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**AMNESTY
INTERNATIONAL**



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OPEN LETTER TO THE GOVERNMENT OF AFGHANISTAN, THE UNITED NATIONS, OTHER HUMANITARIAN ORGANISATIONS AND INTERNATIONAL DONORS

The critical need for winter assistance and longer term solutions for internally displaced persons in Afghanistan

This coalition of 30 human rights and humanitarian non-governmental organisations calls on the Government of Afghanistan, its international donor partners, the United Nations and other humanitarian organisations to ensure that preparations are underway to meet the immediate needs of Afghanistan's substantial internally displaced population over the coming winter, including for food and water, shelter, heating facilities, clothing and healthcare to minimise the adverse impact of the cold.

We also urge all stakeholders in Afghanistan to give due consideration to our recommendations to help improve the longer-term situation for internally displaced persons (IDPs) in Afghanistan.

The winter of 2011/12 brought Afghanistan's displacement crisis into sharp focus, with at least 100 confirmed deaths, mostly of children, who died from the cold or illness in Kabul alone. This preventable tragedy and humanitarian protection failure should act as a sharp reminder to the Afghan government and its partners that emergency assistance must be provided immediately in order to avoid a repeat of the dire situation facing Afghanistan's IDP population last winter.

We welcome the government's decision following the IDP winter crisis earlier this year, to develop a national IDP policy. Its subsequent request for international support to finalise and implement this policy signalled the government's new commitment to address internal displacement and related protection concerns facing IDPs, including the lack of coordination and provision of timely emergency assistance. We believe that a comprehensive national IDP policy will help to prevent further internal displacement and also enable improved responses to those already displaced.

While the government's recognition of the problems faced by IDPs, and its stated commitment to address their concerns is an important step forward, we recognize that the development and effective implementation of a national IDP policy in Afghanistan will take time and resources. However, efforts to assist and protect IDPs across Afghanistan cannot wait.

We urge the Government of Afghanistan, international donors and relevant humanitarian organisations to immediately launch a winter assistance campaign to help ensure adequate planning and

preparedness to safeguard the lives of hundreds of thousands of IDPs across Afghanistan over the next few critical months. This should include effective cross-sector contingency planning and pre-positioning of emergency winter supplies and winterization kits, including blankets, warm clothes, tarpaulins, clothing, stoves, water, and fuel. Priority should be given to IDPs most at risk during the winter months, such as children, older persons, IDPs with disabilities and IDPs needing medical care, including pregnant women.

Afghanistan's displacement crisis shows no sign of abating. On the contrary, as conflict and insecurity has intensified, the number of displaced Afghans has almost reached a record half a million according to UNHCR. The true number, however, is likely to be much higher as current data excludes those displaced by natural disasters and those in urban or semi-urban areas, as well as those displaced in non-accessible insecure locations. The increased responsibility of Afghan forces for security as the International Security Assistance Force (ISAF) withdraws from Afghanistan, and the accompanying uncertainty among many Afghan civilians over the political, security, social and economic impact of transition is likely to trigger further internal displacement, particularly if security conditions do not improve in the short-term. The protection concerns of IDPs must be addressed as a matter of the highest priority and urgency, as transition gathers pace.

In view of these concerns, the low funding levels for Afghanistan's Ministry for Refugees and Repatriation (MoRR) is deeply alarming. In 2011, the entire budget of the MoRR was only US\$6 million. Moreover, at the end of September 2012, the international humanitarian appeal for Afghanistan (Consolidated Appeal Process) was only 34 per cent funded, and the Emergency Response Fund was also depleted. As the UN Humanitarian Coordinator for Afghanistan, stressed before the Tokyo Conference on Afghanistan in July 2012, "[t]he failure to replenish the Emergency Response Fund and to increase the level of funding through the CAP is affecting the ability of NGOs and UN agencies to respond to the urgent needs of communities".

Insufficient funding and lack of capacity and expertise on the part of national and local authorities means that conditions for displaced persons in Afghanistan have fallen well below the international standards set out in the UN Guiding Principles on Internal Displacement and treaties ratified by the Afghan government including the International Covenant on Economic, Social and Cultural Rights. Under the Covenant, Afghanistan is legally obliged to make progress in fully realizing the right of every Afghan to adequate housing, health, food, water and sanitation. However, essential levels of each right must be met without delay and priority given to the most vulnerable and marginalized groups.

International donors have also failed to assist the Afghan government in providing adequate protection to all IDPs. Urban IDPs, still not recognised by the Afghan government, represent a sober reminder of the collective failure of international donors and organisations to advocate for the provision of humanitarian and development assistance, as well as durable solutions. Additionally, foreign governments that are in a position to do so are obliged to provide the necessary international assistance to contribute to the fulfilment of the economic and social rights of all IDPs in Afghanistan.

