

2015-2017 Protection Strategy Pakistan

EXTERNAL

UNHCR Pakistan's multi-year Protection Strategy aims to guide UNHCR and its partners on UNHCR's strategic priorities for the protection and assistance to persons of concern to UNHCR in Pakistan. It provides an overview of the populations of concern, the operational context in Pakistan and of the various on-going and planned activities country-wide for 2015-2017. UNHCR's populations of concern include Afghan refugees and refugees of other nationalities, asylum-seekers (persons seeking international protection), internally displaced persons¹ within the country due to conflict and persons who are stateless or at risk of statelessness. The analysis of the protection situation describes the protection needs of these populations and the various challenges in meeting these needs. The strategy follows three strategic priorities for 2015-2017 – durable solutions, protection and assistance, and partnership and collaboration – as outlined in the sections on UNHCR's vision, partnerships with key stakeholders and objectives & activities.

POPULATIONS OF CONCERN

With 1.5 million registered Afghan refugees, Pakistan continues to host the largest protracted refugee population under UNHCR's mandate in a single country. Following several large-scale influxes since 1979 as well as on-going return movements, the number of Afghans residing in Pakistan was once much higher (3.3 million reported in 2002). However, more than 2.7 million repatriated with UNHCR's assistance between 2002-2005, before 2.1 million Afghans were eventually registered on a *prima facie* basis in 2006/07 including biometrics and were issued Proof of Registration (PoR) cards by the Government of Pakistan. Since 2002, UNHCR has assisted a total of over 3.9 million Afghans to return to Afghanistan under the largest voluntary repatriation programme in UNHCR's history.

The majority of the Afghan refugee population reside in Khyber Pakhtunkhwa (62%) and Balochistan (20%) provinces, followed by Punjab (11%), Sindh (4%), Islamabad (2%) and less than 1% in Azad Kashmir. The majority of Afghan nationals are ethnically Pashtun (86%), followed by Tajiks (6%), Uzbeks (2 %) and others (6 %). Children and youth (up to 24 years of age) constitute 64% of the Afghan refugee population in Pakistan, the majority of whom were born in Pakistan in the second or third generation.

In addition, according to government estimates, some 1 million Afghans are residing irregularly in Pakistan. This population does not *per se* fall under UNHCR's mandate², but is the source of a constant flow of asylum applications. It includes persons who arrived after 2007 when the Government closed the registration process, but also Afghans who repatriated to Afghanistan under UNHCR's assisted voluntary repatriation programme and subsequently returned to Pakistan for a variety of reasons. The Governments of Afghanistan and Pakistan have agreed to embark on a joint registration of this population as well as issuance of Afghan passports and Pakistani visas to them. As undocumented Afghans are typically part of family units with PoR cardholders, their registration would help to reduce pressures on PoR cardholders and avoid unmerited asylum applications triggered by security operations against undocumented Afghans.

¹ The Government of Pakistan refers to these populations as temporarily dislocated persons (TDPs) while the international community maintains the internationally recognized terminology.

² Distinguishing between the undocumented Afghans and Afghan PoR cardholders is important given the distinct rights accorded to the two groups as well as differences in the existing protection/assistance frameworks. However, some undocumented Afghans may have valid international protection needs.

Furthermore, some 600 non-Afghan mandate refugees (mostly from Somalia, Iraq, Iran and Myanmar) are registered with UNHCR as well as some 6,000 asylum-seekers from Afghanistan and the same countries listed above.

Due to repeated military operations against armed anti-government groups in the Federally Administered Tribal Areas (FATA) which began in 2005 and continued into 2015 and – to a lesser extent – sectarian violence in certain parts of FATA, a total of approximately 195,000 registered families (over 1.1 million individuals³) are internally displaced as of November 2015. A small segment (less than 1%) of the total registered IDP families considered most vulnerable (around 1,700 families/10,000 individuals are living in three camps managed by UNHCR. As of November 2015, around 108,000 registered families (over 650,000 individuals) have returned to different FATA agencies.

As a consequence of the latest military operations in North Waziristan and Khyber agencies, more than 36,000 Pakistani families (around 224,000 individuals) have fled their homes and crossed into Afghanistan, mainly to the Khost and Paktika provinces since 2014. UNHCR Afghanistan is preparing a comprehensive registration exercise for this population in order to plan the next operational steps.

In addition to conflict-induced IDPs, according to the Government of Pakistan's (GoP) estimates, some 1.6 million Pakistanis have been affected by regularly occurring natural disasters such as floods, droughts and earthquakes as of September 2015. Approximately 233,000 individuals are in 214 relief camps set up in Sindh, the most affected province. Apart from UNHCR which ceased its operational role in responding to natural disaster IDPs in 2012, other agencies continue providing assistance, reflecting the complex humanitarian needs within the country.

Finally, Pakistan hosts a yet to be determined number of persons who are stateless or at risk of statelessness due to unresolved nationality issues as a result of the break-up of India, Pakistan and Bangladesh (Bengali and Bihari populations) or because their country of origin denies them nationality (Rohingyas from Myanmar). All groups are predominantly residing in Karachi.

OPERATIONAL CONTEXT

Three decades of protracted refugee presence have placed a heavy burden on Pakistan and contributed to an increasing sense of asylum fatigue in the host communities and at the political level. Moreover, Pakistan continues facing socio-economic, political, humanitarian and security challenges, including political instability and attacks by insurgent and extremist groups. Following the tragic terrorist attack on the army public school in Peshawar in December 2014, the GoP has adopted a National Action Plan on Counter-Terrorism (NAP), the implementation of which has multiple implications for the treatment and protection of all populations of concern to UNHCR, in particular for Afghan refugees whose presence in Pakistan is often associated with the prevailing security situation. With the adoption of the NAP, national security prerogatives are increasingly taking precedence over humanitarian considerations, resulting in restrictions on access to populations of concern. UNHCR and partners are required to obtain a Non-Objection Certificate (NOC) issued by the government to visit refugee and IDP hosting areas. The NOC must be applied for several days in advance and the issuance is not guaranteed, hampering humanitarian access. Moreover, in the past months, the Allowed to Work status of several INGOs, including several key UNHCR partners, has been suspended as part of measures by the

³ The number of individuals is calculated based on an average family size of 6 as agreed by the Humanitarian Country Team agreement in 2013.

government to prevent illegitimate activities by NGOs in Pakistan and for a proper scrutiny mechanism by the Ministry of Interior to be followed by MOUs with the Economic Affairs Division (EAD). In addition to these legal obstacles, access to populations of concern is hampered by security constraints and their spread over vast geographical areas.

UNHCR and partners with the support of the Ministry of States and Frontier Regions (SAFRON), have been able to successfully mitigate against policy proposals in the wake of the Peshawar attack such as the forcible return of PoR cardholders from Khyber Pakhtunkhwa (KP) province (hosting more than 1 million refugees) within a month after the attack and the adoption of an encampment policy for Afghan refugees, which resulted in evictions of urban refugees. Through advocacy and awareness-raising promoting respect for the status of PoR cardholders and their right to stay in Pakistan (i.e. issuance of a notification by the Ministry of SAFRON to provincial home departments), the spike in arrests and detentions at the beginning of the year gradually decreased; however, the rate of arrests and detentions remains significantly higher than in previous years. The situation of Afghan refugees continues to be vulnerable in light of on-going security operations in the aftermath of the Peshawar incident as part of the NAP implementation and regular evictions of illegally occupied sectors in Islamabad and KP, affecting both Pakistani nationals and Afghan refugees who were allowed to reside on these properties in Pakistan in the past.

Pakistan is not a party to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. At present, Pakistan has also not enacted a domestic legal framework for the protection of refugees and, consequently, has no domestic refugee status determination procedures or institutions in place. Therefore, UNHCR conducts individual refugee status determination under its mandate and on behalf of the Government of Pakistan in a challenging context of mixed migratory movements in the region. The absence of a legal framework leads to ad-hoc and temporary approaches and exposes the management of refugees to unpredictable and difficult to control political/security developments. One example in point is the temporary validity of PoR cards, which has been repeatedly interpreted as a deadline for the stay of Afghan refugees in Pakistan and, coupled with delays with regard to the extension, has created pressures for Afghans to return.

Voluntary repatriation continues to be the preferred durable solution for the vast majority of Afghan refugees. After a continuous decline in numbers over the past several years hitting an all-time low in 2014 with only 12,991 returnees, more than 56,000 refugees have repatriated to Afghanistan until November 2015. While the establishment of a new Government of National Unity of Unity in Afghanistan at the end of 2014 pursuing an agenda for reform and development triggered hopes for greater stability in the country and thus improve return prospects for Afghan refugees, the security situation has become more volatile following the withdrawal of the International Security Assistance Force (ISAF) from Afghanistan (with a much smaller remaining international security contribution through the Basic Security Agreement (BSA) with the US).

