Pakistan and Afghani Refugees

The problem of Afghan refugees in Pakistan has lasted for several decades. For the first time, world media started talking loudly about three million Afghans who passed through the Hindu Kush to the territory of Pakistan in the early 1980s. In those years, Soviet troops were deployed in Afghanistan and the flow of Afghans to the south, to Pakistan, was increasing.

But the question of refugees dates back to the distant 1960s. Since then it has become one of the key hindrances to Pakistani - Afghan relations. Kabul insisted on signing and ratifying by Islamabad the 1951 Convention relating to the Status of Refugees and the 1967 Protocol. The 1951 Convention relating to the Status of Refugees is the main legal instrument in determining their status, civil rights and the legal obligations of States towards them. Otherwise, the Afghan side insists, they must adopt a national law on refugees, which ensures their long-term protection, and most importantly, the right to non-return.

Regional Solutions Strategy for Afghan Refugees (SSAR), trilateral agreement on voluntary repatriation, and the state policy of the Government of Pakistan for Afghan refugees are the main guidelines for promoting the issue for Islamabad.

In Pakistan, there are several groups of refugees. They can be divided into two sub-groups: foreign refugees and Pakistani citizens who left their homes (temporarily displaced persons) as a result of military operations and ethnic / religious conflicts in the Federally Administered Tribal Areas (FATA).

Refugees from other countries, who find themselves on the territory of Pakistan, include Afghans, Bengalis, Biharis, Rohingyas and others. All these years, the UN High Commission for Refugees (UNHCR) has been actively involved in solving humanitarian issues.

In the first decade of the twenty-first century, according to Islamabad, 2.7 million Afghan refugees stayed in the country on a permanent basis. Many people were leaving, but many returned. It is the largest group of refugees in the world both in terms of their number and time of stay in a foreign country. Of these, according to UN High Commission for Refugees, about 1.5 million were officially registered. In reality, this meant that the National Database & Registration Authority of Pakistan issued them Proof of Registration cards, thus legalizing their stay in the country. The period of validity of the issued cards (extended several times) expires in December 2015.

Statistical data on unregistered Afghan refugees is contradictory. In March 2015, Pakistani authorities declared that they plan to register additional 1.4 million people.

Pashtun refugees live mainly in the northern areas of Pakistan bordering Afghanistan in the provinces of Balochistan and Khyber Pakhtunkhwa (up to April 2010 - North-West Frontier Province). They move down into the central and southern parts of the country, in particular the metropolis of Karachi where you can always find some low-paid job.

In 2015, in the province of Khyber Pakhtunkhwa (KP) alone, there were 639,073 registered refugees and 114,096
families residing in specially built camps. In total, there are 70 of these camps, of which only 29 are run by locals, others – by the federal government. In Peshawar, the provincial capital of KP province, the largest number of refugees from neighboring countries, 195,052 people, currently reside.

Over the years, Islamabad has repeatedly appealed to the international community to take collective action to provide material aid as well as to create conditions for the return of refugees to their homeland in Afghanistan.

The agreement of the UNHCR with the Government of Afghanistan on refugees expired in December 2014. According to the agreement, Kabul was obliged by the stated time to create conditions for their return to their homeland.

In September 2014 President Ashraf Ghani came to power by election; and a new coalition government showed willingness to return their citizens within the framework of a spur of voluntary repatriation program. Islamabad welcomed these statements.

But at the beginning of March 2015, without seeing any positive results, Islamabad again initiated a meeting with representatives of the Afghan administration and the UNHCR in order to find new approaches to refugee return. Both sides reaffirmed the need to conclude the protracted situation, stressing adherence to the principle of voluntary repatriation of refugees. Decent repatriation provides security guarantees and respectful treatment of aliens, finding themselves in Pakistan due to a number of emergencies.

But if Islamabad in 2015 can no longer afford to "maintain" the Afghan refugees, Kabul cannot afford to accept them yet. In March in Islamabad the 25th meeting of the trilateral commission took place. It addressed the issue of full and effective reintegration of refugees in Afghan society, the complex and slow-moving process, requiring specific measures. These included: the allocation of funds in the form of a grant of 1,200 dollars for a family of 6 members within the framework of Enhanced Voluntary Return and Reintegration Package (EVRRP). The term of the pilot program is one year.

For its part, in response to the appeal of the UN and other international partners, the Government of Pakistan has extended the validity of the certificate of Proof of Registration (PoR) for Afghan refugees till the end of 2015; 800,000 birth certificates were additionally issued to Afghan children from refugee families, which guarantees their access to public primary schools and health facilities; the authorities apportioned some land free of charge for construction of several villages.

Not too loudly, but periodically, the Pakistani media stressed the "criminal" aspect of the Afghan refugees in Pakistan.

The insistence of the Pakistani authorities to return to their homeland is also dictated by the National Action Plan (NAP). Designed by the general officers and approved by the federal cabinet in December 2014, one of its final paragraphs provides a solution of the problem of Afghan refugees. Since January 2015 the NAP was adopted for implementation, and first of all unregistered refugees were deported, 3,416 people in total, from Khyber Pakhtunkhwa, Balochistan, and Islamabad, the capital administrative district. In April 2015, during the operation of the Frontier Constabulary (FC) 84 Afghan illegal immigrants were arrested and consequently sent home.

From time to time the interaction of governing authorities of Pakistan and Afghan refugees ends in bloodshed. On May 21, 2015, 1,500 families living in Azakhel refugee camp, after long resistance and negotiations with the authorities agreed to leave it. In case of refusal, it was planned to use heavy machinery to destroy buildings. Work on the repatriation of Afghan refugees will continue in all areas.

Natalya Zamaraeva, Ph.D., Senior Research Fellow, Pakistan Institute for Near-East Studies, exclusively for the online magazine “New Eastern Outlook”. 