

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	498
Land:	Pakistan
Kilde:	ARC Foundation og Dutch Council for Refugees
Titel:	ARC Foundation and Dutch Council for Refugees comments on the EASO Country of Origin Information Report: Pakistan: Security Situation, October 2019
Udgivet:	Oktober 2019
Optaget på baggrundsmaterialet:	29. januar 2020

December 2019

ARC Foundation and Dutch Council for Refugees comments on the EASO *Country of Origin Information Report: Pakistan: Security situation*, October 2019

Asylum Research Centre Foundation (ARC Foundation) and the Dutch Council for Refugees (DCR) welcome the publication of the EASO Country of Origin Information (COI) Report on [Pakistan: Security Situation](#) of October 2019 (hereafter the 2019 EASO Pakistan report).

This marks the fourth ARC Foundation/DRC commentary on a Pakistan EASO report, and the first on a Pakistan report prepared under its new June 2019 [COI Report Methodology](#). Most of our comments relate to whether our previous suggestions and recommendations have been implemented.

Our comments are intended as constructive feedback based on an initial reading of the report, first making some general observations and recommendations and further focusing comments on section *1.4. Impact of the violence on the civilian population*.

As active members of the Consultative Forum, we would have welcomed the opportunity to input into the Terms of Reference of the report and to have been able to provide the following comments in advance of the report's final publication.



ARC Foundation and Dutch Council for Refugees publications are covered by the Create Commons License allowing for limited use of ARC Foundation publications provided the work is properly credited to ARC Foundation and Dutch Council for Refugees and it is for non-commercial use.

ARC Foundation and the Dutch Council for Refugees do not hold the copyright to the content of third party material included in this report.



We are extremely grateful to Paul Hamlyn Foundation for its support of this project.

Feedback and comments

Please help us to improve and to measure the impact of our publications. We'd be most grateful for any comments and feedback as to how the reports have been used in refugee status determination processes, or beyond. Thank you. <https://asylumresearchcentre.org/feedback/>

Please direct any questions to info@asylumresearchcentre.org

1. General observations and recommendations

1.1. Acknowledgements

We are pleased to observe that one recommendation made in our previous commentary on the October 2018 EASO Pakistan Security Situation report¹, that a non-state actor be involved in the quality review process, was accepted. The 2019 EASO Pakistan report, which was drafted by the Belgian Centre for Documentation and Research, benefited from the quality review of an external organisation, Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), in addition to four other state COI units.

1.2. Methodology - Terms of Reference

We are glad to note that several other of our recommendations made in our previous commentary² with regards to the 'Terms of Reference' have been incorporated in the 2019 EASO Pakistan report.

Firstly, we welcome that our suggestion that a EASO Pakistan report details who was involved in their drafting was acted upon in the 2019 edition (emphasis added):

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] Annex II: Terms of Reference

The goal of this report is to provide security-related information relevant for international protection status determination. An important goal of this report is to provide details on a regional, provincial or even district level. The reporting period for incidents and events illustrating the general trends of the conflict, is 15 August 2018 until 31 July 2019. **The terms of reference were drafted by Cedoca in consultation with EASO and the COI Specialist Network on Pakistan.** [...]

In our previous commentary, we also recommended that the section on '*State ability to secure Law and Order*' should be expanded to include sub-topics that address the willingness and ability of the security forces to protect such as:

Ability to protect

- State security and police forces: capacity, resources and equipment, training, oversight and accountability, functioning of the judicial system;
- Targeted attacks against state security and police forces by anti-government elements;

Willingness to protect

- Infiltration by anti-government elements in state security and police forces, evidence of corruption e.g. evidence of bribes required to open cases, or police accepting bribes from perpetrators resulting them dropping cases or judicial corruption;
- State security and police forces' involvement in human rights violations as they relate to the current security situation and related impunity.
- Denial of protection to particular groups e.g. women, ethnic minorities etc

¹ ARC and DCR, [Comments on the EASO Country of Origin Information Report: Pakistan Security Situation, October 2018](#), December 2018

² ARC and DCR, [Comments on the EASO Country of Origin Information Report: Pakistan Security Situation, October 2018](#), December 2018

We are pleased to see that in the 2019 edition, the following new subheadings not included in the 2018 report have been included in section 1.5.1. *Security forces*:

Security forces

- General
- Capacity
- Integrity
- Abuse of power, ill treatment, use of excessive force, disappearances, and extrajudicial killings

Judiciary and legal system

- Structure of the judiciary
- Capacity
- Integrity

However, as in our previous commentaries, we strongly recommend that EASO consult with relevant external bodies, institutions, civil society actors or country experts who are not linked to a state during the Terms of Reference drafting process, modelled on the Dutch practice which involves civil society actors in drafting the Terms of Reference for the Netherlands Ministry of Foreign Affairs *Ambtsbericht*.

