

Protection Trends Concerning Afghan Refugees March - April 2018

In order to systematically monitor positive and negative factors in the context of voluntary repatriation, UNHCR Pakistan compiles a bimonthly note, and informs the key stakeholders about protection trends. This report also assists to raise any protection concerns formally and consistently.

Summary of Events

The Government of Pakistan (GoP) has extended the validity of Proof of Registration (PoR) cards until the end of June 2018. The notification on the extension of the PoR cards was officially released by Ministry of States and Frontier Regions (SAFRON) on 6th March 2018, and it has been disseminated among refugee communities, UNHCR partners and law-enforcement officials. UNHCR welcomed the decision of the GoP as a temporary relief amid the evident uncertainty and anxiety among Afghan refugees. UNHCR will continue to advocate for long-term extension of PoR cards while durable solutions are secured for all refugees.

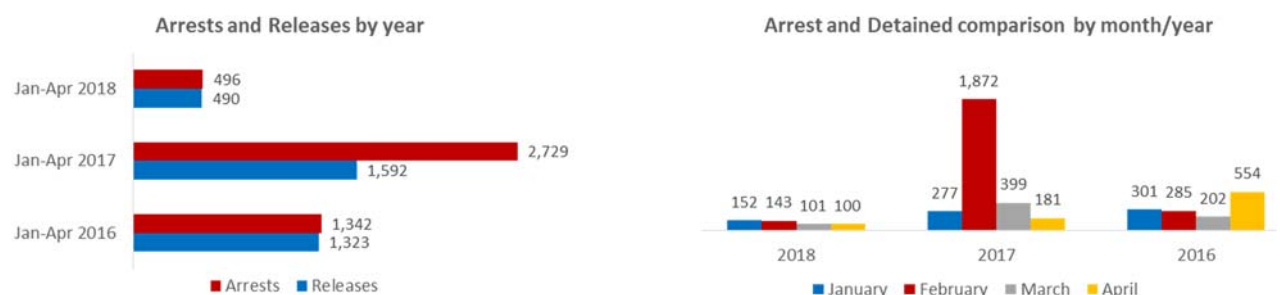
In January and February 2018, a number of statements from senior government officials were observed in the media calling for Afghan refugees' early repatriation, including conflating the issue of terrorism with Afghan refugees. However, some of them said that the returns should be "voluntary," "orderly" and "dignified."

UNHCR observed no unusual increase in reports of harassment, detentions or evictions, as a result of these public statements.

UNHCR-facilitated Voluntary Repatriation activity resumed on 1 March 2018 after the winter break. A total of 4,769 individuals were facilitated for Voluntary Repatriation Process from 1 March to 30 April 2018. Repatriation is taking place from voluntary repatriation centre (VRC) Azakhel, Khyber Pakhtunkhwa and Baleli, Balochistan. Main areas of return are Kabul and Nangarhar provinces in Afghanistan. In general, so far the repatriation trend in 2018 has been lower than that of the same period in previous years mainly due to the prevailing protection and security situation in Afghanistan as well as the lack of livelihoods opportunities and land.

1. Arrests & Detention

496 PoR cardholders were detained during March-April period compared to 325 in January-February. Most of those arrested were released without being formally charged while those charged under the Rent Registration Act and under preventive laws were released by court orders through the interventions of UNHCR legal aid partners. Most of the arrests are taking place due to increased surveillance in Malakand and Swat districts after the attack on an army sports area in Kabal in early February. The Commissionerate for Afghan Refugees (CAR) wrote a letter to the Commissioner Malakand requesting for fair treatment of PoR cardholders and to issue instructions to officials at the check points not to harass PoR cardholders. Other measures are also being taken with the aim of reducing harassment and arrests of PoR cardholders such as continued visits of ALAC teams and CAR officials to the check points and police stations in the area. Prior to a rally of a Pashtun Tahafuz Movement (PTM) in Swat district, arrests of several PoR cardholders under Section 14 Foreigners Act, mainly in Swat and Dir were reported to UNHCR/ALAC help-lines.



*In February 2017 18,72 Persons of Concern (PoCs) were arrested which was the highest for any month in last three years owing to the intensified security operation named "Radd-ul-Fasaad" initiated by GoP under National Action Plan (NAP) against terrorism in the wake of series of security incidents. 1

All were released by court orders through the intervention of UNHCR's legal aid partner. It is worth mentioning that hundreds of Pakistanis were also arrested under preventive laws in Swat and Dir to discourage participation in the PTM rally in Swat which was held on 29 April while there are no confirmed reports from independent sources, it is alleged by some segments of media (mainly social media) that Afghans living in Pakistan participate in PTM rallies. In light of this, UNHCR disseminated key messages to refugees communities requesting them to respect the laws and regulations in Pakistan and warning that refugees' participation in political activities may have a direct and negative impact on their status and continuous stay in Pakistan.

