

# .....**REFUGEES FROM**

# **AFGHANISTAN:**

## **The world's largest single refugee group**

Two decades of civil war and serious human rights abuses have forced millions of Afghan men, women and children to flee their homes and seek refuge in other parts of Afghanistan or outside the country. Since the armed conflict began after the Soviet invasion in 1979, civilians - women and children in particular - have suffered enormously from the devastating consequences of continuous fighting. All the warring factions that have been party to the conflict over the years have given precedence to their military objectives over the lives and livelihoods of the people of Afghanistan. Hundreds of thousands have been killed or injured in indiscriminate bombing and shelling of residential areas. Thousands have been arbitrarily arrested, tortured and raped, "disappeared", or murdered for their political affiliation, ethnic identity, gender, or in reprisal attacks by the various armed groups fighting for control of territory. Schools, hospitals, homes, and farms have been burned and destroyed leaving millions of Afghans displaced and dispossessed.

Between the years 1979 and 1992, more than a fifth of Afghanistan's population - over six million people - were driven from the country in search of safety, mainly to the neighbouring countries of Iran and Pakistan. Although many returned in anticipation of peace following the collapse of the pro-Soviet government in 1992, the continuation of the armed conflict and deteriorating law and order and human rights situation, has resulted in a large numbers choosing not to return. Moreover, even as substantial numbers of refugees have gone

back under UN-sponsored programs or on their own, the volatile political situation and continued acts of violence and repression have produced new refugee outflows. This situation has seen Afghans remain the largest single refugee group in the world for the past 20 years. The current number of Afghan refugees is estimated to be more than two million, residing mainly in Pakistan and Iran.

Today, many Afghan refugees live in a state of anxiety and uncertainty. They see little hope of an early return in safety and in dignity to their homes in Afghanistan, and yet they are finding that their presence in their countries of asylum is increasingly resented. Possessing few rights in their asylum countries and vulnerable to harassment and discrimination, Afghan refugees will continue to suffer abuses, dislocation and poverty whilst they wait for the warring parties in Afghanistan and the international community to ensure respect for humanitarian law and human rights, and effective protection for returnees.

### **REASONS FOR FLIGHT - ARMED CONFLICT AND HUMAN RIGHTS ABUSES**

Despite the prohibition under international humanitarian law on attacks against civilians in armed conflict, all parties to the civil war in Afghanistan have targeted individual civilians and the civilian population in general, as a means of advancing their own political and military objectives.

The social costs of two decades of civil war in Afghanistan have been enormous. More than one million civilians are believed to have been killed and countless others injured. During the time of the Soviet occupation, over six million people fled the country. Although many returned after the Soviet withdrawal, there are still over two million Afghan refugees in Iran and Pakistan, making Afghans the largest single refugee group in the world. Inside the country, the infrastructure and institutions of state have been largely destroyed by the conflict. According to the UN, the socio-economic conditions of the population are amongst the worst in the world. Healthcare is rudimentary and many are without access to basic healthcare provision. Thousands of children die from malnutrition and respiratory infections every year. Maternal mortality is one of the highest in the world. Literacy rates are extremely low and are estimated to have dropped to as low as four per cent for women. Afghanistan is ranked bottom of the UN gender development index.

*During the ten years of fighting that followed the Soviet invasion, serious human rights abuses were reported as the Soviet-backed Afghan government tried to suppress military and political opposition to its rule. In towns and cities, students and teachers were arrested for expressing opposition to government policies, including for participating in largely peaceful demonstrations. Thousands of political prisoners were detained and tortured on account of the non-violent exercise of their fundamental human rights. Civilians in rural areas where most of the fighting took place were targeted by Soviet and Afghan troops apparently in reprisal for the actions of armed opposition groups who operated in the countryside. Villages were attacked and shelled by government forces, killing men, women and children. Many of those who weren't killed or injured fled the country.*

After the fall of the pro-Soviet government in April 1992, and the subsequent formation of the Islamic

