



Human Rights Commission of Pakistan

Politics over People

The Involuntary Repatriation of
Afghan Refugees



Fact-finding study

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Afghan Refugees



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Human Rights Commission of Pakistan

Aiwan-e-Jamhoo

107 Tipu Block, New Garden Town

Lahore 54600

T: +92 42 3583 8341, 3586 4994, 3586 9969

E: hrcp@hrcp-web.org

www.hrcp-web.org

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Introduction

Pakistan hosts an estimated 3 million refugees, of which about half are believed to lack legal identity, residence or travel documents. In late September 2023, Pakistan's caretaker government drew up the Illegal Foreigners' Repatriation Plan (IFRP).¹ The plan was approved at a high-level meeting chaired by the caretaker prime minister and attended by top civil and military officials on 3 October 2023; a notification to this effect was released the same day. Under the plan, all 'illegal' or unregistered foreign nationals would be repatriated to their home countries, including those who were in Pakistan on expired travel visas. District administrations, police authorities, public prosecution personnel and jail administrations were authorized to arrest, detain (in jails or other suitable premises) and deport all 'illegal' foreigners.² The deportations were to begin from 1 November 2023.

The government's decision was publicly announced at a press conference by the caretaker interior minister.³ He did not quote any specific numbers of 'illegal' foreigners but did mention the estimated number of 'illegal' Afghans in the country, putting the figure at over 1.7 million. This specific identification indicated that the decision targeted Afghan refugees.

Pakistan does not have domestic legislation governing asylum and refugee protection and relies instead on two inadequate laws: the Foreigners Act 1946 and the Pakistan Citizenship Act 1951. The Human Rights Commission of Pakistan (HRCP) has consistently demanded that Pakistan must develop and implement a refugee policy, drafted by the Parliament, and ratify the 1951 Refugee Convention and its 1967 Protocol.

The authorities in Pakistan have relied on the Ministry of States and Frontier Regions and its Office of the Chief Commissioner for Afghan Refugees, particularly with reference to Afghan refugees.⁴ They have routinely detained or arrested Afghan nationals without valid travel documents. More recently, towards the end of 2022,

1 <https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-cJiW-sg-jjjjjjjjjjjjj>

2 <https://www.dawn.com/news/1779106>

3 <https://www.dawn.com/news/1779106>

4 <https://reporting.unhcr.org/files/2023-06/Asia%20-%20Pakistan.pdf>

news emerged of about 1,200 Afghan nationals found detained in Karachi, including women and children.⁵ The matter was taken up in an inquiry conducted by the National Commission for Human Rights, according to which 139 Afghan women and 165 Afghan children, among others, were being kept in a high-security prison.

When it comes to refugees, the state's approach has been to prioritize politics and security over humanitarian and human rights considerations. Consequently, arrests, detentions and refolement have increased, amplifying the general sense of fear and insecurity among refugees, the bulk of whom are Afghan.

5 <https://thediplomat.com/2022/12/women-kids-among-1200-afghan-migrants-jailed-in-pakistan/>

Study purpose and methodology

Following the executive order of October 2023 that allowed for the involuntary repatriation of 'illegal' foreign nationals, particularly Afghan refugees, HRCP commissioned a fact-finding study to ascertain the situation of refugees, asylum seekers and migrants of Afghan origin from a human rights perspective. The study aimed to:

- Analyse the impact of the lack of a designated legal status for refugees
- Examine and compare the state's conduct towards registered and unregistered Afghan refugees, asylum seekers and migrants in the country
- Assess the socioeconomic and rights implications of involuntary repatriation for vulnerable groups, including women, children, the elderly, persons living with disabilities and transgender persons
- Analyse the extent of opposition by local populations to the settlement of Afghan refugees, asylum seekers and migrants
- Recommend measures to protect refugees' rights in line with international standards and Pakistan's international commitments.

The scope of the study extended to the three provinces of Sindh (Karachi), Balochistan (Quetta) and Khyber Pakhtunkhwa (Peshawar) and the capital territory of Islamabad. The methodology used included field visits to refugee settlements as well as consultations and key informant interviews with refugees themselves, government officials, UNHCR officials, representatives of the Society for Human Rights and Prisoners' Aid (SHARP) and journalists, lawyers and civil society activists engaged in this issue.