We therefore urge that:

The Government of Afghanistan:

- Lead on winter contingency planning and preparedness for all IDPs, including those residing in informal settlements in cities and towns across Afghanistan. Humanitarian organisations must be enabled access to IDPs, including in insecure and conflict-related areas, to assess their winter assistance needs and provide winterization support;
- In particular, the Ministry of Refugees and Repatriation and the provincial-led Departments of Refugees and Repatriation, must immediately provide IDPs and returning refugees across Afghanistan with humanitarian aid. Humanitarian assistance should not be subject to conditions such as return to home communities;

- Ensure that the ongoing national IDP policy development process is consultative, taking into account the views of IDPs themselves, as well as other displacement-affected communities, particularly host communities. To be inclusive, transparent and accountable, the process must be premised on wide consultations at the national, provincial and municipality levels. To be relevant, the policy must adopt measures to effectively protect IDPs, in line with the UN Guiding Principles on Internal Displacement, until such time as they have found a durable solution in safety and dignity;
- Enact and enforce a clear prohibition on forced evictions and relocations; and adopt national guidelines for evictions based on the UN Basic Principles and Guidelines on Development-Based Evictions and displacement and reflect these in the national IDP policy;
- Implement clear and consistent procedures to allow identity cards to be issued throughout the country, so that IDPs can exercise their legal rights and access services without impediments. Displaced persons and returning refugees should not be required to travel to their place of birth or former residence in order to have identification cards issued.

The United Nations, other humanitarian organisations and international donors:

- Ensure the Government of Afghanistan immediately begins winter contingency and preparedness planning in particular for IDPs in informal settlements and rural areas, and whether displaced by conflict, human rights violations or disaster. Effectively coordinate international assistance with the Afghan government and the wider humanitarian community to ensure the winter assistance needs of all IDPs in Afghanistan are swiftly assessed and met;
- In line with the specific obligation of international donors to prioritise the needs of vulnerable and marginalized groups, international humanitarian assistance to Afghanistan must include a focus on IDPs and returning refugees, and support initiatives that address the priority concerns of these populations;
- Obligations relating to international cooperation and assistance also require international donors to help the Afghan government develop its national IDP policy, and build requisite and sustainable capacity within the Ministry of Refugees and Repatriation to ensure successful implementation of the policy;
- Support efforts to help expand humanitarian access for actors seeking to meet the emergency needs of all IDPs and displacement-affected communities. This should include encouraging all parties to the conflict to respect humanitarian principles and promote safe, unimpeded and timely access for humanitarian actors to ensure unmet humanitarian needs of IDPs are effectively addressed;
- Support Afghan institutions, humanitarian non-governmental organizations and local communities to help build improved disaster preparedness and response capacity; and fund needs-based humanitarian programming targeting vulnerable IDPs and displacement-affected communities.

Yours faithfully,

1. **ACBAR**-Agency Coordinating Body for Afghan Relief (ACBAR), Najibullah Tajali, Acting Director

2. **ActionAid International Afghanistan**, P.V. Krishnan, Country Director
3. **Afghan Aid**, Adil Ahmed, Acting Managing Director
4. **Amnesty International**, Polly Truscott, Deputy Director, Asia-Pacific Programme
5. **BAAG-British & Irish Agencies Afghanistan Group**, Liz Cameron, Acting Coordinator
6. **Birth of New Ideas Organization**, Laila Samani, Director
7. **CARE**, Christina Northey, Country Director
8. **Christian Aid**, Alison Kelly, Head, Global Advocacy and Policy
9. **COAR-Coordination of Afghan Relief**, Zabihullah Ghazawi Program Director
10. **Concern**, Fiona McLysaght, Country Director
11. **Cooperation Center for Afghanistan**, Sayed Abdullah Ahmadi, Program Director
12. **Coordination of Rehabilitation and Development Services for Afghanistan**, Aziz Jami, Country Director
13. **ENNA-European Network of NGOs in Afghanistan**, Peter Brune, Secretary General
14. **Focus**, Malohat Shoinbodova, Communication Manager
15. **Internal Displacement Monitoring Centre**, Kate Halff, Head
16. **International Medical Corps**, Allen Greenway, Country Director
17. **International Relief and Development**, Adam Koons, Director, Relief and Humanitarian Assistance
18. **INTERSOS**, Frederic Martin, Head of Mission - Afghanistan
19. **Initiative for Rehabilitation and Huge Development Organization**, Farzana Mansoori, Director
20. **Islamic Relief Worldwide**, Fadlullah Wilmot, Country Director - Afghanistan
21. **Norwegian Project Office/Rural Rehabilitation Association for Afghanistan**, Dur Mohammad Fazil, Managing Director
22. **Norwegian Refugee Council**, Prasant Nail, Afghanistan Country Director
23. **Organisation of Human Welfare**, Sadiqullah Fahim, Managing Director
24. **Oxfam**, Dimitrije Todorovic, Country Director in Afghanistan
25. **Relief International**, Ms Inge Detlefsen, Country Director
26. **Swedish Committee for Afghanistan**, Andreas Stefansson, Country Director
27. **Tearfund**, Bruce Clark, Afghanistan Country Representative
28. **Terre des homes Lausanne**, Anne-Laure Baulieu, Country Representative

29. **War Child**, Rob Williams, Chief Executive Officer

30. **Welthungerhilfe**, Klaus Lohmann, Country Director