

## **Joint civil society statement: One year after the country's takeover by the Taliban – How did Europe welcome Afghans in need of protection?**

As civil society and Afghan diaspora organisations, we are deeply concerned about the deteriorating situation in Afghanistan and the treatment of Afghan asylum seekers and refugees in Europe.

One year after the Taliban takeover, the country is in a state of lawlessness without a constitution. The overall security, economic and human rights situation is deteriorating, and people's suffering is increasing. Afghanistan's economy has collapsed, and the country is confronting a dire humanitarian crisis, with [23 million](#) people facing acute hunger. The general level of conflict has dropped compared to before August 2021 since the Taliban was a party to the conflict and has taken power, but the country is far from stable. Targeted killings and systematic attacks against religious and ethnic minorities, particularly against the Hazara community, revenge killings by the Taliban against former government officials and former military forces have significantly increased. Freedom of expression and movement of mainly women and girls has been severely restricted. Other rights are violated by measures taken by the Taliban, such as the ban on secondary school education for girls. Many human rights violations and incidents are going unreported in the absence of a vibrant civil society and due to the fear of Taliban persecution.

The UN Assistance Mission on Afghanistan (UNAMA) recently published a [worrying report](#) about the country's security situation and widespread human rights violations. Furthermore, Amnesty International [reported](#) widespread crackdown and torture against women activists.

### **How did Europe respond since August 2021?**

#### **1. Asylum in Europe**

One year since the Taliban takeover of the country, and even though the majority of Afghan refugees are being hosted in the neighbouring countries, the efforts of European governments to provide protection in Europe have been too little and have come too late. Instead, efforts have been made to prevent Afghans from arriving in Europe and to reduce protection for Afghan asylum seekers despite their growing protection needs. Afghan asylum seekers are highly impacted by violence at the borders, pushbacks, and use of the "safe third country clause". [DRC's PRAB](#) initiative collected 1,911 cases of pushbacks at the EU's borders; more than half of them were reported to be Afghan asylum seekers. Barriers also persist for those who are able to access the territory and request asylum as several European governments suspended the examination of Afghan asylum applications in August 2021. The number of pending cases concerning Afghan asylum seekers significantly increased to nearly 100,000 applications in April, as [Eurostat data](#) show. The overall first-instance recognition rates for Afghan asylum seekers keep falling in Europe, from 73% in April to 53% in May, according to the European Union Asylum Agency's (EUAA) [statistics](#), with the recognition rate greatly varying from one Member State (MS) to another MS without any credible reason for the differences to be discerned from the nature of the cases.

Due to the critical situation in the country, UNHCR [urges](#) all States to refrain from issuing any negative decisions or carrying out forced deportations to Afghanistan due to the deteriorating situation in the country. Despite this, several European countries are acting against the UNHCR recommendations, issuing negative decisions for Afghan asylum seekers solely because the violence level has decreased compared to the former situation while ignoring the dire humanitarian crisis, multiple reports of persecution, torture and widespread human rights violations.

These widespread rejections cause renewed suffering to Afghan asylum seekers, most of whom are vulnerable, including former unaccompanied children and teenagers, as it precludes them from accessing essential services.

The EU and its MS responses to displacement from Ukraine are commendable and applauded. However, they should not turn a blind eye to the situation in Afghanistan and the ongoing gaps in EU asylum and integration systems. Afghans who arrive in Europe need protection and solidarity in this time of crisis and hardship, and steps must be taken now to prevent the entrenchment of a two-tier system for refugee protection.

## **2. Safe and regular pathways for protection in Europe**

Shortly after Afghanistan's collapse, the EU and its MS promised to continue evacuating their local staff and Afghans at risk; however, since then, too little effort has been made to evacuate them to Europe. With some exceptions, the majority of MS have now stopped the evacuation of their local staff and Afghans at risk. Whereas the EU's MS committed to admitting 36,000 Afghans at risk through humanitarian admissions between 2021 and 2022, as of April 2022, only [28,700 of these places](#) had been filled with the majority to Germany, mostly through evacuations surrendering the events in August 2021, including former local staff.