Overview

As mentioned above, Pakistan is not a signatory to the 1951 Refugee Convention nor has it adopted the 1967 Protocol, both of which require member states to legislate on refugee issues, provide political asylum to individuals at risk and ensure that the basic needs of refugees arriving in bulk are duly met.

Foreign nationals in Pakistan are regulated under the 1946 Foreigners Act, Section 14 of which states that anyone entering Pakistan without a visa or proof of registration at the time of their entry into the country will be liable to be jailed and deported. This section is applied by the authorities to unregistered Afghan refugees.

Presently, there are three categories of Afghan refugees in Pakistan:

- The first category includes those who arrived during the 1980s and 1990s. They were initially issued registration cards manually. Later, in 2006/07, they were issued proof-of-registration (POR) cards under the provisions of a tripartite agreement signed by Pakistan, Afghanistan and UNHCR in 2003.⁶ This agreement has been extended every three to four years and was last extended in 2019.⁷
- The second category comprises refugees who came to Pakistan after 9/11 and registered themselves with the government. They were issued Afghan citizen cards (ACCs) in 2017.⁸
- The third category is that of undocumented refugees, including those who had failed to register themselves in 2017 and those who arrived following the 2021 regime change in Kabul. Among those who arrived after 2021 were asylum seekers, but the Pakistan government has stopped UNHCR from registering or documenting them since January 2022.⁹

When the IFRP was announced, government officials justified the move by arguing that Pakistan was not a signatory to the

6 <https://car.punjab.gov.pk/faqs>

7 https://car.punjab.gov.pk/tripartite_agreement

8 <https://car.punjab.gov.pk/faqs>

9 <https://reporting.unhcr.org/files/2023-06/Asia%20-%20Pakistan.pdf>

1951 Refugee Convention. Legal experts and the human rights community, however, say that the decision contravenes Pakistan's own national and international legal obligations.

As Peshawar-based lawyer Asadullah Khan points out, Pakistan may not have signed the convention, but it is a signatory to other international conventions, such as the 1948 Universal Declaration of Human Rights and other protocols pertaining to the rights of women, children and vulnerable communities. Khan alleges that Pakistan 'does not feel bound by these obligations or any commitment to fulfil them.'

In addition, the IFRP violates a 1993 cooperation agreement signed with UNHCR, under which Pakistan had agreed to allow UNHCR to determine the refugee status of asylum seekers in the country. Syed Muaz Shah, a Karachi-based lawyer, said that once UNCHR has been given the right to declare someone a refugee, it becomes qualified to claim the rights mentioned in the 1951 Refugee Convention—which the IFRP does not acknowledge. 'Once you have declared someone a refugee,' said Shah, 'you cannot refool them to a place that is wracked by conflict and human rights violations.'

So, how did refugee communities respond to the October 2023 executive order?

According to reports gathered by HRCP in Peshawar, Quetta, Karachi and Islamabad, there were signs of unease among the Afghan refugee population when the deportation plan was first announced. This unease soon turned to widespread panic among both documented and undocumented Afghan immigrants once the crackdown started in November. Many families were forced to leave their homes and deported empty-handed. Others went into hiding. Many documented refugees decided to leave voluntarily because they were afraid of future exploitation and extortion. They recounted having had to sell their household goods and other assets to locals at very low prices for fear that they could soon be arrested and deported. As Riaz Sohail, BBC Urdu's Karachi-based correspondent, explained:

Sohrab Goth in Karachi suddenly emerged as a market for cheap second-hand electronics. Families gave away home goods to acquaintances as gifts. We saw many families waiting for the buses for days on end, hoping they would get buyers for their possessions, which were lying packed on the ground. Given how crowded the buses were, they could carry either their possessions or their families with them.

Interviews with refugees, government officials and other stakeholders indicate that the first 20–25 days of November 2023 were the worst. During this period, more than 400,000 refugees were deported to Afghanistan. Matters eased slightly when the national and international media as well as human rights defenders and refugee rights groups began to raise concerns about the gross rights violations to which refugees were being subjected. Government officials denied such charges and the official data either fails to provide separate lists for forced and voluntary deportations or quotes very low figures for forced deportations where such lists are provided.

