

Afghans represent 21 percent of the over one million refugees who have fled to Europe since January 2015.¹ By labelling Afghanistan as not sufficiently 'war-torn' and discriminating against Afghans at various stages of their journey, Europe has created a hierarchy amongst different nationalities in search of protection.² The situation inside Syria is dire, but Europe cannot ignore those of other nationalities who are also fleeing persecution and violence, and are in need of international protection. All nationalities must be granted their right to a fair and thorough status determination procedure based on their individual circumstances, and meaningful access to protection.

Action is needed in four areas:

- 1. Ensure a fair, thorough and effective asylum process for all nationalities**
- 2. Expand relocation to Afghans and accelerate family unity transfers from Greece to other EU countries**
- 3. Ensure Afghans and other non-Syrians in Turkey have meaningful access to temporary protection**
- 4. Commit to an expanded resettlement programme and safe alternative pathways into Europe**

Afghans have suffered over 37 years of continuous armed conflict since 1979. Currently, the country continues to experience widespread violence, insecurity and human rights violations. After the 2014 presidential election that resulted in the embattled National Unity Government (NUG) and the withdrawal of NATO forces, violence continues to surge throughout the country. The Taliban has been making gains since 2014 and is currently refusing to engage in any peace talks with the NUG.³ Furthermore, ISIS has been gaining ground in Afghanistan in recent months.⁴ The renewed insurgency is applying increasing pressure on Afghanistan's government resources, which are already diminished by reduced levels of international aid.⁵ Civilians continue to be deliberately targeted by violence. The United Nations Assistance Mission in Afghanistan (UNAMA) reported that 2015 was the deadliest year for civilians across Afghanistan since 2009, with over 11,000 documented civilian casualties.⁶ Of these, 1,246 were women, a 37 percent increase for the same period in 2014.

This unrelenting violence has stunted Afghanistan's development, and led to one of the largest and most protracted refugee and internally displaced person (IDP) populations in the world. This includes over 1.2 million IDPs in Afghanistan⁷ as well as over 2.6 million Afghan refugees worldwide.⁸ Much like the Syrian conflict, Afghanistan's decades of displacement have been mostly shouldered by neighbouring countries. There are currently 950,000 registered and around two million unregistered Afghan refugees in Iran, as well as 1.6 million registered and an estimated one million unregistered Afghan refugees in Pakistan.⁹ Afghanistan's displacement crisis continues. In 2015, internal displacement due to conflict reached unparalleled levels.¹⁰ In the first four months of 2016 over 117,000 people fled internally due to conflict.¹¹ In addition, Afghans are facing increased forms of persecution and discrimination in countries such as Iran and Pakistan, in which they have sought refuge.¹²

As a result of ongoing targeted violence, persecution and displacement, Afghan children, women and men have long sought and been offered international protection in Europe, yet 2015 saw a significant increase in arrivals. Since January 2015, nearly 250,000 Afghans have arrived in Europe seeking international protection, with UNHCR reporting that in the first three months of 2016, 75 percent had fled due to violence and conflict.¹³ Arrivals into Europe include Afghan groups particularly vulnerable to violence and persecution. Women continue to suffer abuse, persecution and discrimination in Afghanistan; for example, 40 percent are married under the age of 18.¹⁴ Of the 90,000 unaccompanied children who made their way into Europe in 2015,

¹ This percentage includes the number of Afghan arrivals to Greece, Italy and Spain between January 2015 and March 2016. 248,287 Afghan refugees arrived in Greece during the same period, this comprises of 24.6% of the total population arriving in Greece during the same time period. UNHCR, Nationality of arrivals to Greece, Italy and Spain, January – March 2016, <http://data.unhcr.org/mediterranean/download.php?id=1111>

² Heads of Police Services of Austria, Croatia, Macedonia Slovenia, and Serbia, Joint Statement, 18 February 2016, http://www.mup.hr/UserDocsImages/topvijesti/2016/veljaca/migranti_sastanak/joint_statement.pdf and New York Times, Policy Shifts on Refugees Lead to Clashes Between Migrants and Police, 23 February, 2016, http://www.nytimes.com/2016/02/24/world/europe/macedonia-afghan-migrant-crisis.html?_r=0