Thousands of local staff and Afghans at risk are either stuck in Afghanistan or living in a precarious situation in the neighbouring countries. In the European countries where evacuation and humanitarian admission programmes continue, the evacuation process is very slow and non-transparent, with many bureaucratic obstacles remaining for Afghans to access these pathways and several schemes promised but not operating at scale yet. Moreover, the Taliban are not always cooperative in allowing people to cross the border. Recently Der Spiegel [reported](#) that the Taliban are blocking efforts by the German government to evacuate their former local staff and others at risk.

We call on European countries to continue evacuating their local staff and Afghans at risk in a coordinated and safe manner. In particular, it is vital that the EU collectively remains firm on ensuring that Afghans at risk can leave the country, which is one of the five [benchmarks](#) in their engagement with the Taliban. Following August 2021, many of the Afghans at risk, such as journalists and civil society activists, immediately fled to the neighbouring countries, mainly Iran and Pakistan; their situation should not be forgotten and should be considered under the humanitarian admission and resettlement schemes to Europe.

One year has passed, yet Europe failed to respond holistically to the crisis in Afghanistan. Little has been done to establish safe and regular routes for Afghans wishing to come to Europe, such as facilitating family reunification, establishing community sponsorship schemes allowing community members to host their extended family members and opening education and labour pathways, particularly for women whose education has been disrupted since August 2021.

### **CSOs recommendations to the EU and its MS:**

- European countries should ensure swift and fair access to asylum to those who come to Europe by their own means; examination of Afghan asylum cases and re-examining decided cases should be resumed in light of the most current available reports on the situation in the country and the recommendations of UNHCR.
- European countries should comply with their human rights obligations, including refugee protection standards and ensure the enjoyment of those rights by asylum seekers, including Afghans, in border situations.

- The European Commission should look into MS with low protection rates for Afghan asylum seekers to ensure that decision-making is in line with EU and international refugee law.
- Member States should continue to consider granting subsidiary protection where refugee status is not provided. No Afghan asylum seeker should be left in legal limbo or forced into irregularity. It should be acknowledged that durable returns to Afghanistan are currently unfeasible. In those cases where no international protection is granted, Member States should grant access to the territory and basic rights to avoid Afghan asylum seekers being left in legal limbo and forced into irregularity.
- European countries should make efforts to address and significantly reduce the backlog of cases concerning Afghan asylum seekers.
- European countries should expand and streamline humanitarian admissions for Afghans at risk and their extended family members.
- European countries should speed up the family reunification procedure of Afghan refugees by increasing the capacities of the consulates in Iran and in Pakistan.
- European countries should pledge ambitious resettlement places for Afghans from neighbouring states, including Central Asian countries. In line with UNHCR's calls on the EU to resettle 42,000 Afghans over the coming five years, European countries should collectively commit to receiving 8,500 Afghan refugees through this route in 2023.

**Signatories:**

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Afghan Community in Greece

Afghan LGBT organisation

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Afghan Wulas Cultural Association

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Amnesty International

ARENE - Afghan Refugee Experts Network in Europe

Association for Legal Intervention

Asylex

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Belgrade Centre for Human Rights

Bureau for Rights-Based Development (BRD)

Caritas Europa

CEAR

Center for Peace Studies

Center for Research and Social Development - IDEAS  
Conselho Português para os Refugiados (Portuguese Refugee Council)  
Dutch Council for Refugees  
European Council on Refugees and Exiles  
European Federation of National Organisations Working with people experiencing Homelessness – FEANTSA  
Fenix Humanitarian Legal Aid  
Finnish Refugee Advice Centre  
Flemish Refugee Action  
Forum réfugié  
France terre d'asile  
Generation outside Afghanistan  
Greek Council for Refugees (GCR)  
Greek Forum of Refugees  
Human Rights Watch  
ICMC Europe/Share Network  
Irish Refugee Council  
JRS Europe  
Macedonian Young Lawyers Association (MYLA)  
Migrants council of the city Potsdam  
Mosaico  
Mültecilerle Dayanisma Dernegi (Mülteci-Der)  
Norwegian Refugee Council (NRC)  
Oxus  
PIC - Legal Center for the Protection of Human Rights and the Environment  
Plattform Asyl – FÜR MENSCHEN RECHTE  
ProAsyl  
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