For example, the official data for Khyber Pakhtunkhwa—the province that was also the transit route for refugees being deported from Punjab and AJK to the Afghan border—cites a total of 325,364 repatriations from 17 September 2023 to 12 March 2024. It does not, however, provide a breakdown of voluntary and forced deportations. The data from the Balochistan government, which also includes transit deportees from Sindh, does provide separate figures for the two categories, but those cited for forced deportations have been deemed grossly understated by refugee rights groups. According to data from Balochistan for the period between 1 October 2023 and 27 April 2024, out of a total of 210,443 deportees, only 34,147 had been apprehended by the authorities. The rest were voluntary—or so the official data claims.

Preparing for deportations

Sources in the Counter-Terrorism Department and National Database and Registration Authority (NADRA) claim that prior to the announcement of the deportation plan in October 2023, the federal interior ministry played a lead role and issued directives to all the departments concerned. The ministry started a mapping exercise to update the district-wise data for Afghan refugees, involving provincial departments such as the district administrations, police, provincial revenue departments and Special Branch. Some military intelligence personnel were also involved. NADRA officials said that the mapping zones were identified largely based on the refugee data available with the Commissionerate for Afghan Refugees; the purpose was to cross-check and update that data.

In the meantime, the provincial home departments in all four provinces appointed focal persons, setting up control rooms in their respective areas and coordinating with the focal persons appointed by other agencies involved in the repatriation process.

Before the deportations officially began in November, the government started setting up over 40 transit points or holding centres across the country where deportees were to be brought and housed for two to three days, depending on the availability of transport, which would then take them to the border. One holding centre was set up in each of Punjab's 36 districts, while three each were set up in Khyber Pakhtunkhwa and Balochistan, two in Sindh's Karachi metropolitan area, and one each in Islamabad and Gilgit.¹⁰

Local communities said that during the mapping process, police contingents accompanied by NADRA teams went to various localities to identify unregistered refugees for subsequent deportation in case they failed to exit voluntarily. According to journalist Riaz Sohail, the system failed largely because the equipment used by the NADRA teams for on-the-spot verification of thumb impressions did not work, either because the software was faulty or internet signals too weak.

¹⁰ <https://www.arabnews.com/node/2401096/pakistan>

The authorities gathered refugees' community elders in some areas of Karachi, asking them to tell their community to register their exact number of household members, residential address and registration documents at the local police station. They were told falsely that this was being done to arrange for the deportation of unregistered refugees. The arrangements, explained the officials, included transportation from their area of residence to a transit holding camp and then onwards to the Chaman border via Nawabshah and Jacobabad.

Few people among the poor Afghan community knew how to read or write and thus filling out the necessary forms was not possible for most of them. They had no support in filling out the forms, pointed out Sohail, whether it was from voluntary organizations, government departments or political parties, which had distanced themselves from these developments.

According to a senior official in Khyber Pakhtunkhwa, the whole exercise was started in an emergency, without any in-depth planning to give refugees enough time to wind up their lives here and prepare for a new beginning in a country many of them had never seen. 'It was a sudden decision,' he said, 'and since institutions like the police and district administration were not prepared for it, this led to many instances of corruption and human rights abuses.'

The crackdown and its aftermath

Interviews with refugees, civil society activists, media personnel and government officials suggest that, given the hurried plan for deportation and absence of transparency, the whole exercise saw numerous instances of harassment, extortion and human rights abuses.

In Khyber Pakhtunkhwa, the process started with police vans driving into areas with dense refugee populations, making announcements via loudspeaker about the day, time and location in each locality on which people would be collected and taken to deportation centres.

It was mostly poor people who complied. Those living in shanty refugee settlements in villages and towns were easily identifiable and accessible compared to those living in middle-class and rich neighbourhoods where it was difficult to distinguish between Afghan and Pakistani residents. Many well-off refugees—people with social capital—living in the higher-income neighbourhoods of Hayatabad and University Town in Peshawar were not bothered by the authorities.

