek nomads from reaching the pastures they had been using up until 2013. The farmers claimed to be needing the pastures for their own animals. Here, too, the usual pattern of each side appealing to Uzbek or Pashtun politicians and strongmen for help and support was

107 Interview with Engineer Mirkhail, water specialist, MRRD, Kabul, 9 October 2017.

108 Interview with nomad elder, Adramzai community, Awbazak village, 20 December 2016.

109 Interview with elder, Naeemkhel tribe, Khalil Abad area of Logar province, November 2016.

110 Interview with GH, elder from Ashtarlai district of Daikundi province, June 2018; Interview with HHA, Hazara elder in Waras district of Bamiyan province, June 2018.

111 Interview with HHA, Hazara elder in Waras district of Bamiyan province, June 2018.

112 Interview with HMM, elder from Malistan district of Ghazni province, June 2018.

113 Interview with HRA, elder from Panchaw district of Bamiyan province, June 2018; Interview with HJK, elder from Daikundi province, June 2018; Interview with HMM, elder from Malistan district of Ghazni province, June 2018; Interview with HR, elder from Nawor district of Ghazni province, June 2018; Interview with group of Hazara elders from Behsud, Maidan Wardak province, 9 May 2018.

repeated. The Pashtun settlers also complained of the nomads damaging their harvest, polluting their drinking water and aiming to establish settlements there.¹¹⁴

Box 4: Farmers and animal husbandry in Hazarajat

This is how some elders from Bamiyan explain the change:

*We have many more animals compared to before the war. Now in every home in Bamiyan there are 10–15 animals and there are some families that have 200–250 animals. The only income of the Bamiyan people is from farming and keeping animals to sell their products. [...] I know families who send their animals to other provinces of Afghanistan for feeding because we don't have enough pastures. At this condition, how we can accept nomads also? [...] There is no longer any pasture, even far from the villages, that does not belong to one of them.*¹¹⁵

*If we compare with the time of Zahir Shan or Amanullah Khan, we have ten times more animals in our villages because keeping animals and selling their milk, yoghurt and other products are the only income of Bamiyan villagers. This is the reason why we cannot afford to have the nomads using grasslands in our areas: because our population increased a lot and now we keep more animals [...]. These pastures are not enough for ourselves. Some rich people in Bamiyan, because of insufficient pastures, send their animals to Samangan province to use pastures there.*¹¹⁶

To varying degrees, the same seems to apply to Daikundi and Ghazni too, as two local elders pointed out:

*I have around 150 animals, including sheep and cows. There are lots of people in Daikundi province who keep more than 100 animals. The central provinces of Afghanistan don't have any other business except keeping animals and selling the products of the animals and also farming. In every house there are more than 10 animals in Daikundi province and there are rich families that have more than 100 animals in Daikundi province. In comparison with before the war, of course households have more animals and the population has increased also. Now there are more households with more animals.*¹¹⁷

*Now roughly there would be around 6,000 animals only in our village [in Malistan]. The pastures that belong to our village are not enough for our animals and sometimes we grow grass in our own agricultural land to save it for our animals in the wintertime.*¹¹⁸

3.2.5 Nomad sedentarisation

Once sedentarisation started happening on a large scale, it began generating additional conflict. The tales told by settlers in the case studies of Deh Sabz, Khaki Jabbar, Azra and Khost always refer to a pre-war time when the nomads were just taking their herds to the public pastures in the mountains and did not interfere with the settlers. Then things changed after 2001 (see also Box 5). According to the elder of a settler community in Deh Sabz:

*Before, nomads were coming here for a limited period and bringing animals to feed, and then they went on to northern provinces. But now nomads are seizing our land and properties. They are building houses on our land because these lands are near Kabul.*¹¹⁹

A similar tale is told by a settler in Khaki Jabbar:

*Previously, the nomads were only making tents in these areas and bringing animals for grazing. But now they are coming here and want to seize our areas to build houses; then the conflict took place.*¹²⁰

114 Interview with nomad elder, Uzbek Baig tribe in Kalam Guzar area, April 2017; Interview with nomad elder, Andar tribe, Imam Sahib district of Kunduz province, April 2017; Interview with village elder, Kol Akakhel area, Imam Sahib, April 2017.

115 Interview with HHA, Hazara elder in Waras district of Bamiyan province, June 2018.

116 Interview with HRA, elder from Panchaw district of Bamiyan province, June 2018.

117 Interview with GH, elder from Ashtarlai district of Daikundi province, June 2018.

118 Interview with HMM, elder from Malistan district of Ghazni province, June 2018.

119 Interview with village elder, Deh Sabz of Kabul province, January 2017.

120 Interview with village elder of Chakari Village, Khaki Jabbar district of Kabul province, February 2017.

The nomads, on the other hand, deny that the lands where they tried to settle belonged to the settlers. As one Terakhel elder put it:

*These are our grandfathers' lands. They claim that these lands belong to them. We do not give permission to them to take these lands from us. [...] They said nomads must live in the mountains, not in such areas as towns. They are damaging our houses, tents and other things.*¹²¹

Some groups of nomads seem intent on taking control of many of their old pastures for the purpose of settling there. These are claims made by settlers,¹²² but sometimes echoed by nomads as well.¹²³ One nomad elder, settled in Kuchiabad, admitted:

*Our nomads have problems in many areas [...]. These conflicts started in 2007 with Botkhakiyan when we were building houses on these areas. In 2009, our conflict started with Chinar Village. We wanted to capture those areas also. In 2013, our conflict started with the Guspandara and Malangi people. In 2015, we had a conflict with the Khaki Jabbar people in Charbazgi because that is our grandfathers' area. [...] These are the deserts of our grandfathers.*¹²⁴

Similarly, the Kuchi Abad settlement might have prevented the emergence of a conflict between them and settlers along their old migration routes, but certainly created new conflicts with settled communities of Hazaras in west Kabul and reinvigorated a conflict with other nomads such as the Mala Khils and the Kakars (in 2011–2012), who also want to settle in the same area.¹²⁵

The settled nomads of Dasht-e Khaka¹²⁶ soon experienced friction with existing settlers as well as other nomads, especially as the numbers of settled nomads started growing. By 2004, relations had turned sour with Tajik settlers of Shah Mazari and the houses of the settled nomads began to be raided and even set on fire. Mediation by local government and local mediators seemed to have resolved the issue, but conflict flared up with Stanikzai settlers in 2006. Conflict emerged again in 2009 in lower Dasht-e Khaka, involving a coalition of Pashtun (Stanikzai) and Tajik settlers on the opposite side. In 2013, a new conflict erupted with the settler communities of Padwan and Bak Kala. Some 34 people were killed on both sides in these conflicts. A new mediation was successful, but in 2018 conflict over land again flared up with the Ghadai Khel tribe. This dispute over some mountainous land remains unresolved.¹²⁷

121 Interview with nomad elder, Tarakhel tribe, Deh Sabz district of Kabul province, 13 January, 2017.

122 Interview with village elder, Perai tribe, Shamal area of Derai of Khost province, April 2017.

123 Interview with nomad elder of Tarakhel tribe for Deh Sabz district of Kabul province, 13 January 2017.

124 Interview with nomad elder, Kuchiabad of Botkhak, Kabul, March 2017.

125 Interview with settled Kuchi, Kuchi Abad settlement, 3 March 2019; Interview with settled Kuchi, Kuchi Abad Settlement, 1 March 2019; Interview with former settled Kuchi, Kuchi Abad settlement, 4 March 2019.

126 Established without government authorization in 2003 in Baraki Barak district by Ahmadzai nomads.

127 Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 1 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 2 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 3 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 4 May 2019.

Box 5: The impact of sedentarisation in Surkhaw Desert, Azra

In Azra (Logar), Surkhaw Desert is contested between nomads and former nomads who settled in the pastures they had been using earlier. The following summary was provided by a local elder:

Our conflict started with nomads three years ago in the Padkhwab-e-Shaneh area when the head of these nomads wanted to capture this area and build houses here. We did not give permission to them. Earlier, they brought animals here for grazing and then they were moving on to the northern provinces. However, three years ago we saw that they started building houses here and so conflicts emerged between us and them. They are the Naimkhel, Babar, Sultan Khel tribes. They came from different areas and they want to capture our agricultural areas although we have the legal documents of all these areas. This conflict started in 2013 and it is still ongoing. It has not yet been resolved.¹²⁸

Four nomad communities settled in the area years ago and agreed among themselves on how to share the pastures and turn them into villages and agricultural lands. Their point of view is articulated by one of their elders:

It is more than 2,000 hectares of land and all villages and tribes have parts in it, such as the Esakhel, Adrimzai, Afzal Khel and Stanikzai. All of these tribes have rights to this land. As it is the pastures of nomads, it is ours as well because before we were also nomads and we carried animals there, but now we have stopped nomadic life.¹²⁹

Another elder explained how, when other nomad communities such as the Babar, Sultankhel and Salamkhel tried to settle in the same area as well, the settled nomad communities decided to keep them out:¹³⁰

We do not give permission to nomads if they want to graze our land or build houses on it because we want to make this land ready for cultivation. We want to make water pumps in these deserts and grow things here because the number of our people are increasing day by day. We also want to build houses in these areas. We do not want to give permission to nomads anymore. It is not necessary that these areas should be pastures forever for the nomads to live there. [...] Our community conflict is with Babar nomads; these nomads came here and they installed tents on our land and they captured our land and they claim that this land belongs to us. Salamkhel nomads also came from Rood village of Paktia province. They also seized our land and they are saying that your grandfathers sold this land to us. These conflicts started two and a half years ago. [...] Our land is very good. It has good breezes and normal winds and is very flat. For their animals, it is a very good area because there is a lot of grass. This area is also near the city.¹³¹

The agreement among the four communities to settle in the pastures was not negotiated with the other nomad communities. The conflict developed gradually between 2011 and 2014.¹³² The second wave of nomads complained about having been left out. In the words of one of their elders:

We have a conflict with farmers in Khalil Abad area, near to Kolangar of Poli Alami of Logar Province. Our conflicts are with the Stanikzai tribe because they captured our pasture areas here. These conflicts started between them and us three years ago and have not yet ended. They want to create towns here and capture our pastures, but we will not give permission to them.¹³³

The opposition between settled nomad communities and other communities that wanted to settle in the same area gave rise to a conflict that inevitably disrupted agricultural activities:

In Padkhwab-e-Shaneh Desert, we cultivated a lot of things and there is a lot of agricultural land. We cultivated wheat among other crops in the past, but for the last three years it has all stopped because of the violence. Also, a lot of houses were built in these areas and our agriculture lands were converted to houses.¹³⁴

128 Interview with village elder, Elyas Khan area, Logar province, December 2016.

129 Interview with village elder, Esakhel community in Poli Kandahar village, December 2016.

130 Interview with elder of Sultan Khel tribe in Logar province, November 2016.

131 Interview with village elder, Adramzai community in Awbazak village, December 2016.

132 Interview with Nomad elder, Babar tribe, November 2016.

133 Interview with elder of Naemkhel community, Khalil Abad area of Logar province, November 2016.

134 Interview with village elder in Elyas Khan area in Logar province, December 2016.

Ripple effects

Nomads forced to appropriate land

As competition over pastures intensifies, those nomads deprived of access to their traditional pastures in the central highlands and elsewhere had limited options available, namely:

- Turn toward other pastures, increasing demographic pressure even on areas previously unaffected by conflict;¹³⁵
- Settle in the cities;
- Grab any piece of land they find, entering into conflict with other nomads and with local settlers.