Since the beginning of 2015, the number of conflict-induced IDPs in Afghanistan has progressively increased and present estimates by the IDP Task Force in Afghanistan suggest that by the end of the year, more than 48,500 families/320,000 individuals may become displaced. Based on current projections, the rate of displacements may be the worst since 2002. In addition to the unpredictable security situation, the limited absorption capacity in Afghanistan remains a challenge, in particular the lack of livelihoods, land and shelter present considerable obstacles to sustainable reintegration. Empowering the large number of youth will be critically important in order to enable them to envisage return and integrate sustainably. On the other hand, return trends are also affected by increased rates of arrests, detentions, evictions and other forms of harassment in Pakistan and the prevailing uncertainty regarding the continued validity of the PoR card.

Enhanced bilateral dialogue and coordination between the National Unity Government of Afghanistan (GoA) and GoP have translated into a number of important policy agreements throughout 2015. At the 25th Tripartite Commission (TC) meeting⁴ held in March 2015, both Governments reaffirmed that the 2012 Solutions Strategy for Afghan Refugees (SSAR)⁵, which integrates the Refugee Affected and Hosting Areas (RAHA) initiative launched since 2009, will continue to be the overarching framework for their cooperation. In addition, the Governments agreed to develop joint and mutually reinforcing plans on voluntary return and sustainable reintegration of Afghan refugees, as well as the management of this population, including their legal status in Pakistan beyond 2015. The GoP reconfirmed its commitment to the principle of voluntariness of all refugee returns, to phased returns taking Afghanistan's absorption capacity into account and to the continued protection of refugees in Pakistan in the meantime. UNHCR will help facilitate joint resource mobilization efforts led by the GoA and supported by the GoP for the implementation of the Enhanced Voluntary Return and Reintegration Package (EVRRP), endorsed at the meeting, which aims to empower returnees at an individual level so as to allow for their anchoring by supporting the reintegration process.

Resettlement was recognized as a tool to provide protection and a durable solution for the most vulnerable refugees in line with the SSAR and as a concrete demonstration of international responsibility-sharing in this regard, which contributes to the preservation of asylum space in Pakistan. The GoA and GoP have further agreed to register and document as migrants the estimated 1 million Afghans residing irregularly in Pakistan, which will help to decrease the number of asylum applications originating from this population which are not necessarily based on international protection needs.

Furthermore, the 4th Quadripartite Steering Committee meeting was held in the Islamic Republic of Iran in May 2015 where the Governments of Pakistan, Afghanistan and Iran and UNHCR endorsed the second phase of the SSAR (2015-17) for continued support to the gradual, safe, dignified and sustainable voluntary return and reintegration of Afghan refugees as well as continued assistance to their host communities. The parties also endorsed the EVRRP concept.

At the 26th Tripartite Commission meeting in August 2015, the two governments presented their draft plans. The GoP's draft Comprehensive Policy on Voluntary Repatriation and Management of Afghan Nationals beyond 2015 supports lasting solutions for Afghan refugees in line with the SSAR, proposes the extension of the validity of the Tripartite Agreement and PoR cards until the end of 2017 and provides the option for certain profiles of PoR cardholders to obtain Afghan travel documents in conjunction with Pakistani visas/work permits. The policy also foresees the phased and voluntary return of refugees while the remaining refugees will enjoy continued protection in Pakistan in accordance with international norms and guarantees access of undocumented Afghans with protection needs to UNHCR. It further commits to the development of a national refugee law, recognizing that the current legal gap in this area complicates a predictable and distinct management of refugees and migrants in Pakistan.

Refugees in Pakistan face many protection challenges as a result of their protracted presence, the evolving security context and their gradual urbanization, which was spurred following the reduction/discontinuation of food rations in refugee camps in the mid-1990s. At present, 68% of the total number of refugees are residing in

⁴ Tripartite Commission meetings are convened on the basis of the Tripartite Agreement on the Voluntary Repatriation of Afghan Citizens between the Governments of Pakistan and Afghanistan and UNHCR, which expires at the end of 2015.

⁵ The Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries and the country portfolio of RAHA projects are available at: <http://www.unhcr.org/pages/4f9016576.html>

(semi-)urban settings. While UNHCR continues to provide primary education and health services in the remaining 54 refugee villages, urban refugees have to rely on the existing infrastructure, which is often overstretched, not always accessible for refugees and provides not always appropriate services. To address the specific needs of urban refugees, UNHCR has enhanced its community outreach and expanded partnerships since 2014. In the same vein, a joint urban refugee strategy is being discussed with the Chief Commissionerate for Afghan Refugees (CCAR) and its provincial offices to ensure that all refugees living in urban areas can enjoy their fundamental human rights and access basic services. In addition to advocacy for the mainstreaming of refugee needs into GoP, UN and NGO plans, programmes and policies at all levels, the strategy is built on community-based approaches and on existing community capacities/initiatives.

However, the financial austerity measures that UNHCR had to adopt for 2015 and 2016 which impact on operational and human resources, will render it extremely challenging for UNHCR to maintain the existing levels of protection activities including legal assistance, protection needs assessments, registration/documentation, RSD, refugee outreach for all refugees and primary education and basic health care for refugees in refugee villages. The main focus will therefore need to be on a responsible handover of existing services for refugees in education and health, including through more targeted RAHA projects, while enhancing key legal protection activities in light of the deteriorating protection environment for Afghan refugees.

As far as IDPs are concerned, the role of the Humanitarian Country Team, including UNHCR, in responding to their protection and assistance needs is not fully recognized by the GoP. On the other hand, the provincial KP government, where the IDPs are residing, regularly requested the humanitarian community for their support. The federal government has for the first time assumed a coordination and a stronger response role in relation to the mass displacement from North Waziristan in mid-2014, however, the lack of a national/provincial policy regulating the GoP's support to IDPs and the nature of these displacements continue to impact on the protection and assistance to IDPs in accordance with humanitarian principles such as impartiality and neutrality. At KP/FATA level, the Provincial Disaster Management Agency (PDMA) and the FATA Disaster Management Agency (FDMA) provide protection and assistance to IDPs with support from the humanitarian community under the cluster approach.

As military operations in FATA have been largely completed by 2015, only small-scale new displacements are expected in the coming years as a result of targeted interventions or sectarian violence. The focus of the GoP will be on return of IDPs as the military is expected to hand over ('de-notify') more areas to the civilian authorities, despite challenging conditions for returnees in the areas of return and restricted access of humanitarian actors to return areas. However, Pakistan remains prone to displacement due to natural disasters (flood, drought and earthquakes). Following the floods in 2010, the capacity of the national authorities to respond to such disasters has been consistently built, but might be insufficient in case of large-scale displacement. Following an operational review in 2012, UNHCR has discontinued its operational engagement in responding to natural disaster IDPs and withdrawn from the protection lead role (cluster and sectorial) in this regard.

Statelessness remains a very sensitive issue due to geopolitical and historical developments in the region. Nonetheless, there is a need to identify stateless persons and attend to their protection needs. The GoP has not yet acceded to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness despite the fact that the national legal framework largely in line with international standards enshrined in these conventions.

PROTECTION SITUATION ANALYSIS

While the GoP has recognized the need to continue providing protection and assistance to refugees and IDPs, protection risks linked to a range of political, socio-economic, security and other factors continue to pose challenges. The following is a summary of some of the main protection concerns in Pakistan.

Legal and policy framework for protection and solutions

In its National Policy on the Management and Repatriation of Afghan Refugees adopted in July 2013, the GoP recognized the absence of a national refugee law as a gap. Consequences of the absence of a legal framework for refugees include the lack of awareness among law enforcement agencies on the rights (and duties) of refugees resulting in unlawful arrests, detentions and evictions, ad-hoc approaches in response to national security agendas in an unstable national security context, and a general unpredictability of the GoP's position in relation to refugees with a potential negative impact on donor support or the use of resources to address immediate needs (e.g. repeated PoR card renewals) rather than strategic interventions aimed at maximizing durable solution options. The adoption of a national refugee legislation will help improve the management of Afghan refugees and migrants and contribute to durable solutions. It would codify the values and norms already long entrenched both in Pakistani legislation and traditions of hospitality, help avoid misinterpretations and ensure that Pakistan further solidifies the international recognition that it rightly deserves for its long-standing national refugee protection regime.

By setting clear standards and procedures, the national refugee legislation can assist authorities in distinguishing between genuine refugees and economic migrants and identifying persons who are undeserving of international protection, thereby supporting some of the national interests of Pakistan, including national security prerogatives and considerations. Principles and standards of international refugee protection and national security considerations intersect and reinforce each other in many critical areas. Efforts to ensure national security and stability can contribute to diminishing some of the core causes for forced displacement and sustain the environment in which all persons, including refugees, enjoy safety and the exercise of their human rights.