A senior journalist in Peshawar, Ismail Khan, told HRCF that while there were no official records of police corruption, observers in the field had noted many instances of extortion by the police. ‘The pattern was clear,’ he explained, adding that ‘the police would stop you on the way and threaten to deport you, no matter if you were a registered refugee or not. They would only let you go after squeezing Rs 1,000 or 2,000 from your pocket.’

This was confirmed by Peshawar-based lawyer and human rights defender Mumtaz Ahmad, who handled a number of court cases involving refugee families whose members had been detained by the police, even though they had legal documents:

The police would haul up people of Afghan origin and then approach their families through contacts to ask for money. If the families could afford to meet their demand, the men would be released. Otherwise, they would be deported.

There were many cases in which registered refugees were arrested and their families approached us for help. We would get in touch with the relevant authorities and share with them copies of their registration documents. But there was no response until the family had greased their palms.

Such deportations were proof that there was no transparency in the process, he said, adding that all the regional departments concerned had data on legal refugees—those with cases pending in the courts or those awaiting visas for asylum abroad. However, there was no evidence of counterchecks at the inter-departmental level anywhere in the country when complaints of such deportations emerged.

In the meantime, truckloads of migrants from Punjab started to arrive in Khyber Pakhtunkhwa, adding to the burden on the system. Most deportations took place via the Torkham border, but some also went via border crossing points at Kharlachi in Kurram district and Angoor Adda in South Waziristan. Deportation camps were set up at all three points.¹¹

The same pattern was followed in Balochistan, where the police visited refugee settlements and announced that people should gather at the designated places for deportation; these were also receiving deportees from Sindh for onward transportation to the border. Chaman was the main crossing point in Balochistan, but some deportee traffic also transited via crossing points set up in Badini, Barab Cha and Noor Wahab.¹²

Shahzada Zulfiqar, a Quetta-based journalist, said that the police went about knocking on the doors of refugees' homes, asking them to provide valid documents. If they had none, they were compelled to go with the police to the deportation centres. Here too, those who complied with the orders were mostly poor people—daily-wage earners and pushcart vendors—living in poor urban settlements. Since they had few assets and fewer options, they were 'willing' to be deported as and when it became unavoidable.

11 <https://moib.gov.pk/News/58292>

12 <https://moib.gov.pk/News/58292>

Those who were comparatively well-off, ran businesses and/or owned property, attempted to dodge the authorities by using political and tribal connections or bribed the police to give them time to dispose of their assets. In some instances, the police gave some families a few days or a week to prepare for departure. Zulfiqar said that the official reports gave such flimsy reasons as 'There were only women in the house; their menfolk were out of town and would be back in so many days.'

Lawyers and activists testified in their interviews with HRCF that it was in Sindh—and to a certain extent in Punjab—where refugees suffered the harshest treatment. Even before the deadline for voluntary deportations, Afghan garbage-collectors, *nanbais* [oven-bread makers] and other refugees started to disappear from the streets. Some were picked up by the police in a crackdown that soon followed the deadline, while others went into hiding to avoid arrest.

According to Moniza Kakar, a Karachi-based lawyer and founder of the Joint Action Committee for Refugees (JAC-R), unlike other provinces, Sindh saw a silent wave of action against Afghan refugees, which had begun in July 2022, when police started to round up families, including women and children, book them under the Foreigners' Act 1946, move them to jails and lodge court trials against them. 'Such arrests multiplied manifold when the 3 October deportation plan was announced,' she explained.

The police exploited the situation to their advantage. According to Kakar and many other observers, there were instances in which the police had arrested registered refugees by seizing and destroying their registration cards because the latter had refused or been unable to pay the bribes the police had demanded. As she explained:

The procedure changed after 1 November. Before that, the police would produce the arrested people in court, which made the process slightly more transparent. Those registered would get some time to prove that they were card holders but that their cards had been either misplaced or seized by the police. But after 1 November, bulk arrests and deportations started, putting aside all basic

legal procedures such as the right to counsel. Those affected included not just unregistered refugees but also registered ones as well as local Pakistani citizens.