As nomadic life became difficult to practice, many nomads settled down and sought employment as cheap unskilled labour in the cities. Those who wanted to avoid this unappealing fate mostly tried to seize some land. Few nomads have the resources to buy land, so one of the alternatives for them is to occupy pastureland where they can. Both nomad and settler interviewees confirmed that this is happening. For example:

*Before, nomads were living a nomadic life and they were traveling from one place to another. They have stopped that life and are capturing the whole land of Afghanistan: north, south, east and west. Now they want to settle; therefore, they need land and they are occupying land.*¹³⁶

*Before, we were going to northern provinces, but now they stop us from going there and to those pasture areas where we built our houses. These people do not give us permission. Then they brought bulldozers and demolished our houses. In one house, two children were also killed. A lot of fighting took place between these Tajiks and our Terakhels.*¹³⁷

As a result of competition for the exploitation of pastureland, communities that never before objected to nomads accessing the pastures turned against them. A settler explained how his community decided to keep the nomads out:

*Previously, nomads were coming for a short time and then they were going back. They did not want to capture our land so the conflict did not take place. But now, nomads come here and they capture our land and build houses on it.*¹³⁸

Growing competition over pastures often pits nomads against other nomads or former nomads (see Box 6). Examples of these conflicts were discussed earlier. Conflict between nomads and former nomads again seems to suggest that resource scarcity is becoming more and more a basis of conflict, overshadowing older, underlying sources of friction. It also suggests that scarcity of resources is indeed a major driver of conflict, as opposed to any friction between different lifestyles.

135 Interview with nomad elder, Nasar tribe, Farah province, June 2017; Interview with village elder, Nangab village of Farah province, June 2017.

136 Interview with village elder, Malang village, February 2017.

137 Interview with nomad elder of Tarakhel tribe in Dehsaz district of Kabul province, January 2017.

138 Interview with village elder of Pay Menar village, Deh Sabz district of Kabul province, January 2017.

Box 6: Nomads start blocking other nomads' access in Farah

A particular case of nomads facing limitations to their access to pastures is when, forced to change routes after being prevented from reaching the pastures of Hazarajat, they enter into competition with other nomads over the pastures. This is the case of pastures near the provincial capital of Farah, where, according to a Baluchi elder, the Baluchi nomads who used to spend the winter there suddenly faced the competition of (Pashtun) Nasar nomads from Zabul province. In this case, the Baluchis had been obstructed in their intent to bring their herds to Hazarajat by the Nasar in 2007. When the Nasar, no longer able to access Hazarajat themselves, tried to bring their livestock to Farah, it was the turn of the Baluchis to deny them access.¹³⁹

A Nasar elder provided this version of events:

Our conflict took place with Baluchi nomads in 2015 when they stopped us in Khar Malok Desert. [...] We told to them that we are nomads and they are also nomads, so they should take their animals grazing on these pastures and we will do the same. These Baluch nomads told us that they made an agreement with Nurzai and Alakozay tribes and, as a result, they are using these areas as pastures and do not give us permission. We [Nasar nomads] told the Baluchi nomads that "[...] the agreement does not exclude the Nasars from taking their livestock there as well." [...] They prevented us a few times; then fighting took place between us and them.¹⁴⁰

The dynamics in place, with different nomad communities appealing to external support from parties, insurgent groups and powerbrokers, closely resemble those described above in the case of nomad-farmer conflict. While the Nasar nomads allege that the Baluchis receive support from smugglers and Quetta Shura Taliban, a Baluchi nomad admitted having sought support from various parties, although without much success:¹⁴¹

First of all, we are trying to have the government solve our conflict. If the government does not resolve our conflict then we need to go to the local people. If the local people do not resolve our conflict then, in this case, we will go to the Taliban to resolve our conflict. If the Taliban will not help us to resolve our conflict then we will go to Daesh to help us resolve our conflict because nowadays Daesh is also present in Afghanistan. Basically, we want to resolve our conflict. For us it is not important which group resolves our conflict.¹⁴²

A Nasar elder also admitted having sought and obtained support from Hizb-i Islami commanders, the Rasool Shura of the Taliban and one of the nomad strongmen.¹⁴³

All nomads become suspects

After nomads were seen as intent on settling in a particular area, farmers, in some cases, blocked access to all nomads regardless, preventing them from even grazing. The research team found cases of this type in Khaki Jabbar, close to Kabul city (see Box 7). In Khost there was also a case of nomads being denied access as a result of a conflict between another nomad community and a settler community. One nomad elder explained in detail:

Our Dawlatzai community does not have conflict with Khosti people; Niazi nomads have conflict with Khosti people. But [...] Khosti people also refused permission for us to take our animals to these pastures in Derai after 2003. We told the Khosti people that their conflict is with the Niazi nomads and that we only want to feed our animals in these areas. In 2005, they attacked us and hit our people. One person was killed and two others were injured on our side. They also stole 200 animals from us. One year ago, our conflict was settled with the Khosti people. [...] Previously, if our Dawlatzais were going anywhere like Lakand, Chino, Shamal Khwar, Derai or other places, there were no problems, but when the Niazi wanted to grow wheat, corn and other things in these areas and build houses there, then the conflict started.¹⁴⁴

Another example of farmers blocking nomad access was found in Farah around the villages of Koh Danak, Qalay Ghulam Sakhi, Karezak and Shorabad Qalay, where Alakozay farmers tried to stop

139 Interview with Brahui tribal elder in Farah province, June 2017.

140 Interview with nomad elder, Nasar tribe, Farah province, June 2017.

141 Interview with Brahui tribal elder in Farah province, June 2017; Interview with Brahui tribal elder in Farah province, June 2017.

142 Interview with Brahui tribal elder in Farah province, June 2017.

143 Interview with nomad elder, Nasar tribe, Farah province, June 2017.

144 Interview with nomad elder, Dawlatzai tribe, Derai of Khost province, April 2017.

Baluchi nomads from reaching the local pastures.¹⁴⁵ Cases of denied access to pastures were reported in various other locations by interviewees, even if the surveys in this report did not cover those areas:

*Similarly, the people of Sarobi do not give permission to us and our animals in the mountains. We also faced a lot of problems in the northern provinces. Our animals were killed and they even refused to accept our sick people in the hospitals.*¹⁴⁶

*We do not have problems only in Farah province; we have problems in many areas such as Maidan Wardak province, Ghazni province and in the north of Afghanistan.*¹⁴⁷

In summary, blocking nomad access to pastures seems to be becoming an increasingly common strategy among settler communities, perhaps inspired by the original case of Behsud. Those nomads who argue that giving up on the Hazarajat pastures would encourage other communities to block nomad access also might well have a point.

Box 7: Indiscriminate exclusion of nomads from pastures in Khaki Jabbar

According to both settler and nomad interviewees in Khaki Jabbar (Kabul province), after some nomads started settling on their old pastures, the settlers tried to exclude all nomads without distinction in retaliation:

*Before, we were growing lalmi [rainfed wheat] in Charbazgi, but now we do not grow it, which has caused us a financial loss. [...] After this we do not want to give permission to nomads, even if they only want to bring their animals for grazing. They want to deceive us: first of all, they are saying that they only bring animals for grazing here, but later they claim that this area belongs to them. If we give a place to them, they will set up tents there and seize land from us.*¹⁴⁸

*This town is the cause of problems between us and the Khaki Jabar people. They are saying that they will also build such towns in Charbazgi Desert. We do not build towns and houses in Charbazgi; we only bring animals for grazing. This is an injustice that they are inflicting on the nomads because they have problems with [NAME WITHHELD] and they do not give permission to any nomad.*¹⁴⁹

*They suspect us of wanting to seize this area, but it is not true. We only want to bring animals to pastures.*¹⁵⁰

3.2.6 The emergence of powerbrokers

Undoubtedly, there have been processes of class formation among nomads from the 1950s onward, but they appear to have accelerated after 2001. As pointed out by Wily, “The ‘wealthier’ stock-owners from both pastoral and settled communities seek to own, access or control pastures that they themselves do not visit. Instead, they send hired herdsmen to these remote areas, even trucking animals into the highland spring and summer pastures. Kuchi leaders also invested in valley farming lands, including for speculation, selling these on to other nomads at a profit.”¹⁵¹ Starting from the 1990s onward, nomad leaders were able to encroach on state land to the benefit of their family or their allies. Nomad families who had lost their herds and were desperate to settle somewhere became very dependent on these leaders and their ability to offer a solution to their problems and political protection, which is necessary because often the land has been grabbed illegally by the nomad leaders and could easily be taken away without that protection.¹⁵²

145 Interview with nomad elder, Baluchi, Farah, June 2017.

146 Interview with nomad elder, Akbar Khel tribe, March 2017.

147 Interview with nomad elder, Nasar tribe, Farah province, June 2017.

148 Interview with village elder, Malang village, February 2017.

149 Interview with nomad elder, Akbar Khel tribe, March 2017.

150 Interview with nomad elder, Babar tribe, Azra district, Logar, January 2017.

151 Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan,’ *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

152 Fabrizio Foschini, ‘The social wandering of the Afghan nomads,’ Berlin: AAN, 2013.

Accumulation of capital and the establishment of political connections all the way to the top of the Afghan state led to the emergence of nomad powerbrokers: that is, nomad leaders wealthy and powerful enough to have a significant impact on national politics (see Box 8). In the interviews carried out for this project, nomad powerbrokers were constantly mentioned as paying a role in conflicts between nomads and settlers, and especially in the sedentarisation of nomads. The emergence of nomad powerbrokers was, of course, accompanied by the wider emergence of powerbrokers as key players in all fields of Afghanistan's social, economic and political life. It is standard fare in conflict that the warring parties accuse each other of receiving support from the outside. Almost every interviewee in the project stated as much. The following comment from a village elder in Deh Sabz is just one representative example:

*Our conflict with nomads began when they decided to capture our areas and capture our fields; they had the mafia behind them as well, like when they captured Botkhak. They also wanted to capture Deh Sabz so we stopped them. This was the reason that our conflict started with the nomads.*¹⁵³

But, in some cases, interviewees also acknowledged having received powerbrokers' support themselves. A nomad elder mentioned powerbrokers twice as enemies and helpers while illustrating the situation in Azra (Logar):

*Our conflict started in Khalilabad because when the Stanikzai tribe seized our pastures in Khalilabad. Previously these conflicts did not exist because the worth of land was not so high, but now, when the land becomes expensive, these powerful people captured all the areas and they also attacked our pastures. Another reason is population growth because a lot of people came back from Pakistan. [NAME WITHHELD], who is member of Parliament, and [NAME WITHHELD] are giving land to every family and taking payment from them.*¹⁵⁴

A Terakhel elder also spoke candidly about the encouragement the community received by a nomad powerbroker:

*The Tarakhel tribe encourages us to fight with the opposite community. But behind the opposite community there are powerful people and mafias and commanders.*¹⁵⁵

A mediator between nomads and settlers in Logar identified nomad powerbrokers as drivers of conflict between nomads and settlers (see also Section 4.1):

*In this conflict, some external actors were also involved. When the government distributed the land, the price rose. As a result, some big nomad actors such as [NAME WITHHELD] have come and encouraged some nomads to enter a conflict with the residents and, through this way, they will benefit from the situation.*¹⁵⁶

One nomad representative in Deh Sabz admitted the role played by nomad strongmen in land grabbing alongside other powerbrokers. He insisted in stressing that often nomads are among the victims of the nomad strongmen, as they lose access to pastures.¹⁵⁷ Another representative in Azra admitted receiving support from at least two nomad strongmen.¹⁵⁸ One elder said:

153 Interview with village elder, Khuaja Chasht area, Deh Sabz district of Kabul, January 2017.

154 Interview with nomad elder of Naeemkhel community in Khalil Abad Area of Logar province, 24 November 2016.

155 Interview with nomad elder, Babkarkhel tribe, Deh Sabz district of Kabul province, January 2017.

156 Interview with Batokhel tribe mediator in Logar about conflict between Niazi and Esakhel, April 2018.

157 Interview with Hajji Khan Wazir, head of the Khumari Khil Shura, Deh Sabz and Qarabagh, Poza-e-Kharoti Bareekaab, October 2017.