³ Breitbart, Taliban decline to participate in peace talks amid battle successes, 27 March 2016, <http://www.breitbart.com/national-security/2016/03/27/taliban-declines-to-participate-in-peace-talks-amid-battlefield-success/>

⁴ The FT, Taliban reject peace talks, 2016, <http://www.ft.com/cms/s/0/bf0a2b7c-e37d-11e5-a09b-1f8b0d268c39.html#axzz44aBNXUj>

⁵ Total humanitarian funding decreased from \$895 million in 2011 to \$434 million in 2015. Total humanitarian funding so far for 2016 is only \$180 million. The Financial Tracking Service, UN OCHA, 2016, <https://fts.unocha.org/pageloader.aspx?page=emerg-AlternativeCost1EmergencyDetails&appealid=1331&emergid=16612>

⁶ It was the deadliest year for civilians since UNAMA started recording civilian casualties in 2009. UNAMA, Protection of Civilians report, 2016, <https://unama.unmissions.org/protection-of-civilians-reports>

⁷ This population includes IDPs from both emergency and protracted situations. UNHCR, Afghanistan: conflict-induced international displacement, 2015, <http://www.acbar.org/upload/146207777441.pdf>

⁸ UNHCR, Afghanistan, 2016, <http://www.unhcr.org/pages/49e486eb6.html>

⁹ ACAPS, Afghanistan, 2016, <http://www.acaps.org/country/afghanistan/crisis-analysis>, Human Rights Watch, 'What are you doing here?', November 2015, <https://www.hrw.org/report/2015/11/18/what-are-you-doing-here/police-abuses-against-afghans-pakistan> and Danish Refugee Council, Iran, 2016, <https://drc.dk/where-we-work/asia/iran>

¹⁰ UNHCR, Afghanistan: conflict-induced international displacement, 2015, <http://www.acbar.org/upload/146207777441.pdf>

¹¹ UNHCR, Afghanistan: conflict-induced international displacement: snapshot, 1 January- 30 April 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/afg_conflict_idps_2016_jan_apr_snapshot_20160515.pdf

¹² UN OCHA, Afghanistan, conflict-induced displacement: 29 January 2016, <https://www.hrw.org/news/2016/01/29/iran-sending-thousands-afghans-fight-syria> and UNAMA, Population movement bulletin, March 2016, http://unama.unmissions.org/sites/default/files/un_afghanistan_population_movement_bulletin_issue_1_22_march_2016.pdf

¹³ UNHCR, Profiling of Afghan arrivals on Greek Islands in January, February and March 2016, February, March and May 2016, <http://data.unhcr.org/mediterranean/download.php?id=726>, <http://data.unhcr.org/mediterranean/download.php?id=875> and <http://data.unhcr.org/mediterranean/download.php?id=1398>

¹⁴ UNICEF, 2016, <http://data.unicef.org/child-protection/child-marriage.html>

half were from Afghanistan, and most were boys.¹⁵ IRC staff working with unaccompanied children from Afghanistan state that these boys have often been exposed to sexual violence and other forms of exploitation.¹⁶ Furthermore, 44 percent of Afghan arrivals into Greece were of Hazara ethnicity¹⁷ an ethnic group that has been consistently persecuted as targets of massacres and human rights violations by the Taliban, al-Qaeda and most recently by ISIS.¹⁸ These children, women and men are often in urgent need of international protection.

The majority of Afghans applying for protection in EU states in 2015 were successful; around 60 percent of Afghans received either refugee status or subsidiary protection. Yet this recognition rate consistently decreased in the first three months of 2016, averaging at 52 percent.¹⁹ This may be a result of EU states subjecting some nationalities to unfair or discriminatory asylum restrictions in the context of unprecedented numbers of asylum applications.