Another rights activist and JAC-R member, Luke Victor, who kept a close eye on the crackdown in Karachi's Sohrab Goth area, describes how aggressively people's right to privacy was violated by the authorities:

Some of us [civil society activists] went to Sohrab Goth disguised as media persons. What we witnessed was harrowing. The police would knock on people's doors in the middle of the night or as early as 5 or 6 AM on a winter morning when the household was still asleep. Someone wearing night clothes would open the door. The police would barge in, leaving the household dumbstruck. There would be women and children inside—some still sleeping, others jumping out of bed in a state of shock. The police would drag everyone outside and load them into a vehicle. There were no female officers present to respect cultural sensitivities.'

The glaring lack of sensitivity, said Victor, could also be gauged by the conduct of the accompanying media teams. 'They would follow the police into the houses,' he said, 'their cameras on their shoulders to film the scene indoors [without any thought for people's privacy].'

During this process, many registered Afghan refugees and even Pakistani nationals of Pashtun origin were also picked up for deportation, both in Sindh and some parts of Punjab. On the face of it, there seemed to be two main reasons for this. First, during the mapping phase, the authorities had largely failed to separate unregistered Afghan refugees from the rest of the community.

Second, many Pakistani nationals living in those localities, especially low-income Pashtun migrants, were either undocumented or did not have their computerized national identity cards handy at the time.

'In the absence of accurate data and given that most of the police teams conducting arrests and deportations in Sindh and parts of Punjab were not manned by officers with any sociocultural or linguistic awareness of refugee communities, they ended up profiling people based on their looks and way of life,' said Tahera Hasan, a Karachi-based activist who works with stateless citizens.

As the crackdown intensified and reports of rights abuses spread, many people who feared arrests and mistreatment began to leave for the border voluntarily. Karachi then witnessed a shortage of buses. As journalist Riaz Sohail explained, some restrictions along the route had led to a situation where very few buses were coming in from the Chaman side. The buses that were available were overcrowded, leaving people with little choice—to take either their families or their possessions.

Senior civilian officials said that the deportation process was handled by the military corps stationed in Peshawar and Quetta with the help of the provincial home departments. Under this process, the holding centres were set up and managed by the district management authorities. The police, the Federal Investigation Agency (FIA) and other departments were also involved. Two government institutions that had set up stalls inside the centres to register deportees and monitor the goods they were carrying included NADRA and the customs department. A medical camp was also set up at each centre to provide short-term healthcare to inmates.

Under this hurriedly drawn-up plan, the authorities would routinely schedule different weekdays for transporting deportees from different districts around the country to the main transit and deportation centres set up in Khyber Pakhtunkhwa and Balochistan. In Peshawar, the government had set up a holding centre inside a vacant apartment block in the Labour Colony in Nasir Bagh on the northern outskirts of the city. From there, deportees would be transported to the deportation camp in Landi Kotal, where they were kept until their turn came to cross the border.

The process was as follows: as refugees were brought in, the NADRA team there would obtain their digital thumb impressions for registration and the authorities would then decide how many families were to cross the border and when. Such scheduling

was necessitated by a sudden rise in forced as well as what were termed 'voluntary deportations' from the Pakistani side, while the routine movement of traders and truck drivers across the border continued as usual.

Since it normally took each group of deportees three to five days before their turn to cross, the population at the holding centres swelled, especially at the main holding and transit centres in Karachi, Quetta and Peshawar and on the two main border crossing points at Landi Kotal and Chaman.

How were these crowds handled by the authorities? Were enough arrangements made to provide food, water, shelter, bathrooms, medical support and privacy to them during transit? There was no way of finding out because entry into these centres was banned for all, except a limited staff of the police, the FIA and other relevant departments.

Moniza Kakar described the centres as 'blackholes' where there was a complete ban on the entry of independent monitors and observers such as the media and lawyers as well as international human rights bodies such as UNHCR and the International Organization for Migration. 'Were the inmates being given enough food and water? Were they being provided with enough blankets at a time when the cold weather was setting in? How many Pakistani nationals were among the deportees being forced to leave? How many registered refugees? Nobody ever came to know,' she lamented.

Attempts by the local media to find answers were discouraged by the authorities. In one case, at the Landi Kotal camp, local journalist Rahat Shinwari was manhandled and expelled from the area by armed police and FIA personnel when he tried to ask about the conditions inside the camp and why organizations such as HRCP and UNHCR had not been allowed to enter.