The policy framework regulating Afghans refugees' status and rights in Pakistan encompasses the SSAR, the Tripartite Agreement on the Voluntary Repatriation of Afghan Citizens, which will expire at the end of 2015, the 2013 National Policy on the Management and Repatriation of Afghan Refugees, which will be replaced by the new policy to be adopted in late 2015, as well as the 2006 MOU between UNHCR and the GoP on the Registration of Afghan Citizens living in Pakistan. Moreover, there are a number of executive decrees and notifications on particular issues. However, these various instruments do not provide a comprehensive set of norms for the protection of refugees, and exclude asylum-seekers and non-Afghan refugees.

The situation with respect to IDPs is very similar as there is no national/provincial policy regulating the protection and assistance to conflict IDPs in Pakistan.

In terms of statelessness, the legal system of Pakistan only recognizes two categories of persons with respect to their relationship with the state - citizens or foreign nationals – while the concept of statelessness does not exist in the legal, administrative or policy framework. However, the citizenship laws of Pakistan aim at preventing and reducing statelessness to some extent while the implementation of the laws remains a challenge.

Access to asylum and respect for the non-refoulement principle

The Pakistan border with Afghanistan is stretching over 2,643 km and is porous, with only two official border crossing points at Torkham in KP and Chaman in Balochistan. According to reports, some 30,000-40,000 people are crossing these border points every day in both directions without significant restrictions. However, the NAP

has identified a stricter border management regime as an area of attention and more rigorous conditions for entry are in the process of being established, e.g. a biometric system at the border. Access to border areas by UNHCR and partners is limited due to difficulties in obtaining NOCs, however, UNHCR has deployed border monitors at both border crossing points with a view to facilitate voluntary repatriation, but also to monitor entry conditions. From UNHCR's perspective, the main concern relates to a lack of awareness among frequently rotating border officials on the right to seek asylum and the absence of an asylum referral mechanism at the border that may prevent persons in need of international protection to have (timely) access to UNHCR's RSD procedures.

In 2014, 22 cases of *refoulement* of Afghan PoR cardholders and 11 cases as of mid-year 2015 were reported to UNHCR/partners, which represents an increase compared to previous years, partially to be attributed to expanded security operations in the wake of the Peshawar school attack. However, this relatively small number also needs to be seen in a context of limited border monitoring as well as legal intervention capacities by UNHCR's legal advice and assistance (ALAC) partners, coupled with access constraints in FATA and to certain detention facilities.

Outreach to dispersed refugee populations

At present, 68% of the total number of refugees are residing in (semi-)urban settings which are scattered across Pakistan while 32% of the refugees reside in the remaining 54 refugee villages. While the infrastructure built in refugee villages over many years facilitates access of refugees to basic services, the knowledge of refugees living outside of refugee villages about available services remains limited. On the other hand, service providers do not always accept refugees as their clients for different reasons. Outreach therefore needs to address refugee populations as well as service providers and connect these two sides to ensure that refugees have effective access to basic services and that vulnerable refugees are identified and referred for an appropriate response.

Operational challenges to urban refugee outreach reside in the lack of resources/services for urban refugees, the inability to reach/cover the vast geographical areas where urban refugees reside, as well as the limited staffing capacity. In addition, Protection, Community Services and Field staff are currently stretched over a wide range of activities such as education, community development, mapping, legal protection interventions in light of increased levels of arrest/detention, evictions and police harassment, SGBV and child protection for both refugee village-based and urban refugees, as well as capacity-building for local partners.

High SGBV prevalence and inadequate/unavailable response services

Sexual and gender-based violence is a core protection problem affecting the entire, in particular female, population of Pakistan. Despite years of programming designed to address this issue and an increasing global focus, significant gaps in SGBV prevention and response remain in Pakistan. A volatile security context, deeply rooted cultural norms and weak law enforcement as well as limited services providing adequate responses present the main challenges both to carrying out successful interventions and to fostering an environment in which survivors feel safe to report incidents and access services without additional risks. As a result, underreporting is endemic, survivors are difficult to identify, referrals to appropriate services are not always possible and data collection is limited, hampering analysis and appropriate programming.

Potential for durable solutions is not fully realized

Voluntary repatriation:

Following the Peshawar school attack in December 2014, the voluntary nature of returns has been partially affected by mass arrests, evictions and other forms of harassment of Afghans (PoR cardholders and irregular migrants). The situation has since improved due to advocacy and awareness-raising interventions by UNHCR and partners and the issuance of ministerial notifications clarifying the legality of stay of PoR cardholders.

However, harassment, including during return travel, persists and requires continuous follow-up with authorities at different levels. Lack of reintegration opportunities in Afghanistan, in particular the lack of land, shelter and livelihoods, remains an obstacle for return along with limited mapping of refugee skills available in host countries and employment opportunities for inclusion of returnees in the labour market in Afghanistan, which requires an expansion of partnerships and coordination with other UN agencies, NGOs and microfinance organizations.

Due to the protracted nature of the refugee situation, approximately 64% of the refugees are below the age of 24 years and many are born in Pakistan in the second or third generation. These demographics call for particular attention to youth empowerment projects in order to provide access to durable solutions.

Resettlement:

Approximately 8,900 cases/26,800 Afghan refugees are estimated to have specific protection needs that cannot be addressed in Pakistan and are potentially in need of resettlement based on the Population Profiling, Verification and Response (PPVR) survey carried out in 2010-11 and further analysis based on regular protection needs and participatory assessments. In addition, some 100 non-Afghan refugees might qualify for resettlement. However, case processing remains largely dependent on self-referrals due to difficulties in reaching out to communities, because of the volatile security situation in Pakistan, the fact that refugees are dispersed over large geographical areas and the scarcity of suitable partners for the referral of eligible cases. A shift of focus among resettlement countries to emergencies such as the Syria context may affect UNHCR Pakistan's ability in the future to secure sufficient resettlement places for the operation. Meanwhile, the length of the resettlement process, coupled with the unpredictability of its outcome, contribute to the challenges for UNHCR and its partners to provide protection and ensure the required level of social and medical services, especially for vulnerable refugees.

The two main profiles for resettlement (women without effective male support and former ISAF/international community employees) are vulnerable to fraud due to potential misrepresentations of the family composition and submission of forged employment certificates. Moreover, there is a risk of Pakistanis presenting themselves as Afghans in order to benefit from resettlement. The preventive measures that have been adopted to address these concerns such as home visits, checklists, verification of documents with the employers and anti-fraud training are labour-intensive and absorb significant human resources. Renewed efforts are needed to secure the GoP's support for biometric checks against the database of Pakistani ID cardholders, which was available in 2013 in order to maintain the integrity of the resettlement process.

Local integration:

Despite the long-term presence of Afghan refugees in Pakistan and their *de facto* integration in the socio-economic sense to a large extent, the GoP has made it clear that local integration is not a durable solution option for refugees in Pakistan. The provision of alternative stay arrangements was projected in the 2010-2012 National Policy for the Management and Repatriation of Afghan Refugees, but not implemented. However, the GoP's draft Comprehensive Policy on Voluntary Repatriation and Management of Afghans beyond 2015 provides certain profiles of PoR cardholders (investors, businessmen, students, skilled and unskilled labourers and single women and widows with no bread-earners) with the option of obtaining Afghan travel documents in conjunction with Pakistani visas/work permits. This concept of so-called temporary management arrangements needs to be further developed in order to be compatible with international protection standards.

Registration and documentation

GoP registration of any new arrivals from Afghanistan is not available since the initial PoR card registration exercise has been completed in 2007 as well as the temporary registration in 2010 of unregistered family members of PoR cardholders. Similarly, the National Alien Registration Authority (NARA), which had in the past

registered and documented foreigners in Pakistan who arrived before the year 2000, including asylum-seekers and mandate refugees, albeit without recognition of their specific status, has discontinued such registration since 2008. NARA has been merged with the National Database and Registration Authority (NADRA) in 2014, however the GoP's future approach to registration of foreigners remains unclear at this point in time. The registration of Afghans residing irregularly in Pakistan will be carried out by NADRA, in cooperation with GoA, and is designed as a one-off exercise.

The GoP's draft policy envisages the extension of the validity of PoR cards until the end of 2017, which needs to be endorsed by the Cabinet. Contrary to the extension in 2013, the 2015 extension will be implemented by a GoP notification rather than a card renewal exercise.

