



# Summary of Legal Assistance and Aid Programme

## January 2018



### Key findings

Nine Advice and Legal Aid Centres (ALAC) are operational in the main refugee-hosting areas of four provinces in order to provide free legal support to persons of concern: four in Khyber Pakhtunkhwa (KP), one in Sindh and three in Punjab and Islamabad Capital Territory (ICT) through partnership agreements with SHARP and one in Baluchistan run by SEHER.<sup>1</sup>

In January 2018, UNHCR and its partners provided legal assistance to a total of 3,354 persons of concern. During the month, UNHCR and its partners **intervened at police stations** for 141 arrested/detained persons of concern and secured the release of all. In the majority of all cases, UNHCR and its partners managed to obtain the release of the arrested refugees by Law Enforcement Agencies (LEAs) before the official lodging of charges against them which resulted in their release from detention within 24 hours. Additionally, ALAC partners provided court representations to 10 persons of concern.

Arrests and detentions of persons of concern decreased by 45% in the month of January 2018 as compared to the month of January 2017.

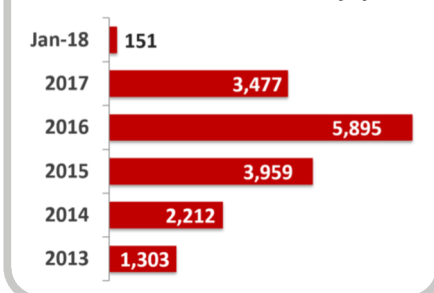
ALAC teams and the Ministry of SAFRON continue to take proactive steps to mitigate the risk of detention, including enhanced advocacy, pre-emptively intervening at police stations to prevent arrests and enhancing the response capacity of partners. UNHCR has developed and disseminated additional awareness raising material on legal assistance programs available for refugees (ALAC posters, brochures & use of social media).

Arrest and detentions in all provinces have increased slightly compared to December 2017 (83 arrested in the month of December 2017 whereas 151 arrested in January 2018). The increase is attributed to various factors, including short-term extension of validity of PoR cards and increased security checks in the country, particularly in the province of Khyber Pakhtunkhwa (51%). PoR cards, which provide proof of legal stay for registered Afghan refugees, have been extended via official notification by the Government of Pakistan until the end of March 2018.

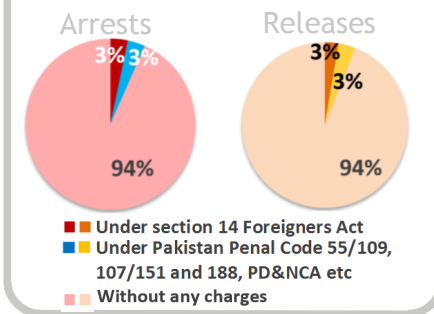
The Frontier Corps (FC) in Quetta undertook security operations that resulted in the apprehension of Afghans including registered Afghan refugees - at various check points in Quetta and surrounding areas. Among those arrested, both undocumented Afghans and 40 PoR cardholders were taken by the FC from Gulistan area in Qilla Abdullah district to the Chaman border and deported without due process. UNHCR requested the Ministry of SAFRON to raise the matter of refugees' *refoulement* urgently with all relevant authorities and expressed its grave concern that the Frontier Corps and law enforcement agencies are not distinguishing between Afghan refugees registered by the government of Pakistan and other Afghan nationals. UNHCR and ALAC partners plan to reinforce their awareness sessions for FC and other law enforcement officials in Balochistan.

<sup>1</sup>UNHCR funds 9 ALACs, through implementing partners. SHARP operates in KP, Punjab and Sindh. SEHER has implemented UNHCR funded ALAC legal aid services in Balochistan.

