

AGREEMENT ON THE MANAGEMENT OF THE SITUATION FOR
INTERPRETERS AND OTHER LOCALLY EMPLOYED IN AFGHANISTAN

Copenhagen, 22 May 2013

1. The Danish coalition government (the Social Democrats, the Social-Liberal Party and the Socialist People's Party) and the 'Venstre' (the liberal party), the Liberal Alliance and the Conservatives have entered into the present agreement, the purpose of which is to ensure that no interpreters or other locally employed who have assisted the Danish effort in Afghanistan will be let down in connection with the reduction of the international engagement in Afghanistan.

The agreement implies that Denmark will enter into an agreement with Great Britain regarding a coordinated Danish-British management of the interpreters and other locally employed in Afghanistan, who have been employed by the British military, and who have assisted the Danish military units in Afghanistan. The agreement implies a Danish adaptation of the British policy for managing these cases, in order to comply with the regulations on asylum of the Danish Aliens Act. This especially includes the demand for a specific and individual evaluation in each case.

2. The British policy for managing interpreters and other locally employed in Afghanistan includes criteria for time and duration of employment, respectively. This implies that both interpreters and other locals, who have been employed as of 19 December 2012, and who have been employed for more than 12 months are offered the following options:

- 1) a *training package* of up to five years' duration or
- 2) an *18 months' redundancy package*

In addition to this, the British policy includes

3) a special *interpreters' package*, offering settlement in Great Britain for the Afghan interpreters employed by the British forces in the frontline as of 19 December 2012, and who have been employed for more than 12 months.

Finally, the British policy includes

4) an *intimidation policy* with a number of protective measures in relation to local employees who are threatened or otherwise in danger.

The appointed date 19 December 2012 marks the day, when Prime Minister Cameron announced the phasing out of the British troop contributions to Afghanistan. The *training package* and the *redundancy package* are local solutions in Afghanistan, where the employees are offered either to enter into training with pay for up to five years, or to receive a wage compensation for 18 months after their dismissal.

3. The parties agree that the focus of the Danish implementation of the solution, which has been closely coordinated with Great Britain, is especially directed towards the *interpreters' package* (item 3) and the *intimidation policy* (item 4), since the main part of the locals attached to the Danish effort are interpreters. Since 2001, the defence has made use of interpreters in connection with the effort in Afghanistan. The main part of these has been used after 2007, when the Danish effort in Helmand was increased. In the

report by the Chief of Defence of 1st April 2013, it is estimated that since 2008, the defence has made use of abt. 195 local interpreters in Helmand. Of these, 158 have been employed by the British military, and 37 by an American firm. On 1st April 2013, there were 34 locally employed interpreters supporting the Danish military units in Afghanistan. As frontline interpreters, these could be comprised by the *interpreters' package*.

With regard to the *interpreters' package*, based on the appointed date of 19 December 2012, the number 34 is estimated as normative. From this number should be deducted persons with less than 12 months' employment. In addition to the appointed date and the minimum employment of one year, it must further be evaluated whether the individual employee has had the closest connection with the British or the Danish forces. Interpreters who especially have assisted the Danish forces, and who can be offered entry and residence within the framework of Danish legislation, must have the option of choosing to go to either Great Britain or Denmark.

The *intimidation policy* for handling the locally employed comprises a number of measures for managing cases of intimidation, including local/regional solutions, such as work in another province, relocation of the person's close family, or relocation of the entire family, and, ultimately, Danish visa to apply for asylum in Denmark. The intimidation policy will work as a safety net for interpreters and other local employees, who have been assisting the Danish effort in Afghanistan. This arrangement may also include those interpreters who have been employed by the US firm Mission Essential Personnel. Danish officials must enter into the evaluation of who can be comprised by the arrangement.

4. The parties agree that the Danish Immigration Service must be in charge of managing the cases regarding visa for entry and subsequent applications for asylum in accordance with existing legislation. As point of departure, the persons in question will not be granted indeterminate residence permit until after five years, and on the assumption that the ordinary conditions for this have been complied with. This includes that the person in question has passed the Danish 1 Test, and has not committed any serious crime, among other things. Also, a residence permit may be revoked in accordance with the regulations of the Aliens Act, in case the conditions in the native country of the applicant have changed fundamentally.

5. Furthermore, three of Denmark's local employees at the Helmand Provincial Reconstruction Team can be offered the same conditions as the interpreters, whereas the local employees at the embassy in Kabul (48, by 1st January 2013) can be included in local programs (*training package* or *redundancy package*), if the need arises. Thus, the main part will continue in their jobs for years to come. From the Danish side, further protective measures may be initiated for the employees at the embassy within the framework of the *intimidation policy*.

It should be noted that this model does not include Afghan employees who have been working for Danish companies and private organizations, which are present in Afghanistan by choice.

In practical terms, a Danish implementation of the British-Danish solution will be consistent with the Danish Iraq agreement of 27 June 2007 (Agreement on management of the situation of the Iraqi interpreters etc.). It should be noted that in Iraq, 137 interpreters and other employees were comprised by the arrangement. Of these, 118 employees applied for and obtained asylum in Denmark together with 274 family members, i.e. a total of 392 persons. Since then, abt. half of these (202 persons) have chosen to return to Iraq, though

four interpreters and their family members have used their right to annul this decision, and have resettled once more in Denmark.

6. The parties to the agreement concur that in the future, in connection with international missions, the defence will not employ interpreters with close attachment to any operational area of the Danish forces.

7. The parties to the agreement will receive a biannual status of the implementation of the agreement.

8. The present agreement is valid until the end of 2015. The parties concur that the need for a prolongation of the present agreement after 2015 must be evaluated before the end of 2015.