In the absence of a national system for registration and refugee status determination (RSD), UNHCR continues to conduct RSD amidst the complexities of a mixed migration context, a lack of agreement on migration management by the GoP and GoA, and on-going security operations that prompt many persons who are not in need of international protection as refugees to approach UNHCR for assistance/protection. Therefore, UNHCR Pakistan has initiated since 2012 a procedural step preceding RSD and any resettlement assessment. The purpose of this so-called protection needs assessment (PNA), which is carried out by partners for both PoR and non-PoR cardholders, is to screen out manifestly unfounded cases.

In Pakistan, the physical/legal protection as well as access to public services of all populations of concern is largely dependent on the possession of identity cards (Computerized National Identity Card-CNIC for IDPs, PoR cards for Afghan refugees and, in the past, NARA cards for aliens including asylum-seekers, mandate refugees and stateless persons). PoR cards and UNHCR documents issued to asylum-seekers and mandate refugees are generally recognized by government authorities, however, law enforcement authorities and courts increasingly require a verification of PoR cards through NADRA before releasing PoR cardholders from arrest/detention. This requirement has created the need for additional follow-up (which comes with resource implications) and led to refugees remaining in unlawful custody for sometimes prolonged periods of time.

Every year, approximately 60,000 children are born to Afghan refugees in Pakistan, but it is estimated that approximately 180,000 children have not been registered since 2010 due to lack of awareness of the importance of birth certificates, but also long distances to registration centres. In addition, there is no established birth registration process for asylum-seekers and non-Afghan refugees, which will be pursued by UNHCR by advocating for their inclusion in the GoP's National Action Plan for Civil Registration and Vital Statistics (CRVS), which is in the process of being developed.

The most critical challenge for IDPs is that their registration as IDPs, which is the basis for any assistance provided to them, is dependent on the possession of a CNIC which certifies that both addresses (permanent and current) are located in the area 'notified' by the military. This registration criterion and the traditionally low rate of CNIC possession in the FATA agencies, i.a. due to NADRA access constraints, affecting in particular women (more than 90% do not hold a CNIC), results in the initial or permanent exclusion of many vulnerable IDPs from registration and assistance until they apply for a CNIC and are verified by NADRA. Further barriers to registration include lack of information on the registration process, lack of knowledge on how to acquire a CNIC and difficulties in remote areas to access NADRA. Similar challenges may be faced by Pakistani refugees in the Khost and Paktika regions of Afghanistan upon return to Pakistan.

The situation of stateless persons is particularly difficult since NARA has discontinued registration and the issuance of cards to foreigners. Moreover, those who managed to obtain a CNIC in the past have come under

increased scrutiny by NADRA and have experienced the non-extension or suspension of their CNIC. However, the GoP has agreed by endorsing the Ministerial Declaration resulting from the Ministerial Conference on Civil Registration and Vital Statistics in Asia and the Pacific in November 2014 to provide birth registration of all populations of concern to UNHCR including stateless persons.

Access to quality education and other basic services

Literacy rates and levels of education of Afghan refugees remain markedly low, in particular amongst women and girls. The 2010/11 Population Profiling, Verification and Response survey found that only 33% of the Afghan refugees are able to read and write, with female literacy as low as 7.59%, and a net enrolment rate of only 29%, with only 30% of the enrolled children being girls. Dropout rates represent 70% in total while girl dropout stands at 90%. The main reasons are economic and socio-cultural, especially for girls who are forced to marry at an early age in addition to a lack of separate schools/classrooms as well as qualified female teachers, which creates a perception among parents that schools are not a safe environment for girls. Access to education is also limited in locations where schools are too distant from children's residence. Child labor is widespread due to poverty, which requires children to contribute to the family income from an early age and to a lack of awareness among often uneducated parents about the importance of education. Some other country-specific challenges include UNHCR's difficulties in maintaining quality education in refugee village schools as qualified teachers are often not willing to work in refugee schools due to low salaries, insufficient access to secondary and tertiary education for refugee children due in part to the quality of primary education, and lack of opportunities for dropouts and youths to access quality vocational or semi-professional courses leading to the acquisition of marketable skills. Furthermore, while there is considerable international support for the education sector in Pakistan, donors, UN agencies and NGOs often do not consider the refugee population when designing and implementing projects, requiring enhanced efforts by UNHCR to engage donors and other UN agencies in order to improve access of refugees to quality education.

Urban refugees face the additional challenge of access to public and private schools considering that Pakistan has the second largest out-of-school population after Nigeria, with insufficient space for all children requiring education. Furthermore, education certificates issued by Pakistani schools have to go through a very expensive and lengthy equivalence certification/legalization process by the Afghan authorities while children without such certificates are required to repeat the last two grades upon integration into Afghan schools.

Generally, refugees and IDPs face difficulties in accessing basic services and livelihood projects due to overstretched resources and lack of opportunities. This is particularly true for the 68% of Afghan refugees who are residing in urban areas. National service providers are unable to cover all the needs and the presence of international service providers is limited. Main gaps relate to the geographical coverage of services, the quality and accessibility of services and information dissemination to concerned communities.

Again, the situation of stateless persons is the most challenging as they lack documentation, which is generally required to access services, including birth certificates for children that are usually necessary to access education.

VISION

In 2015-2017, UNHCR's strategic protection priorities are underpinned by three broad themes: **Durable Solutions** and **Protection and Assistance**, which will be supported through enhanced **Partnerships and Collaboration**. The latter point also includes continued capacity-building/training as a cross-cutting activity. Moreover, UNHCR through this strategy, seeks to maximize available resources building on past strategies and lessons learned, identifying new partnerships and avenues for advocacy and close cooperation with RAHA to

ensure that identified projects address key protection priorities for UNHCR's persons of concern. UNHCR Pakistan has adopted an integrated approach that aims to improve impact and effectiveness by establishing links between the country-level strategies for education, SGBV, health and livelihoods and with child protection activities.

The SSAR will remain the main framework for UNHCR's refugee operation in Pakistan which is focused on facilitating voluntary return and sustainable reintegration, while continuing to provide protection and assistance to refugees. Furthermore, UNHCR will continue to facilitate resettlement of persons with specific protection concerns in Pakistan, which also aims at maintaining asylum space as a concrete demonstration of international responsibility-sharing. In the same vein, RAHA projects will continue to target refugee hosting communities with a focus on health, water/sanitation, livelihoods, education and social protection/cohesion, in order to support peaceful coexistence between host and refugee communities. From 2015, a more focused grassroots approach to identifying projects will not only aim at further integrating key protection priorities into RAHA projects, but also to promote those sectors which support UNHCR's youth empowerment strategy.

Enhancing the legal and institutional framework for the protection and assistance to all populations of concern will be one of the key objectives for UNHCR Pakistan in the coming years, notably the endorsement of the GoP's policy for the management of Afghan refugees beyond 2015 in order to ensure the continued and appropriate protection of this population until durable solutions are available for all, and the adoption of a national refugee law with the benefits for Pakistan as described above. UNHCR will also support the GoP in implementing a joint urban refugee strategy (which is currently in discussion), aiming at increasing outreach, protection and access to services for these populations.

A significant increase in voluntary repatriation is anticipated in 2015-2017 if the situation in Afghanistan does not deteriorate, but also due to the difficult security and protection situation for Afghan refugees in Pakistan. If the validity of PoR cards is extended as proposed by the GoP during the Tripartite Commission meeting in August 2015 before the end of 2015, the non-renewal of the cards which are carrying the old validity date will create the need to reach out to law enforcement agencies and courts at all levels to ensure that the continued validity of the PoR cards is known to all concerned. In response to improved repatriation opportunities as per the commitments of the GoA in its plan, UNHCR will gradually reduce its resettlement component and focus on individuals with serious protection needs that cannot be addressed in Pakistan.

In the next few years, UNHCR will need to progressively handover health and education services in view of decreasing funds and ensure that refugees' needs in these areas are mainstreamed into the public and private sector health and education systems as well as UN and NGO programmes. This will have to be a gradual process and require the support of RAHA and development partners in order to improve the absorption capacity of existing services and expand services to areas where gaps have been identified. However, in remote locations, UNHCR will have to continue providing these services in the absence of other options.

With regard to conflict IDPs, UNHCR will continue its role as cluster lead for protection, shelter/NFI and camp coordination and camp management (CCCM) in KP province and as the chair of the Return Task Force in Peshawar. The government-led return process for conflict-induced IDPs to FATA will be supported by UNHCR by providing targeted return assistance to the most vulnerable families as well as voluntary return documents. Such support will be preceded by return intention surveys and accompanied by monitoring in order to confirm that returns are voluntary, dignified and safe. While returns are expected to continue into 2016, the decreasing number of IDPs will reduce the need for UNHCR's operational engagement, e.g. as a result of the closure of two IDP camps in 2015, and allow UNHCR to gradually phase out from IDP operations by the end of 2016 when the

majority of returns will have been completed. For IDPs who opt not to return, UNHCR will continue to conduct protection monitoring and operate grievances desks linked to referral mechanisms to ensure appropriate protection responses are provided, in addition to the search for durable solutions including advocacy for their local integration. UNHCR will also continue to lead discussions and policy development around targeted assistance based on vulnerability criteria as opposed to blanket assistance as chair of the Vulnerability Working Group. In natural disaster situations, UNHCR will represent the interests of and assist affected refugees and conflict IDPs as a member of the National Humanitarian Coordination Mechanism (NHCM). A greater role for UNHCR in natural disasters could only be considered on the basis of a clear GoP request and sufficient donor support.