State of Afghanistan, the nature of the Afghan civil war changed. As parts of the country plunged into lawlessness and banditry became common in much of southern Afghanistan, the civilian population were the victims of a struggle for power between Mujahideen leaders and between local commanders. Kabul and other major cities which had remained largely unaffected by 14 years of fighting between the former government and the armed opposition groups became battle grounds for rival Mujahideen guards as they fought each other over the control of both neighbourhoods and administrative institutions. Violent clashes between armed groups organised along ethno-religious lines led to the arbitrary arrest of unarmed civilians, raids against their homes, and the rape of women. Specific groups and individuals were targeted for arbitrary arrest, torture, and "disappearance". Those at risk included people closely associated with the former communist regime, educated women, academics and other Afghan

Civil war broke out in Afghanistan in 1979 after Soviet troops invaded the country to back the communist government in power. Islamic and tribal groups opposed to the policies of the communist government and the Soviet occupation responded by mounting armed opposition. For ten years the country became a Cold War battleground, as Soviet and Afghan government troops fought against armed Islamic guerrilla fighters backed by the USA and its European allies, Pakistan, Saudi Arabia and Iran.

After the Soviet withdrawal in 1989, fighting continued between government and opposition forces until the communist government finally collapsed in 1992. The fall of the government did not bring peace, however, as the loosely allied and fractious Mujahideen groups started fighting each other for control of territory and administrative institutions. Despite the formation of a coalition interim government, central political authority was weak and unstable, and areas of Afghanistan plunged into lawlessness.

At the end of 1994, a new political and military force - the Taliban - emerged on to the scene. Stating as their aim to rid Afghanistan of corrupt Mujahideen groups, the Taliban have succeeded in capturing large areas of country from opposing armed groups. They are now said to control around 80 per cent of Afghanistan. Fighting however continues between the Taliban and opposition forces and the political situation remains volatile.

Thousands of children have been made orphans by the conflict in Afghanistan, but many more have suffered emotional trauma after being separated from their parents during the chaos of displacement and flight.

Mariam was just 9-years-old when she was left behind in Afghanistan after her family had fled the country.

Mariam's mother, a school teacher during the communist period, made the difficult decision to leave Afghanistan after her husband "disappeared" and she herself was threatened by Mujahideen guards. Using all the family's savings, Mariam's mother took her terminally ill son - Mariam's brother - to Germany for medical treatment. Unfortunately, there wasn't enough money to pay for Mariam as well so she was left behind with family friends.

For two and a half years, Mariam's mother was tormented with worry about the whereabouts and safety of her daughter. After gaining refugee status in Germany, she couldn't return to Afghanistan to look for her daughter and the capture of Kabul by the Taleban made it unsafe for her to do so. Eventually in 1998, she heard news that Mariam was in Pakistan. After gaining permission for Mariam to join her in Germany, mother and daughter had an emotional reunion when Mariam arrived on a plane from Pakistan.

professionals opposed to the new political system and members of some ethnic and religious minorities.

The wider civilian population also suffered to a great extent as Kabul came under heavy-weapon attacks and was subjected to food blockades. Bombardments of residential areas during 1993, 1994 and 1995 killed thousands of Afghan civilians and reduced much of the city to rubble. In 1994, a food blockade lasting many months was imposed on the capital by the forces allied to the then Prime Minister Gulbuddin Hekmaytar and those of the northern military leader General Dostum, who were fighting the forces of President Burhanuddin Rabbani. Food convoys organised by international aid agencies were denied access to the capital. After extensive negotiation and repeated warnings by international aid agencies that starvation was imminent for some 700,000 people dependent on relief supplies, the blockade was eventually lifted in December 1994.

With the emergence of the Taleban in late 1994, the nature of the civil war in Afghanistan shifted once again. Compared to the Mujahideen groups of the past, the Taleban have appeared to be a more unified force, albeit still very loose in structure. As they have succeeded in capturing all major towns in the country, their policy of disarming opposition groups has resulted in a reduction in acts of banditry and extortion.

