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Ms Ylva Johansson

Commissioner for Home Affairs
European Commission

30 August 2021

Dear Commissioner Johansson,

URGENT CALLS TO PRIORITISE THE SAFE PASSAGE AND PROTECTION OF AFGHANS AT RISK

Ahead of the extraordinary Justice and Home Affairs Council to take place on 31 August 2021, I am writing to express our grave concern over the human rights and humanitarian catastrophe that is unfolding in Afghanistan following the collapse of the Afghan government and takeover by the Taliban.

In the past week, people across the world have watched in horror as thousands of Afghans desperately headed to the Hamid Karzai International Airport in Kabul in an attempt to flee the country, fearing reprisal and persecution from the Taliban. Several media reported crowds facing restrictions, indignity, violence and even death as the Taliban and the US Military have used gunshot to control the crowds at the airport. Shocking videos of Afghan citizens running after a US military airplane as it was about to take off and some falling to their death after trying to stow away on the plane speak powerfully of the fear and uncertainty among many Afghans. On Thursday 26 August, two suicide bombers and gunmen carried out attacks at and around Kabul airport, killing over 100 people, mostly among Afghan men, women and children waiting to be evacuated from the capital, and including and at least a dozen US servicemen and women.

In the past, the Taliban has been responsible for systematic and widespread violations of human rights. [A recent Amnesty International investigation](#) documented the massacre by the Taliban of nine ethnic Hazara men after they took control of Ghazni province last month. The brutality of these killings is a reminder of the Taliban's past record and proof that religious and ethnic minorities remain at particular risk. We have no reason to believe that a new Taliban government would change those practices. The risk of a catastrophic roll-back of the rights of women and girls under the Taliban rule cannot be ignored, as early reports of restrictions on women's activities already emerge.

We are particularly concerned about the risk of persecution and targeted attacks on human rights defenders, women's rights activists, journalists, media workers, civil society activists, academics, women leaders and individuals who have worked for international organisations and foreign countries. After the deadly attacks in Kabul, the evacuation operations initiated by various governments, including many European ones, are being wrapped up earlier than the scheduled deadline of August 31, set by the US for hand over to the Taliban, and it is becoming increasingly apparent that many are being left behind.

At the same time, the humanitarian crisis has escalated. Banks are closed, government offices are shut and there is a rise in living costs including food, water and groceries. There are concerns over shortages of food

and other essential items. The fate of around five million internally displaced people is unclear as the fear of violence and restrictions on humanitarian workers have impacted the support to these groups.

In light of the concerns expressed above, we urge ministers attending the meeting to prioritise the protection of Afghan people by urgently taking the following actions:

- Actively arrange or support safe passage out of Afghanistan and evacuations, particularly via land, including from neighbouring countries for all those at risk of being targeted by the Taliban. The support should not be limited to government officials, embassy personnel, translators and other individuals associated with foreign countries, but must also include women activists, human rights defenders, civil society activists, academics, journalists and marginalized groups. Support must extend to providing to the greatest extent possible the necessary paperwork in local languages and all other measures (security escorts, negotiations with the Taliban, etc.) needed to allow those at risk to leave Afghanistan.
- Suspend all visa requirements for Afghan nationals wishing to leave Afghanistan at least until the security situation allows for embassies and consulates to reopen and for visa-granting processes to function in a prompt, effective and transparent way.
- Offer humanitarian visas in numbers adequate to the scale of the crisis, to both Afghans in Afghanistan, and Afghans in neighbouring and host countries such as Iran, Pakistan and Turkey.
- Open other safe and regular pathways for Afghans wishing to seek protection in the EU and ease evidential requirements to facilitate the reunion in Europe of separated members of extended families.

The EU and its member states must refrain from extremely damaging responses that put emphasis on keeping the EU's border "protected" and proposing or adopting measures that shift the responsibility for the protection of refugees to third countries. Instead, Amnesty International calls on EU countries to ensure the following:

- Access to the territory and to fair and effective asylum procedures and adequate reception conditions to Afghans reaching Europe independently to seek safety.
- Re-examine ex officio all rejected asylum cases and cases for which other forms of protection were revoked or not renewed, allowing for the assessment of emerging protection needs arising sur place.
- Consider all Afghan women and girls as prima facie refugees, on the grounds of the risks that they would face upon return to Afghanistan and the high probability of recognition as refugees.
- Ensure that all Afghans currently in the EU without adequate documentation are provided with residence permits and other documents to ensure they can fully enjoy their human rights and access basic services.
- Stop returns of all Afghan nationals, including to third countries where they may be at risk of being returned to Afghanistan such as Turkey.

Amnesty International further calls on the European Commission to take the following urgent actions:

- Present a proposal to the Council for the activation of the Temporary Protection Directive with respect to groups of Afghans at risk, with a view to facilitating their safe and orderly arrival and protection in Europe in compliance with measures to ensure solidarity among EU countries.

- Step up, initiate, coordinate and fund comprehensive and effective resettlement and community sponsorship programmes for Afghan refugees in neighbouring and transit countries.
- Contribute effectively to the global humanitarian response in Afghanistan and neighbouring countries to meet funding and other needs.

Thank you for giving your urgent attention to this matter. We stand ready to provide you with more information on the issue, should you require it.

Yours sincerely,

Eve Geddie,



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