On the basis of a study on statelessness conducted in 2014 that will be finalized by the end of 2015, UNHCR will engage the GoP to acknowledge the issue of statelessness and develop a work plan to address the identified protection concerns, in particular the lack of access to basic services and livelihoods due to the absence of a legal status of this population in Pakistan.

KEY STAKEHOLDERS (Partnership & Collaboration)

In 2015-2017, the Office's efforts will focus on strengthening and expanding cooperation with key GoP actors, UN agencies, IOM, national and international NGOs, civil society and community-based organizations as well as faith-based groups in order to fully respond to the needs of refugees, asylum-seekers, stateless and internally displaced persons and to join forces in advocating for initiatives that are required to strengthen the legal and institutional framework for the protection of these populations.

Government (federal and provincial): UNHCR will continue its collaboration with the Ministry of States and Frontier Regions (SAFRON), UNHCR's main counterpart for Afghan refugees in Pakistan at the ministerial level, and the Chief Commissionerate for Afghan Refugees (CCAR) as well as his provincial offices (CAR). This cooperation will include a strong element of support to enable these actors to assume their responsibilities in responding to the protection needs of Afghan refugees. In addition, UNHCR will work with the Ministry of Foreign Affairs and its Economic Affairs Division in order to facilitate the delivery of UNHCR's mandate in Pakistan and strengthen its partnership with the Ministry of Interior (MOI) in relation to impacts resulting from the implementation of the NAP for UNHCR's persons of concern and to improve the protection situation for non-Afghan refugees who do not fall under the mandate of Ministry of SAFRON. The National Database and Registration Authority (NADRA), also falling under the MOI, will continue to be an important partner in relation to PoR card issues, birth registration, registration of IDPs and – in the mid-term – for the registration and documentation of stateless persons. Continued close coordination with the FATA Disaster Management Agency (FDMA) and the Provincial Disaster Management Authority (PDMA) in KP as well as SAFRON/CCAR at the federal level will be required in the context of the complex IDP emergencies in KP/FATA and to ensure that meaningful durable solutions are available for IDPs. In terms of the required enhancement of the legal framework governing populations of concern to UNHCR, the Ministry of Justice and Human Rights and the Parliamentary Committees will be important counterparts. In the context of the NAP and internal displacement operations, UNHCR will further seek to establish stronger relations with the Ministry of Defense.

UN agencies: Partnerships with key UN organizations, as well as with IOM and ICRC will remain of critical importance to UNHCR in pursuing its goals in protecting refugees, IDPs and stateless persons and maintaining humanitarian space. The RAHA initiative also involves ten UN agencies: UNDP, FAO, ILO, UNESCO, UNHABITAT, UNOPS, UNWOMEN, WFP and WFO. As the cluster lead for protection, shelter/NFI and CCCM, UNHCR works in an inter-agency setting under the leadership of the Humanitarian Coordinator; UNHCR is also an active member of the UNCT's Human Rights Task Force. UNHCR will further enhance its partnership with UNODC on joint

trainings of law enforcement officials, including border authorities, and to improve prevention and response to human trafficking, along with IOM. UNHCR will continue to cooperate with UNICEF and UNESCO in pursuit of its education strategy and in the implementation of the Incheon Declaration related to the recently adopted sustainable development goals, which – for the first time – explicitly includes refugee education, and for which UNESCO has been entrusted to take the lead. As regards SGBV, UNHCR will further expand its cooperation with UNWOMEN, UNFPA and WHO in the context of the Central SGBV Working Group co-chaired by ARC and UNHCR, which aims to capitalize on synergies, pool resources and develop joint initiatives, e.g. on data collection and awareness-raising. In the IDP context, UNHCR will work closely with UNICEF and UNFPA who are leading/co-leading child protection and SGBV areas of responsibilities (including for birth and civil registration purposes) as well as WFP. Enhanced cooperation with ILO and UNICEF will be pursued to address child labor and related issues.

Non-governmental organizations: UNHCR will continue to implement activities through national and international NGOs and cooperate with civil society at the national and provincial levels, notably in terms of legal interventions through the ten Advice and Legal Aid Centres (ALAC) across the main refugee-hosting areas in Pakistan. Increased efforts will be deployed to engage civil society actors in the promotion of legal reform related to refugees, stateless persons and IDPs. UNHCR coordinates with a wider group of actors through the Pakistan Humanitarian Forum (PHF) and National Humanitarian Network (NHN) which serve as the coordination fora for INGOs and NNGOs, respectively. Furthermore, UNHCR continues to map service providers (this process was started in 2014) with a view to engage relevant partners in referral systems, which has already yielded many positive results.

The National Refugee Working Group (NRWG), created in late 2014 and co-chaired by CCAR and UNHCR, provides an important forum for information-sharing, effective coordination and timely inter-agency response to refugee-related issues. Membership in the NRWG is open to federal and provincial government representatives, UN agencies, international and national NGOs, donors and civil society actors who are involved in refugee protection and assistance activities in line with international principles and standards. The NRWG is coordinating with similar fora in the provinces, the HCT, National Humanitarian Coordination Mechanism (NHCM) and the active clusters in KP to explore synergies in responding to the different populations of concern.

In addition, the recently established ‘Friends of the SSAR’, replicating identical fora at the HQ, Afghanistan and Iran level, is coordinating support to the SSAR and providing a platform for strategic engagement between key stakeholders, mostly donors.

PROTECTION STRATEGY: OBJECTIVES & ACTIVITIES

ASYLUM-SEEKERS and REFUGEES

In terms of **Solutions**, the protection strategy prioritizes voluntary repatriation as the most preferred durable solution for Afghan refugees in Pakistan. To this end, cross-border coordination with Afghanistan will be further strengthened in order to address return and reintegration obstacles and improve information-sharing and mass information campaigns on voluntary repatriation with a particular focus on illiterate audiences. Education, vocational skills and livelihoods will be inter-linked with the aim to empower the youth and thus pave the way for durable solutions for them in the framework of the SSAR. The implementation of the EVRRP, subject to funding, in addition to the on-going provision of transportation/reintegration cash grants which were found to be insufficient, aims to anchor returnees by strengthening their coping mechanisms and supporting their sustainable reintegration processes in Afghanistan. Voluntary return assistance will be complemented by

resettlement for refugees with specific protection needs. The merged RSD-RST process for PoR cardholders rolled out since April 2015 aims to optimize the use of resources in this regard.

As part of **Protection and Assistance**, UNHCR will focus on advocacy to preserve asylum space in the NAP context, which has resulted in refugee issues being more often considered under the security rather than humanitarian angle. This will include supporting the GoP in implementing its policy on the management of Afghan refugees beyond 2015 (once adopted by the Cabinet) by upholding international protection standards, the promotion of the adoption of the draft national refugee law and the provision of free legal aid through the ALAC programme, in particular in cases of arrest/detention which have seen a sharp increase in 2015 compared to previous years. RAHA projects will continue to enhance access to basic services and community infrastructures as well as livelihood/vocational training opportunities for host communities and Afghan refugees living in these areas. Since the majority of the refugee population (68%) is living in urban settings, UNHCR will continue to promote the development of a joint urban refugee strategy with C/CAR, as well as further enhance outreach and mapping of services and improve referral mechanisms for these urban communities. UNHCR will continue to conduct registration and RSD under its mandate following protection needs assessments by legal partners, ensure that refugees have documents to identify themselves, enhance awareness on and increase access to birth registration and increase access to quality education in UNHCR-funded schools as well as promote access to public schools.

UNHCR Pakistan has identified a number of specific objectives and activities that will be addressed in the early phases of the multi-year strategy as a matter of priority.

Objective 1 - Durable solutions: potential for voluntary repatriation and resettlement realized

Voluntary repatriation

UNHCR will continue to facilitate returns in safety and dignity, monitor their voluntary nature and raise concerns as necessary in this regard with the relevant GoP counterparts. At present UNHCR operates two Voluntary Repatriation Centres in Quetta (VRC Baleli) and Peshawar (VRC Chamkani) where families wishing to repatriate de-register, are issued with the Voluntary Repatriation Form that entitles them to receive a cash grant of approximately USD 200 per family member once they reach one of the five UNHCR Encashment Centres in Afghanistan. The Tripartite Commission initially suggested a target of 150,000 returns per year, however UNHCR has prioritized funds for the return of 60,000 refugees each year from 2015-2017.

