



99

U.S. Committee for Refugees World Refugee Survey 2002 – Pakistan

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At year's end, Pakistan hosted more than 2.2 million Afghan refugees, including some 200,000 who arrived during 2001, and about 18,000 refugees of other nationalities. The UN High Commissioner for Refugees (UNHCR) considered all Afghans in Pakistan to be *prima facie* refugees, but had individually recognized as refugees only 4,592 Afghans, mostly persons seeking resettlement in countries outside the region.

Pakistan forcibly returned an estimated 3,000 Afghan refugees in 2001; as many as 65,000 Afghans repatriated voluntarily from Pakistan. Among the latter group were an estimated 10,000 persons who repatriated spontaneously during the first half of the year, 21,000 who decided to repatriate between July and September rather than participate in a UNHCR-sponsored screening program, and an estimated 35,000 others who repatriated between October and December, after U.S.-led military action in Afghanistan resulted in the ouster of the ruling Taliban from most of the country. During the year, 2,108 Afghans resettled from Pakistan to countries outside the region. A large majority, 1,897, went to the United States, while smaller numbers went to Norway (66), New Zealand (49), Finland (36), and other countries.

The 18,000 non-Afghan refugees in Pakistan included about 17,000 refugees from areas of Kashmir that are part of India, 418 Somalis, 220 Iraqis, 184 Iranians, 51 Algerians, and 113 persons from 14 other countries. During the year, 618 non-Afghan refugees resettled outside the region.

UNHCR reported that 10,751 Pakistanis sought asylum in other countries, primarily in Canada, Britain, and Germany, during 2001. Most fled increasing repression in Pakistan. According to Human Rights Watch, the Pakistan authorities have been "suppressing opposition-led demonstrations and strikes, curtailing civil liberties through repressive ordinances, and persecuting independent nongovernmental organizations and journalists."

Afghans: Developments before 2001

Afghan refugees first fled to Pakistan in 1978, after a communist government seized power in Kabul. The influx mushroomed after the Soviet Union occupied Afghanistan in December 1979, growing to more than 4 million in the 1980s. The Soviets pulled out of Afghanistan in 1989, but significant numbers of refugees did not return home until Afghan insurgents ousted the Soviet-installed Najibullah regime in 1992. Repatriation slowed beginning in 1993 because of infighting among the various insurgent factions.

In the mid-1990s, the radical Islamist Taliban faction seized control over southern Afghanistan and Kabul. Taliban offensives in northern Afghanistan in the late 1990s sent hundreds of thousands of new refugees into Pakistan and Iran and displaced large numbers of people within Afghanistan. By the end of the decade, the Taliban controlled 95 percent of Afghanistan, although fighting continued between Taliban and

Northern Alliance opposition forces.

Most Afghan refugees who have been in Pakistan since the 1980s or early 1990s are ethnic Pashtuns. A majority live in villages that appear much like other rural villages in Pakistan. Over the years, it has been impossible to determine the number of Afghan refugees in Pakistan. Not all Afghans register as refugees. Many come and go informally; births and deaths go untracked. During the late 1990s, for planning purposes, UNHCR estimated the Afghan population living in the refugee villages in Pakistan to be 1.2 million. The agency noted, however, that as many as 2 million other Afghans were in Pakistan without documentation. In 2000, the government of Pakistan officially estimated the total Afghan refugee population to be 2 million (1.2 million in refugee villages and the remainder in urban centers).

The Pakistani government considers Afghans who entered Pakistan prior to 1998 to be refugees, although few have documentation of their status. However, the government views Afghans who entered after 1998 as illegal immigrants, unless they entered Pakistan with a valid travel document and visa, in which case they are permitted to remain in Pakistan legally as visitors, not refugees. UNHCR considers all Afghans in Pakistan to be *prima facie* refugees, "with the exception of those for whom individual status determination has been carried out and who have either been found to be refugees or have been excluded as per the terms of the 1951 Convention and 1967 Protocol."

During the mid-1990s, many donor countries reduced their funding for Afghan refugee programs, and many of the nongovernmental organizations (NGOs) working with the refugees shifted their emphasis to facilitating repatriation and helping returnees in Afghanistan. In 1995, UNHCR and the World Food Program ended food aid to most refugee village residents, some of whom subsequently migrated to the cities.

Many of the Afghan refugees who have entered Pakistan since 1996, when the mostly Pashtun Taliban captured Kabul, have been members of ethnic minorities and urban dwellers, including many of Afghanistan's professionals. Often, they do not integrate well with other Afghan refugees or with local Pashtuns.

During the late 1990s, the Pakistani authorities became much more concerned about the number of refugees in the cities. Public support for the refugees also began to wane. As Pakistan's economy worsened and international financial support for the refugees dwindled, the authorities, the media, and the general public increasingly blamed refugees for Peshawar's and other cities' growing social ills, including crime, drug abuse, prostitution, and the widespread availability of weapons. Police harassment of urban refugees increased during this period.