158 Interview with nomad elder of Babar tribe, November 2016.

*Before, when these commanders and mafia were not present, there were no such conflicts and no one was capturing our land.*¹⁵⁹

The real question (which warrants further research) is if these powerbrokers are just enablers of latent conflicts, or more. Particularly in the case of the areas surrounding big cities, the allegations are that land grabbers exploit the communities as their “army” to capture land for their own business interests. These allegations are made not only by rival parties to the conflict, but also by this Kuchi Directorate official:

*These warlords are involved in all the conflicts and tensions, as they make these tensions and profit from it. The nomad elders are also involved in these conflicts and they are telling their tribesmen to keep their livestock and occupy and grab lands as well. [NAME WITHHELD] are involved in these conflicts and in some ways helping nomads grab lands. The warlords are also grabbing lands as they grabbed Tera pasture and Tahmore pasture and started building residential houses.*¹⁶⁰

A dispute mediator from Logar also shared similar views, stating that powerbrokers were behind “80 percent” of the cases, trying to exploit the tensions for their own profit.¹⁶¹ As spontaneous and unauthorised settlements create tension around them, the leaders of the nomads have to establish relations with nomad powerbrokers and national politicians in order to seek protection and gradually get involved in wider conflicts. Some communities were more successful than others in doing so.¹⁶² Even the Musakhils of Wazir Kariz¹⁶³ placed themselves under the protection of Kuchi powerbrokers, who in turn are trying to mobilise their connections within the government. The settled nomads were asked to pay for the cost of getting government officials “activated.” They also accepted that they may be called up to support the Kuchi leaders in times of crisis.¹⁶⁴



159 Interview with elder, Andar tribe, Imam Sahib district of Kunduz province, April 2017.

160 Interview with official of Kuchi directorate, Logar province, February 2018.

161 Interview with Batokhel tribe mediator in Logar about conflict between Niazi and Esakhel, April 2018.

162 Settled Kuchi, Kuchi Abad settlement, 2 March 2019; Settled Kuchi, Kuchi Abad settlement, 3 March 2019; Former settled Kuchi, Kuchi Abad settlement, 4 March 2019.

163 The Wazir Kariz settlement was established with government authorisation in Khoshi district, Logar in 2013.

164 Settled Kuchi, Wazir Kariz settlement, Logar, 1 April 2019; Settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019; Settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019.

Box 8: How a nomad powerbroker consolidates his role

The powerbroker who controls Jannat Gul town has issued his own “land titles” to those who bought land from him, but the buyers have not received any land deeds from the authorities. Some of them think that it is the powerbroker who prevents this from happening, in order to keep them on his leash.¹⁶⁵ Another elder showed his gratitude for the patronage he and his community received:

In the process, we met with [NAME WITHHELD] and demanded of him to consider the Nasir tribe in the distribution of the plots and lands in the mentioned settlement. He accepted and told us that he would give two plots per family to our tribe, but the deal was on the condition that the Nasir tribe agreed to support and assist him whenever needed. We accepted [...]. After the settlement was sketched by his men, he gave us about 40 plots for 20 Nasir tribe families, each one covering 400 square metres of land for the construction of houses.¹⁶⁶

The powerbroker of Jannat Gul town tells the local dwellers that he will protect them from any threat and force the Kabul municipality to provide services.¹⁶⁷ In fact, he may be trying to make the dwellers dependent on his protection. One such individual said:

[NAME WITHHELD] is telling us that he will protect us from any problems. He is often talking about his influence in the government and says that each president who is being elected needs his support and he is also making other claims to us. [...]. In case one day there is no [NAME WITHHELD] anymore, we will definitely be in trouble, as he is the one managing all the internal and external affairs of this town.¹⁶⁸

The powerbroker then uses the leverage he has on the locals to mobilise them in his support—the latest occurring in February 2019 when he coerced them to attend a demonstration he organised against the central government. The powerbroker is also constantly involved in brawls with other local powerbrokers and communities, which he is targeting. Arguably, the sedentarisation of nomads has created the power base that made this nomad elder a powerbroker.¹⁶⁹

3.2.7 Political drivers of conflict

The wider conflict

The current political environment has a major impact on nomad-settler conflict. It is apparent from the example that the ongoing conflict discourages nomad access in certain areas more affected by factors such as violence or mines, forcing them to concentrate their attention on a limited number of safer pastures.¹⁷⁰ It might also be making negotiating agreements harder, as one Kuchi directorate official explained:

I think if order and security in Afghanistan are not restored, the agreement among the settlers and nomads will not be stable for a longer period. For example, there was an agreement in Baraki Barak district among the nomads and settlers. In that time the security was good and everybody was obeying [the agreement], but when the security deteriorated, neither party respected the agreement. If the security is good, then the agreement is implemented. If not, then we do not see anyone to respect the agreement.¹⁷¹

165 Interview with settled Kuchi Haji Jannat Gul, 1 February 2019; Interview with settled Kuchi Haji Jannat Gul, 3 March 2019;

166 Interview with settled Kuchi Haji Jannat Gul, 4 March 2019.

167 Interview with settled Kuchi Haji Jannat Gul, 4 March 2019.

168 Interview with settled Kuchi Haji Jannat Gul, 3 March 2019.

169 Interview with settled Kuchi Haji Jannat Gul, 1 February 2019; Interview with settled Kuchi Haji Jannat Gul, 2 February 2019; Interview with settled Kuchi Haji Jannat Gul, 3 March 2019; Interview with settled Kuchi Haji Jannat Gul, 4 March 2019; Interview with settled Kuchi Haji Jannat Gul, 3 March 2019.

170 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

171 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

Shifting balances of power

The shifting balance of power between communities is another factor contributing to rising levels of conflict. The old social order from before the war was undermined by decades of conflict, as virtually every community either armed itself or established relations with armed groups. Under the new conditions, communities that would have bowed to the nomads in the past have become much more assertive, resulting in more conflict. The most obvious example of this is found in Hazarajat (see Box 9), when Hazaras were able to arm themselves in the 1980s and again in 2001, when they were also incorporated in the central political settlement, as they had never been before. But it is not unique. An Andar Pashtun in Imam Sahib (Kunduz) said:

*Before, our grandfathers and fathers were living well with the Uzbeks and there were no problems. When the revolution started, some people found weapons and became powerful. Then it became the cause of these conflicts. Before, Uzbeks were not taking our land; when they became powerful then they started encroaching on it.*¹⁷²

Box 9: Power shifts in Hazarajat

The most typical example of power shifts affecting nomadism in Afghanistan is that of the Hazaras, who went from the status of underdogs to equal stakeholders in the 1980s and early 1990s, and then again in the post-2001 system. It is common to hear from Hazara settlers that in the 1980s and first half of the 1990s, Hazarajat was under the control of Hazara parties and militant organisations. From the early 1980s onward, the organisations refused to allow nomads to enter Hazarajat. This is when the first episodes of violent conflict started. Then, the empowerment of the nomads during the Taliban's Islamic Emirate (1996–2001) resulted in the latter not only regaining access to Hazarajat, but behaving in a more unrestrained way during their migrations, that the Hazaras, now defeated and disarmed, could no longer oppose. According to the settlers, after the fall of the Emirate the nomads tried to continue their rather unruly migrations, but faced a backlash by Hazara communities and organisations.¹⁷³ A Hazara elder from Behsud summarised the changes as follows:

*Before the Taliban it was the time of the mujahideen and the Hazara people had enough power in the central provinces of Afghanistan that the nomads couldn't come here after 1358 [1979]. [...] The conflict started in the beginning of Karzai's government because, under the Taliban, nomads had a lot of power and the Hazara community was powerless. [...] When the Karzai government was established, again the nomads thought that they had the same power as they had in the Taliban time and could take their thousands of animals through the villages of Behsud and Daimordad districts and go to central provinces of Afghanistan, like Bamiyan and Ghor provinces. But we [Hazaras] were not powerless like during the Taliban time and [...] we stood against the nomads.*¹⁷⁴

Unsurprisingly, the nomad point of view about these developments is completely negative, as, for example a Mullah Khel elder said:

*The governments before the wars were great. In that time Hazaras could only be soldiers, not officers. Under the previous government, nomads were going anywhere and there were no problems for us. The current government is not good: they restrain nomads but allow Hazaras to use all their power.*¹⁷⁵

172 Interview with elder, Andar tribe, Imam Sahib district of Kunduz province, April 2017.

173 Interview with village elder, Kar-e-wani village of Sarchashma area, February 2017.

174 Interview with village elder, Kar-e-wani village of Sarchashma area, 15 February 2017.

175 Interview with nomad elder, Mullah Khel tribe, Ghazni province, April 2017.

4. Impact and significance of the conflict on state and society

4.1 External exploitation

As discussed earlier in Section 3.2.1, both sides accuse the other of being sponsored by powerbrokers and “mafias.” Sometimes, however, there are also allegations of sponsorship by one insurgent faction or another.¹⁷⁶ In Derai, according to an elder of one of the farming communities, Serajuddin Haqqani sent the farmers a letter asking them to leave the nomads, especially the Niazis, alone.¹⁷⁷

Often the two sides in these disputes accuse each other of having the favour of the government. In Derai, for example, one of the nomad elders accused the rivals of being favoured by the authorities:

*We are trying to solve the other problems also, but there is this colonel family in Khost. They have power in the government and do not want to solve the problems. [...] These powerful people are committing crimes and the government is supporting them. [...] The solution is putting an end to these powerful groups and mafias. If we solved the problems through the tribal shura, these powerful people would take land again because government officials are helping them.*¹⁷⁸

One villager threw the same accusation at the nomads:

*Not only nomads, but in every province, the powerful people are capturing lands. [...] These are mafia groups. Like behind Niazi there is [NAME WITHHELD] and he is telling them that he supports them.*¹⁷⁹

Accusations like these are often disputed. For example, Hazara settlers in Behsud usually deny having received help from other parts of Hazarajat and from Hazara parties and groups; they claim, instead, to have sold their animals in order to purchase weapons, as per the quote above (see also Box 2).¹⁸⁰ It seems unlikely, however, that the local farmers would have been able to resist the nomads without the support of Hazara parties and former militia commanders, who reportedly mobilised hundreds of men in support of the Behsud Hazaras.

Similarly, most nomad interviewees involved in Behsud mostly deny having received external support, despite being regularly accused of sometimes teaming up with the Taliban and sometimes with nomad strongmen, resulting in violent clashes between nomads and Hazaras with dozens of victims each year.¹⁸¹ But again, some nomad sources admit at least that in Behsud they receive help from their tribal shuras, with cash and volunteers sent from other tribes.¹⁸² Some nomad interviewees even admit receiving help from some non-nomad, national Pashtun politicians.¹⁸³ At least two interviewees admitted receiving help from one or more nomad strongmen.¹⁸⁴ A single interviewee admitted that an

176 Interview with village elder, Chakari village of Khaki Jabbar district, Kabul province, February 2017; Interview with village elder, Malang village, February 2017; Interview with nomad elder, Baghgi community, Khaki Jabbar district of Kabul, March 2017; Interview with village elder in Elyas Khan area in Logar province, December 2016.

