

## UNHCR Pakistan Monthly Protection Trends Reporting January 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.

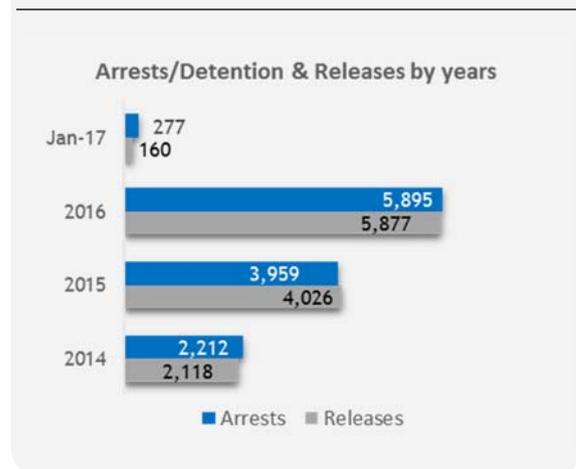
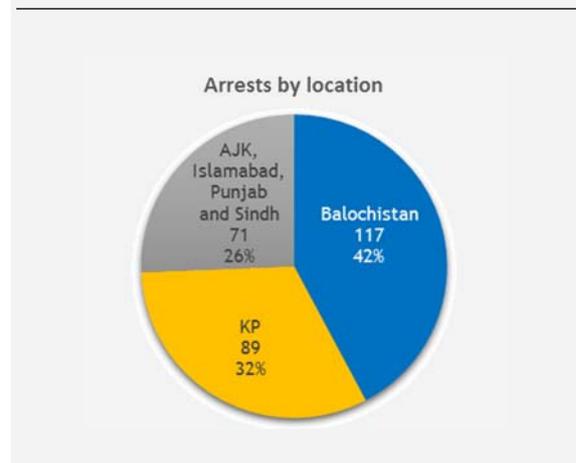
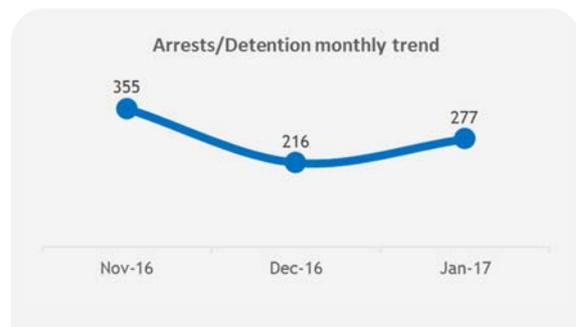
### Analysis of Trends

During 2016, 18 per cent of the registered Afghan refugee population returned in Afghanistan in 2016 (28 per cent from KP). As of 31 December 2016, 1.33 million Afghan refugees remain in Pakistan.

In January 2017, arrest and detentions in all provinces increased slightly from the previous month (total 277 in January 2017 compared to 216 in December 2016) and continued to be the highest in Balochistan (total 117 arrests in January 2017, 176 arrests in December 2016, 318 in November 2016). Afghan refugees were arrested on the pretext of the expiry date, 31 December 2015, written on the Proof of Registration card after being asked for legal documentation as part of security checks. Many were subsequently released after several hours of detention at police stations. As a general trend, the majority of those arrested and assisted by UNHCR ALAC partners are PoR cardholders (99 per cent) with a few mandate Afghan refugees and asylum seekers.

2016 witnessed 67% more arrests and detentions of Afghan PoR cardholders than 2015 and marked the highest number since UNHCR introduced the ALAC network. During the year, a total of **5,895** persons of concern were arrested/detained countrywide with a **three day average** length of detention (99.7 per cent released due to ALAC interventions). The total number of arrests in Balochistan exceeded those in KP in 2016 (98 per cent were short arrests/detained without any charges and released within 24 hours). A general decrease in arrests countrywide was observed in the last quarter as well as for the month of December.

Also during January, there was an increase in eviction notices given to Refugee Villages (4 all in KP Province). This is a concerning increase as voluntary repatriation is not even an option until April and options given to these refugees are few. Fortunately, UNHCR and CCAR intervened in all cases and gained time for relocation or other decisions to be taken.



## Summary of Events

### 1. Arrests & Detention

In January, 277 Afghan PoR card holders were arrested, and provided legal assistance through UNHCR's ALAC network. During the month, out-of-court/office legal assistance (rental agreements, solution of issues with law enforcers and other legal issues) was provided to 100 persons of concern mostly related to police harassment and PoR card-related issues. In addition to court representations for arrest/detention cases under the Foreigners Act/preventive laws, ALAC lawyers in KP helped refugees to pursue 12 cases related to money/land in local courts, bringing the total court representations to 54.