However, despite the improvements brought by

the Taleban in some aspects of personal security, serious human rights abuses have continued to be reported in Taleban-controlled areas.

In the context of the ongoing fighting with the alliance of opposition forces – which is at the moment mainly confined to the northeast of country – there have been reports of the Taleban militia carrying out indiscriminate killings and deliberate and arbitrary killings of civilians on a mass scale. In August 1998, thousands of Hazara civilians - men, women and children - were reported to have been massacred by Taleban guards when they captured the northern city of Mazar-e Sharif from anti-Taleban forces. The Taleban's previously unsuccessful attempt at capturing Mazar-e Sharif in May 1997, reportedly resulted in around two thousand captured Taleban fighters being killed by the opposition forces.

Elsewhere in the country, there have been reports of arbitrary and unacknowledged detention and torture of civilians by the Taleban militia. Members of the Tajik, Uzbek, and Hazara ethnic groups who have been accused of supporting the opposition alliance, or people accused of being 'communists', have at various times been arrested and detained in Kabul and other Taleban-controlled areas. In May 1998, Taleban radio warned against a 'communist' revival, saying that steps had been taken to find and punish communists '...working under different names and guises'<sup>1</sup>. Those accused by the Taleban of

being communists have ranged from members of Afghan political parties advocating a negotiated settlement to end the conflict, to Afghan nationals working with international aid agencies.

In addition to the above, the enforcement of the Taleban's interpretation of Islamic law has resulted in curbs on fundamental rights and freedoms previously enjoyed by sections of Afghanistan's civilian population. The rigid social code imposed by the Taleban includes severe restrictions on women's freedom of movement, expression, and association. Women have been barred from employment outside the home and all but the most limited schooling for girls has been discontinued in many areas. Women's access to healthcare has also been adversely affected by the restrictions. Women and men have been publicly beaten for not adhering to the Taleban's dress code.

In July 1997, the Taleban authorities announced an amnesty for all Afghan nationals residing abroad who returned to Afghanistan. The amnesty declared that no returnee would be subject to harassment, intimidation, discrimination or persecution for reasons of race, religion, nationality, membership of a particular social group, political opinion or gender. The value of this amnesty, however, remains open to question when arbitrary arrest, ill-treatment, torture and summary killings on grounds of their political affiliation, ethnicity or gender reportedly continues.

### **The internally displaced**

A significant number of Afghans who have been uprooted from their homes and forced to flee for their lives have remained inside Afghanistan, seeking safety in remote areas, in the mountains, in different towns, or in camps near Jalalabad and Herat. It is estimated that one million Afghans have been internally displaced by the conflict since 1992, some forcibly.

Some families have moved several times as the fighting has flared up in different areas and control of territory has changed hands. In the three months following the Taleban takeover of Kabul in September 1996, around 50,000 people were reported to have fled the city. Amongst those who left were educated people and members of minority ethnic groups who feared harsh treatment by the Taleban militia. Others fleeing were afraid that fighting in the capital would escalate if the opposition tried to recapture it.

A few months later, the tide had turned. In January 1997, around 90,000 mainly from the Tajik ethnic group people headed for Kabul to escape the fierce fighting taking place north of city between the Taleban and anti-Taleban forces.

In November 1996, between 40,000 and 50,000 people were reportedly displaced in Badghis province as General Dostum's forces fought against the Taleban. It was suggested in some reports that the

displacement appeared to be taking place along ethnic lines, with almost all of those arriving in the western city of Herat being ethnic Pushtuns. Several thousand people were reportedly chased from villages in the north by forces allied to General Dostum on the grounds that the villagers, being ethnic Pushtuns, may have collaborated with the Taleban.<sup>ii</sup>