The judiciary also deferred rulings in cases lodged by certain groups demanding transparency in the deportation process. Rights activist Tahera Hasan moved a petition in the Sindh High Court in early December, pleading that organizations such as UNHCR should be granted access to the deportation centres to ensure that basic human rights were not being violated and that

detainees' needs—especially those of women, the sick and people with mental health problems—were being taken care of. The case remains in limbo.

One government official told HRCP that the Landi Kotal deportation centre was set up on 28 October 2023, just two days before the forced deportations were to start. 'How could they have made arrangements in two days for an operation that needed at least a month of planning and preparation for it to be smooth and transparent?' he asked.

During those two days, the authorities set up a small number of tents to house the deportees. Men and women were to be kept in separate tents. Local observers along the main route connecting Torkham and Peshawar said that the accommodation in these tents was grossly inadequate for the deportees being brought in every day, especially during the first three weeks of November. Some would move inside the tents, but the bulk spent their days and nights in the open. Personnel of the paramilitary Frontier Corps and later the police were deployed to keep watch over those out-of-shelter deportees.

The authorities had set up 12 portable toilets at the Landi Kotal camp, which many said were barely enough for the thousands of deportees being brought there daily. Many of them resorted to relieving themselves behind bushes. Water for use in the toilets as well as for drinking was supplied by unhygienic commercial water tankers—in any case falling far short of the centre's requirements.

This was true for most of the transit and deportation centres set up elsewhere in the country. Quetta-based journalist Syed Ali Shah narrated an incident during his visit to a deportation camp set up in Baleli, some 20 km northwest of Quetta: 'There were about 300 Afghans sitting in the open, waiting to be deported. There was no food, medicine or proper toilet facility. At one point, I saw a group of them arguing violently and pushing each other. I moved closer and found that they were fighting over a glass of water.'

Karachi-based activist Saeed Hussain was part of a team that had set up a camp outside Karachi's main deportation centre in Sultanabad to keep an eye on the transit and deportation centres and obtain whatever information they could on the situation of

the refugees being housed there. The centre was set up at a youth hostel of the Pakistan Boy Scouts Association, which was vacant at the time. 'One look at the building from outside indicated that it could possibly accommodate a maximum of 250 people, he said, 'but at any given time, we observed that the authorities were keeping no fewer than 700 to 800 people.'

Similar observations were shared by Mudassar Javed Sanghira, the chief executive officer of SHARP, an implementing partner of UNHCR that was monitoring the deportation process on its behalf. 'We were not allowed inside the deportation centres,' he said, 'but they allowed us a brief visit to one centre in Rawalpindi. Conditions there betrayed the fact that there was no proper planning, no arrangements for psychosocial counselling, health, hygiene, proper food and proper toilets.'

When Sanghira's team pointed out to the officials there that it was their responsibility to ensure the physical wellbeing of the people they were holding, they responded by saying they had no resources to do so. 'They said they had been asked by their bosses to round up and deport these people. That was all. They did not name the officials who gave them such orders,' said Sanghira.

Impact on vulnerable groups

While forced deportations caused rights abuses and human suffering at a mass level, some groups were comparatively more vulnerable and suffered most during the process. Below are some details that were shared with HRCP by observers, legal experts and activists based in different parts of the country.

Childbirths in transit

There is no official data available on this, but residents in different areas cited many instances when pregnant women gave birth to children during deportation.

One case was shared by Khyber-based human rights defender Ijaz Akbar Afridi. According to him, when the deportation deadline was announced, truckloads of refugees started to arrive at the Torkham border. There were long queues and endless hours of waiting before they could get through to the border. At one point, Afridi, who was present at the scene along with other colleagues to monitor the situation, noticed that a crowd of local people had gathered around one of the trucks, asking its passengers what had happened.

‘We went up to them to find out what was going on. We were told that a woman had given birth,’ he said. ‘She was among the people who had been loaded onto that truck and went into labour as they were entering Landi Kotal. She delivered the baby on the truck. When that happened, they stopped the truck and got off to look for some place in the neighbourhood where she could be moved to rest and recover,’ he added.