177 Interview with village elder, Teron tribe, Khost province (Derai), April 2017.

178 Interview with nomad elder of Marak-khel tribe in Derai of Khost province, 7 April 2017.

179 Interview with farmer elder of the Matoonwal in Derai of Khost province, 8 April 2017.

180 Interview with village elder, Kar-e-wani village of Sarchashma area, 15 February 2017; Interview with farm community elder from Lata Band village of Kajab area in Behsud district, February 2017.

181 Interview with farm community elder from Lata Band village of Kajab area in Behsud district, February 2017; Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

182 Interview with member of the Nomad Council of Afghanistan, Kabul, June 2017; Interview with nomad elder, Kharokhel tribe in Maidan Wardak province, November 2016.

183 Interview with nomad elder, Kharokhel tribe in Maidan Wardak province, November 2016; Interview with nomad elder, Nasar tribe, in Sarchushma area of Maidan Wardak province, November 2016.

184 Interview with nomad elder, Nasar tribe, in Sarchushma area of Maidan Wardak province, November 2016; Interview with member of Nomad Council of Afghanistan, Kabul, June 2017.

insurgent organisation provided some weapons.¹⁸⁵ Another admitted that at some point the Taliban helped the nomads, before abandoning them.¹⁸⁶

In Deh Sabz too, when pushed, both farmers and nomads admit that they have accepted, or sought support from, not just powerbrokers, but also Kabul politicians and tribal and local shuras.¹⁸⁷ One nomad source admitted to having received weapons from the Taliban:

*Thanks to the Taliban for arming nomads because everyone was abusing the nomads and now nomads can defend themselves. [...] The Taliban helped us with weapons and other things and we want more help from them. If the government does not listen to us, we do not have another way; we will take support from the Taliban.*¹⁸⁸

In Azra, the rival communities also admit to having appealed for external support to politicians and government officials with at least some degree of success.¹⁸⁹ At least one farmer elder admitted receiving support from Hizb-i Islami.¹⁹⁰

Clearly, therefore, there is at least some truth in these claims of external support. It is clear that, if not always, powerbrokers and political groups do sometimes play a role in a number of these conflicts.

But is this sufficient to substantiate the often repeated allegation that parties, politicians and insurgents are one of the driving forces behind much nomad-farmer conflict?¹⁹¹ Claims of external involvement are so pervasive that one cannot help but wonder whether it has become a scapegoat for what is, in effect, an impossible situation, particularly in a context of rapid demographic growth and negative economic growth. While claims are, therefore, likely to be exaggerated, arguably without some kind of support by such actors, nomad and farmer communities would find it much harder to get involved in sustained conflict. It seems worthwhile to investigate how external actors can consequently act as enablers for communities that have grudges.

In sum, the conflict has already been attracting external actors for some time. Powerbrokers, parties and politicians all have larger resources than nomad or settler communities and can potentially link these local conflicts to wider ones. As a result, what was originally a genuine settler-nomad conflict might have been mutating into and merging with other types of conflict.

185 Interview with nomad elder, Nasar tribe, in Sarchushma area of Maidan Wardak province, November 2016.

186 Interview with member of Nomad Council of Afghanistan, Kabul, June 2017.

187 Interview with village elder, Deh Sabz of Kabul Province, January 2017; Interview with village elder of Khuaja Chasht Area, Deh Sabz district of Kabul, January 2017; Interview with village elder, Pay Menar village of Deh Sabz district, Kabul province, January 2017; Interview with nomad elder, Tarakhel tribe, Deh Sabz district of Kabul province, January 2017; Interview with nomad elder, Taghar tribe, Deh Sabz district of Kabul province, January 2017; Interview with village elder, Baghgi community, Khaki Jabbar district of Kabul, March 2017; Interview with nomad elder, Akbar Khel tribe, March 2017.

188 Interview with nomad elder, Akbar Khel tribe, March 2017.

189 Interview with elder of Sultan Khel tribe in Logar province, November 2016; Interview with village elder, Adramzai community in Awbazak village, December 2016; Interview with elder of Naeemkhel community in Khalil Abad area of Logar province, November 2016.

190 Interview with nomad elder of Babar tribe, November 2016.

191 Interview with elder of Sultan Khel tribe in Logar Province, November 2016; Interview with village elder, Adramzai community in Awbazak village, December 2016; Interview with elder of Naeemkhel community in Khalil Abad area of Logar province, November 2016.

4.2 Ethnicisation and tribalisation

As a further example of the above process of mutation of the conflict, it is worth pointing out that some of the interviews carried out by the research team clearly show a tendency toward the ethnicisation of the conflict. In Deh Sabz, for instance, a Tajik elder implied that Pashtun settlers were automatically supportive of fellow Pashtun nomads:

*In Qala Haji Mohammad Afzal Khan Village they are Pashtuns and help the nomads. Zareen Qala are also Pashtun and they also help nomads to capture our land and divide it between nomads and themselves.*¹⁹²

A nomad interviewee showed similar views, mentioning having been approached by a variety of Pashtun tribal shuras and politicians, all promising support, and commented: “This is the game of Pashto and Dari. You must not show yourself as weak.”¹⁹³

In Imam Sahib, the assumption of another elder was that settlers were split along ethnic lines, pro or against the nomads:

*Here the competition is between Pashtuns and Uzbeks, so here all the villages of Pashtuns and Uzbeks are involved in this conflict.*¹⁹⁴

In Khaki Jabbar, one Pashtun farmer discussed how a politician linked to the community tried to convince the nomad strongmen behind the land grabbing in the area to leave them alone, arguing that they were Pashtuns, too, and not Tajiks.¹⁹⁵

In environments that are ethnically homogenous, there are signs of tribalisation. In Khost, for example, the local population is Karlanris, in terms of tribal genealogy, while the nomads spending the winter there are Ghilzais. One Niazi nomad said, “They are saying that you must not come here because you are Ghilzais.”¹⁹⁶ One of the settler elders agreed:

*Other villages are also involved in this conflict with nomads such as Matoonwal, Perai and Teron. The same in Niazi: there are other tribes that are involved in these conflicts, such as the Esakhel, Nasar and Dawlatzai. They are also helping with the Niazi. This is a big conflict that is between Ghilzai and Karla.*¹⁹⁷

While it would be premature to describe nomad-settler conflict in ethnic or tribal terms, there is a drift towards ethnicisation/tribalisation that is contributing to wider processes of ethnic polarisation in Afghanistan. Threats of escalation were repeatedly heard in the interviews, even in the vicinity of the capital:

*We will use these conflict pastures and we will not give permission to those who create problems for us. In Kuchiabad, we built houses and also want to make houses in Khaki Jabbar and Charbazgi. If [NAME WITHHELD] and [NAME WITHHELD] will not give permission to us, we will not give permission to them to enter Kabul and we will close the road to them. If anyone will stand against us, we will fight them and we do not have another way.*¹⁹⁸

*Here negotiations did not work [...]. We sent a few elders to him, then [NAME WITHHELD] put them in jail [...]. We want to solve the problem through negotiations, but they do not listen to us. So, we must show power to them.*¹⁹⁹

192 Interview with Tajik village elder, Pay Menar village of Deh Sabz district, Kabul province, January 2017.

193 Interview with nomad elder, Taghar tribe, Deh Sabz district of Kabul province, January 2017.

194 Interview with village elder, Kol Akakhel area, Imam Sahib, April 2017.

195 Interview with village elder, Baghgi community, Khaki Jabbar district of Kabul province, March 2017.

196 Interview with nomad elder, Niazi tribe, Derai of Khost province, April 2017.

197 Interview with village elder, Matoonwal tribe, Derai of Khost province, April 2017.

198 Interview with nomad elder, Kuchiabad of Botkhak, Kabul, March 2017.

199 Interview with village elder, Khuaja Chasht area of Deh Sabz district, Kabul, January 2017.

4.3 The state is perceived as ineffective or absent

The contraction of the reach of the state is only one aspect of the problem. As discussed later in 5.1, even before the war the various laws approved by the Afghan state were often ignored by both local authorities and communities. Now, as one government official mentioned, even in areas still under government influence, state institutions are usually powerless to help, or unwilling to. In some cases, local strongmen might openly challenge government officials.²⁰⁰ Almost all nomad and settler interviewees in the case studies viewed the government and even the state as an incoherent mess of rival factions, unable to take coherent action in either direction.

It is hardly surprising, therefore, that state involvement is not very popular with communities involved in conflicts. The limited sample of nomads and settlers (40, in total) who were interviewed for this project's case studies provided strikingly similar answers with regard to the involvement of the authorities in conflict and dispute resolution (see Table). Some 40 percent of both nomads and settlers mentioned having appealed to the authorities for help; none of the interviewees reported the authorities being of any help. Some government officials claimed successes for themselves in resolving conflict and disputes involving nomads, always indirectly (through the reliance of third-party mediation; see below).²⁰¹ However, government officials mostly confirm a dismal picture of extreme state weakness; the authorities are usually only able to resolve minor disputes about the seizure of animals and limited damage to crops.²⁰² External actors also tend to confirm the negligible role played by the authorities.²⁰³

There were some differences between the two groups of our case study interviewees with regard to how often external mediation was sought (from non-state sources). In 80 percent of the cases, nomads answered that they did seek mediation, although with limited success (only a quarter of those answering positively confirmed that the mediation achieved something). Settlers instead answered positively to the question of whether they had sought non-state mediation in 60 percent of the cases, but seem to have been more successful, on average, than nomads in achieving something out of the mediation efforts, with more than half of those answering positively confirming positive results.

200 Interview with Musa Popal, director for Nomad Department in Logar province, February 2018; Interview with officer of the Kuchi Directorate in Khost province, February 2018; Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, .

201 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province.

202 Interview with Musa Popal, Director for Nomad office/department in Logar Province, February 2018; Interview with Advisor to the Director General of Independent General Directorate of Nomads, October 2017.

203 Interview with Haji Mohammad Rahim Terakhel, one of the close associates of Mullah terakhel; Interview with Abdul Mobeen Bik, close associate and secretary of Abdul Rauf Ibrahim.

4.4 Implications for state legitimacy

Government officials have a vested interest in agreeing that the government should do more in removing the sources of conflict and in dispute resolution.²⁰⁴ In some cases, they called for the deployment of armed force to end the conflicts.²⁰⁵ But, regardless of their personal views, it is clear that from the state perspective, the drawback of relying on non-state actors to mediate conflicts is that the parties involved in the disputes might not acknowledge the role of the state, as the survey showed. In other words, in such cases there is no positive fallout for the state in terms of strengthened legitimacy.

A measure of this crisis in the legitimacy of the state is the extent to which settlers and nomads involved in conflicts with each other admit having directly appealed to “politicians” and strongmen for help (70 percent and 75 percent, respectively), thereby bypassing the central authorities. Interviewees often referred to the possibility of asking for help from the Taliban because of the state’s failure to resolve disputes and conflicts.²⁰⁶ It might be idle talk, but as discussed above in 4.1, sometimes communities engaged in local conflict do seem to have appealed to insurgent groups. An elder from the Andar tribe said:

*The government is not able to implement its decisions and it does not have the ability to support the right of our community. The courts decided three times that the decision for our side, so why is it that the government cannot implement it? These people are very powerful and the government cannot take action against them. Now only the Taliban are left to decide for us, but the Taliban are also demanding money from us. We are confused as to which side to go to . Only Daesh is left.*²⁰⁷

Allegations of nomad and settler communities alike seeking the support of anti-government elements emerged several times during the project. In some cases, it was the interviewees themselves who claimed to have sought the help of the insurgents in the past, either to mediate in a dispute or to take their side. In fact, the Taliban appears to have been reluctant to get involved in these kinds of disputes, perhaps knowing that they could make as many enemies as friends in doing so and that they lacked the resources for addressing the roots of the conflicts. Whatever the real extent of the insurgents driving a wedge between the state and communities affected by nomad-settler conflict is, the damage done to state legitimacy by the failure to address nomad-settler conflict is clear. Virtually all the interviewees harshly criticised the inability of the authorities to resolve these types of conflicts. The following comment by a Nasar elder from Farah is typical:

*The governments which existed before the war, they were real governments; but the current governments are not real governments. [...] The current governments cannot play any role in the resolutions of conflicts and problems. In the previous governments if there were any conflicts and problems, those governments could solve those conflicts and problems quickly.*²⁰⁸

204 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018; Interview with officer of the Kuchi Directorate in Khost province, February 2018.