Most recently, in July 1999, as the Taleban launched a summer offensive against opposition positions in the Shamali plain, north of Kabul, up to 100,000 people were reported to have been displaced. Amongst these are at least 10,000 believed to have been forcibly displaced by Taleban fighters. In a statement on 14 August<sup>iii</sup>, the UN confirmed that large scale forced displacement had occurred from the Shamali valley and called on the Taleban to immediately halt the campaign against the civilian population. According to the UN, within a period of less than thirty-six hours on 13 and 15 August, over 1870 families –approximately 10,000- people had entered Kabul. Arrivals in the capital stated that Taleban fighters had forced men, women and children out of their houses and told them to walk the 40 kilometres to Kabul. Families spoke of whole villages being burnt to the ground and crops set on fire. Many of new arrivals in Kabul were said to be dehydrated and destitute, possessing only what they were able to carry from their houses. There were also reports of men being separated from their families and detained by the Taleban.

In response to international concerns the Taleban authorities admitted burning the houses of opposition supporters, but claimed they were being used by fighters as "military installations". An official of the Taleban administration, Maulvi Abdul Latif Mansoor, told Associated Press "We were forced to destroy irrigation systems and orchards in some places where our soldiers were being targeted and killed."<sup>iv</sup>

## **CONDITIONS AFTER FLIGHT - THE HUMAN RIGHTS SITUATION FOR AFGHAN REFUGEES IN COUNTRIES OF**

International humanitarian law establishes minimum standards for the protection of civilians in situations of armed conflict which all governments and opposition groups must uphold. In particular, Common Article 3 requires the humane treatment without any adverse distinction of all persons who do not take a direct part or who have ceased to take part in hostilities. This includes members of the armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention or any other cause.

Additional Protocol II to the Geneva Conventions enjoins all parties to hostilities to ensure the general protection of civilian population against the dangers arising from military operations. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

Also prohibited is the forced movement of civilians and starvation of civilians as a method of combat:

*Article 14 - Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.*

*Article 17 - (1) The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.*

*(2) Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.*

## **ASYLUM**

The end of flight does not necessarily mean the end of danger, and this has been the unfortunate reality for a number of Afghan refugees. Having made a long and arduous journey across inhospitable terrain to reach a place of asylum, many have not found safety or security. In Pakistan, Afghans have continued to be at risk of violence from Afghan armed groups who are active in the border areas and who have at times been in effective control of the refugee camps. Scores of refugees have been murdered in the very place they had fled for safety.

Moreover, many Afghan refugees in Pakistan and Iran have endured hardship and deprivation as they have struggled to meet their basic living needs. Although refugees have been allowed to work in these countries and have received a degree of support from local and international sources for health and education facilities, most still eke out a meagre living to sustain themselves and their families. Arguing that the burden of hosting such vast numbers of refugees for such a long period has taken a toll on their economies, both Pakistan and Iran have made persistent calls for their repatriation. These calls together with the apparent risks awaiting returnees to Afghanistan have made life for the refugees even more uncertain. This situation has no doubt been aggravated by the fact that international monetary support for the refugees has declined over the years.

### **Afghan Refugees in Pakistan**

Most of the approximately one million Afghan refugees living in Pakistan are located in the border areas of North West Frontier Province and Balochistan. An estimated 950,000 are housed in refugee settlements, the rest in towns and villages. Numerous UN agencies operate in Pakistan in support of the Afghan refugee community dealing with protection issues, resettlement, repatriation, as well as welfare and education programmes. Direct food assistance to refugees was stopped in 1995 following an assessment by UNHCR and the World Food Programme (WFP) that the population was in a position to achieve self-sufficiency. However, this assessment has been contested by non-governmental organisations who have pointed to subsequent studies which indicate that the refugees have continued to face enormous difficulties in their efforts to survive. Assistance has been provided to vulnerable refugees, but at a minimal level, and these have depended on the charity of their neighbours and relatives. New waves of refugees have been supported with food and shelter for limited periods. Many Afghans have been able to work, although jobs available to them are usually poorly paid.

