

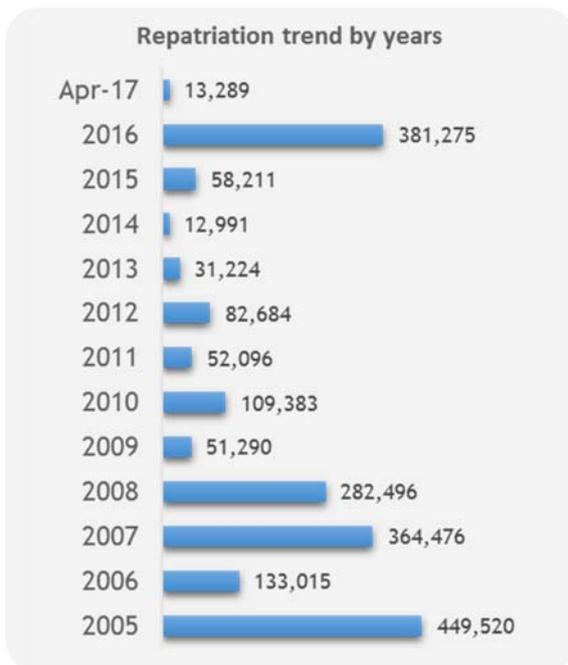
## UNHCR Pakistan Monthly Protection Trends Reporting April 2017

**R**epatriation increased dramatically in 2016 for a myriad of reasons, including positive pull factors and some negative push factors which led to questions related to the voluntariness of return. In order to more systematically monitor these factors and provide a clear objective analysis of the situation, UNHCR Pakistan is compiling this monthly note to be shared with the Government of Pakistan and the international community in order to inform key stakeholders of emerging trends and to raise formally and consistently any protection concerns that may arise.

### Analysis of Trends

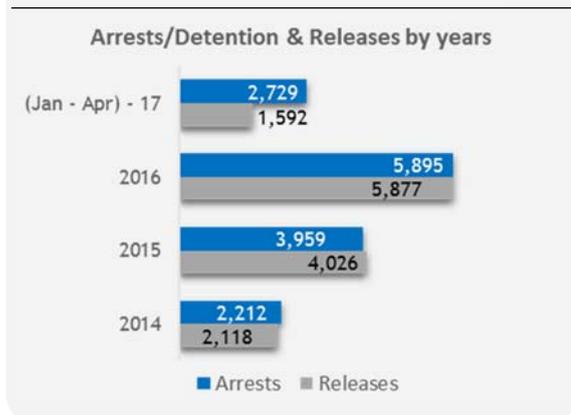
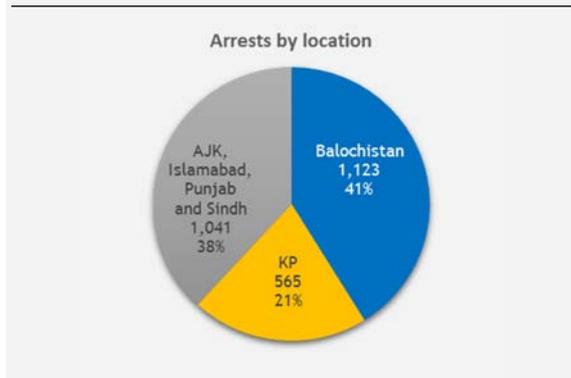
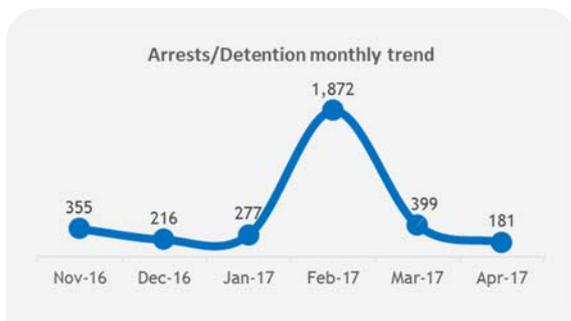
UNHCR facilitated Voluntary Repatriation recommenced on 3 April after a four month winter break. During the month, some 13,289 registered Afghan refugees repatriated to Afghanistan through Torkham and Chamman borders.

According to IOM' interviews of undocumented Afghans, the greatest pull factor remained "returning to own country" followed by "reunion with family/relatives" and "availability of assistance in Afghanistan".<sup>1</sup>



With the general improvement of security situation in the country, a decline in arrests and detentions were reported from across the country. 181 persons of concern were arrested during April, compared to 399 arrested in March which is 55 per cent decrease in the number of arrests and detentions countrywide.

According to the interviews conducted by IOM, the undocumented Afghans leaving Pakistan sighted "lack of documentation" as the highest push factor, followed by "afraid of being deported" and "economic factors".<sup>1</sup>



<sup>1</sup> Data Source: Flow monitoring of undocumented Afghan returnees from Pakistan (IOM Update | April 2017)

## Summary of Events

### 1. Arrests & Detention

During the month, 51 registered Afghan refugees (PoR card holders) in KP were released without being charged through Advice & Legal Aid Centre (ALAC) interventions whereas 15 PoR card holders charged under different laws (rental and preventive) were also released by ALAC teams. Similarly, out-of-court/office legal assistance was provided to 39 PoR card holders mostly related to police harassment and PoR cards related issues.

