

Agency Coordinating Body for Afghan Relief & Development

Protecting health-care and education facilities during the upcoming electoral process

In the preparation for the upcoming elections of the spring 2014, the government of Afghanistan announced that some health facilities and schools had been designated as registration centers for the population and as polling stations.

First and foremost ACBAR members acknowledge that the upcoming election process is a civilian political process, thus non-military, and therefore shouldn't be targeted under International Humanitarian Law.

However, in the current context of an on-going non-international armed conflict between the Government of Afghanistan, together with its international allies, and numerous, disparate Armed Opposition Groups; the fact that Afghan and international security forces will be involved in the protection of voting centers and the fact that the current political process is strongly contested (and backed by parties to the on-going non-international armed conflict), voting centers present a high risk of being attacked during the process (as it has been the case over the recent election processes in the country).

The current conflict has an increasingly high impact on the lives of the afghan population¹ with health providers being unable to operate properly (permanently or temporarily) in 58 districts of the country, and numerous areas not providing sufficient education opportunities to Afghan children. Consequently, diverting such essential services as education and health for a political process presents several risks and could ultimately result in a permanent loss of access to health facilities or schools for two main reasons.

Firstly, according to International Humanitarian Law, health-care facilities retain their protected status as long as they are **exclusively devoted to the care of the wounded and the sick** and are not used to advance military goals. Designating health facilities as registration centers and polling stations would thus put the patients and the staff working in these facilities at risks of attacks. This protected status is what allows health-care providers to operate in conflict situations and is at the heart of their mission. It is by operating as neutral, impartial actors that health care providers are able to gain access and respect from all parties to a conflict. In the current context, using health care facilities as a political space would severely harm the perception that other actors and the population have of them. The situation is similar for schools as their use will undermine them being perceived as neutral, impartial and non-military facilities.

¹ The Mid-year Report 2013 "Protection of Civilians in Armed Conflict" from UNAMA and published July 2013, estimated that the number of civilian casualties increased by 23 percent in the first six months of 2013 compared to the same period in 2012. The second highest number of casualties ever recorded by UNAMA (since 2009), for the same period.

Secondly, using these essential life-saving for political purposes would clearly undermine their availability for healthcare purposes thus disturbing their normal operations and hindering the access for the population, the continuity of care for the patients.

Considering that healthcare and education needs remain high and a priority in the context of an armed conflict, health facilities and schools should not be requisitioned for other purposes.

We, as Non-Governmental Organizations working in Afghanistan, are asking all parties to the conflict and among them the Government of Afghanistan and the international community supporting the election process, to protect the access to healthcare and education facilities. Voter registration and voting in healthcare facilities are endangering both the health personnel and the patients and their families, while in schools, it undermines the right of the Afghan children to receive an education and endanger them and their teachers. We ask that this abuse of health and school facilities **should under all circumstances be avoided in the upcoming elections and for other political purposes.**

ACBAR Members

Humanitarian Principles

Humanity: Human suffering must be addressed wherever it is found. The purpose of Humanitarian action is to protect life and health and ensure respect for human beings.

Neutrality: Humanitarian actors must not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Impartiality: Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.

Independence: Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.
