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Federica Mogherini
High Representative of the Union for Foreign
Affairs and Security Policy

20 September 2016

Dear High Representative Mogherini,

HUMAN RIGHTS MUST BE AT CENTRE OF DISCUSSIONS ON AFGHANISTAN'S FUTURE

I look forward to seeing you again at the end of this month to discuss EU migration compacts. On this occasion, I am writing to you ahead of the Brussels Donor Conference on Afghanistan (BCA) 4-5 October 2016, to urge the European Union (EU), as a key donor and partner to Afghanistan, to ensure that human rights are front and centre of any discussions on the future of the country to prevent a worsening of an already grave and fragile human rights situation.

Donors and the Afghan government must ensure that human rights are at the heart of reforms undertaken by the Afghan government and donor assistance to Afghanistan. In this connection, Afghanistan needs sustained political and financial backing to strengthen human rights and rule of law, and to provide basic services to vast swathes of the Afghan population. Any international assistance and cooperation should prioritise the most disadvantaged groups, including internally displaced persons (IDPs) and returnees, and used in a way that ensures non-discrimination and equality assistance should be provided in such a way that ensures transparency, financial oversight, accountability and participation.

Amnesty International has extensively documented two key human rights concerns – the rights of internally displaced personsⁱ and protection of human rights defendersⁱⁱ – that we urge are taken into account in decisions about future funding for Afghanistan. Firstly, it should be noted that internal displacement in Afghanistan has more than doubled in the space of three years, affecting over 1.2 million Afghans, while in the same period humanitarian assistance has more than halved to US\$432 million – the lowest figure since 2001. Despite there being a National IDP Policy launched in February 2014, the policy has not yet been implemented due to the lack financial resources and technical expertise as well as the lack of political will within the Afghan government. Most of the IDPs live in extremely dismal conditions with limited to no access to adequate shelter, portable water, adequate food and access to basic services such as health and education. It is deeply worrying that internal displacement has sharply risen while at the same time humanitarian assistance has rapidly decreased, and we urge you to address this discrepancy including by implementing the recommendations set out below.

Secondly, civil society activists and human rights defenders (HRDs) play a vital role in bringing about economic, political and social progress in Afghanistan. With conflict and violence increasing in the country and attacks against them seemingly increasing, their protection should be a priority topic in discussions and decisions arising from the Brussels Conference on Afghanistan, including how best the Afghan government and its international partners can best support them.

In view of these concerns, we urge you as a donor and partner at the conference to:

Uphold the rights of the internally displaced

- Ensure that humanitarian and other assistance to Afghanistan includes a focus on internally displaced persons and returning refugees and supports initiatives that address the priority needs of these populations, such as adequate housing, water, food, education and sanitation

- Ensure that the IDPs National Policy is fully implemented and all the needed financial and technical resources are provided to the Afghan government including to the Ministry of Refugees and Repatriation and aid agencies to respond effectively and timely to the growing displacement and their needs.
- Offer to extend expertise and training to Afghan institutions involved in assisting IDPs and implementation of Afghanistan's "National Policy on Internally Displaced Persons"
- Not establish any migration deal between the EU and Afghanistan that would make financial assistance dependent upon Afghanistan's cooperation on readmission and returns or otherwise compromise the respect, protection and promotion of the rights of refugees and migrants

Protect human rights defenders:

- Urge the Afghan government to take concrete steps to ensure that all allegations of threats or attacks against human rights defenders are reported to government authorities, including the Afghan National Police and the National Directorate of Security; are appropriately responded to, and fully and impartially investigated and the perpetrators are held to account; and that this is monitored effectively by the Ministry of Interior
- Continue to support the Afghanistan Independent Human Rights Commission with adequate financial resources and technical assistance including support for staff protection.
- Prioritise support and resources to women human rights defenders who are particularly vulnerable in insecure and volatile areas of Afghanistan
- Ensure comprehensive funding and resources are available to protect human rights defenders, including for fully implementing the "EU+ Local Strategy to Protect Human Rights Defenders in Afghanistan"ⁱⁱⁱ

In line with the EU's human rights foreign policy and indeed the recently published EU Global Strategy we strongly recommend that the occasion also be used to engage the Afghan government on the broader human rights situation in the country and that the EU express explicit support for human rights defenders in that regard.

We would welcome further discussion of these issues and are happy to provide any further information that would be useful to you in improving the human rights situation in Afghanistan.

Yours sincerely,



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ⁱ Amnesty International, "My children will die this winter': Afghanistan's Broken Promise to the Displaced," 31 May 2016
<https://www.amnesty.org/en/documents/asa11/4017/2016/en/>

ⁱⁱ Amnesty International, "Their Lives on the Line: Women Human Rights Defenders under Attack in Afghanistan," 5 May 2015
<https://www.amnesty.org/en/documents/asa11/1279/2015/en/>; Amnesty International, "EU must act for women human rights defenders under attack in Afghanistan," 5 May 2015 http://www.amnesty.eu/content/assets/Letters2015/B1673_HRVP_Women_HRDs_in_Afghanistan_05052015.pdf

ⁱⁱⁱ "EU+ Local Strategy for Human Rights Defenders in Afghanistan 2014,"
https://eeas.europa.eu/delegations/afghanistan/documents/eu_afghanistan/eu-local-strategy-for-human-right-defenders-in-afghanistan-2014_en.pdf