Implementation activities:

- Two VRCs will be maintained to facilitate repatriation, in addition to the scheduling centre in Karachi. The need for additional staff for the existing VRCs will be dictated by the pace of the repatriation movement.
- Exit interviews with all returnees will be conducted at the VRCs to verify the reasons for return/trends in relation to push and pull factors and refer any cases requiring special attention to UNHCR Afghanistan; complaint tokens will be issued to returnees at the VRCs where protection incidents during travel can be noted; the tokens are collected by the border monitors for analysis and follow-up. UNHCR Afghanistan conducts entry interviews based on questions that have been coordinated with UNHCR Pakistan. Individual protection cases concerning family members remaining in Pakistan will be referred for follow-up.
- Mass information on voluntary repatriation will include radio broadcasts, newspaper ads, flyers as well as posters for illiterate audiences, in addition to regular shura meetings and legal camps on voluntary repatriation carried out by ALAC partners; some innovative approaches will be developed and piloted.
- Strengthened cross-border cooperation and joint planning with Afghanistan shall help to increase sustainable reintegration opportunities, including the smooth integration of returning children into schools

in Afghanistan, by resolving related operational and protection issues. These discussions are also aimed at facilitating the inclusion of the returnees into the new reform agenda of Afghanistan, its social policy and development processes at various levels and in different sectors, the National Priority Programmes and National Solidarity Programme as well as growth and job creation plans, and to prioritize community-based investments benefiting returnees and local communities in areas of return.

- UNHCR will map refugee skills available in host countries with a view to link them with employment opportunities in the labour market in Afghanistan through expansion of partnerships and coordination with other UN agencies, NGOs and microfinance organizations like FINCA Afghanistan and MISFA (Microfinance Investment Support Facility Afghanistan).
- In line with the Quadripartite Steering Committee conclusions of 19 May 2015, UNHCR and the GoP will look into the modalities of go-and-see visits with a view to be more strategic in providing refugees with an opportunity to assess the current situation in their intended places of return, disseminate the information and thus enable refugees to take an informed decision.
- The concept of facilitated group returns who intend to return together to the same location with additional support will be more clearly defined in cooperation with UNHCR Afghanistan in order to agree on a joint way forward. In the same vein, improved linking of refugees with specific needs with available assistance in Afghanistan is expected to help address particular concerns of refugees in relation to their return.

Resettlement

In 2016-2017, resettlement will increasingly focus on its function as a protection tool for refugees with specific protection needs that cannot be addressed in Pakistan in light of increased voluntary repatriation opportunities. The target for 2015 is 2,200 individuals (average family size: three individuals) while the number of refugees being projected for submission in 2016 and 2017 has been reduced to 1,500, predominantly Afghans with a very small number of refugees from other countries. Most cases (65%) are submitted under the women and girls at risk resettlement category (women without effective male support or perceived as contravening social norms) followed by legal and/or physical protection needs (former-ISAF and/or international community employees). In Quetta, the Hazara ethnic group constitutes the predominant resettlement profile. The full roll-out since April 2015 of the merged RSD-RST process for PoR cardholders (which consists of a one-stop simplified procedure), which are considered as *prima facie* refugees and hence do not require fully-fledged RSD, will help to optimize the use of existing resources and to re-dedicate staff to field protection activities, which are under-staffed.

Implementation activities:

- Regular protection needs/participatory assessments will be conducted to obtain a clearer idea of the actual number of persons who may be eligible for resettlement.
- Increased efforts are being deployed to proactively identify cases with specific protection needs in order to further diminish the current reliance on self-referrals and ensure that the most vulnerable refugees are able to benefit from resettlement; to this end, partners will be trained on the basis of the protection referral form that has been developed and is available online.
- In addition to the merged RSD-RST process for PoR cardholders, further opportunities to streamline the resettlement process will be pursued, e.g. through additional RRF templates for specific profiles, an integration of the best interest assessment (BIA) into the RRF and an overarching document explaining UNHCR's approaches to name spelling, determining age, verification of civil status etc. to reduce the need for such info in the RRFs, as agreed with resettlement countries.
- Fraud prevention and response measures will be further enhanced through regular monitoring of the implementation of the SOPs on fraud prevention and response, refresher trainings and on-going mass information campaigns. As of September 2015, UNHCR's new global biometric identity management system

(BIMS) has been deployed in all offices in Pakistan to enhance registration data by storing fingerprints and irises with the view to avoid multiple registration by asylum-seekers and prevent fraud.

- An Islamabad-based Contact Group on Resettlement, co-chaired by the Government of Australia and UNHCR, aims to mobilize international support for resettlement from Pakistan on a more predictable, multi-year basis and to address obstacles at the national level, e.g. the issuance of exit permits by the MOI for refugees who have been accepted on resettlement.

Objective 2 - Developing national legislation and policies and protecting fundamental rights

Since the Tripartite Commission meeting in March 2015, the GoP has developed its draft policy on the management of Afghan refugees post-2015, which includes the extension of the validity of the PoR card as well as the Tripartite Agreement, and reiterates the GoP's commitment to the adoption of a national refugee law. If such a law was adopted, it would help render the GoP's approach to refugees and asylum-seekers more predictable, decrease violations of refugees' rights, contribute to durable solutions and have a positive impact on donor support to refugee programmes, including RAHA. UNHCR will support the GoP in implementing its policy (once endorsed) in line with international protection standards. UNHCR will also support the development of a joint urban refugee strategy with C/CAR as well as its subsequent implementation that shall focus on access to available (public) services without discrimination and further community development towards greater self-reliance. The ALAC programme targets 13,500 individuals with legal assistance and legal interventions through ten drop-in centres in the main refugee hosting areas, legal camps and house-to-house visits. Interventions in arrest/detention cases are the most frequent activities and have been critically important during the on-going security operations following the adoption of the NAP, as has been the regular training provided to law enforcement authorities.

Implementation activities:

- UNHCR will conceptualize and disseminate an advocacy paper outlining the benefits for Pakistan in adopting a national refugee law.
- UNHCR will assist the Ministry of SAFRON/CCAR with briefings and technical support in presenting the draft national refugee law to the Standing Committees of the Senate, Parliamentary Committees of the National Assembly as well as other government/parliamentary representatives at the federal and provincial levels.
- UNHCR will use the reconvened Eminent Persons Group (EPG) representing individuals across political and civil society groups to create public awareness on refugee protection and assistance in Pakistan.
- ALAC will continue to provide free legal advice and aid, including interventions with police, release from detention and legal representation before the courts, assistance in family disputes or other civil law matters and legal support in SGBV cases.
- ALAC will conduct regular training sessions for law enforcement agencies (LEA) and UNHCR will maximize its outreach to LEAs also through cooperation with UNODC and other actors in order to join their training plans for LEA.
- ALACs will also conduct awareness campaigns on refugee rights, voluntary repatriation and women rights.
- UNHCR will continue to conduct border monitoring and training of border authorities (with UNODC) on refugees' rights and the concept of asylum and to sensitize authorities to their related responsibilities.
- UNHCR will maintain a safe shelter in Islamabad for women and children who are at risk of serious human rights violations and coordinates with several GoP and NGO-run safe houses across the country, to which refugees at risk can be referred pending a solution to their problem.

Objective 3 - Ensuring prompt access to registration and civil status documentation

Asylum-seekers undergoing RSD and mandate refugees are registered in the proGres database and their data is regularly updated. In terms of documentation, UNHCR issues Certificates for Asylum-Seeker and Refugee Identity Cards to these individuals. As regards PoR cardholders, registration activities are carried out by the National Database and Registration Authority (NADRA) under a project with UNHCR and includes the registration of new born children, the issuance of birth certificates and the provision of PoR cards to already registered children that have reached five years of age and are now entitled to their own card. In light of the gap in birth registration and UNHCR's increased efforts to close this gap, the targets for birth registration are 180,000 in 2015 and 180,000 in 2016/17 while the targets for the issuance of birth certificates are 300,000 in 2015 and 160,000 in 2016/17. The latter targets are higher because the process for obtaining birth certificates has been simplified in 2015 and NADRA is required to proactively provide birth certificates to all families approaching their registration centres in order to catch up with the gap. Finally, the targets for the issuance of PoR cards to children who reached five years of age are 220,000 and 245,000 for 2015 and 2016/17, respectively. In addition, deaths are registered (but hardly ever reported by refugees), cards with incorrect or out-of-date biodata are updated and lost/stolen cards replaced. These activities are conducted in six Proof of Registration Card Modification (PCM) centres operated by NADRA throughout the country. However, the increased use of mobile registration vans in 2015 will be further expanded in 2016/2017 and some PCM centers might be closed in consequence. UNHCR will continue to advocate with the GoP for the registration and issuance of PoR cards to some 3,000 Afghan refugees that have been recognized under UNHCR's mandate or – at a minimum – for a notification to be issued by the GoP acknowledging that these individuals have been recognized by UNHCR on behalf of the GoP in the absence of a national RSD system and are protected from refoulement and arrest/detention on the basis of immigration law. As already stated in relation to resettlement activities, BIMS has been rolled out in all offices in order to help prevent multiple registrations and fraud.

