



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

60
YEARS ANS

**UNHCR Regional Representation for Western Europe
Représentation Régionale du HCR pour l'Europe de l'Ouest**
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10 May 2011

Dear Minister,

UNHCR has followed with interest the recent developments concerning school-aged girls from Afghanistan who have stayed for an extended period of time in the Netherlands.

We would like to express our sincere appreciation for the recognition by the Dutch government that under certain circumstances “westernized” girls may not be required to return to Afghanistan, as stated and explained in your letter of 8 April 2011 to the Second Chamber of the Parliament, notwithstanding an earlier refusal to grant asylum. Crucial in this regard, and a very welcome development, has been your willingness to qualify and limit the scope of the expectation in Dutch asylum policy that individuals can adapt themselves, upon their return, to the society in their country of origin in order to avoid problems.

The risks and problems for especially girls with such profile in Afghanistan indeed deserve special attention, as confirmed by a number of reports.

As you are aware, UNHCR considers that Afghan children with certain specific profiles, including school age children, particularly girls, as well as women more generally who are perceived as contravening social mores, may be at risk of persecution in the sense of the 1951 Refugee Convention, on the ground of membership of a particular social group, religion and/or (imputed) political opinion, or may face other forms of serious harm, in both cases depending on the individual circumstances of the case.

Whenever relevant, this examination should take place in the context of the asylum procedure in connection with the circumstances and motives which have led to the departure from the country of origin. However, the subsequent shaping of a personality and life style should not preclude a later finding of a well-founded fear of persecution or risk of other serious harm, particularly in the case of children whose situation has not been fully and independently assessed on their own merits but rather as part of an asylum application for the family.

Mr Gerd Leers
Minister for Immigration and Asylum
The Netherlands

While your approach puts the emphasis on an assessment of possible unbearable psycho-social pressure, UNHCR appreciates your quest for a balanced policy resulting in improved protection - which is what matters most for Ms Sahar Hbrahimgel and others in a similar situation. In this context, we would like to appeal to you that the assessment of the circumstances in the individual case, such as age and number of years of residence, is applied with an appropriate degree of flexibility in full awareness of the fact that such psycho-social pressures and problems may occur throughout a person's formative years.

Looking forward to pursuing our dialogue and cooperation, please accept, Sir, the assurances of my high consideration.



Wilbert van Hövell
Regional Representative for Western Europe