Within local communities there has been signs of growing resentment to the prolonged presence of the refugees in Pakistan. Local Pakistani officials have made intermittent statements in recent years about the need for repatriation of Afghan refugees. In September 1998, bureaucrats in North West Frontier Province reportedly met to devise a strategy for repatriating the refugees. In February 1999, the provincial Chief Minister announced plans to restrict all refugees to the camps in response to complaints that Afghans were taking away jobs from local people. Although the plans have not been

implemented as yet, the Chief Minister has repeated his call to the international community to assist the refugees to return to their homes in Afghanistan.

In addition to the general hardship experienced by many refugees in Pakistan, some refugees have been the targets of intimidation, harassment and even assassination by Afghan armed groups operating in Pakistan. Secular-minded Afghan academics and professionals as well as members of Afghan political parties opposed to the continued fighting in Afghanistan have faced frequent threats to their lives by Afghan armed groups in Pakistan. Educated Afghan women, particularly those working for the education and welfare of Afghan women and children refugees, have also been threatened. In many instances the Pakistan authorities have failed to respond to threats made against Afghans: they have failed to provide adequate protection to prominent Afghans in Pakistan and failed to investigate and bring to justice the perpetrators of the political killings.

### **Afghan Refugees in Iran**

During the early years of the Soviet occupation of Afghanistan, the majority of Afghan refugees in Iran lived alongside Iranians in towns and villages. Many Afghans were able to find employment and some had access to education and healthcare. However, with the downturn in Iranian economy in recent years, refugees are now being viewed in some quarters as an unwelcome drain on country's resources. The Government of Iran has complained that it has supported a huge refugee population largely without international assistance. It has made repeated calls in the past couple of years for the organised return of refugees amid reports of the forcible repatriation of Afghan refugees.

The Iranian authorities have clamped down on the issue of identity cards for refugees. Since 1992, there have been very few permanent residence permits granted to Afghan refugees in Iran and temporary residence permits were last issued in 1995. Although another type of short-term card is currently being issued the situation as regards identity documentation has become confused, with reports of Afghans having had their cards confiscated and being forced to seek new documentation. In July 1997, the authorities announced the changing of identity cards for all foreigners with a warning that all those found to be staying illegally would be expelled from the country. During 1998 and early 1999, there were reports of thousands of Afghans being forcibly returned to Afghanistan from Iran. Afghans without valid visas or residency permits appear to be most at risk of being rounded up by the security forces, but even those with valid identity cards fear being expelled from the country.

In May 1999, an international refugee aid conference was held in Tehran to discuss refugee issues. The UN refugee agency, UNHCR, reportedly reached a tentative agreement with the Government of Iran to allow a greater number of Afghans to return home voluntarily, whilst discouraging expulsions. However, forcible returns have continued to be reported from Iran. For instance, according to UNHCR's field unit in Zaranj, western Afghanistan, 40 families and 1,110 single returnees were forcibly returned to Afghanistan from Iran through the border at Nimroz in August 1999.

### **Afghan Refugees in Europe**

Despite the protection and assistance problems for Afghan refugees in Iran and Pakistan, UN officials have commended the generosity displayed by both Iran and Pakistan in opening their doors to millions of Afghan refugees. Sri Wijeratne, former head of UNHCR in Afghanistan, remarked that "the example of Pakistan and Iran should be studied very carefully by many countries who try to shut up shop when confronted with caseloads a fraction of the size of the Afghans"<sup>v</sup>

The countries of Europe, by comparison, have accepted very small numbers of Afghan refugees, and have done so with apparent reluctance. The total number of asylum applications made by Afghans in European countries between 1989 and 1998 was, according to UNHCR, 99,350. Of these, the total number who were recognised as refugees under 1951 Convention or granted humanitarian status was 39,436.<sup>vi</sup> Germany and the Netherlands have received the most number of applications.

Despite the fact that the vast majority of the world's refugee population, including Afghans, live in many of the world's poorest countries in the south, the countries of Europe and other northern states have taken concerted steps to make it nearly impossible for refugees to enter their territories and to deny protection to many of those with a valid claim to asylum who do succeed. Increasingly, European countries are obstructing access to their countries by applying asylum criteria restrictively, detaining asylum-seekers, or returning them to "safe third countries" - measures that may obstruct fair assessment of asylum claims.