1.3. Methodology – Collecting Information

We welcome that the 2019 EASO Pakistan report provides one reference period for sources, rather than the three that were used in the 2016 EASO Pakistan report which we argued were difficult for the user to follow (emphasis added):

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] Introduction

[...] Methodology

This report is an update of the EASO COI report on Pakistan, Security Situation (last update: October 2018).³⁴ **The reference period for describing events was from 15 August 2018 until 31 July 2019.** In order to ensure that the drafter respected the EASO COI Report Methodology, a review was carried out by COI specialists from the countries and organisations listed as reviewers in the Acknowledgements section. This quality process led to the inclusion **of some additional information**, in response to feedback received during the respective reviews, **until 13 September 2019**. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report. [...]

34 EASO COI reports are available via EASO's website: url

That being said, it is not entirely clear what the reference period 'describing events' refers to - the publication date of a source or the date of the event documented. Similarly, it is not clear which the second cut-off date of 13 September refers to.

Sources

Whilst this section of the methodology explains how and where interviews were conducted, as well as providing brief details about interviewees' professional background, no information is provided as to the questions that were posed to the interlocutors nor have the transcripts of their responses

been included. Whilst we appreciate that sensitive or personal security concerns may preclude EASO from publishing full transcripts of some or all interviews (which would be preferable in order to promote transparency), in our view not publishing at least the interview questions undermines the transparency of the 2019 EASO Pakistan report as users are unable to see the nuance of how questions are framed.

It would have also been interesting to note whether all interlocutors were asked the same set of questions, how structured the interviews were, whether the interviews were recorded, whether their responses are presented verbatim in the 2019 EASO Pakistan report, or are summaries. Furthermore, it would have been of interest to note whether there was convergence or not between the answers of the interviewees.

As in our previous commentary, we welcome the inclusion of the descriptions of the methodologies of the four institutions consulted for security incidents and casualty data and the 2019 EASO Pakistan report's very helpful descriptions thereof. The 2019 EASO Pakistan states in this section that "The data of ACLED are not used in this report, except for verification of incidents". However, no reasoning is provided and it is considered that it would have been useful to explain why such a decision was made.

It is welcomed that the methodology mentions reporting and access restrictions in Pakistan:

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] Introduction

[...] Methodology

[...] Several sources mentioned that certain areas are considered 'no-go areas' and certain topics are taboo in Pakistan.⁵⁷ Asad Hashim, a Pakistani journalist, stated on 28 May 2019, during a Skype interview, that the freedom of the press in the country has been on a downwards trend since 2014. Therefore, some topics, security issues, human rights issues and some areas do not get a full coverage.⁵⁸ In this context, journalists and bloggers apply self-censorship.⁵⁹ In the past, individual journalists were threatened and attacked. Recently, also news agencies came under attack, are being closed down and forbidden to distribute newspapers or to broadcast on certain topics.⁶⁰

57 Almeida, C., EASO, EASO COI Meeting Report: Pakistan; 16-17 October 2017; Rome, February 2018, url, p. 16; HRW, World Report 2019 - Pakistan, 17 January 2019, url

58 Hashim, A., Skype interview, 28 May 2019. Asad Hashim is a Pakistani journalist covering Pakistan.

59 HRW, World Report 2019 - Pakistan, 17 January 2019, url

60 Hashim, A., Skype interview, 28 May 2019

However, it is considered that it would have been useful for the report to explain what the effect of this might be, and given the importance of this information, that it was given greater prominence in the report, for example by the use of a distinct numericalised sub-heading.

2. Section specific observations and recommendations

1.4. Impact of the violence on the civilian population

It is noted that this section of the report addresses more issues than provided for in the *'Terms of Reference'* (emphasis added):

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] 1.4. Impact of the violence on the civilian population

1.4.1. Figures on casualties in 2018

[...] Patterns of casualties in 2018

[...] 1.4.2. Civilian casualties during 1 January - 31 July 2019

[...] Patterns of casualties during 1 January - 31 July 2019

[...] 1.4.3. **Children**

1.4.3. Internally Displaced Persons and refugees

Internally Displaced Persons (IDPs)

Afghan refugees [...]