“They [The Taliban and other extremist groups] don’t have mercy on one small baby. I knew that here they [Europe] know about humanity, that’s why we came” – Mohammed, an Afghan refugee in Lesbos, Greece

Afghans have experienced differential treatment en-route to, and in, Europe. In November there were reports of differential treatment in the registration of different nationalities arriving on the Greek islands.²⁰ In February Austria, Croatia, Slovenia, Serbia and Macedonia tightened border controls and restricted entry only to persons ‘arriving from war-torn areas and in need of international protection’ – referencing Syria and Iraq, but not Afghanistan.²¹ As such, Afghans were among the first to be left stuck in dire conditions at Greece’s northern border. Recent figures show nearly 10,000 Afghans remain in Greece.²² Tensions have increased as a result of perceived ‘special treatment’ towards Syrians and reduced opportunities for Afghans to stay in Europe legally.²³ Afghans remain ineligible for relocation from Greece or Italy to other EU Member States as the EU-wide relocation scheme only applies to applicants from a country with a 75 percent recognition rate for asylum – such as Syrians, Iraqis and Eritreans.²⁴ Although as many as one in five Afghan men, women, and children in Greece may be trying to reach family elsewhere in Europe,²⁵ options for family reunion under the Dublin III regulation are not being made adequately available.

The recent EU-Turkey deal, which provides resettlement pathways for Syrians in Turkey into Europe, also does not apply to Afghans.²⁶ As part of the deal, Afghan asylum seekers and refugees are being returned to Turkey under the assumption that they will have access to effective protection. As Turkey applies a geographical limitation to the Refugee Convention, only asylum seekers fleeing persecution in Europe are eligible for full refugee status.²⁷ Refugees from Syria are granted ‘Temporary Protection’ as a group, which grants limited legal status and access to state-supported services, but these benefits remain insufficiently accessible in practice, and this status does not extend to non-Syrians.²⁸ There are also rumours that Turkey’s two year-old asylum system has suspended the processing of asylum applications for Afghans, citing a backlog of applications.²⁹ At the time of writing, the Turkish government was denying requests to release the numbers and breakdown of international protection applicants, so the full extent of this is unknown.³⁰ Therefore, although Turkey hosts approximately 105,600 registered Afghan refugees³¹ (and in reality numbers will be much higher), Afghans remain trapped in limbo, without access to protection in Turkey nor adequate safe and legal pathways into Europe or elsewhere. This forces Afghans into the dangerous hands of smugglers, to resort to negative coping mechanisms in order to survive in Turkey, or to return home to an active conflict.

Action is needed in four areas:

1. Ensure a fair, thorough and effective asylum process for refugees of all nationalities

- a. EU Member States must ensure full and fair asylum procedures for all, avoiding policy that amounts to asylum classification based on nationality, instead of the case-by-case evaluation required by international law.
- b. The EU must support the Greek Asylum Service to establish an effective asylum processing system that ensures a fair and thorough refugee status determination process based on individual assessments. The current system of applying for asylum requires calling a single Skype user ID available for as little as an hour a week to book an appointment.

¹⁵ European Commission, Third report on relocation and resettlement, May 2016, p. 3-4, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160518/communication_third_report_on_relocation_and_resettlement_en.pdf

¹⁶ IRC Bulgaria assessment, May 2016

¹⁷ UNHCR, Profiling of Afghan arrivals on Greek Islands in January, February and March 2016, February, March and May 2016, <http://data.unhcr.org/mediterranean/download.php?id=726>, <http://data.unhcr.org/mediterranean/download.php?id=875> and <http://data.unhcr.org/mediterranean/download.php?id=1398>

¹⁸ Minority Rights Group International, Afghanistan: Hazara, 2008, <http://www.refworld.org/docid/49749d693d.html>

¹⁹ European Asylum Support Office, Latest Asylum Trends, 2015, <https://easo.europa.eu/wp-content/uploads/LatestAsylumTrends20151.pdf> and European Asylum Support Office, Latest Asylum Trends, January, February and March 2016, <https://easo.europa.eu/analysis-statistics/>