### 2. Evictions/ Eviction Notices

Three RVs in KP – Gandaf, Zandal Patay and Koga –received eviction notices from the Government. UNCHR took up the issue with CCAR, which informed that the camp closure is a consultative process (MoRR, UNHCR, CAR) and was confident that evictions would be “delayed”.

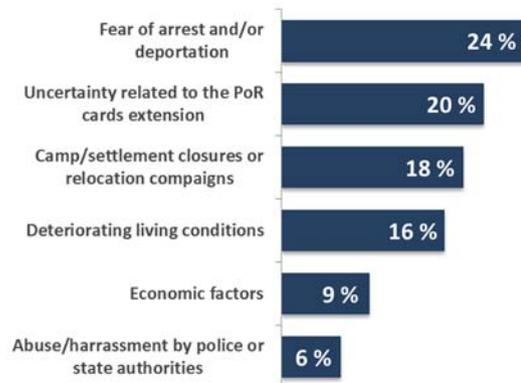
In January, the authorities asked the refugees to vacate RV Baghicha in Mardan district which is falling on the proposed location for an under-construction expressway. UNHCR consulted with the refugee elders on various options. The options included relocation to the adjoining areas. UNHCR received a list of 245 affected families (1,800 individuals) from the CAR-DA Mardan who expressed their willingness to shift to the surrounding area of Baghicha RV.

### 3. 2016—Exit Interviews / Encashment Centers Report Findings

During 2016, UNHCR in both Pakistan and Afghanistan conducted exit interviews and returnee monitoring in order to understand what was driving the return. The results below illustrate that there was general consistency in what factors influenced return, albeit with different emphasis on importance depending on the month.

#### Findings from Exit questionnaire interviews:

Facilitated voluntary repatriation was paused for winter break from 1 December 2016 to 31 March 2017. Findings presented are from Exit questionnaire interview for the year 2016.



#### Enhanced return monitoring exercise findings from Afghanistan:

In Afghanistan, UNHCR undertook an enhanced return monitoring exercise, based on face-to-face interviews at the point of arrival and telephone interviews after a period of three months. **A total of 4,129 heads of household interviews (representing 7 per cent of returnee families) were conducted with returning refugees at the encashment centres managed by UNHCR and the Ministry for Refugees and Repatriation.** Refugee returnees reported loss of livelihood opportunities owing to the prevailing protection situation facing Afghans. Moreover, harassment and intimidation, arbitrary arrest, night raids on homes, and extortion and bribery, were reported as the primary push factors influencing refugees' decision to return, with marked differences between the first and second halves of 2016.

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

### Impact Level for Refugees & Asylum Seekers



Low



Medium



High

*The Pakistan border security forces once again restricted entry of Afghan national drivers and conductors and asked them not to cross into Pakistan via Torkham border without valid travel documents. Most Afghan truck drivers do not have passports therefore the strict border controls could result in less transport being available when repatriation resumes or increased cost for transport. (Nation 20 January) - <http://nation.com.pk/national/20-Jan-2017/entry-of-afghan-drivers-restricted-at-torkham>*



*A Peshawar High Court bench on Thursday asked the State and Frontier Regions Secretary and Khyber Pakhtunkhwa Chief Secretary to formally respond to a petition seeking orders for the federal government against extending the stay of Afghan refugees in the country for another year and for ensuring their early repatriation. (Tribune 26 January) - <https://www.dawn.com/news/1309599/lawyer-moves-phc-against-extension-in-afghans-stay>*



*"The grim scapegoating of Afghan refugees by both the state and its law enforcers has long been assailed by right-minded sections of the public and the media. But the relentless propaganda against this vulnerable section has continued to the point where public opinion appears to have been irreversibly poisoned against the continued presence of Afghan refugees on Pakistani soil." (Dawn 16 January editorial) - <https://www.dawn.com/news/1308849/hounding-refugees>*



## Summary of significant actions to counter push factors

UNCHR held a meeting with the Chief Commission of Afghan Refugees (CCAR). The following key issues/concerns were discussed:

- Extension of PoR cards beyond 31 March 2017: An official notification from SAFRON is yet pending. SAFRON says it plans to issue the official communication together with the decision on the APC proposals made to the Cabinet. The next Cabinet meeting is scheduled for the second week of January.
- Eviction notices in KP: Following FU Islamabad's interventions, Punjab CAR Commissioner sent a letter to the Home Department, Punjab last month to request the mandate refugee's release. UNHCR/ALAC lawyers are following up to ensure the release of the detained individuals as soon as possible.

The UN Humanitarian Country Team (HCT) held a special HCT meeting on the repatriation of Afghan refugees and undocumented Afghans to discuss the latest situation and understand the dynamics/challenges during the return process and the way forward for the HCT in 2017. HCT agreed on joint advocacy, resource mobilization and preparedness activities.