In Germany many asylum applications of Afghans have been rejected on the grounds that since there is no effective state in Afghanistan to commit human

rights violations, there is therefore no obligation for the asylum country to grant refugee status. This stance clearly goes against the stated intention of the UN Refugee Convention that protection should be given to those whom the state is unwilling or unable to protect, and goes against the spirit of protecting those at risk of persecution.

Authorities in a number of European countries have considered Pakistan to be a safe destination for returned Afghan asylum seekers. However, in the present political climate in both Pakistan and Afghanistan, returned asylum seekers would be at risk of being targeted by the very groups whose threats led them to seek asylum in the first place. Although different categories of Afghan refugees continue to be at risk of serious human rights abuses in Pakistan at the hands of Afghan armed groups, Afghan intellectuals and those considered to hold moderate political opinions also as a group feel under threat and have to take great care not to become the objects of rumour on the basis of their views or their contact with foreigners.

Hundreds of Afghan asylum-seekers in Europe who have had their claims to asylum rejected live in fear of being deported. Their status is unclear and subject to change.

In late 1998, the European Union (EU) established a High Level Working Group (HLWG) to draw up action plans on countries where large numbers of refugees seeking asylum in the EU originate or travel through. The plans aim to address the root causes of migration in the countries targeted and propose measures to be taken by the EU in response to the migration. Measures being considered apparently include readmission agreements, enhancement of human rights protection and development aid. The six countries being targeted by the HLWG are Afghanistan, Iraq, Somalia, Sri Lanka, Morocco and Albania. Research is also being undertaken on first countries of asylum for refugees fleeing from some of these countries to look at the possibilities of reception in the region. The work of the HLWG is part of a broader plan by the EU to coordinate immigration policy and harmonise asylum procedures and policies within Europe. As yet the final version of these plans have not been made public, so it remains to be seen how the measures drawn up will be implemented in practice. However, there is concern in some quarters that the plans may make it even more difficult for asylum seekers in need of protection to find refuge in Europe.



Europe's restrictive refugee policies have been criticised by UNHCR. In February 1999, the head of UNHCR, Sadako Ogata, bemoaned the fact that European policy on asylum issues was increasingly coming down to the "idea of controlling immigration and domestic security". However, measures taken by European countries to fight illegal immigration "equally affect immigrants and refugees, who are in need of protection".<sup>vii</sup>

### **INTERNATIONAL RESPONSIBILITY FOR REFUGEE PROTECTION**

Refugees are of international concern and the international community has a clear responsibility to protect the fundamental rights of refugees given that their relationship with their own state has broken down.

International standards relating to the protection of refugees recognise that a large-scale influx of refugees may pose serious practical and financial problems to host countries, and that in such situations it is the responsibility of the international community to help host countries provide refugees with the assistance and protection to which they are entitled. The international community should make efforts to share fairly the protection costs of refugees and to resolve the situation in the country of origin so that the refugees can return safely.

For Afghan refugees, however –as for many other refugee groups– there appears to be a marked lack of commitment on the part of the international community to uphold its responsibilities.

In terms of sharing the protection costs of Afghan refugees, the international community appears to be moving towards a complete abdication of its obligations. In addition to devising more extensive and elaborate means of preventing Afghan asylum-seekers from reaching their borders, the countries of the north have over successive years reduced their funding for aid programmes in Afghanistan even though such cuts affect the welfare and fundamental rights of all Afghans.