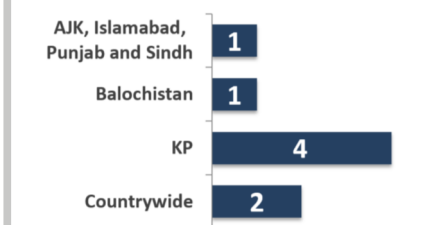
### Arrests and detentions by year



### Types of arrests and releases

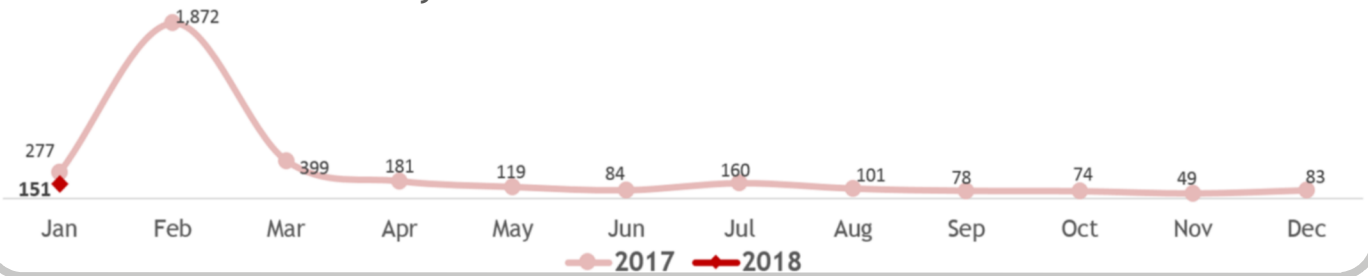


### Avg length of detention (days)\*



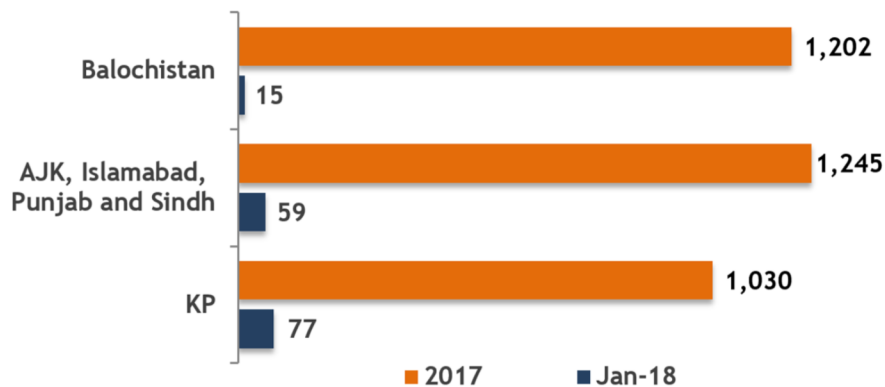
\*Weighted proportionally by # of arrests in each province

### Arrests and detentions by month

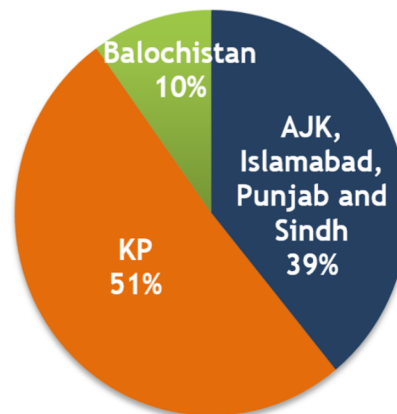




### Arrests and detentions by location and year



### Arrest/detention locations



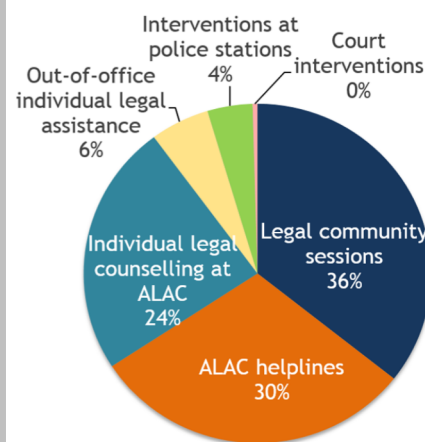
### Access to legal assistance and legal remedies

Advice & Legal Aid Centre (ALAC) activities in 2018 include the following: a) provision of legal intervention at police stations upon arrest/detention; b) court representation in the cases of arrest/detention and other issues regarding civil/family/tenancy matters etc.; c) individually facilitated indoor counseling (legal advice) at ALACs and through helplines; d) out-of-court legal assistance; e) legal sessions in the form of legal camps, *shura* meetings and facilitated group discussions; and f) coordination with and training for law enforcement authorities including border officials and the judiciary. In the month of November, SEHER in Quetta arranged theatrical performances on subjects related to legal assistance, harassment, voluntary repatriation and issues related to legal stay in Pakistan.

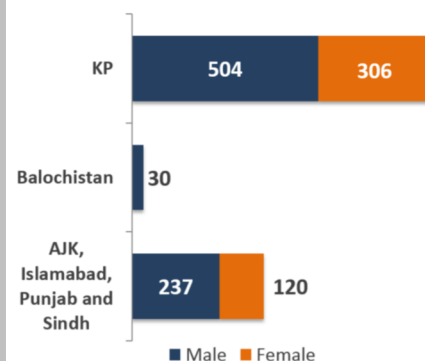
In January, partner staff provided **individual legal counselling** to **808** persons of concern who visited the Advice and Legal Assistance centres as well as legal advice to a total of **1,013** persons of concern through **ALAC helplines**. Birth registration, police harassment, information on repatriation, PoR card modification and registration exercise of undocumented Afghans were the issues of greatest concern observed during the reporting period. **Out-of-court/office legal assistance** was provided to **185** persons of concern mostly related to police harassment, PoR card, rental agreements and affidavits. In addition to court representations for arrest/detention cases under the Foreigners Act/preventive laws, ALAC lawyers also helped refugees to pursue **4** case related to financial and other disputes in local court.

UNHCR and ALAC staff also organized a total of **64 legal camps and shura meetings** reaching **1,197 participants** (36% of whom were women) in the reporting month. 70% 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 protection issues affecting their communities. UNHCR partner staff informed refugees of available free legal aid services.

### ALAC legal assistance activities for POCs



### Legal group participation



UNHCR continues to deploy border monitors at the two official Pak–Afghan border crossings at Torkham (KP) and Chaman (Balochistan) in order to identify potential protection issues during border movements.

Refugee-police liaison committees has been established in the districts of Mardan, Swabi, Buner and Malakand in Khyber Pakhtunkhwa after successful implementation in the districts of Charsadda, Peshawar and Nowshera to enable refugees directly approaching police.

There are 42 ALAC lawyers countrywide who provide the legal aid/assistance described above (29 in KP, 2 in Baluchistan, 5 in Punjab/AJK, 3 in Sindh and 3 in Islamabad).

UNHCR is expanding its legal assistance network through the identification of pro bono lawyers in addition to the existing ALAC legal aid program. During 2017, a pro-bono lawyers' network was formally established during an introductory two-day Workshop on Refugee Law and International Protection attended by 24 lawyers from across the country.