UNHCR also followed up on the arrest and threatened deportation of four refugees in Khuzdar district, Balochistan. The four had been convicted on their own plea of guilt for being in the country illegally and UNHCR learnt and intervened on their behalf while they were on the verge of deportation. Following an appeal lodged by private counsel on guidance of ALAC, they were released.

### 2. Evictions/ Eviction Notices

Police distributed eviction notices to urban refugees living in jurisdiction of Police Station Nawasher, Abbottabad Cantonment. UNHCR Field staff and SHARP ALAC team followed up the issue with relevant Police officials including DPO Abbottabad and SHO PS Nawasher. The SHO agreed to extend the deadline of eviction. Meanwhile, elders of the affected refugee community decided to move the High Court against this illegal eviction order. A private lawyer was hired for filing a writ petition in high court against the eviction order. UNHCR field staff in Haripur and SHARP ALAC Lawyers facilitated the lawyer in terms of documentation and apprising him of the relevant legal and policy framework concerning the stay arrangement of Afghan refugees in Pakistan.

The Peshawar High Court (Abbottabad bench) on 8 May disposed of the writ petition in favor of the refugees directing the DPO and SHO (P.S Nawasher) to restrain from harassing the refugees. The court also directed that the refugees should be dealt in accordance with the governments' law and policy and afforded protection under the same.

### 3. Undocumented Afghans

Due to regulated border management at Torkham and security operations across KP (usually related to questioning and checking of identity documents and a sense of restricted/controlled movement) a gradual increase was observed in the spontaneous returns of Afghans (mostly undocumented).

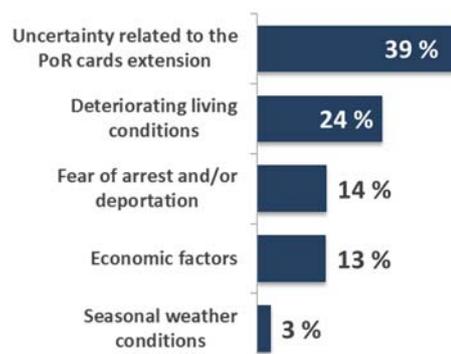
### 4. 2017—Exit Interviews / Encashment Centers Report Findings

Protection interviews with repatriating refugees at the Voluntary Repatriation Centres, Baleli Balochistan indicated that some refugees have been asked for bribes and detained for short periods of time in Karachi by police. Interviewed refugees reported that while the police would take bribes, the Frontier Corp did not. Both forces did, however, detain refugees for short periods of up to 3 hours.

#### Findings from Exit questionnaire interviews - April, 2017:

UNHCR facilitated Voluntary Repatriation recommenced on 3 April after a four month winter break.

Major factors impacting return as reported by repatriating families are:



In the interviews conducted at the UNHCR Encashment Centers in Afghanistan, the returning Afghan refugees narrated incidents of harassment which included search operations at refugee villages, arrests and detentions and release on payment of bribes, and eviction notices from different government authorities. However, they stated that level of harassment incidents are much lower compared to the high level of push factors faced by returning refugees last year. They also reported no added protection value of POR cards and uncertainty related to POR extension in Pakistan and extortions on the route to Torkham border.

## 5. Media/ Public Statements of Political or Government Officials

### Impact Level for Refugees & Asylum Seekers



Low



Medium



High

*Haji Nadir, an Uzbek-Afghan carpet weaver from Afghan Camp in Gadap Town, has switched professions recently. He had moved his carpet workshop from Northern Bypass to Al-Asif Square, hoping for safety in the heavy Afghan presence, but custom dwindled as the crackdown on refugees increased and he was forced to shut it down. (Dawn 8 April) - <https://www.dawn.com/news/1326150/fear-looms-over-afghan-camp-as-harassment-complaints-persist>*



*Since 2012, law enforcement agencies in the country under Foreigners Act, 1946 arrested about 52,144 foreigners and about 40,149 others were deported. In response to different questions in the Senate Question Hour, legislators were informed that as many as 61 Pakistanis were also extradited from three Gulf States. (Tribune 12 April) - <https://tribune.com.pk/story/1381051/40000-foreigners-deported-since-2012/>*



*No evidence has been found to prove that Afghan refugees in Pakistan had been forced to return as a result of a campaign of intimidation and police extortion, Pakistani Deputy Foreign Minister Tasnim Aslam told Sputnik, commenting on a human rights watchdog's report alleging that almost 600,000 Afghans were forcefully repatriated. (Sputnik 19 April) - <https://sputniknews.com/asia/201704171052719783-pakistan-afghan-refugees-repatriation/>*



## Summary of significant actions to counter push factors

The joint UNHCR, CAR, CDU, SHARP (ALAC) response initiated in March 2017 to effectively respond to the spill-over effects of implementation of the National Action Plan (NAP) against counter terrorism, on our PoR card holders, of the earlier wave of terrorist attacks across Pakistan in February was expanded to districts Mardan, Buner, Sawabi and Malalakand Agency after its successful implementation in the key districts of Peshawar, Charsadda and Nowshera. The aim of the response is to apprise police officials, at all levels, of the recent developments in terms of GoP refugee policy and also to revive coordination between police officials and refugee communities of RVs through designated refugee elders. The initiative has been welcomed by the police as well as refugee communities living in the RVs.

With the first reports of harassment and extortion, UNHCR offices are following up on a case by case basis with Law Enforcement Agencies (LEAs) and authorities as well as monitoring the situation.