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Rt Hon Dominic Raab
Foreign Secretary
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Dear Home Secretary and Foreign Secretary

Afghanistan

The TUC has been seriously concerned about the news coming from Afghanistan following the withdrawal of allied forces including the threats posed to women, and those who have been reporting on the conflict. The current situation in Afghanistan poses a serious threat to human rights and to the lives of significant numbers of people. I am writing to you to urge you to do everything you can to ensure that those fleeing persecution in Afghanistan are able to claim asylum in the UK. The government must also support efforts for peace and increase the level of UK development assistance provided to independent civil society organisations and trade unions in the region.

The government is bound by the UK's signature to the UN Refugee convention (1951) and protocol (1967) to allow those with a well-founded fear of persecution and threats to their lives to claim asylum in the UK. The United Nations Secretary General António Guterres has stated the hostilities currently taking place in Afghanistan threaten the lives and human rights of millions of people, with the rights of women and girls particularly at risk. The United Nations High Commissioner for Refugees (UNHCR) has highlighted that millions of people in Afghanistan have already been displaced and many more are threatened with displacement by the current conflict.

We are specifically concerned that the leaders of the National Union of Afghanistan Workers and Employees (NUAWE) - Afghanistan's only national democratic and government-independent trade union - have received threats to their life as a consequence of their trade union activity and work to promote workers' and human

rights, as have members of their family. We call on the government to ensure the leaders of NUAWA and their families who are at risk of persecution are granted asylum - and would be happy to provide details of the individuals at risk to your officials.

UNHCR is calling for 'all states to ensure [Afghans] are able to seek safety, regardless of their current legal status'.¹ It is imperative that the government follows this call and ensure safe, specific, and legal routes to safety for those who are facing the risk of persecution or attack in Afghanistan. This includes ensuring safe and specific routes to asylum in the UK. The government should urgently provide visas, expand the Afghan Relocations and Assistance Policy (ARAP), and work with the governments of neighbouring countries to ensure safe passage out of Afghanistan.

The TUC is concerned that the government's Nationality and Borders bill currently before parliament will make it significantly more difficult for asylum seekers, including those from Afghanistan, to claim protection and employment rights in the UK. The bill would allow the government to deport asylum seekers who have travelled through so called 'safe' countries back to these countries and deny permanent rights of residence to asylum seekers who have travelled to the UK independently. This would mean more asylum seekers will fall into irregular status and be unable to claim employment rights, access the NHS or publicly funded benefits such as Universal Credit. The TUC is concerned this will increase the exploitation of workers, as bad employers will be able to exploit irregular workers, knowing they have no legal recourse to claim rights and no access to benefits if they leave their job. The International Labour Organisation (ILO) has made clear those with irregular status should be able to claim rights at work and access healthcare.²

To ensure all workers are treated decently, the TUC calls on the government to ensure irregular workers are able to claim employment rights and access to healthcare.

It is also critical that the government uses its seat on the United Nations security council to promote peace in Afghanistan. We urge the government to use UK development assistance to support independent civil society organisations and trade unions in order to promote peace and human rights, including the right to Decent Work, freedom of association and gender equality, and provide humanitarian assistance, in particular to women and girls.

1 <https://www.unhcr.org/ir/2021/08/16/unhcr-warns-afghanistans-conflict-taking-the-heaviest-toll-on-displaced-women-and-children/>

2 International Labour Organisation (2020), 'Protecting the rights at work of refugees and other forcibly displaced persons during the COVID-19 pandemic', available online at: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_748485.pdf

I look forward to hearing how you plan to ensure those seeking protection from persecution and threats to life in Afghanistan can claim protection, support and employment rights in the UK.

Yours sincerely,

A handwritten signature in black ink that reads "Frances O'Grady". The signature is written in a cursive style with a small flourish at the end.

Frances O'Grady
General Secretary