Midway through 1999, the UN's Consolidated Appeal for Afghanistan has received pledges for only about one-quarter of the funding necessary to continue priority assistance programmes in Afghanistan. Moreover, the ear-marking of funds by donor governments has resulted in some key areas being severely under-funded. The five key areas of assistance for Afghanistan which have been identified by the UN are: **1.** support to the return of refugees from neighbouring countries; **2.** alleviation of human suffering; **3.** protection and advancement of human rights; **4.** provision of basic social services; and **5.** empowerment of Afghan men and women. The UN has reported that while the refugee return programme has been fully funded, assistance for refugee

War has been the background and context for widespread and serious human rights abuses in Afghanistan for the past 20 years. The conflict, which has so devastated the country, has been fuelled by outside powers who have provided political and military support to their favoured Afghan armed group, advancing their own geo-political and economic goals at the expense of the lives of millions of Afghan civilians. For over a decade during the Soviet occupation vast quantities of arms and ammunition poured into the country at a cost of untold millions of dollars. The states primarily responsible were the former Soviet Union (including its successor states of the Commonwealth of Independent States), the USA and its western European allies, Pakistan, Saudi Arabia and Iran. All seemed indifferent to the fact that the arms they financed were being used to commit human rights abuses on a massive scale. Even today, years after the Soviet withdrawal, outside political and military interference is recognised as being a critical factor in the perpetuation of the conflict, and in the persistence of human rights abuses. As stated by the UN Secretary General in November 1998: "Afghanistan, once a flashpoint of superpower rivalry, has now become the stage for a new, regional version of the "Great Game", in which the domestic, economic and national security interests of Afghanistan's neighbours and their supporters are played out. A vicious cycle has developed in which the inability of the Afghan factions to agree to a political settlement is both the cause and the effect of persistent outside interference in the affairs of Afghanistan."

reintegration - shelter, water, sanitation, and health - has reached only 3% of the total amount needed. The lowest response of all has apparently been in the areas of human rights protection and the empowerment of Afghans to build sustainable livelihoods.

In the words of the UN Office for the Coordination of Humanitarian Assistance to Afghanistan: "*What message does the outside world expect Afghans in need to draw from this low but selective response*".

### **CONCLUSION AND RECOMMENDATIONS**

Grave human rights abuses perpetrated in the context of a violent and destructive civil war are the main reasons why millions of people have fled Afghanistan over the past two decades. If there is to be a lasting resolution to the Afghan refugee crisis, it is vital that the underlying human rights issues are addressed. Amnesty International therefore calls on the warring factions in Afghanistan to abide by the principles of international humanitarian law. It also calls on members of the international community to use their influence with the warring factions to promote respect for fundamental human rights in Afghanistan and to ensure that all Afghan refugees have the protection they need until they can return

Although Afghanistan continues to be racked by civil war and serious human rights abuses continue to be reported, thousands of refugees still make the decision to return to the country each year. Some go back on their own, whilst others return under voluntary repatriation schemes supported by UNHCR. The majority of those going back are peasant families returning to the rural areas of the east which are relatively free from conflict. Even so, it is said to be a testimony to the courage and resilience of the Afghan people that they are prepared to return to a country which is still devastated by civil war— where basic health, education and other services have collapsed; where irrigation systems and the agricultural sector have been neglected and destroyed; and where landmines continue to pose a lethal hazard to returnees trying to rebuild their lives. To enable them to succeed in reconstructing their communities, returnees are dependent on a lot of technical support and assistance from the international community.

During 1998, in light of deteriorating security and human rights situation in Afghanistan and the withdrawal of UN and international aid agencies from the country in July and August 1998, UNHCR stated that it neither promoted nor encouraged repatriation of Afghan refugees to Afghanistan. However, those who chose to return, still received assistance from UNHCR. In 1998, UNHCR assisted about 107,000 refugees returning to Afghanistan. Of these 93,000 returned from Pakistan and 14,000 from Iran.

to their homes in Afghanistan in safety and dignity.