Implementation activities:

- UNHCR will continue the registration and documentation of asylum-seekers and mandate refugees.
- UNHCR will continue to support the above-mentioned activities that are implemented by NADRA with a view to further improve services and timely responses, in particular as regards the verification of PoR cards with respect to arrested/detained PoR cardholders as increasingly required by police and courts.
- A protection needs assessment (PNA) online registration tool for partners is being developed and shall be rolled out in 2015 to improve data quality, reduce opportunities for fraud and facilitate case tracking; it will allow for the uploading of data into proGres of those individuals who are admitted to RSD as a result of the PNA review by UNHCR.
- In a second step, BIMS will be rolled out to PNA partners to avoid recycling of applicants at this stage.
- Partnership with NADRA and ALAC centres for campaigns on birth registration will be strengthened as well as collaboration with UNICEF in this regard.
- UNHCR will enhance awareness on the importance of birth registration and facilitate access through the increased operation of mobile vans, issuance of education materials on birth registration and further streamlined processes.
- UNHCR will contribute to the National Action Plan on Civil Registration and Vital Statistics (CRVS) that the Ministry for Planning, Development and Reform is required to develop in follow-up to the Ministerial Declaration on CRVS of November 2014, which recognizes the right of all populations of concern to UNHCR to civil registration, to ensure that this commitment is included in the plan.

Objective 4 – Ensuring the integrity and quality of RSD

UNHCR's mandate RSD operation in Pakistan will continue to aim at meeting two specific and interlinked goals. Firstly, RSD will be conducted for the purpose of protecting persons who are seeking asylum in Pakistan.

Secondly, RSD will continue to function as a tool to identify eligible refugees (non-PoR cardholders) with specific protection risks in Pakistan and with no other durable solution prospects in order to submit these cases for resettlement. Factors that will determine RSD trends include improved conditions for voluntary repatriation as the situation in Afghanistan further stabilizes, a possible increase of arrests, detentions, evictions and other forms of harassment resulting from the possible non- or late extension of the validity of the PoR cards at the end of 2015 as well as on-going security operations targeting undocumented Afghans and other migrants in an irregular situation. On the other hand, the planned joint registration exercise of undocumented Afghans by the GoP and GoA may lead either to an increase or decrease of asylum applications depending on the perceptions of this exercise among the concerned population and the quality of legal protection that will be enjoyed by the newly registered Afghans. Since 2012, protection needs assessments for persons approaching UNHCR for assistance are carried out by partners and precede admission to RSD in order to shield UNHCR's limited RSD capacities from manifestly unfounded applications, which are common in a context of mixed migration. Against this backdrop, it is expected that some 15,000 individuals will apply for PNA in 2015. This number may increase in 2016 in case of the non- or late extension of the validity of the PoR cards at the end of 2015 and likely decrease to the level of 2015 or below in 2017. Approximately 30% of these applicants will be PoR cardholders, who shall go through the merged RSD-RST process instead of fully-fledged RSD. Of the other 70%, only around 50% will present international protection needs that require admission to RSD, with an average recognition rate of around 40% during the RSD process.

Implementation activities:

- UNHCR will maintain the PNA process as the entry point for applicants prior to RSD and resettlement assessments and further invest in capacity-building of PNA partners to enable them produce quality outputs, including online registration of PNA applicants for uploading of the data into proGres.
- Through a number of tools, a stringent prioritization of cases, in particular relating to persons with specific needs or with particular protection risks and an accelerated processing of their cases will be achieved to ensure a timely protection response and identification of a durable solution for the most vulnerable persons.
- UNHCR will continue to enhance the capacity of RSD staff operations-wide, through basic and specialized trainings and on-the-job coaching to conduct RSD interviews and draft RSD assessments and implement the SOPs on RSD in an effective and consistent manner.
- A centralized Appeals Unit will be maintained in Islamabad to enhance quality control and further harmonize RSD adjudication country-wide through identification of policy issues and gaps in the implementation of the SOPs on RSD and operational guidance notes.
- A paper review (removing the need for interviews) will continue to be conducted at the appeal stage for some 40% of the cases in line with UNHCR's global standards for mandate RSD and operational guidance.

Objective 5 – Enhancing outreach to populations of concern and community development

UNHCR will work to further enhance outreach to populations of concern, in particular to urban refugee communities, by expanding partnerships, improved information dissemination and the establishment of referral mechanisms as well as advocacy with provincial, district and local authorities to mainstream refugees into government plans, programmes and policies. These outreach activities will also aim at mobilizing communities and establishing/reinvigorating representative community structures to increase their self-management capacities. Participatory assessments involving urban refugees will also continue to be carried out to address specific knowledge gaps on protection needs and community capacities/initiatives. The lack of resources/services for urban refugees, the inability to reach/cover the vast geographical areas where urban refugees reside as well as the limited staffing capacity to engage in outreach remain challenges to be addressed through stronger linkages with RAHA and expanded partnerships with agencies operating in urban settings while recognizing that all these measures will likely not be sufficient to comprehensively meet the needs of refugees.

Implementation activities:

- UNHCR will maintain three satellite offices in Peshawar (hosting some 300,000 refugees) and expand partnerships in particular with CAR across the country to conduct outreach, mapping and engagement of service providers in referral systems and identification and referral of persons with specific protection needs.
- UNHCR will also empower and promote self-management in communities through existing refugee committee structures in the refugee villages and the establishment of further committee structures in the urban centres.
- UNHCR will support C/CAR in developing and implementing a joint urban refugee strategy that is focused on concrete activities in line with the above-mentioned main objectives.
- Community engagement will be increased through info sessions, shura meetings, legal camps, leaflets and posters on services available in Pakistan, television and radio adverts.
- New innovative community communication channels will be explored especially for refugee youth such as SMS campaigns, a webpage for refugees/social network and videos, as well as for female refugees who are often confined to the house and could be better reached via mass information through mosques, schools, lady health workers etc.
- UNHCR will develop creative approaches, including expanded field outreach through parent-teacher associations, sports clubs and religious groups combined with the use of modern communications technology.
- UNHCR will make greater efforts to identify civil society organizations that have expertise related to livelihoods to expand viable livelihood opportunities for refugees which remain very limited.
- UNHCR staff and partners, especially those who have worked for many years with camp-based refugees, will be required to further develop skills required to undertake effective outreach activities in urban areas.

Objective 6 - Preventing and reducing the risk of SGBV, strengthening the protection of children and improving the quality of response

Building on the guidance and framework provided by the global SGBV strategy, the country-level SGBV strategy for Pakistan 2013-2017 will continue to be implemented through office-level work plans. The strategy is focused on advocacy, enhanced partnerships and cooperation, data collection and analysis, knowledge management and capacity-building, and community empowerment and participation. UNHCR will maximize available resources by identifying new partnerships and RAHA projects that complement SGBV and child protection interventions. Where possible, activities will seek to identify and address the root causes of SGBV, in particular gender inequality. Child protection activities will be guided by UNHCR's Global Framework for the Protection of Children for 2014-2016.

Implementation activities:

- UNHCR will continue to mainstream SGBV awareness and prevention measures into all programmes.
- Another focus will be on improving services to survivors through enhanced partnerships and effective referral mechanisms at the provincial level, which is expected to help increase reporting of SGBV incidents.
- A Central SGBV Working-Group will continue to focus on creating synergies between member organizations on advocacy and awareness-raising activities both at the strategic and community level, establishing a resource repository and advancing the existing protection services mapping.
- UNHCR and partners will ensure an appropriate and systematic use of data collection tools, e.g. of an online Incident Reporting Form that has been launched in conjunction with an online database in which information from the IRFs is uploaded to improve data collection and analysis.

- Child specific participatory assessments will be conducted to ensure that the specific protection needs of children will be adequately captured and addressed (including the needs of children with disabilities).
- Best interest processes (BIA and BID) will continue to be conducted by UNHCR and partners for all categories of children at risk to ensure adequate responses are provided to identified children in need.
- UNHCR and partners will enhance the capacity of communities to address and respond to child protection issues through finding local solutions (e.g. identification of foster care institutions, community-based monitoring and referrals) and strengthened partnerships in particular with child welfare authorities to ensure that refugee children are included in their activities.