205 Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

206 Interview with MIB, tribal elder in Farah Province, June 2017; Interview with nomad elder SAN, Farah province, June 2017; Interview with elder NN, Nurzai tribe, Farah province, settler, June 2017; Interview with IB, tribal elder and nomad, Farah province, June 2017; Interview with MKB, nomad, Farah province, June 2017; Interview with AHN, elder of a nomad community in Khost province, Lakan area, May 2018; Interview with Uzbek nomad elder, Uzbek Baig tribe, Kalam Guzar area, April 2017; Interview with village elder, Kol Akakhel area of Imam Sahib, April 2017.

207 Interview with elder of Andar tribe, Imam Sahib District of Kunduz Province, April 2017.

208 Interview with nomad elder, Nasar tribe, Farah province, June 2017.

5. Nomad-settler conflict resolution

5.1 The role of the state

5.1.1 In history

What role the Afghan state really played in making nomadism work before 1978 is somewhat controversial. Certainly the Afghan state provided a legislative framework with the Pastures Law, the implementation of which was supervised by “heads of land” at the provincial level and “managers of land” at the district level, in turn responding to the ministry of agriculture.²⁰⁹ According to a Kuchi Directorate official, there were “heads of lands” at the provincial level and “managers of lands” at the district level, all of whom were dealing with the rights of everyone and managing the pastures, forests and agricultural lands.²¹⁰

There is little sign of any more proactive role of the pre-1978 governments in managing nomadism. Disputes and clashes between nomads and settlers would be brought to the police, district and provincial governors and, sometimes, to the courts, but the expectation of the state effectively righting wrongs was low. Mostly, the state appeared keen to stay away from local disputes unless they escalated into violence. Settlers, particularly Hazaras, say today that they feel the state is mostly aligned with the nomads and that it only occasionally takes settlers’ complaints seriously.²¹¹

None of this project’s nomad and settler interviewees recalled or had heard of a specific direct state intervention. Although some interviewees hinted at a state role in setting up schedules for the nomads (in such a way as for them to enter new areas only after the harvest),²¹² others have dismissed such ideas, insisting that the schedules, when they existed, were set by the nomads themselves (see also 5.4).²¹³

In practice, the “community management” of the grasslands that took place before 1978 was dependent on remote state backup and it is not clear if all communities were equally involved. Virtually all Hazara settlers interviewed, for example, denied having ever been consulted on schedules and routes. If state backup has always been necessary, the laws of the Afghan state have, on the other hand, often been ignored by both local authorities and communities already before the war. Not only were customary practices at odds with national laws, but it was not uncommon to have agreements and concessions registered by the local authorities, which were obviously at odds with national laws.²¹⁴

209 Interview with Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

210 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

211 Interview with Hazara notable from Nawur, 8 May 2018; Interview with Hazara elder from Bamiyan province, May 2018; Interview with Hazara elder from Daikundi province, June 2018.

212 Interview with nomad elder from Aladdin Khel community, Maidan Wardak province, May 2018; Interview with elder NN, Nurzai tribe, Farah province, settler, June 2018; Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

213 Interview with AJ, Osan Khel nomad elder from Maidan Wardak, May 2018; Interview with group of elders from Hazarajat (Dai Mirdad, Behsud 2), Kabul, May 2018; Interview with Hazara elder Haji HA, Waras district of Bamiyan Province, May 2018; Interview with elder Haji RA, Panchaw district of Bamiyan province, May 2018; Interview with GH, Hazara elder from Daikundi province, June 2018.

214 Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan,’ *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

5.1.2 Today

A key difference between the pre-1978 and the post-2001 environments is that in the latter case, even the remote presence of the state and its coercive power has essentially disappeared from many rural areas, creating a situation where conflicts that were mostly latent could rise unrestrained. It is remarkable how some of these disputes have been going on unresolved for several years, with parties both arguing that they had right to use the same land, often in an exclusive way.²¹⁵

The current state structure dedicated to managing issues related to the nomads differs from the pre-war one in that a dedicated “independent General Kuchi Directorate” has been established in 2006, tasked, among other things, with assessing any conflict or dispute arising and then passing on the file to the governors and other government departments and ministries. The Kuchi Directorate itself does not have resources to do more than meet with nomads and settlers and talk to them.²¹⁶ As of early 2018, the Kuchi Directorate had, in total, 373 employees countrywide. It maintains contact with the nomads through its provincial offices and the 3,000 Sarkhils it appointed among the nomads. The Sarkhils are elders who can produce 200 IDs belonging to nomads and, as a result, participate in the Sarkhil elections each year.²¹⁷ Their role was thus described by a source in the Kuchi Directorate:

We have a Sarkhil [head of a body of nomads] for each group or tribe. The Sarkhil is the representative and responsible for leading the group. In terms of migration, these Sarkhils are elected by the nomad community and after bringing all the fingerprints and national ID copies of at least 200 families of his tribe, then we register his name as a Sarkhil of that group or tribe and give him an ID card and stamp. He is the contact person or connector between the government and nomads, and he is responsible for the group or tribe for migration and everything. We just contact him for any case or he contacts us or our provincial directorates if needed. So, this shows that there are clear procedures and schedules for the migration of the nomads from one place to another.²¹⁸

In addition to the Kuchi Directorate, the Ministry of Agriculture and Livestock (MAIL) is still involved. It is responsible for the pastures and has a department for nomads.²¹⁹ At the MAIL, government officials consider the Pasture Law of 1971 as the basis for their operations.²²⁰

After 2001, on the one hand, the central government produced legislation that favoured the nomads on paper and used it to secure their political support. On the other hand, it allowed nomads’ and settlers’ rights to be infringed upon, and pastures to be seized. It does not seem credible that this consistent pattern happened by accident.²²¹ The post-2001 Afghan government itself has sometimes flirted with the idea of distinguishing more clearly between private, community and public pastures. Settlers and some external observers, however, sometimes had the feeling around 2010 that the nomads’ lobby was still influencing policymaking and was pushing for the new Rangeland Law to reflect mainly nomads’ interests.²²² For sure, the new Land Law is stuck at the draft stage as different lobbies have been objecting to specific aspects of it.²²³

215 Interview with Elder of Adramzai community in Awbazak village, Azra (Logar), December 2016.

216 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

217 Interview with Zamarud Khan Mangal, chief/head of Jirga’s, economic and accommodation department in Kabul, Kuchi Directorate, March 2018; Interview with Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

218 Interview with Dr. Esmatullah Khoshal, Advisor to the Director General of Independent General Directorate of Nomad, October 2017.

219 Interview with Engineer Mirkhail, water specialist from MRRD, 9 October 2017.

220 Interview with staff of Grasslands Department, Kabul, September 2017.

221 Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan,’ *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

222 Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan,’ *Revue des Mondes musulmans et de la Méditerranée*: 133, June 2013.

223 Interview with Mr. Faizan, Head of Kuchi Directorate, Kabul, May 2018.

The old legal and customary framework that was in place before the war has been falling apart and is extremely unlikely to be revived, short of another civil war reshaping the political and military landscape once more. That framework needs to be replaced, as discussed below. Another debate has been between supporters of state management and community management of grassland.²²⁴

The absence of policing in most rural areas like this results in relatively minor incidents escalating rapidly into violence. In one case recounted by an interviewee in Derai (Khost), in 2003 some nomads killed the son of a local landholder who was complaining to them about their planting wheat on his land. The nomads claim to own that land, which they bought in the past. Afterward, the colonel stormed the nomad settlement, killing seven. The blood feud that started in this way is still going on and resists all attempts by the elders of the two communities to end it, even if the elders agreed that the nomads would withdraw from the occupied land.²²⁵ The conflict spread as the local villagers started attacking nomads indiscriminately, not just the Niazi, who were originally involved.²²⁶

Another example of government absence is that even when the government intervenes to identify settlement areas for the nomads, such as the Bari Kaw area in Deh Sabz, it has been, in fact, unable to enforce its decision.²²⁷

A form of state intervention in conflict/dispute resolution after 2001 has been dispatching delegations and commissions from the centre, usually made up of political representatives (or assumed such) of the different communities involved in the conflict. Our nomad and settler interviewees were in complete agreement about the frequency of intervention of commissions sent by the central government to investigate the matter (25 percent of positive answers for both groups). There was, however, a slight difference in the assessment of the work of the commissions, with 40 percent of settlers and 20 percent of nomads (who had answered yes to the question about the intervention of the commissions) saying that they saw some results. As a result, the overall impact of these commissions and delegation was close to negligible. A frustrated Hazara elder commented:

*The government sends delegation after delegation, but decisions and agreements are not implemented.*²²⁸

224 David Stanfield et al., 'Rangeland Administration in (Post) Conflict Conditions: The Case of Afghanistan', Innovations in Land Rights Recognition, Administration, and Governance, edited by Klaus Deininger et al., World Bank, 2010.

225 Interview with elder of Perai tribe in Shamal area of Derai of Khost province, 10 April 2017; Interview with elder of the Marak-khel tribe in Derai of Khost province, 7 April 2017; Interview with elder of the Teron tribe in Derai of Khost province, 6 April 2017.

226 Interview with nomad elder of Dawlatzai tribe in Derai of Khost province, 9 April 2017; Interview with nomad elder of Niazi tribe in Derai of Khost province, 8 April 2017.

227 Interview with nomad elder of Tarakhel tribe in Dehsaz district of Kabul province, 13 January 2017.

228 Interview with Hazara member of local council for Hazara-nomad disputes, May 2018.

5.2 The role of non-state actors

An official of the Kuchi Directorate in Khost accepted that involving non-state mediators is often a successful strategy, derived from long-standing local practices, and indeed it often encourages and supports it. He even went as far as saying that non-state mediators are much more effective than state ones:

I think the roles of these communities are very useful. It's not comparable to state officials. As you know, the local administration of the government is full of corruption. Nobody is interested to reference its conflicts to the government offices. The ones who want to solve conflicts through government need to wait longer and proceed with lengthy processes. The mediator in communities plays a vital role in resolving conflicts.²²⁹

Non-state mediators, who typically belong to neighbouring tribes or are clerics, also have much greater access than state ones, as they can enter Taliban-controlled areas with ease.²³⁰

For the communities in conflict, one possible drawback is that there are costs involved in bringing in non-state mediators, as their expenses have to be paid. One mediation in Farah for example cost 480,000 Afs (6,240 USD), split equally between the two communities in conflict.²³¹

Typically, non-state mediators would first meet the parties to a conflict separately, then call for collective meetings. In some cases, the mediators will demand that the parties to the conflict deposit a sum of money with them that they would lose if they refused to accept the decisions of the mediators. In other cases, the mediators would just try to get the parties to agree with each other.²³²

Sometimes the non-state actors invited to mediate such conflicts can be insurgent organisations. Communities (including Hazara ones) have relied on Taliban mediation to reach agreements, although apparently not very successfully, according to a nomad elder who experienced such mediation in 2015.²³³



229 Interview with officer of the Kuchi Directorate in Khost province, February 2018;

230 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018.