Annex II: Terms of Reference

[...]

- Impact of the violence
 - Civilian population: casualties, IDPs, refugees [...]

In particular it is interesting to note that a subsection on *'Children'* was included, but not on other profiles who might be disproportionately impacted by violence, such as women headed households, persons living with disabilities or people suffering from poor health.

It is also considered that it would have been relevant to include within *'1.4. Impact of the violence on the civilian population'* a subsection on *'Targets of attack'* in Pakistan, or at least to have provided a cross-reference to the existing subsection *'Targeted killings'* found within section 1.3.1. *'Security operations and armed clashes'*.

Targeted killings

Currently in the 2019 EASO Pakistan report there is no general section on *'Targets of attack'* in Pakistan. Instead, a subsection *'Targeted killings'* exists within section 1.3.2. *'Attacks by militant groups'*. In order to give such an important section more prominence, it is considered that this and all other subsections contained in 1.3.2 (*numbers; suicide attacks; Bomb explosions and Improvised Explosive Devices (IEDs); Targeted killings; Kidnappings*) should have been numericalised throughout the report and thus appear in the contents page of the report for ease of reference.

It is also considered that this subsection *'Targeted killings'* should have linked to 1.1.2. *'Ethnic and sectarian violence'* as the targeting of ethnic minorities is not mentioned in the *'Targeted killings'* section as well as 1.3.4 *'Political violence'*.

Furthermore, it is considered that limited information is included in this section:

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] 1.3.1. Security operations and armed clashes.

[...] Targeted killings

According to PICSS, 55 targeted killings occurred in 2018. In these attacks, 81 people were killed and 29 injured.⁴⁰⁷ PICSS reported that most of the targeted killings took place in Balochistan province, followed by the provinces of KP and Sindh.⁴⁰⁸ According to PIPS, criminals in Karachi, sectarian

terrorist appeared to have recently adopted targeted killings as their most important tactic.⁴⁰⁹ In 2018, militants targeted political workers, serving and former police officers, former militants, minorities, religious leaders of different sects (both Shia and Sunnis), workers of private companies as well as government officials.⁴¹⁰ In January 2019, Dawn observed an increase in targeted killings in Karachi in the province of Sindh. Criminal gangs are the possible perpetrators. In three of five cases, the victims were apparently targeted because of their political and religious background.⁴¹¹ From 1 January 2019 until 31 July 2019, PIPS documented two targeted attacks with two casualties.⁴¹² [...]

407 PICSS, Annual Security Assessment Report 2018, 19 April 2019, url, p. 22

408 PICSS, Annual Security Assessment Report 2018, 19 April 2019, url, p. 22

409 PIPS, Pakistan Security Report 2018, 6 January 2019, url, p. 30

410 PICSS, Annual Security Assessment Report 2018, 19 April 2019, url, p. 22

411 Dawn, Police see new underworld group behind recent targeted killings in Karachi, 31 January 2019, url

412 Rana Amir, M., email, 2 August 2019 - data (01/01/2019-31/07/2019) courtesy of PIPS

It is noteworthy that whilst the 2019 EASO Pakistan report generally relies upon security data from four main sources: Centre for Research and Security Studies (CRSS); Pakistani Institute for Conflict and Security Studies (PICSS); Pak Institute for Peace Studies (PIPS); and the South Asian Terrorism Portal (SATP), only two of these are cited in this subsection.

This is despite the CRSS for example reporting that there were 227 targeted killings in 2018 in Pakistan.³ The CRSS also provided data tables depicting the affiliations of the victims of all terror attacks i.e. encompassing suicide attacks; other terrorism; armed attacks, infighting, cross-border attacks, killed after kidnapping and 'others' as well as targeting killings. It is considered that including such information on the broader targets of attacks would have provided useful context. The SATP also records data by target of attack.⁴ Even if this was not reproduced in full in the report, a reference to its existence would have been useful.

Moreover, whilst the PIPS is cited once in the excerpt above with regards to sectarian terrorists employing targeting killings, the 2019 EASO Pakistan report neglects to include or mention Table 1 from that report which depicts '*Targets Hit in Terrorist Attacks in 2018*'. Acknowledging that such attacks are broader defined than '*Targeted Killings*', again it is still considered relevant to have included such contextual information, if not in this distinct subsection, then elsewhere in the report.