²⁰ The Guardian, Chaos on Greek Islands as refugee registration favours Syrians, 21 November 2015, <http://www.theguardian.com/world/2015/nov/21/chaos-greek-islands-three-tier-refugee-registration-system-syria-lesbos>

²¹ Heads of Police Services of Austria, Croatia, Macedonia Slovenia, and Serbia, Joint Statement, 18 February 2016, http://www.mup.hr/UserDocImages/topvijesti/2016/veljaca/migranti_sastanak/joint_statement.pdf

²² UNHCR, Site Profiles (Greece), May 2016, <http://data.unhcr.org/mediterranean/download.php?id=1379>

²³ New York Times, Fates Diverging: Afghan and Syrian Migrants Clash in Greece, 8 April 2016, <http://www.nytimes.com/2016/04/09/world/europe/fates-diverging-afghan-and-syrian-migrants-clash-in-greece.html>

²⁴ European Commission, European Solidarity: a Refugee Relocation System, 2016, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_solidarity_a_refugee_relocation_system_en.pdf

²⁵ Profiling of Afghan arrivals on Greek Islands in January, February and March 2016, February, March and May 2016, <http://data.unhcr.org/mediterranean/download.php?id=726>, <http://data.unhcr.org/mediterranean/download.php?id=875> and <http://data.unhcr.org/mediterranean/download.php?id=1398>

²⁶ European Commission, Implementing the EU-Turkey Agreement Questions and Answers, 20 April 2016, http://europa.eu/rapid/press-release_MEMO-16-1494_en.htm

²⁷ UNHCR, Turkey, 2016, <http://www.unhcr.org/pages/49e48e0fa7f.html>

²⁸ UNHCR, Turkey: Syrian refugees and asylum seekers, 2016, <http://reporting.unhcr.org/node/10237>

²⁹ Economist, Thousands of Afghan migrants have hit a dead end in Turkey, 5 April 2016, <http://www.economist.com/news/europe/21696242-town-van-boasts-mountains-lake-and-stranded-asylum-seekers-thousands-afghan-migrants-have>

³⁰ Amnesty International, June 2016, No Safe Refuge: Asylum-seekers and refugees denied effective protection in Turkey. Available at <http://reliefweb.int/sites/reliefweb.int/files/resources/EUR4438252016ENGLISH.pdf>

³¹ UNHCR Turkey, “UNHCR Turkey’s Monthly Statistics as of April 2016,” 30 April 2016, available at [http://www.unhcr.org/turkey/uploads/root/eng\(48\).pdf](http://www.unhcr.org/turkey/uploads/root/eng(48).pdf)

- c. EU Member States and the European Asylum Support Office must support the Greek authorities to urgently deploy case managers, information officers, legal support, and interpreters to accommodation sites to provide information on asylum options, and support to refugees during the asylum process. Interpreters (including female interpreters) should be present to ensure Afghans, who largely speak Dari and Pashto, are able to communicate during their whole asylum process – this includes the application, interview and appeal process.

2. Expand relocation to Afghans and accelerate family unity transfers from Greece to other EU countries

- a. EU Member States and the European Commission should make Afghans eligible for the EU Emergency Relocation Scheme, for example by lowering the required recognition rate of international protection to 60 percent. The average rate of recognition for international protection of Afghan refugees was 66 percent in 2015.³²
- b. Despite EU Member State commitments in 2015 to relocate 160,000 refugees from Italy and Greece to other countries across Europe, only 2,031 refugees have been relocated to date, including only 1,281 from Greece.³³ In light of the current acute humanitarian needs in Greece, this is inadequate. The Greek authorities, EU Member States and EU Agencies should heed targets set by the European Commission on 19 March to achieve 6,000 relocations per month.³⁴
- c. In order to prevent Afghan refugees, including vulnerable unaccompanied children,³⁵ from being forced to use smuggling and trafficking networks inside Europe to reach their families, EU Member States should rapidly increase the transfer of asylum applicants to states where they already have family, thereby making full use of the family reunification provisions of the Dublin III Regulation.