231 Interview with MDB, chief and elder (Malik) of a Barakzai community in Farah province, April 2018.

232 Interview with MDB, chief and elder (Malik) of a Barakzai community in Farah province, April 2018; Interview with Batokhel tribe mediator in Logar about conflict between Niazi and Esakhel, April 2018.

233 Interview with Nomad elder, Hesarak District of Nangarhar province, 22 November 2016.

5.3 Can the state be left behind?

5.3.1 The state is not completely absent

Since 2006, the Kuchi Directorate has been the most proactive government department in dealing with nomad-settler conflict, but its role is primarily monitoring, reporting and mobilising other government agencies to follow. Officials in the Kuchi Directorate, however often complain about other government departments (such as agriculture, police ARAZI and education) not responding to their requests for support.²³⁴

However, the nomad and settler interviewees might, in fact, be underestimating the role actually played by state actors already in dispute resolution. Mediation by third parties such as neighbouring communities is often mobilised by government institutions, as the Kuchi Directorate. The latter often avoids getting directly involved, as settlers tend to suspect it of being biased in the nomads' favour.²³⁵ One of the mediators commended the Kuchi Directorate for its support.²³⁶

Even when mediation comes from neighbouring communities, local authorities might well play the role of guarantor in the implementation of any agreement.²³⁷

5.3.2 The limits of conflict resolution

Non-state conflict resolution by tribal and religious mediators can work when all parties to the conflict have a genuine will to resolve it, says a Barakzai elder from Farah:

*To be honest, if the involved communities want to resolve conflicts, then it's easy and simple to find a solution, but if they do not want to help and cooperate, then it's a hard thing to do and reach a conclusion. The conflicts in Koh Danak and other villages were mainly resolved by the help of the involved communities, since they were not happy being in conflicts with each other. They did not want to kill each other and continue the enmity over these lands, so I think they were wise enough to get ready and end the conflicts.*²³⁸

When conflict originates from local friction between nomads and farmers because of failures to abide by rules and boundaries, local settlements could be reached and problems settled. Indeed, the interviewees identified several instances where, through mediation by other communities, agreements could be found and conflicts ended.

The Barakzai elder quoted above, however, also said that where nomad-farmer conflict is driven by demographic growth or environmental degradation, finding local solutions is going to be much harder. When the conflict over shrinking resources is to be divided among an ever increasing population, it is difficult to avoid, even if the communities were empowered to decide among themselves how to exploit the pastures.²³⁹ Even worse, mediators and officials allege that the involvement of external parties to the conflict and actors, such as warlords and strongmen, who benefit from the conflict

234 Interview with officer of the Kuchi Directorate in Khost province, February 2018; Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province; Interview with Barakzai Mukhlisyar, director for the nomad department in Kunduz province.

235 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018; Interview with officer of the Kuchi Directorate in Khost province, February 2018; Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018; Interview with Barakzai Mukhlisyar, director for the Nomad Department in Kunduz province, February 2018; Interview with Zamarud Khan Mangal, chief/head of Jirgas, Economic and Accommodation Department in Kabul, Kuchi Directorate, March 2018; Interview with MDB, chief and elder (Malik) of a Barakzai community in Farah province; Interview with Mawlawi Abdul Rahman, Ulema Shura of Farah, Mediator, April 2018.

236 Interview with Mawlawi Abdul Rahman, Ulema Shura of Farah, Mediator, April 2018.

237 Interview with Mr. Amiri, Ministry of Tribes and Nationalities, Kabul, May 2018, concerning an agreement in Khost province.

238 Interview with MDB, chief and elder (Malik) of a Barakzai community in Farah province, April 2018.

239 Interview with MDB, chief and elder (Malik) of a Barakzai community in Farah province, April 2018.

itself, makes resolution nearly impossible, according to a non-state mediator.²⁴⁰ One government official said:

The difference between solved and unresolved conflicts is clear to us: the conflicts where the warlords and government officials are involved, they are unresolved; but the conflicts where these warlords and government officials are not involved, they are resolved peacefully by a third party (such as another tribe).²⁴¹

5.3.3 Why there might be no alternative to the state

The debate between supporters of state management and community management of grasslands is, in a sense, a false debate.²⁴² Despite the lack of faith in the state discussed above, this elder still viewed the authorities as the first port of call for help when conflicts and disputes arise:

First of all, we are trying with the government to solve our conflict; if the government does not resolve our conflict, then we need to go to local people.²⁴³

Indeed, any agreement reached might not hold for long in the absence of a state/institutional back-up. As a mediator in Khost acknowledged:

We, alongside, the other tribal shuras have once reached a conditions-based agreement between the conflict parties, but that was not stable and after a month the agreement was dismissed and neither side accepted that anymore. [...] The main reason for not reaching a stable agreement in this conflict is that behind the conflict there are the hands of some external actors and government officials...²⁴⁴

Despite all the criticism of the state and of its infiltration by lobbies and factions, there is also an expectation (and not only among nomads) that the authorities should find pastures for the nomads and then protect/manage them and regulate the schedules.²⁴⁵

5.3.4 Why the state has to be impartial

Since most interviewees saw few results of the state's intervention in their disputes and conflicts, they often had no views about the state's partiality. Only 20 percent of settlers and 15 percent of nomads believed the state was favouring the other side. From the interviews carried out, however, it is clear within the state apparatus, too, there are strong prejudices toward both nomads and at least some categories of settlers, such as Hazaras. One government official admitted that in the ANP and ALP, nomads are viewed with strong suspicion, as they are believed to have links to the insurgents. Claims that Hazaras were supported by the Islamic Republic of Iran in their disputes with nomads were often heard as well. Hazaras occupying government positions are also presumed to always be siding with fellow Hazara settlers.²⁴⁶ It is clear that government officials engaging in this kind of accusation do little good to the Afghan state's image. As a mediator stated, the perception of the state as not being impartial is another blow to state legitimacy:

240 Interview with Malik Haider-gul Mangal, Khost province, mediator, April 2018; Interview with officer of the Kuchi directorate in Khost province, February 2018;

241 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

242 David Stanfield et al., 'Rangeland Administration in (Post) Conflict Conditions: The Case of Afghanistan,' Innovations in Land Rights Recognition, Administration, and Governance, ed by Klaus Deininger et al., World Bank, 2010.

243 Interview with MIB, tribal elder in Farah province, June 2017.

244 Interview with Malik Haider-gul Mangal, Khost province, mediator, April 2018.

245 Interview with nomad elder IB, Farah province, June 2017; Interview with elder settler elder NN, Nurzai tribe, Farah province, June 2017.

246 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018; Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

The parties to the conflict were also rejecting the government role in this resolution since they believe the government is not able to help in these kinds of conflicts, but, in some cases, tries to make the conflicts even worse. The parties to the conflict see the government as full of corruption and fraud and, therefore, did not want to have anyone from the government sit in the resolution process.²⁴⁷

Despite what was noted above about the perceptions of the state not being impartial, there is still demand for state involvement because local mediators might also not be impartial, as a Niazi nomad elder pointed out:

Generally, I think it is preferable to have mediation by the government because if we give a chance for mediation to neighbouring tribes, then clearly, they will be not impartial among involved sides in these kinds of conflicts.²⁴⁸

Table 4: Assessment of the role of sources of support and mediation in nomad-settler conflicts, according to project interviewees

Percent	Settlers	Nomads	All
Appealed to government	40	40	40
With positive results	0	0	0
Appealed to politicians	75	70	72.5
With positive results	30	25	27.5
Appealed to external actors	0	0	0
With positive results	0	0	0
Sought mediation	60	80	70
With positive results	35	20	27.5
Commission/delegation involved	25	25	25
With positive results	10	5	7.5
Government seen as partial	20	15	17.5
n=	20	20	40

247 Interview with Mawlavi Abdul Rahman, Ulema Shura of Farah, Mediator, April 2018.

248 Interview with AHN, elder for a Niazi nomad community in Khost province, Lakan area, May 2018.

6. Looking for solutions

6.1 Demarcation

In developed countries agricultural land is usually fenced to protect it from encroachment. Many interviewees agreed if that happened in Afghanistan also, certain types of conflict (e.g. trespassing) would largely be resolved, but also pointed out that this would be unaffordable.²⁴⁹ An official agreed that fencing agricultural lands could reduce the frequency of conflict and saw some role for government departments, such as agriculture in promoting the fencing, but the issue of the high cost remains.²⁵⁰

In some areas, farming land is demarcated, but not protected; overall, it was estimated that in Bamiyan only 15 percent of the farming land was demarcated and none of it properly fenced. Typically, demarcated land is located next to roads or belongs to wealthy farmers. Canals dug along the borders of properties also contributed to demarcated land.²⁵¹

An alternative to demarcation that could work in certain situations would be allowing nomads to move their livestock only by truck, thereby preventing them from coming too close to harvests along the route. Using trucks to move the animals around is not unheard of among the nomads, but not all nomads would be able to rent trucks for this purpose.²⁵²

6.2 Patrolling

Some interviewees suggested that an alternative to fencing could be patrolling, as long as it is enforced by a force that has the respect of both nomads and settlers. Before 1978, wealthy settler families in Hazarajat used to hire guards from some nomad communities with the task of stopping nomads from encroaching on their lands. The nomad guards knew all the tribes using a particular route and would easily be able to attribute any violation to a specific tribe/sub-tribe.²⁵³ Clearly, in the current predicament this option is not viable, as the state authorities are not in a position to patrol and the communities distrust each other so deeply that self-policing would not be viable.

6.3 Can sedentarisation be made to work?

The sedentarisation of the nomads is often seen by policymakers as the way to more fully integrate nomads into Afghan society, make services available to them and eliminate nomad-settler conflict. As discussed above in 3.2.4, so far sedentarisation has become an additional driver of conflict, as opposed to being the solution to the conflict.

249 Interview with Barakzai Mukhlisyar, director for the Nomad Department in Kunduz province, February 2018; Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018; Interview with Zamarud Khan Mangal, chief/head of Jirgas, Economic and Accommodation Department in Kabul, Kuchi Directorate, March 2018; Interview with HJK, elder from Daikundi province, June 2018; Interview with HMM, elder from Malistan district of Ghazni province, June 2018; Interview with HR, elder from Nawor district of Ghazni province, June 2018; Interview with officer of the Kuchi Directorate in Khost province, February 2018.

250 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018.

251 Interview with HHA, Hazara elder in Waras district of Bamiyan province, June 2018; Interview with GH, elder from Ashtarlai district of Daikundi province, June 2018.

252 Interview with village elder from Kar-e-wani village of Sarchashma area, Kar-e-wani village, Daimordad district, February 2017.

253 Interview with HHA, Hazara elder in Waras district of Bamiyan province, June 2018; Interview with HRA, elder from Panchaw district of Bamiyan province, June 2018; Interview with GH, elder from Ashtarlai district of Daikundi province, June 2018; Interview with HJK, elder from Daikundi province, June 2018; Interview with group of Hazara elders from Bahsud, Maidan Wardak, 9 May 2018.

