

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 235

Expressing the sense of the Senate with respect to the protection of Afghan refugees, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 10, 2002

Mr. WELLSTONE (for himself, Mrs. BOXER, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Expressing the sense of the Senate with respect to the protection of Afghan refugees, and for other purposes.

Whereas more than 3,500,000 Afghan citizens are currently refugees in Pakistan and Iran, displaced by decades of civil war and conflict, and at least 1,000,000 Afghans are internally displaced within their own country;

Whereas, since the overthrow of the Taliban, thousands have continued to flee Afghanistan or have been displaced inside the country, including ethnic Pashtuns escaping persecution in the north, and others are fearful of returning home due to unstable, violent conditions in various parts of Afghanistan;

Whereas only the creation of a secure, stable Afghanistan that protects the rights of all citizens, including women

and ethnic minorities, can provide the conditions in which refugees and displaced persons can safely and voluntarily return to their home communities;

Whereas, until conditions warrant the safe, voluntary return of Afghans, neighboring countries should uphold their international humanitarian and legal obligations to provide refugees with adequate protection and humanitarian assistance, and to uphold the right of refugees to cross international borders in order to seek asylum;

Whereas the Governments of Pakistan and Iran have allowed Afghan refugees to remain in those countries of asylum, despite the enormous economic and social costs this involves;

Whereas the United States and other members of the international community should continue to offer expanded financial and other assistance to internally displaced Afghans and to governments hosting large Afghan refugee populations;

Whereas in November 2000, Iran and Pakistan officially closed their borders to new incoming refugees, and as of February 2002, at least 10,000 Afghans were stranded in camps near the Iran border inside Afghanistan and were blocked from gaining entry into Iran, and several thousand were awaiting entry to Pakistan at the Chaman border crossing;

Whereas authorities of Pakistan and Iran have forcibly returned some Afghans in violation of international legal norms of nonrefoulement, and both governments began repatriating refugees in March 2002, despite the clear dangers many of them face in their home areas;

Whereas Australia, Indonesia, Tajikistan, and Dubai have expressed their desire to begin returning refugees as soon as possible or, in the case of Dubai, have already deported hundreds of Afghans;

Whereas law enforcement authorities in Pakistan have subjected Afghan refugees to physical violence, harassment, extortion, and arbitrary detention because of their undocumented status;

Whereas some refugee camps in the Federally Administered Tribal Areas of Pakistan are located close to the Afghan border in unsafe and unhealthy locations; and

Whereas the United Nations High Commissioner for Refugees (UNHCR) and the interim authority of the Afghan government established in December 2001, are responsible for developing a repatriation program that fully meets international standards, working with governments in the region, when conditions are appropriate: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that the  
2 President and the Secretary of State should—

3               (1) urge the Government of Pakistan and other  
4 governments in the region—

5                       (A) to fully cooperate with the United Na-  
6 tions High Commissioner for Refugees  
7 (UNHCR) in providing protection to Afghan  
8 refugees; and

9                       (B) to allow open access to refugees by  
10 nongovernmental organizations and inter-

1 national agencies offering humanitarian assist-  
2 ance;

3 (2) call on the governments of Pakistan and  
4 Iran to immediately cease any forcible return of Af-  
5 ghan refugees and to take action to end the harass-  
6 ment, detention, and other mistreatment of Afghan  
7 refugees;

8 (3) strongly condemn any actions by Pakistan,  
9 Iran, or other governments to prematurely return  
10 refugees to Afghanistan against their will;

11 (4) support the provision of detailed, impartial  
12 information about human rights, the presence of  
13 landmines, and humanitarian conditions in their  
14 areas of origin to all refugees, and especially to  
15 women, to ensure that any decision to return is truly  
16 voluntary;

17 (5) fully support repatriation of Afghan refu-  
18 gees only when conditions in Afghanistan allow their  
19 voluntary return, in safety and dignity, with full re-  
20 spect for their human rights and an adequate  
21 screening process in place to identify those who are  
22 still in need of protection; and

- 1           (6) establish a resettlement program for Af-
- 2           ghans whose needs for protection require resettle-
- 3           ment in a third country.

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