The woman and her baby were then taken in by a family living nearby, where they spent some hours recovering. They also called a local doctor, who provided some level of postnatal care. The woman crossed the border along with her family as soon as she was able to move.

Anees Gorgajj, a senior bureaucrat who was the additional home secretary in Balochistan at the time, said that a pregnant woman went into labour while being transported to the Chaman

border along with other undocumented refugees. An assistant commissioner who was present there took her to the DHQ hospital, where she gave birth. 'They were repatriated when she had recovered from postnatal pains and was able to move,' he explained.

Children

A significant number of deaths were reported among deportees during transit, mainly due to cold and exposure. Activist Ijaz Akbar, whose organization Ansar-e-Insaniyat Falahi Tanzeem was offering support to deportees in Khyber district¹³ said that, on average, one death was reported every one to two days during November and December. He added:

As far as our estimates go, some 40 to 50 refugee children died [in transit], mostly due to exposure to the cold. Some elderly and sick adults also died in transit. Most of the children who had died were buried in a local graveyard nearby, but the bodies of the deceased adults were carried across the border by their relatives in most cases.

Children became victims in many other ways as well, especially in Sindh. 'The pattern followed by the police was that when they wanted to round up a family, they would haul up the children so that the parents would come looking for them,' alleged activist Tahera Hasan. She recounted many cases in which she had met refugee families sitting outside the deportation centres, complaining that their sons (mostly in their early teens) were being held inside. 'When we contacted the officials,' she said, 'they refused to let the boys out and would instead ask us to tell the family to come in and join their children if they were willing to be deported voluntarily.'

Pakistani children of Pashtun origin also suffered during the process. Karachi-based lawyer Moniza Kakar cited one case in which the 14-year-old son of a Karachi-based Pakistani family hailing from Waziristan was deported to Kandahar:

13 Being part of the local community, Akbar's organization was able to provide humanitarian support to refugees in transit—something that the authorities happily allowed him to do.

When the boy went missing, his father came to our monitoring camp outside the deportation centre and told us what had happened. We shared the boy's name and place of arrest with the police, who told us that they had no entry by that name in their records but would check with other centres.

Kakar's shift ended and she went home. The next morning, when she arrived at the centre, she saw the man still awaiting confirmation of his son's whereabouts. Shortly thereafter, he received a call from his son, who said that he had borrowed a phone from someone to tell his father that he had been taken to the Chaman border and was about to be deported.

'We contacted people here and there, but the boy was deported,' said Kakar. He remained in touch with his father, however. Subsequently, JAC-R launched a social media campaign, which put some pressure on the authorities, who promised to bring him back, provided that the rights group cease its campaign. 'We went quiet,' said Kakar, adding 'Two weeks later, the boy was back.'

Family separations

Since the first phase of forced deportations focused on unregistered refugees, many families were separated when different members of the same household had a different legal status, some having been in Pakistan longer than others. Many found their entire lives upended when close family members—spouses, children, parents—who were not registered were rounded up and taken to the deportation centres.

Lawyer Moniza Kakar cited one case in which the wife and newborn daughter of a registered Afghan refugee were picked up and taken to a deportation centre in Karachi's Sultanabad area. The man approached Kakar at her legal aid camp outside the deportation centre and told her that his wife was a registered refugee but had misplaced her card. Kakar contacted the officials, who could not confirm the woman's registration and refused to release her. 'We then persuaded the man to be deported with his family rather than let his wife and daughter return to a country under a Taliban regime without him. He was reluctant, but we counselled him and he finally went to the centre,' she said.

A NADRA official in Peshawar confirmed cases of family separation but said that most of them were short-term. 'Because of the rush of deportations,' he said, 'in some cases, family members found at home were picked up for deportation while those not at home were left behind. But in most cases, they were reunited in the end.'

Vulnerable Afghans

According to SHARP head Mudassar Sanghira, most of the approximately 520,000 people deported during the first drive were those who had entered Pakistan just before, during or soon after the 2021 regime change in Kabul. Many of them had been linked with the pre-Taliban government in different official capacities. Others had been part of civil society, including public prosecutors, judges, artists, musicians and sportswomen. Many had left, fearing reprisals by the Taliban. Those who had worked for the US-backed government in higher positions were offered asylum abroad and left, but people in the lower ranks found their applications for asylum mired in bureaucratic delays.

