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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Council conclusions on Afghanistan

Council conclusions on Afghanistan

1. The European Union remains committed to peace and stability in Afghanistan and to supporting its people.
2. The overthrow of a constitutionally based government by the Taliban endangers the civil, political, social, economic and cultural rights, and the gains made over the last two decades, which were supported by the EU and which the state of Afghanistan has committed itself through international conventions and covenants.
3. The situation in Afghanistan is a major challenge for the international community as a whole. It could have a profound negative impact on regional stability, human rights, the fight against terrorism, trafficking in drugs and human beings, organised crime, and on efforts addressing forced displacement, preventing illegal migration and its possible instrumentalisation for hybrid threats.
4. Since August 2021, the international community, including the EU and its Member States, undertook a collective effort, under extreme circumstances, to evacuate thousands of EU citizens and third country nationals, including Afghans who worked for diplomatic missions and other Afghans at risk, due to their principled engagement for our common values. This was a true demonstration of EU solidarity. The EU is grateful for the strong partnership of the US, NATO, its allies, and countries in the region in this regard.
5. The EU mourns the loss of lives in the cowardly attack at the international airport of Kabul on 26 August. We condemn such terrorist attacks and call for the perpetrators to be brought to justice.
6. The EU strongly condemns the recent use of violence and intimidation against demonstrators, journalists, media workers, human rights defenders and others by the Taliban. Accountability for human rights violations and abuses and violations of international law must be ensured.

7. The rights of women and girls are of particular concern. The actions of the Taliban directed against women and girls and the violation of their rights are highly worrying. Free and equal access to health, employment and education are essential, as well as freedom of movement. The EU expects meaningful political, social and economic leadership and participation of women in the Afghan society. The EU support will depend on the respect of the international legal framework and norms on human rights including on women's and girls' rights.
8. The EU and its Member States' operational engagement, in the interest of the EU and of the Afghan people, will be carefully calibrated to the policies and actions of the Taliban-appointed caretaker cabinet, and does not bestow any legitimacy on it.
9. The Council has agreed on the following benchmarks for policies and actions under the Taliban appointed caretaker cabinet that would serve as guiding principles for future engagement:
 - a) Allow the safe, secure and orderly departure of all foreign nationals, and Afghans who wish to leave the country in line with UN Security Council Resolution 2593 (2021), in the full respect of the freedom of movement.
 - b) Promote, protect and respect all human rights, in particular the full enjoyment of rights of women and girls, as well as children and persons belonging to minorities, and respect the rule of law and freedom of speech and of the media, with specific attention to human rights defenders.
 - c) Allow the implementation of humanitarian operations in Afghanistan in line with the humanitarian principles of humanity, neutrality, impartiality and independence and full respect of International Humanitarian Law. The Taliban must respect the independence of humanitarian operations and guarantee for all humanitarian staff, including all female staff, the safe and unhindered access to the entire territory. Safety of beneficiaries of humanitarian aid must be ascertained and all of them must have free and unhindered access to aid services.

- d) Prevent Afghanistan from serving as a base for hosting, financing or exporting terrorism to other countries. All efforts must be pursued to ensure that the Taliban cease all direct and indirect ties with international terrorism.
 - e) Establish an inclusive and representative government through negotiations. In this regard, the EU will continue to call for the establishment of a government that is balanced and with inclusive representation, including all ethnic and religious minorities, ensuring meaningful participation of women in decision-making positions. It is an essential condition for lasting peace and the stabilisation of the country and the region. The participation in the caretaker cabinet of persons sanctioned by the UN Security Council raises serious concerns.
10. Against these benchmarks, the EU will assess the policies and the actions of the Taliban, not their words. In a coordinated manner, the EU and its Member States will use all available tools to closely monitor and respond to developments on the ground, also keeping in mind the conclusions of the Geneva donors' conference in 2020 and the conditions for continued support.
11. In order to support the Afghan population and to pursue EU objectives, the Council agreed on the need for strong coordination in engaging with relevant international partners on Afghanistan. The UN remains an indispensable partner and a key actor on the ground. The EU and its Member States welcome UN Security Council Resolution 2593 (2021), which sends a clear, strong and united message on the international community's expectations and demands that must be transformed into concrete actions on a long-term basis as regards the situation in Afghanistan.

12. The EU and its Member States welcome the UN high-level humanitarian conference for Afghanistan as convened by UNSG Guterres on 13 September 2021 and collectively pledged EUR 677m at the conference. The EU will intensify its work with the UN, the World Bank and relevant local, regional and international actors in addressing the humanitarian and development challenges in Afghanistan and in neighbouring countries. The EU will also prioritise collaboration with NATO and its allies, and other partners, including the G7 and the G20 in light of its inclusiveness.

13. A minimal EU presence on the ground in Kabul, dependent on the security situation, would facilitate the delivery of humanitarian aid, including to the large number of IDPs, and monitoring of the humanitarian situation. It could also coordinate and support the departure of remaining EU citizens, work on consular matters and manage the free passage of Afghans who could be received in Member States. Individual Member States will decide on those persons they are willing to receive under their protection on a voluntary basis, in accordance with the statement on the situation in Afghanistan adopted by the Council on 31 August 2021, the importance of which is reconfirmed.

14. As a matter of high priority, the EU is to initiate a regional political platform of cooperation with Afghanistan's direct neighbours. This platform will provide the opportunity to enhance cooperation and the EU's support for the prevention of negative spill-over effects in Afghanistan's neighbourhood, as also identified in the statement on the situation in Afghanistan adopted by the Council on 31 August 2021, as well as for economic resilience and regional economic cooperation, and for humanitarian and protection needs. It will build on existing relations between the EU and these countries, and on other initiatives, such as the Team Europe Initiative on the Afghan regional displacement crisis, the Regional Refugee Preparedness and Response Plan of the United Nations and the Solutions Strategy for Afghan Refugees. This platform is coordinated by the European External Action Service, in close cooperation with the Commission, making use of all relevant EU instruments and also gathering strong contributions from Member States. It will combine sustained political engagement with concrete practical initiatives and support. In this regard, the EU will work closely with international partners and relevant international organisations.
15. The Council remains seized of the issue, and will notably revert to this matter at its next meeting in October.

