

Catherine Ashton  
High Representative of the Union for  
Foreign Affairs and Security Policy  
Vice President of the European Commission

**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

Brussels, 19 April 2012

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Dear Baroness Ashton,

### **EU SUSTAINED ENGAGEMENT IN AFGHANISTAN MUST ASSIST THE INTERNALLY DISPLACED**

Ahead of the Foreign Affairs Council on 23 April, we reiterate our call for the EU's continued support to Afghanistan on human rights, the rule of law and justice. The EU must ensure commitments in these areas are translated into clear benchmarks which measure genuine progress in protection of human rights, including those of women. The reconciliation process with the Taleban and other insurgent groups, must reflect Afghan society and include in particular women, and, to ensure a just and sustainable peace, must not result in impunity for past human rights abuses. The Afghan Government and insurgent groups must commit themselves to respecting Afghanistan's international human rights obligations. As transfer of security responsibility to the Afghan National Security Forces (ANSF) progresses, it is critical that institutional reforms are put in place to guarantee their accountability, and that justice for human rights violations is prioritised and delivered.

We also urge the EU to ensure that the human rights and humanitarian needs of Afghanistan's substantial displaced population are met. We are concerned at the continuing humanitarian crisis faced by internally displaced persons (IDPs) and returning refugees, as outlined in our recent report *Fleeing War, Finding Misery: The plight of the internally displaced in Afghanistan*. As conflict and insecurity have intensified, the numbers of internally displaced Afghans have reached a record 500,000, the vast majority of whom live in dire conditions and are at risk of forced eviction (see further details in the annex).

As one of Afghanistan's key international partners, and in view of the EU's commitment to long-term sustainable development and the protection of human rights in the country, we urge you to:

- Ensure that any handover of security responsibilities is made contingent on Afghan authorities meeting basic human rights benchmarks for human rights and rule of law
- Push for reconciliation talks to be inclusive and reflect Afghan civil society, including the meaningful participation of women, in line with UN Security Council Resolution 1325
- Call for any political agreement to include verifiable benchmarks for the parties' conformity with their human rights obligations, and to ensure reconciliation talks do not result in impunity for violations of human rights, war crimes and crimes against humanity
- Ensure that humanitarian assistance by the EU and its member states includes support to IDPs and returning refugees, and that displacement is placed high on the agenda of the Tokyo Donors' Conference in July, the outcome of which should lead to a strategic response to the problems of the displaced in Afghanistan
- Urge the Afghan authorities to provide IDPs and returning refugees with emergency humanitarian aid (including housing, food, water and health care) and remove obstacles to obtaining identity cards to enable them to exercise their legal rights. Afghanistan must enact and enforce a clear prohibition on forced evictions based on the UN Basic Principles and Guidelines on Development-Based Evictions and Displacement.

We look forward to your response and stand ready to provide any further information you may require.

Yours sincerely,

Dr Nicolas J Beger  
Director

Cc:

**European Commission Directorate General for International Cooperation, Humanitarian Aid and Crisis Response**

Kristalina Georgieva, European Commissioner

Johannes Luchner, Head of European Neighbouring countries, Middle East, Central and Southwest Asia Unit

Béatrice Miège, Team leader for Afghanistan, Iran, Pakistan, Caucasus and Central Asia

**European External Action Service**

Viorel Isticioaia Budura, Managing Director for Asia

Pedro Antonio Serrano de Haro Soriano, Director for South and Southeast Asia

David Tirr, Head of Pakistan, Afghanistan, Bangladesh, Sri Lanka, Maldives Division

Vygaudas Ušackas, EU Special Representative for Afghanistan

Riina Kionka, acting Director for Human Rights and Democracy

Olof Skoog, Chairperson of the Political and Security Committee

Boguslaw Majewski, Chair of the Council Working Group on Asia-Pacific

Flemming Nichols, Chair of the Council Working Group on Humanitarian Aid and Food Aid

**Annex - Amnesty International report**

***Fleeing War, Finding Misery: The plight of the internally displaced in Afghanistan<sup>1</sup>***

Hundreds of thousands of Afghans fleeing the conflict (or natural disasters) are condemned to live in urban slums risking starvation and hypothermia. As conflict and insecurity have intensified, the numbers of displaced Afghans have reached a record 500,000, and their humanitarian needs and human rights require immediate attention. This year's winter has been particularly harsh on displaced families and there have been 41 confirmed deaths, mostly of children, who have died from the cold.

Conditions in the displaced camps and settlements are abysmal. Families live in makeshift shelters constructed from mud, poles, plywood, plastic sheeting and cardboard which offer little protection from the elements. When Amnesty International researchers visited during the rainy season, earth floors inside these shelters were soggy from rainwater. Displaced families also face the misery of little to no access to food, fuel, water, sanitation, health services, education or employment.

Displaced communities live under the constant threat of forced eviction, with those evicted being made homeless yet again. International law requires that evictions comply with appropriate procedural safeguards and afford due process to all those affected. Evictions must not result in people being rendered homeless or made vulnerable to other human rights violations.

Amnesty International is concerned that humanitarian organisations are constrained by a *de facto* Afghan Government policy which discourages humanitarian assistance that suggests a degree of permanence for the settlements. This policy means that provincial authorities often deny permission to humanitarian organisations to drill wells. Instead, groups which wish to provide clean water must pay for tanker deliveries.

Many Afghan Government officials deny that internal displacement is a problem or describe displaced persons as "economic migrants," claiming that they are no worse off than other Afghans living in poverty. It is true that Afghans who have not been displaced also face hardships in many aspects of their day-to-day lives. But the experience of IDPs is qualitatively different from that of people who have not been displaced. Those who are displaced must deal with the daunting challenges of finding new homes and providing for themselves and their families while they struggle to cope with trauma induced by the events which led them to flee.

There is a rudimentary strategy set out in Afghanistan's National Development Strategy for addressing displacement, but it does not address the realities of the crisis. This strategy is not properly resourced and is poorly implemented. The little assistance for aid to the displaced has been chaotic, disorganised and uncoordinated. International donors should help the Afghan Government develop a realistic, comprehensive national strategy to concretely address displacement in the immediate and the long-term and, as a matter of urgency, ensure that their humanitarian assistance includes a focus on the IDPs and returning refugees to address their priority needs.

Afghanistan's international partners should also help the Afghan Government monitor the extent of displacement and obtain accurate figures on displaced persons.

The Afghan authorities should seek international assistance and support if necessary, to comply with its obligations to provide displaced persons and returning refugees with immediate humanitarian assistance. In the long term, the Afghan government will have to ensure that those who are internally displaced are able to choose either to return home voluntarily in safety and dignity, or to resettle in another part of the country. The government should involve displaced persons in all plans for return or resettlement.

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<sup>1</sup> Available here: <http://amnesty.org/en/library/info/ASA11/001/2012/en>