6.3.1 The economic viability of sedentarisation

The idea of settling nomads is not something new in Afghanistan. During the kingdoms of Abdul Rahman and his successor Habibullah II, the settlement of the nomads was, among other things, a political tool to extend the power of the central government toward areas where it had weak control and was, therefore, bound to generate friction. During this period, nomad and semi-nomad communities were mostly offered land in the midst of hostile populations in order to turn the nomads into supporters of the central government. To a large extent, these settlers remained semi-nomadic.²⁵⁴

During the kingdoms of Nadir Shah and Zahir Shah, a new policy emerged about irrigating desert areas and colonising them in order to increase agricultural production. Many of those who settled during schemes such as the one in Helmand Valley from 1946–1979 were nomads. These schemes were, in any case, only partially successful, due to a variety of problems including engineering, soil and insufficient plot sizes.²⁵⁵

Nomads then also benefited from the agrarian reform implemented from 1978 onward by the leftist regime that came to power with the rise of a coup. Some of them received land during the reform, but, again, this reform was largely unsuccessful and widely challenged.²⁵⁶

One of the consequences of the process of general modernisation in Afghanistan was the tendency of policymakers to view nomadism as a pre-modern anachronism that should be abolished or transcended, typically through sedentarisation and the transformation of nomadic lifestyles in line with modern concepts of social organisation and division of labour. Through sedentarisation, infrastructures could be made available enabling the optimisation of animal breeding techniques, pasture utilisation and marketing of livestock products, among others.²⁵⁷

Sedentarisation, however, happened independently of the state even before 2001 and especially in the 1990s. A survey of the nomads of Kabul province by Samuel Hall found that while only 0.7 percent had settled from 1971–1980 and just 2.1 percent from 1981–1990, the 1990s already witnessed a significant acceleration of nomad sedentarisation: 11.4 percent sedentarised during this decade.²⁵⁸ This sample is surely not representative of a national average, but there is no other data on sedentarisation patterns before 2001. The post-1978 conflict must have been a factor in forcing many nomads to abandon their migrations and settle, at least temporarily, mostly in refugee camps in Pakistan. In the late 1980s and 1990s, parts of the country were already off-limits for the nomads, forcing many to sedentarise.

The nomads who settled had to find new ways to earn livelihoods. In urban areas, the settled nomads typically earn a living either by opening shops, starting transport or other kinds of businesses (typically in the car dealing sector), or getting salaried employment. In more rural settings, the main activities of the settled nomads are agricultural or small commercial enterprises, although many families also have members working in cities and or the Gulf States.²⁵⁹ In some cases, settled nomads were able to

254 Liz Alden Wily, “Land rights in crisis” (Kabul: AREU, 2003), p. 40.

255 Wily, “Land rights”, p. 41.

256 Wily, “Land rights”, p. 47-48.

257 Hermann Kreutzmann and Stefan Schütte, “Contested commons - multiple insecurities of pastoralists in north-eastern Afghanistan” *Erdkunde* Vol. 65 · No. 2: 99-119 (2011), p. 104.

258 “A study of the Kuchi population in the Kabul New City area” (Kabul: Samuel Hall, 2012), Table 3.1.

259 Settled Kuchi, Wazir Kariz settlement, Logar, 1, April 2019; Settled Kuchi, Wazir Kariz settlement, Logar 2, April 2019; Settled Kuchi, Wazir Kariz settlement, Logar 4, April 2019.

start successful agricultural activities, such as fruit trees in Wazir Kariz.²⁶⁰ In other cases, nomads put recently acquired technical skills to use or discovered new opportunities as a result of the dislocation caused by long years of conflict.

Sedentarisation is believed to often be a problematic result for nomads, as they lack skills that could be put to good use in agriculture or other new fields of activity.²⁶¹ But in the case studies for this project, with some exceptions (largely the poorest of the four settlements covered, Kuchi Abad),²⁶² most of the settled nomads seemed happy with their settled status, compared to the troublesome nomadic life of post-2001. Whether it is because they like their new lives or because they do not have the means/facilities to maintain their old lives, very few settled nomads even consider reverting back.²⁶³

In terms of their economic viability, according to the interviewees, overall the four settlements covered in the survey seemed to be doing quite well, with the partial exception of Kuchi Abad. Also, in part, due to remittances from abroad and the support from family members working in the cities, all four settlements appeared economically sustainable, even if there were significant differences between them. Those settled nomads who managed to start profitable agricultural activities (typically fruit trees) were those performing better. Having some form of state endorsement helps in such cases, as fruit trees are durable investments, which require some faith in a long-term future. The large settlements, like Haji Jannat Gul town, were more dependent on the availability of salaried work for sustainability. Because of the size of the settlements surveyed, neither semi-nomadism nor other forms of animal husbandry played a significant role in ensuring the economic sustainability of sedentarisation, but this may be different in smaller settlements.

It should be added that settled nomads have been inviting their kin to join them and many have accepted the invitation as sedentarisation started becoming easier once a critical mass of settled nomads was reached.²⁶⁴

Interestingly, while re-nomadisation was not uncommon in the 1990s, it became rare after 2001. There was still hope, among nomads forced to take refuge in Pakistan by the war, that they would be

260 Interview with settled Kuchi, Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 4 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 1 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 2 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 3 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 4 May 2019.

261 Hervé Nicolle, 'Qu'elle était verte ma vallée L'avenir sans terre des populations Kuchi dans le district de Deh Sabz', REMMM133, p. 235-6.

262 Kuchi Abas was established gradually during the 1990s near Kabul, without government authorization.

263 Interview with settled Kuchi, Kuchi Abad Settlement 1, March 2019; Interview with settled Kuchi, Kuchi Abad settlement, 3 March 2019; Settled Kuchi Haji Jannat Gul, 1 February 2019; Interview with settled Kuchi Haji Jannat Gul, 2 February 2019; Interview with settled Kuchi Haji Jannat Gul, 3 March 2019; Interview with settled Kuchi Haji Jannat Gul, 4 March 2019; Interview with settled Kuchi Haji Jannat Gul, 4 March 2019; Settled Kuchi, Kuchi Abad Settlement, 3 March 2019; Settled Kuchi, Kuchi Abad settlement, 2 March 2019; Interview with settled Kuchi, Kuchi Abad settlement, 3 March 2019.

264 Interview with settled Kuchi, Haji Jannat Gul, 1 February 2019; Interview with settled Kuchi Haji Jannat Gul, 2 February 2019; Settled Kuchi, Haji Jannat Gul, 3 March 2019; Interview with settled Kuchi Haji Jannat Gul, 4 March 2019; Interview with settled Kuchi, Kuchi Abad Settlement, 1 March 2019; Interview with settled Kuchi, Kuchi Abad settlement, 3 March 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 3 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 4 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 1 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 2 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 3 April 2019; Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 4 May 2019; Interview with Kuchi elder of Babkarkhel tribe, Deh Sabz district of Kabul province, 28 January 2017.

able to get back to nomadic life and substantial numbers bought herds in the 1990s to try just that.²⁶⁵ That has changed now, and hardly any nomad interviewee felt returning to nomadic life was possible, or even desirable.²⁶⁶ As a settled nomad said:

*When a nomad settles and enjoys the benefits of the settled life, he will never return back to nomadic life because we all know that nomadic life is full of struggles and so much hardship and difficulties.*²⁶⁷

6.3.2 Is sedentarisation going to reduce conflict?

Assessing the pros and cons of nomad sedentarisation from the perspective of conflict reduction is complex. The sedentarisation of the nomads might end one source of conflict by taking nomads out of their migration patterns and, therefore, ending friction over trespassing boundaries. However, settling nomads is simultaneously starting new conflicts due to the scarcity of land, especially when it is happening spontaneously (see 3.2.4 above).

In the relatively few cases of government sponsored or authorised settlements, things hardly went smoothly. The authorities were never able to manage the settlement processes effectively, particularly so in the case of Wazir Kariz, where different departments sided with different, competing communities. In other words, government-sponsored sedentarisation schemes make little sense, unless the authorities are able to manage them more effectively, or at least to keep their commitments. Hence, sedentarisation is certainly not a panacea for reducing conflict. In practice, however, sedentarisation, has already largely taken place, as discussed in Section 3.

As there are virtually no “pure” nomads left, the real issue is not “sedentarisation: yes or no,” but rather “sedentarisation: managed or unmanaged.” Because there are virtually no state-sponsored settlements which have been effectively managed by the authorities, it is hard to say whether the current level of conflict could be reduced in the presence of more effective state action. One would imagine that effective implementation of property rights could have a more positive impact. The Afghan state, on the other hand, would take a risk in getting more involved in the distribution of land to nomads, as it would draw criticism from other communities in any case, regardless of the fairness of its decision making. Interestingly, even the Taliban seem to have little appetite for involvement (see Section 5.2). However, by staying out of the race to divide up the pastures, the state loses legitimacy. What remains clear is that any future attempt by the Afghan state to manage sedentarisation more effectively should be based on carefully considered strategies and well-developed means and structures, which need to be studied and developed.

6.4 Schedules

A policymaker in the Kuchi Directorate expressed the view that another less state-dependent, alternative way of handling conflicting interests would be scheduling the arrival of the nomads in such a way as to give the time to the farmers along their route to cut their grass and harvest, as it was sometimes claimed happened before the war.²⁶⁸ Other interviewees offered contrasting views about that (see Box 10). Would schedules work now? One official of the Kuchi Directorate thinks they would:

*If these plans and schedules were enforced all over the country, I guarantee that almost 80 percent of the conflicts will be resolved.*²⁶⁹

Even if such a schedule could be agreed upon at the community level, however, enforcing it would require some role for the state. The schedule was rarely respected before the war, as we have seen,

265 Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 4 May 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 1 April 2019; Interview with settled Kuchi, Wazir Kariz settlement, Logar, 2 April 2019.

266 Interview with settled nomad in Dasht-e Khaka, Baraki Barak, 2 April 2019;

267 Settled Kuchi in Haji Jannat Gul, 1 February 2019.

268 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

269 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018.

when the Afghan government had greater power and influence than now. Realistically, therefore, such a schedule could only potentially be applied in a post-conflict context, if the power of the Afghan state were consolidated.²⁷⁰ In some cases, as part of mediated settlements, local schedules have already been agreed upon by the parties to the conflict.²⁷¹

Box 10: Were schedules used in the past?