1.4.1. Figures on casualties in 2018

In general, it is considered that this information is very clearly presented, particularly the table presenting different casualty figures from the four organisations cited.

Whilst recognising the difficulties in presenting complex data which often relate to different reporting periods, on occasion, it is considered that greater clarity could have been provided in respect to some of the data. In the following excerpt, for example, it is suggested that the following amendments would have aided understanding (proposed additions presented in bold text):

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] 1.4. Impact of the violence on the civilian population

1.4.1. Figures on casualties (**defined as fatalities and injuries**) in 2018

[...] Data provided by CRSS showed 1 133 fatalities and 1 202 injured from violence in 2018.⁴⁶¹ **This** **The fatalities** included 598 civilians, 291 militants, and 244 security officials.⁴⁶² Compared to 2017, the number of violence-related casualties decreased by 45 % according to CRSS **from 2017**.⁴⁶³ CRSS

³ CRSS, [CRSS Annual Security Report Special Edition 2013 – 2018](#), March 2019, p.15

⁴ SATP website, [Data sheet-Pakistan](#), undated (accessed 5 December 2019)

counted 754 fatalities from ‘terror attacks’ in 2018, **defined as including: target killings; suicide attacks; other terrorism; armed attacks, infighting, cross-border attacks, killed after kidnapping and ‘others’**.⁴⁶⁴

461 CRSS, CRSS Annual Security Report Special Edition 2013 – 2018, March 2019, url, p. 12

462 CRSS, Monthly data fatalities 2018, email, 28 June 2019

463 CRSS, CRSS Annual Security Report Special Edition 2013 – 2018, March 2019, url, p. 7

464 CRSS, CRSS Annual Security Report Special Edition 2013 – 2018, March 2019, url, p. 15

It is acknowledged that the CRSS definition of ‘terror attacks’ is detailed in the ‘*Methodology*’, however it is considered that repeating it throughout the report (or at least in each section) would have been useful.

1.4.3. Internally Displaced Persons and refugees

Again, whilst recognising the difficulties in presenting complex data which often relate to different reporting periods, other incidences were observed in which greater clarity would have improved understanding in this section.

For example in the first paragraph of following excerpt it is not clear within which time period the number of persons reported to have returned to de-notified areas relates to. It could be read to imply that the time period was from 1 January 2018 up until the publication date of the EASO report (October 2019), whereas in fact the UNHCR publication cited is dated 31 December 2018 (emphasis added):

[EASO Country of Origin Information Report on Pakistan: Security Situation, October 2019](#)

[...] 1.4.3. Internally Displaced Persons and refugees

Internally Displaced Persons (IDPs)

Since 2008, approximately 5.3 million people were displaced by insurgency, counter-insurgency and other related violence in Pakistan. As of 30 September 2017, 5.05 million people returned.⁵⁰⁷ Most of the internal displacements in the country were concentrated from former FATA to KP. As of December 2018, 96 384 people were registered as IDPs in the province of KP. **Since 1 January 2018, 83 454 people had returned to de-notified areas according to UNHCR.**⁵⁰⁸

The International Displacement Monitoring Centre (IDMC) stated that there were a total of 119 000 IDPs in Pakistan as of 31 December 2018. About 98 000 IDPs were displaced in North Waziristan and Khyber tribal district. They were initially displaced by armed conflict and military operations in former FATA and KP, **since 2004 IDMC reported about 17 000 IDPs staying in camps who had been displaced to Khost province in Afghanistan before, but returned to Pakistan. IDMC also mentioned 1 800 new displacements in 2018.**⁵⁰⁹

507 UNOCHA, Pakistan: Displacements and returns in KP and FATA 2008 - 2017 (as of 30 September 2017), 25 October 2017, url

508 UNHCR, ‘IDP Returns Fact Sheet’, 31 December 2018, url, p. 5

509 IDMC, Pakistan Figure Analysis – Displacement Related to Conflict and Violence (GRID 2019), 2019, url, p. 1

With regards to the second sentence highlighted in bold above in relation to the 17,000 IDPs, it is unclear when these IDPs returned to Pakistan and whether they are included in the total figure of 119,00 IDPs as of 31 December 2018. It is also considered that it would have been relevant to mention here from which provinces the 1,800 persons had been newly displaced from in 2018 and in which locations they were residing.

It is noted that no information on the humanitarian situation of IDPs in Pakistan is provided in the report either in this section nor in the province-specific subsections on ‘*Displacement*’.