The local population of Zangal Khel, Kohat district demonstrated against refugees staying in Ghamkol refugee village. The demonstration was organised by a local committee that also included local government representatives -union council head and counsellors. The protestors demanded that the refugees vacate Ghamkol refugee village as the land belongs to the community. The protest remained peaceful and no incident was reported.

2. Evictions/ Eviction Notices

UNHCR continued consultative meetings with refugees and relevant district authorities for the relocation of refugees from Berari and Ichrian refugee villages in Khyber Pakhtunkhwa. The two refugee villages are in close proximity to a road project (Hazara motorway). The refugees were informed in July 2017 about the government plans of closing the refugee villages, and various relocation options were discussed. Elders in both refugee villages are still reluctant to express a clear decision despite a number of eviction notices issued by the government. The uncertainty regarding PoR cards extensions, lack of assistance for the affected families and no increase in the repatriation grant were quoted as the main reasons for delaying the decision. UNHCR has advised the refugees to clarify their intentions so that appropriate preparations and recommendations can be made. After consultations with all stakeholders, it was agreed that the government will acquire land close to Khaki refugee village to relocate the refugee families in the two villages. The district authorities have assured UNHCR that refugees will not be forced to vacate the two refugee villages until suitable land has been acquired for them to relocate.

Refugees in Gandaf refugee village in Swabi district received an eviction notice in Swabi and Mardan districts from security agencies. According to the notice, relocation of the refugee village has been approved by the Ministry of SAFRON and the Chief Commissioner for Afghan Refugees (CCAR). UNHCR followed up with the district administrators of CAR in Mardan and Swabi who informed UNHCR that the provincial government is looking for a suitable site for the relocation of the refugees.

Refugees residing in urban areas in Ghazi, district Haripur received eviction notice from the police due to the proximity to sensitive installations. UNHCR approached the police officials who informed that for the time being they have stopped enforcement of the eviction notice but the process may resume after the expiry of the PoR card validity on 30 June 2018. UNHCR staff also met refugees from the community who confirmed that there had been no pressure exerted since the issue was taken up with the District Police Officer (DPO) Haripur. UNHCR will continue to work with the authorities to find viable alternatives for the refugees affected by relocation.

3. Reports from Exit Interviews/Encashment Centre Reporting

During protection interviews, returning refugee families informed UNHCR that "strict border entry requirements" has become a main factor (46%) in their decision to return home to Afghanistan, while "uncertainty about the extension of their POR cards" in Pakistan is also a push factor (9%). Reunion with family or relatives appears to be the main pull factor (76%), while employment opportunities back home is another reason for their return (11%). The returning Afghan refugees are interviewed at the Encashment Centres (EC) in Afghanistan in order to understand the situation faced by them in Pakistan. Returnees interviewed in March and April informed that cases of arrests and detentions have reduced greatly in Pakistan and nobody reported police search operations in their villages. Some returnees stated that lack of regular water and electricity in the refugee villages, lack of access to education facilities, economic factors and uncertainty related to the PoR cards extension and fear of possible police harassment, arrest and detention are the push factors for repatriation. Reunion with family/relatives in Afghanistan, UNHCR's assistance package and improvement in the security situation, improvement in health and education facilities were mentioned

as pull factors for return to Afghanistan. The EC report states that eight returning families have reported extortions (from 1000 to 3000 rupees) at Torkham border crossing. Sub- Office Peshawar have raised the issue with local authorities at Torkham. It has been noted that families have started returning from the Ichrian and Berari camps in the district of Mansehra in KP.

4. Summary of Significant Actions to alleviate Push Factors

Advice and Legal Aid Centre (ALAC) teams continued to visit various police stations across the country to advocate on behalf of refugees and update law enforcement officials on the current situation including the notification on the extensions of the validity of PoR cards. This also included meetings with the judiciary and Federal Intelligence Agency.

UNHCR and ALAC staff organised a total of 127 legal outreach and shura meetings reaching 2,841 participants (45 per cent of whom were women) during the March-April period. 65 per cent of the legal sessions were held in refugee villages and the remaining sessions in urban areas of Pakistan. Through these legal sessions, refugees shared various issues affecting their communities. UNHCR partner staff informed refugees of the availability of free legal aid and UNHCR helpline services. In April, UNHCR held meetings with district and provincial authorities on the relocation of Ichrian and Bareri refugee villages to Khaki refugee village in Mansehra/KP. UNHCR will continue to work with authorities to find viable alternatives for the refugees affected by the relocation.



Training for judges by UNHCR, Judicial Academy Peshawar, Pakistan



Training for Police officials by SHARP and UNHCR, Lahore, Pakistan