**Recommendations to Afghan Armed Groups:**

- *Afghan armed groups are urged to adhere to international norms and standards relating to the protection of human rights and respect the right to life and security of the civilian population.*
- *Armed groups should take steps to ensure that their own members, and members of armed groups allied to them, are prevented from perpetrating acts of violence or repression against the civilian population such as beatings, torture, deliberate or indiscriminate killings, and arbitrary arrest.*

**Recommendations to the International Community:**

- *The international community and particularly those governments with influence over the warring factions in Afghanistan should bring pressure to bear on the armed groups to respect fundamental human rights in all circumstances.*
- *Outside governments that have provided arms, or continue to provide arms, or political support to the warring factions in Afghanistan have a particular responsibility to ensure that human rights abuses are brought to an end. Governments must end transfers of equipment and training to warring factions in Afghanistan which would be used to commit or facilitate human rights abuses.*
- *Members of the international community are urged to share equitably the responsibility for hosting Afghan refugees and funding their support. States hosting refugees should receive the full support of the international community. International organisations responsible for providing refugee protection and assistance should be able to operate with secure funding.*

**To governments in countries of asylum:**

- *Countries which host Afghan refugees are urged to strictly adhere to the provisions of the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol. No Afghan refugees should be forcibly returned to Afghanistan where they could be at risk of serious human rights abuses. No Afghan refugees should be returned to a third country where they could be at risk of serious human rights violations or forcible return to Afghanistan.*
- *Those countries in the north which host Afghan refugees are additionally urged to end practices that prevent or deter asylum-seekers pursuing claims and provide refugees with a fair and satisfactory asylum procedure.*

The main countries with influence are brought together by the UN in the “Six plus two” group, which meets regularly under UN auspices to discuss ways of bringing peace to Afghanistan. This consists of the six countries bordering Afghanistan - Pakistan, Iran, Turkmenistan, Uzbekistan, Tajikistan, China - plus the USA and Russia.

Other countries with influence that have attended UN meetings on Afghanistan: Egypt, France, Germany, India, Italy, Japan, Kazakhstan, Kyrgyzstan, Netherlands, Saudi Arabia, Sweden, Turkey, UK and the Organization of the Islamic Conference (OIC).

Afghanistan Support Group brings together main donors and organizations working in Afghanistan. These countries overlap with the UN groupings: Denmark, Finland, France, Germany, Italy, Netherlands, Sweden, Britain, the US, Australia, Russia, Canada, Norway, Japan, and the EU’s executive commission.

### **Please send appeals based on the recommendations above to:**

- YOUR OWN GOVERNMENT**
- THE EMBASSIES OF PAKISTAN, SAUDI ARABIA, IRAN, AND THE USA IN YOUR OWN COUNTRY**
- THE TALEBAN :**

**Alhaj Mullah Mohammad Rabbani**

**Salutation: Dear Mullah Rabbani**

**(Chairman of the Taleban Caretaker Council)  
Embassy of the Islamic Emirate of Afghanistan  
House No 8, Street No. 90  
G-6/3 Islamabad  
Pakistan**

**and**

**Mullah Mohammad Omar  
(leader of the Taleban)**

**Salutation: Dear Mullah Omar**

**Embassy of the Islamic Emirate of Afghanistan  
House No 8, Street No. 90  
G-6/3 Islamabad  
Pakistan**

- THE UNITED FRONT (ANTI-TALEBAN ALLIANCE):**

**Embassy of the Islamic State of Afghanistan**

**31 Prince's Gate  
London , SW7 1QQ**

**ENDNOTES**

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- i. Taleban-controlled *Radio Voice of Shari'a* on 29 May 1999. BBC Summary of World Broadcasts
  - ii. The ethnic makeup of the Taleban is predominantly Pushtun, whereas the northern alliance is comprised mainly of Tajiks, Uzbeks, Hazaras and other minorities.
  - iii. News Release, Office of the United Nations Coordinator for Afghanistan. 14 August 1999.
  - iv. Associated Press report, '*Taliban Destroy Canals, Wells*'. 28 August 1999.
  - v. Afghanistan: The unending crisis, *Refugees*, No 108, II -1997. p. 4. Published by the Public Information Section of the UN Commissioner for Refugees.
  - vi. See UNHCR: *Refugees and Others of Concern to UNHCR - 1998 Statistical Overview*.
  - vii. AFP report, '*UNHCR chief criticises European refugee policies*'. 1 February 1999.