Objective 7 - Providing education, literacy and skills to targeted population groups

An education strategy for Pakistan is being developed on the basis of the UNHCR Global Education Strategy 2012-2016 and focuses on increasing access to primary education, providing safe learning environments, quality learning, i.a. by improving teacher training, increasing non-formal education and vocational training opportunities, increasing access to higher education, enabling early childhood education, and increasing literacy rates among refugee adults.

Implementation activities:

- UNHCR will continue to raise awareness among refugee communities on the importance of education in partnership with UNICEF, UNESCO and the GoP.
- Advocacy will continue to be conducted with government actors (SAFRON, C/CAR, provincial Education Departments) on access of refugee children to public schools by leveraging RAHA projects and in cooperation with other UN agencies (UNESCO and UNICEF).
- Provision of primary education will continue in the refugee villages, including the payment of teacher incentives, rehabilitation and upgrading of school facilities and provision of school supplies while a mapping of public and private education facilities in close proximity of refugee villages will be undertaken to identify opportunities to include refugee children into these schools with the necessary support through RAHA and other initiatives.
- The possibility of supporting community-initiated primary schools through one-time support will be further explored.
- UNHCR will improve learning outcomes in UNHCR-funded schools through the training of teachers at the diploma certificate level and regular in-service trainings, the introduction of formal student assessment procedures and competency-based learning (including basic competencies such as numeracy in the syllabus).
- UNHCR will further expand home-based girl schools to increase access of girls to education.
- School Management Committees will be capacitated to improve school management and ensure safe learning environments.
- Through enhanced cross-border coordination the smooth integration of returning children in schools in Afghanistan shall be improved by addressing issues related to the curriculum and equivalence of education certificates; this shall also facilitate an analysis of required skill sets and livelihood opportunities for youth.
- Access of qualified Afghan youth to public vocational training institutions will be facilitated and UNHCR will assist illiterate/semi-literate/dropped out youth to benefit from short skill development courses, including elements of basic and functional literacy, and provide them with opportunities to re-enter formal education.
- UNHCR will aim at increasing the availability of certified vocational trainings from institutes that are recognized by the Technical Educational Vocational Training Authority (TEVTA) and assessed by the Trade Testing Board (TTB) for easier verification in Afghanistan.
- Opportunities for higher education will be further increased through DAFI and UNHCR-funded scholarships and through expanding partnerships with private and public universities and other potential donors.

- UNHCR will develop modules on basic health, WASH and education for illiterate youth to raise their awareness and understanding of these concepts.

Objective 8 – Enhancing information management

In a complex operation such as Pakistan, monitoring & evaluation/information management are critically important activities to assess outputs against indicators and progress towards set objectives with a view to adjust programme implementation as needed throughout the year and inform planning for the next phase. A Monitoring and Evaluation Plan on education, SGBV and child protection has been developed in November 2014 and is in the course of implementation. It focuses on a standardized use of indicators, including the adoption of agreed definitions by all offices, development of data collection/reporting tools to be used by partners as well, data storage and analysis as well as data visualization tools.

Implementation activities:

- UNHCR and partners will continue to use the online SGBV Incident Reporting Form that allows for the safe storage of the reported information in a dedicated database and subsequent analysis to improve the overall SGBV coordination and programming.
- A comprehensive effort to collect education data will be rolled out in 2015 in order to establish how many refugees are enrolled in public and private schools and to better understand enrolment and dropout rates and patterns across the country. Previously, the focus had been on UNHCR-funded schools in refugee villages where only around one third of the overall refugee population is residing.
- A training register to collect information and better monitor progress towards training objectives will continue to be completed as around 30% of the protection related indicators in the COP are training related, in particular with regard to education, SGBV and child protection.
- Interactive data visualisation tools will be developed for a range of sectors to allow users to explore the data directly and better understand the operation's overall performance.
- A gradual roll-out of the M&E Plan to other sectors will be carried out based on lessons learned and good practices.
- The different IM initiatives and protection monitoring activities shall be consolidated and further developed into a comprehensive protection monitoring plan for the operation.

STATELESS PERSONS

Objective 1 - Advocating for legal reform, access to basic services and phased solutions

A statelessness study conducted in 2014 (which is in the process of finalization) has established that Bengali, Bihari and Rohingya communities reside, mostly in Karachi, with unclear citizenship/legal status and are subsequently faced with numerous protection problems, including lack of access to basic services. The Rohingyas are generally denied Myanmarese citizenship since the Myanmar citizenship law was enacted in 1982 and therefore face statelessness globally. By contrast, determining the nationality of Biharis and Bengalis is much more complex.

Implementation activities:

- UNHCR will raise awareness on the issue of statelessness and the scope of the problem in Pakistan based on the findings from the statelessness study.
- A work plan will be developed with the GoP on how to address the identified issues, focusing on protection concerns such as access to basic services and documentation.
- UNHCR will develop partnerships with civil society actors, stateless communities and partner agencies to conduct joint advocacy and create a legal aid network for concerned populations.

- UNHCR will raise awareness of the procedures for birth registration in Pakistan as a measure to prevent statelessness in a protracted situation.
- Advocacy for the GoP's accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness will be carried considering that the national legal framework shows little variance from international standards.

INTERNALLY DISPLACED PERSONS (IDPs)

Objective 1 - Ensuring IDPs' return in safety and dignity

The GoP is focusing on facilitating the return of all IDPs in 2015/2016 to 'de-notified' areas declared secure after the end of military operations in different FATA agencies. In March 2015, the GoP with the support of UNDP has launched a multi-year FATA Sustainable Return and Rehabilitation Strategy that envisages completion of the IDPs' return to their areas of origin in FATA by the end of 2016 as well as the rehabilitation of basic infrastructures in the areas of return; the implementation of this strategy is subject to donor funding. Standard operating procedures (SOPs) have been put in place by the HCT to guarantee the voluntary, safe and dignified character of returns and to guide the inter-agency support to returns. Large-scale fresh displacements resulting from conflict are not expected as military operations have been largely completed.

Implementation activities:

- UNHCR will continue to chair the Return Task Force in KP as the main policy forum for IDP returns.
- Return intention surveys will continue to be conducted together with inter-cluster assessment missions whenever access is granted by the GoP/security services.
- Voluntary Return Forms (VRFs) will be issued on the basis of which local authorities and other agencies will provide ATM cards and return assistance to IDP returnees.
- Protection monitoring and referrals in areas of return will be reinforced through mobile protection teams.
- UNHCR will provide targeted assistance in terms of shelter and core relief items to the most vulnerable IDPs based on detailed needs assessments using vulnerability criteria.

Objective 2 – Protecting and assisting IDPs during displacement and cluster coordination

UNHCR and its partners will continue to disseminate information on civil documentation and facilitate the process of acquiring CNIC in areas of displacement and return. UNHCR will continue to advocate for the need for protection services for women and children who experience various forms of violence and psychological distress during displacement as well as restrictions on movement and difficulties in accessing documentation which is required to confirm IDP registration and accessing assistance and basic services. Furthermore, UNHCR will provide targeted needs-based assistance to the most vulnerable IDPs. For IDPs who remain in displacement after returns, UNHCR, through the Protection Cluster, will continue to advocate for their integration and access to services. A further consolidation of the three IDP camps (Jalozai, Togh Sarai and New Durrani) is envisaged for 2015 in light of large-scale return movements.

Implementation activities:

- UNHCR will continue its cluster leadership for protection, shelter/NFI and CCCM while ensuring that protection remains at the centre of the inter-cluster response and is mainstreamed into all programmes carried out by humanitarian agencies.
- UNHCR will promote the development of a national and/or provincial policy regulating the GoP's protection and assistance to IDPs who are affected by conflict, which is consistent with international standards (i.e. ISAC Framework for Durable Solutions, Guiding Principles on Internal Displacement).

- Protection monitoring and referrals will be reinforced, especially for persons with specific needs, and grievance desks will continue to be operated at registration points.
- The Protection Cluster will provide access to protective spaces for women and children which include psychosocial support, NFIs and appropriate information on child protection and gender-based violence and improve/expand referral pathways among services providers.
- The FATA Disaster Management Authority (FDMA) will be supported in terms of registration of IDPs and NADRA in order to issue/regularize CNIC for IDPs.
- The most vulnerable IDPs will receive targeted assistance in accordance with vulnerability criteria that have been developed by the Vulnerability Working Group chaired by UNHCR.
- UNHCR will support the participation of IDPs and affected communities in decision-making and positive self-protection mechanisms using effective community-based approaches.
- Support and technical guidance will be provided to the authorities on camp administration for the remaining IDP camps.

UNHCR Pakistan
Protection Unit
October 2015