3. Ensure Afghans and other non-Syrians in Turkey have meaningful access to temporary protection

- a. Ensure all individuals who meet internationally recognized requirements to be a refugee - including Afghans and other non-Syrians - in Turkey have meaningful access to temporary protection.
- b. Encourage the public release of accurate information regarding the numbers and breakdown of refugee status determinations in Turkey.
- c. Confirm that there are ongoing refugee status determination procedures in Turkey for all nationalities, including Afghans, to enable fair and effective access to temporary protection status based on individual assessment, and if for any reason the process has paused, ensure its' full resumption.
- d. Ensure the rights and benefits afforded by temporary protection status - including education, health services and the right to work - are accessible in practice.

4. Commit to an expanded resettlement programme and safe alternative pathways into Europe

- a. In order to safeguard the principle of international protection, prevent smuggling and enable a better managed approach to the refugee crisis; Europe should commit to a meaningful, unconditional and long-term resettlement scheme. EU Member States should commit to the fair and achievable target of resettling 108,000 refugees per year for five years.³⁶ This should include refugees from protracted refugee situations, including Afghanistan.
- b. EU states should also expand alternative safe pathways into Europe, including via the utilisation and expansion of family reunification for refugees of all nationalities, and the extension of the humanitarian admission programme from Turkey.

The IRC in Afghanistan: The IRC has been supporting Afghan men, women, and children since 1980. We work in partnership with more than 4,000 communities across Afghanistan as they identify, plan and manage their own development projects. 99 per cent of our 700 staff are Afghan nationals and we are operational in 9 provinces, some among the most unstable and insecure. Presently, we assist the Afghan people through a variety of humanitarian and development programmes, including emergency response, protection, education, economic recovery and development, and water, sanitation and hygiene.

The IRC in Europe: The IRC has staff working in Greece and Serbia. We are working on mainland Greece and the island of Lesbos to provide clean water and sanitation, information to refugees, and specialised protection services to the most vulnerable. In Serbia, we are supporting local organisations to provide basic aid and gender-based violence response services for women and girls.

For more information please contact Jessica Maclean on jessica.maclean@rescue.org or +44 (0)207 462 3375.

³² European Commission, First instance decisions by outcome and recognition rates, 30 main citizenships of asylum applicants granted decisions in the EU-28, 1st, 2nd, 3rd and 4th quarters 2015, http://ec.europa.eu/eurostat/statistics-explained/index.php/File:First_instance_decisions_by_outcome_and_recognition_rates_30_main_citizenships_of_asylum_applicants_granted_decisions_in_the_EU-28_4th_quarter_2015.png, http://ec.europa.eu/eurostat/statistics-explained/index.php/File:First_instance_decisions_by_outcome_and_recognition_rates_30_main_citizenships_of_asylum_applicants_granted_decisions_in_the_EU-28_2nd_quarter_2015.png, http://ec.europa.eu/eurostat/statistics-explained/index.php/File:First_instance_decisions_by_outcome_and_recognition_rates_30_main_citizenships_of_asylum_applicants_granted_decisions_in_the_EU-28_1st_quarter_2015.png, AND http://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:First_instance_decisions_by_outcome_and_recognition_rates_30_main_citizenships_of_asylum_applicants_granted_decisions_in_the_EU-28_3rd_quarter_2015.png&oldid=270688

³³ European Commission, Member States' Support to Emergency Relocation Mechanism, as of 7 June 2016, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf

³⁴ European Commission, EU-Turkey Agreement Questions and Answers, 19 March 2016 http://europa.eu/rapid/press-release_MEMO-16-963_en.htm

³⁵ The Guardian, Teenage refugee killed in lorry crash while attempting to reach family in UK, 2 April 2016, <http://www.theguardian.com/world/2016/apr/02/teenager-from-kurdistan-dies-under-lorry-in-oxfordshire>

³⁶ IRC, Pathways to Protection - Resettlement and Europe's response to a global refugee crisis, March 2016 http://rescue-uk.org/sites/default/files/uploads/Pathways%20to%20protection%20-%20IRC_0.pdf