When asked about the existence of schedules for nomad herds in the past, a Hazara elder in Malistan recalled that:

For our district the schedule was when the nomads were coming at the end of April every year. First, they had to wait till the Hazara farmers in every district cut and collected their grass from the hills and mountains and storing it for the winter. Then, the nomads could come with their animals and let them on those mountains and hills. The plan was first to have the nomads come to Behsud district and stay there for 10 or 15 days and use the remaining grassland in the mountains until the time when farmers in Nawur district would finish their harvest and store grass for winter. From there, they would allow the nomads to enter Nawur district and stay there for 10 or 15 days and use the remaining grass in the hills and mountains until Malistan farmers finished their harvesting and cutting of their grass and let the nomads take their animals over there.²⁷²

This elder claims that nomad migrations became considerably more disorganised than before the war, resulting in greater damage to the crops and the village pastures:

For our district, the schedule was that when the nomads were coming at the end of April every year, first they had to wait until the Hazara farmers in every district cut and collected their grass from the hills and mountains and stored it for the winter; then, the nomads could come with their animals and let their animals loose on those mountains and hills.²⁷³

Not everybody agrees that such a schedule was effectively in place before the war, however.²⁷⁴ One Hazara elder from Nawur recalled how the nomads were not happy to be told about schedules:

As far as I remember, the schedule was decided by the Hazara elders in consultation with the local government. After these two parties agreed, the schedule was shared with nomad elders, too. At that time, the Kochies were not happy with the schedule. In the meeting the nomad elders accepted the schedule, but they never followed it.²⁷⁵

Some Hazaras say that, in fact, nomad dissatisfaction often meant the schedule was never implemented.²⁷⁶ One elder from Malistan explained:

Before the revolution, Yaqub Khan, who was the governor of Kabul province, granted the nomads access to the grasslands of central Afghanistan (mostly Hazara areas), according to a timetable or schedule. It means that until the villagers on the nomads' route harvested their grass, the nomads should not come to that village and use the remaining grass for their animals. It also means that it was first our right to harvest the grass and save it in the warehouse for our animals in the coming winter and then the remaining grass left in the field was for the nomads' animals. But, unfortunately, the nomads were coming earlier and using our grass before we could cut it off. When we shouted at them to not use the grass because we hadn't harvested it yet, they didn't listen to us and showed us their weapons instead.²⁷⁷

The degree to which schedules were indeed implemented might, of course, have varied from location to location. According to a nomad elder, the schedules before the war did work in some desert areas.²⁷⁸ A settler elder in Nawur indicated that only some smaller, eastern nomadic tribes used to respect schedules.²⁷⁹

270 Interview with officer of the Kuchi Directorate in Khost province, February 2018;

271 Interview with Mawlawi Abdul Rahman, Ulema Shura of Farah province, Mediator, April 2018.

272 Interview with Hazara elder of Bokhra village of Maalistan district, 14 March 2017.

273 Interview with Hazara elder of Bokhra village of Maalistan district, 14 March 2017.

274 Interview with member of Nomad Commission, Kabul, 1 June 2017; Interview with Shahmahmood Miakhel, USIP, Kabul, 20 September 2017.

275 Interview with HR, elder from Nawur district of Ghazni province, June 2018.

276 Interview with village elder, Panjab district of Bamiyan province, July 2017.

277 Interview with village elder, Bokhra village, Malistan district, March 2017.

278 Interview with AJ, nomad elder in Wardak/Nangarhar, May 2018.

279 Interview with notable from Nawur district, May 2018.

6.5 A new role for the state

During the research effort it became clear that the Afghan authorities were aware of what was going on between nomads and farmers, but lacked a precise picture. Different officials and politicians sided with one community or the other, but objective evidence of the factors driving the conflict was scant. Take, for example, Hazara claims that most households in Hazarajat now have many more animals and need wider access to pastures. It is unlikely that issues like this might be successfully addressed without an accurate survey, detailing the extent of the changes that have taken place over the last 40 years.

It is clear that as of 2019, state institutions do not have the capacity to expand their role in addressing nomad-settler issues. Officials of the Kuchi Directorate, for instance, admit that they do not even have enough resources to effectively monitor all the conflicts that take place between nomads and settlers. In part, there is an access issue, as many areas are beyond government control. However, the Directorate has insufficient transportation even for monitoring accessible areas (see 3.2.2 above).

Continued reliance on royal decrees, issued long before the war even started, is unlikely to ever be a viable option for determining whose pastures are which, not least because many pastures have disappeared or have shrunk. At least some government officials accept this, implicitly or explicitly.²⁸⁰ There are, however, at present no resources for reassigning pastures to nomad communities.

An accurate survey of the nomads would also be necessary for the development of nomad schedules—an idea that gets significant support among government officials. It is clear that schedules for the nomads should be developed with state support and through the consultation with settler communities, too. The needs of the settlers in terms of feeding their own animals should also be covered in the survey. Given the present ill-feelings between many nomadic and settler communities, it is not likely that arbitrary decisions by only one of the parties involved would be acceptable to the other side, nor that the schedules could be managed at the community level. Then, some kind of monitoring of the implementation of schedules will have to be in place.²⁸¹

Indeed, the Kuchi Directorate is already working on the schedules with the support of foreign advisors.²⁸² One advisor to the Kuchi department, who supports the introduction of schedules, detailed some of the needs as:

- Monitoring and surveying the state of the nomadic communities;
- Gathering more information regarding their seasonal movement of nomads throughout Afghanistan.²⁸³

In some local contexts, the Kuchi Directorate helped produce schedules for the nomads already, reportedly contributing to conflict reduction:

[Regarding] the conflict over pastures: we created migration schedules for the migrating community of the nomads and, by this way, we solved the problems among the settled nomads and the nomads who are migrating and coming back in a specific season to this province. I think the entire problem was in migration schedules...²⁸⁴

280 Interview with officer of the Kuchi Directorate in Khost province, February 2018.

281 Interview with elder MAA, Alakozay tribe, Koh Dana Area, Farah province, June 2017; Interview with officer of the Kuchi Directorate in Khost province, February 2018.

282 Interview with Musa Popal, Director for Nomad Department in Logar Province, February 2018.

283 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

284 Interview with Engineer Fazal Ahmad Noorzai, director of Nomad Department in Farah province, February 2018.

Such an undertaking as developing schedules for the nomads requires assistance from other government departments and in particular MAIL, which would have to identify the pastures.²⁸⁵ The rehabilitation of pastures, which is being considered as well, will also involve the MRRD.²⁸⁶ The Kuchi Directorate demands more powers vis-à-vis other government agencies, in order to address nomad-settler conflicts.²⁸⁷

There are also demands for endowing the Kuchi Directorate with more muscle to intervene in conflict situations: more officials and a coercive capability (quantified by one official at 30 armed officers per office).²⁸⁸

It will need additional resources and capacity to be able to use any additional powers effectively. The same could also be said of any other government department that might get involved, such as ARAZI and urban development (as far as sedentarisation is concerned), or agriculture and livestock (demarcation), or others. The Kuchi Directorate also has plans for developing an integrated economy, where settlers would work in food processing factories and nomads would provide the necessary raw meat. These plans are ambitious, however, and not popular in Hazarajat, where households now have many animals of their own and see little need for the nomads to be involved at all.²⁸⁹

285 Interview with officer of the Kuchi Directorate in Khost province, February 2018.

286 Interview with Engineer Mirkhail, water specialist from MRRD, Kabul, 9 October 2017.

287 Interview with Musa Popal, Director for Nomad Department in Logar province, February 2018.

288 Interview with Mohammad Hamayoun Azizi, Nomad Department in Maidan Wardak province, February 2018.

289 Interview with Hazara elder Haji HA, from Waras district of Bamiyan province, May 2018; Interview with Haji RA, Hazara elder from Bamiyan province, May 2018.

7. Conclusion

The Afghan authorities accept that the nomad-settler conflict has been festering for too long and needs to be addressed. The authorities are drawing up plans and, in certain cases, starting some low scale implementation of new policies aimed at easing, if not resolving, nomad-settler conflict. Some of these policies seem to be of easier implementation than others, but all face major hurdles due to lack of funding and insufficient background information. Perhaps not all policies are rooted in adequate knowledge and analysis.

The ongoing project largely confirms the previous findings of other researchers who have looked into nomad-farmer relations in Afghanistan and strengthens some of those findings. In particular, the research team found that:

- The process of sedentarisation of the nomads has been accelerating;
- Sedentarisation is of growing importance as a source of conflict;
- Nomad strongmen have a growing role in driving conflict and sedentarisation;
- The nature of social relations among the nomads appears to be changing faster;
- Nomad-farmer conflict tends to get increasingly politicised and ethnicised, with the implicit risk of catalysing further conflict potential;
- The Afghan state continues to be a spectator of the ongoing conflicts and rarely plays an active role in their resolution—the absence of the state is very much felt by the parties in conflict, although there is no consensus on what role it could or should play;
- To the extent conflict resolution occurs, it is mostly through the mediation of third parties picked from among other community leadership;
- Demographic pressure remains high, not least due to the return of hundreds of thousands of Afghans from Pakistan;
- Conflict over pasturelands has been contained by the blockade of access routes to the highlands, at the cost of making conflict worse in the areas where the blocks occur;
- Institutional multiplicity makes conflict resolution more difficult, but allows fast track accumulation for actors who enjoy political protection at the top of the state.

The survey, although limited, showed that there are two main types of conflicts between nomads and farmers in Afghanistan today: farmers blocking access to pastures and competition between farmers and nomad communities over appropriating pastureland. Other forms of conflict, such as friction over the violation of undemarcated boundaries, seem to be relatively marginal today.

It is clear that government immobilism in confronting the issue of reforming the approach toward state land is unsustainable. Growing conflict over the transformation of the pastures into private land is a sign that the development of some framework for the transformation of part of the pastures into urban development areas or agricultural land or private pastures cannot be postponed indefinitely. Government and parliament inactivity on this front set the conditions for large-scale grabbing and appropriation of state land. Afghanistan's main cities had to grow somehow, given the extreme demographic pressure they were under, and the number of households grew considerably during 1978–2001. As the government failed to meet demand, a new category of entrepreneurs operating illegally rose to exploit the situation—the land grabbers.

The more the conflict turns toward who can control the process of transformation of the pastures into private land, the more it becomes intractable and violent. There are now major economic interests and the livelihoods of many households at stake, so that conflict might escalate easily.

It is clear that nomad-farmer conflict risks escalating into, or contributing to, something wider: another rationale for intervening in it. Policymakers have been reluctant to confront the issue head on because of its complex character, limited state capacity and other priorities, such as the ongoing insurgency. But the longer an intervention of some kind is postponed, the deeper and more intractable the conflict becomes.

The spread and intensification of nomad-farmer conflict is, of course, bad in itself, not only because it causes the loss of tens of lives every year, but also because of the economic damage, with houses destroyed and animals dying.²⁹⁰

7.1 Recommendations

Clearly, the inability or unwillingness of the Kabul authorities to resolve nomad-farmer conflict is contributing to the erosion of the legitimacy of the government. There should be a greater sense of urgency in addressing this issue. If settling every single conflict between nomads and farmers would be a tall order, at least the government should confront the issue of what to do with the pastures, replacing the old royal decrees that gave large portions of pastures to specific nomad communities for indefinite periods with more up-to-date solutions.

Demarcation of agricultural fields, the patrolling of nomad migration routes, the sedentarisation of the nomads, scheduling the migration in accordance with agricultural cycles, have all been proposed as partial solutions. To various degrees, all these solutions require a state intervention, and indeed many interviewees, especially nomads, requested greater state intervention in these conflicts.

However, there is among state officials a widespread feeling that the Afghan state does not presently have the capacity to contribute to the resolution of these conflicts. The Afghan government and donors should explore new ways of dealing with the conflict that either bypass or resolve the issue of weak state capacity. Hybrid solutions, where the state plays a limited but realistically sustainable role, could be the way forward.

In a sense, sedentarisation as it happened after 2001 has been largely taking place independently of the state. The partial evidence gathered in this paper suggests that it is economically viable. Most nomads who settle seem to have determined that settled life is preferable to nomadic life, at least as it has been practiced since the beginning of the on-going war. This is all the more remarkable as the nomads who settled did it with little or no advice and support, and learned new skills relatively successfully.

One can only imagine what could happen if the sedentarisation process was supported and the range of options available to settling nomads expanded. Since the large majority of nomads are settling anyway, the Afghan authorities should try to guide the process, offering incentives such as services and utilities, in exchange for the nomads accepting to settle in land assigned by the authorities. Otherwise, land will be grabbed, creating new conflicts.

The state must in any case confront the issue of making land available for urban expansion, weakening some key drivers of illegal land grabbing (whether by nomads or not).

Nomad communities could also be offered incentives to change their ways at least to the extent of abandoning long range migrations. There are many technical issues involved in such approaches that need to be studied in detail.

²⁹⁰ Interview with nomad elder, Tarakhel tribe, Deh Sabz district, Kabul province, January 2017; Interview with Baluchi nomad elder, Farah province, June 2017.

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