Many of them ended up being deported to Afghanistan during the November–December 2023 crackdown. Quetta-based journalist Syed Ali Shah met three such people at different deportation centres, who said they were on the Taliban's 'hit-list' and their lives at risk. Two of them were accompanied by their families but were ultimately deported.

Christian converts

Many Afghan converts to Christianity had served in one capacity or another with the US-led forces that were present in Afghanistan at the time. 'They are doubly marginalized and at greater risk,' said activist Luke Victor, adding that he was in contact with a number of such families in Islamabad, who could not declare that they were converts because their wider family was Muslim (and this could lead to social stigma and even reprisals).

He cited the case of a family in Islamabad (including a husband, wife, sister-in-law and nine children) whose household head had served as an engineer under US-led forces stationed in Afghanistan. 'They left their home in Kabul in 2021 and crossed into Pakistan in a bad state,' explained Victor. 'Although one of

his American supervisors had provided UNHCR with all his details and a letter of recommendation for asylum in the US, UNHCR had yet to process the case and had even not issued him a POR card. As such, he was yet to be granted a US visa,' he added.

When the deportation policy was announced, the family's landlord became apprehensive and asked them to vacate the premises, fearing he too might be arrested if the authorities raided the house. Moving house was a time-consuming task, said Victor, and the family became paranoid, expecting to be arrested, exposed and forcibly deported. 'They just left for the border,' he added.

Another case that Victor shared was that of a woman who had been employed with the Afghan army before the Taliban's return to power. Three members of her extended family had also been working with US-led agencies. All of them had converted to Christianity. Soon after the advent of the Taliban, her entire family was murdered in Kabul. The sole survivor, she found her way to Islamabad. She had applied for a POR card but it was still pending. 'When the deportation policy was announced, she became paranoid. Her fear was that she was a woman—and she was alone. If arrested, there would be no one to track her whereabouts. So, she decided to put on a burqa, return to Afghanistan and take her chances there,' said Victor.

Conclusion and recommendations

Based on the evidence, it is safe to conclude that the October 2023 executive order issued by the caretaker government did not ensure that the repatriation of Afghan refugees was voluntary, safe or dignified. The IFRP was hurriedly conceived and implemented and amounted to the collective punishment of a vulnerable community in contravention of all internationally recognized laws and principles.

The lack of transparency and efforts to prevent journalists and human rights organizations from visiting the deportation centres is cause for significant concern as it clearly led to human rights abuses, including harassment, extortion and arbitrary detention by law enforcement agencies. It also led to blunders whereby some Pakistanis of Pashtun origin were erroneously sent to the centres and even across the border to Afghanistan.

Living conditions in the deportation centres were poor: the oral testimonies collected for this study suggest that the centres were overcrowded and failed to provide proper food, water and sanitation. This put vulnerable people—such as pregnant women, children, the sick and elderly and persons living with disabilities—at unnecessary risk, especially in winter.

HRCPC sets forth the following recommendations:

- Any future repatriation plan for refugees must be transparent and well-thought-out and conform to internationally recognized principles and procedures governing the movement of refugees and asylum seekers.
- The government must take stock of the human rights abuses committed during the deportation drive, especially in the first two months, and ensure that those responsible are punished. It must also recognize that such plans encourage highhandedness on the part of law enforcement agencies.
- The government should collect and make publicly available accurate data on the number of refugees and asylum seekers in the country.

- Pakistan must ratify the 1951 Refugee Convention and its 1967 Protocol without any further delay as well as enact a domestic legal framework to protect refugees and asylum seekers in the country.
- The government must recognize that the fundamental rights enshrined in the Constitution apply to all refugees, migrants, asylum seekers and stateless persons without discrimination.
- The government must adhere to the internationally recognized principle of non-refoulment and ensure that any repatriation of refugees is voluntary, safe and dignified, and based on informed consent for return and reintegration.



Human Rights Commission of Pakistan