A new Afghan refugee influx began in June 2000 and accelerated rapidly in October of that year. Pakistan officially closed its border to new Afghan refugees on November 9, 2000, but many Afghans continued to enter by avoiding the main border crossings. UNHCR estimated that more than 172,000 Afghans, mostly members of ethnic minorities, entered Pakistan during the last half of 2000. Most made their way to Jalojai, an impromptu transit center for new arrivals. Serious problems quickly arose at Jalojai because the Pakistani government, eager to discourage more Afghans from entering Pakistan, only allowed UNHCR and other relief groups to provide minimal assistance.

Afghans: Events in 2001

In early 2001, the government of Northwest Frontier Province (NWFP), with the acquiescence of the national government, embarked on a policy of mass *refoulement* (forced return of refugees). On January 23, 2001, the governor of NWFP authorized the police to detain and deport any Afghan not holding a valid Afghan passport and Pakistani visa, including both new arrivals and long-term refugees. The governor reportedly instructed each police station in Peshawar to deport a minimum of five to ten Afghan men daily.

The new policy initiated what a UN-commissioned study called a period of "mass harassment in cities and officially sanctioned forcible return to Afghanistan in a systematic manner." The authorities rounded up and *refouled* about 1,200 Afghan men between January 23 and May 14, 2001 (the Pakistani authorities did not forcibly return women). Local police in Islamabad and other cities also expanded their harassment of Afghan refugees. In June, a UNHCR spokesperson said that many Afghan refugees were "living in a state of fear." Pakistan's harassment and deportation of urban Afghan refugees continued throughout the year.

In January 2001, UNHCR resumed the transfer of new arrivals from Jalozai to Shamshatoo, which it had begun in late 2000. By the third week of the month, the refugee agency had transferred virtually all of the 18,000 Afghans at Jalozai to Shamshatoo. Within days, however, another 50,000 to 60,000 Afghans appeared at Jalozai.

The Pakistani government, still concerned about an even larger influx, told UNHCR to halt the transfers to Shamshatoo. With little or no sanitation, inadequate water, shelter, and medical care, and no regular food distribution, the situation in Jalozai quickly deteriorated into "one of the worst humanitarian crises in the world," according to the UN. In February, 15 Afghan children died of exposure in Jalozai. Both UN Secretary General Kofi Annan and the new UN High Commissioner for Refugees, Ruud Lubbers, visited Pakistan in early 2001 and pressed the Pakistani authorities on the matter. Pakistan would not budge, however. By late May, more than 80 Afghans, mostly children and the elderly, had died at Jalozai due to the camp's poor conditions.

In an attempt to overcome the impasse, UNHCR proposed a screening process for new arrivals at Jalozai that would distinguish those who might be at risk if returned to Afghanistan from those who were not in need of protection. In asking the government to permit those who were screened in to remain in Pakistan and be transferred to a more suitable location, UNHCR agreed not to object to the deportation of those who were screened out (although the agency also proposed that screened-out families that were particularly vulnerable not be deported immediately).

The government agreed to the screening in late July. However, in order to send a message to other long-term refugees that their stay in Pakistan was nearing an end, the government insisted that the screening should apply not only to the new arrivals at Jalozai, but also to residents of Nasir Bagh, a camp on the outskirts of Peshawar that was home to some 70,000 long-term refugees.

During the weeks before the screening program began, thousands of Afghans repatriated rather than participate in the screening program. UNHCR provided a limited package of assistance to those opting for voluntary repatriation. Credible reports, however, contended that government workers pressured some of the refugees, particularly residents of Nasir Bagh camp, to repatriate. On July 27, the U.S.

Committee for Refugees (USCR) wrote to the Pakistani government to express its concern, saying, "Reportedly, some refugees may be 'volunteering' to return to Afghanistan despite having concerns about their ability to survive there, because they do not know about the screening process and are being told by the local authorities that they must leave now."

In a September 20 letter to USCR, Pakistani authorities denied wrongdoing, asserting that the refugees who repatriated did so voluntarily because they realized that "in case of being declared 'screened out', they will have to return without getting any assistance from the UNHCR."

The screening program began on August 6, 2001, but was suspended following the events of September 11, when it became clear that UNHCR would not agree to the return of screened-out refugees to Afghanistan.

Before the program was suspended on September 13, joint UNHCR-Pakistani government teams completed the screening of 1,064 families (most families have between five and seven members). The teams determined a large majority to be refugees – some 729 families (393 from Jalozai and 336 from Nasir Bagh). The screeners rejected 219 families, of whom they determined that 80 – mostly Jalozai residents – were vulnerable and should not be deported. According to UNHCR, however, the government did not actually deport any screened-out families before the program's end.

Post-September 11 Developments

Soon after September 11, 2001, U.S. President George Bush linked the terrorist attacks in New York and Washington to the Afghanistan-based Al Qaeda organization and made it clear that the United States would take retaliatory military action. Even before the U.S. military response began on October 6, Afghans began fleeing into Pakistan. The pace of new arrivals accelerated quickly after October 6, when the U.S. military began bombing sites in and around Kabul and other Afghan cities.

UNHCR began preparations for a possible massive influx, making plans to establish a number of new refugee camps that the Pakistani government insisted be located in inhospitable and inaccessible terrain in tribal areas near the Afghan border. But the mass influx did not materialize, in large part because Pakistan kept its border sealed, trapping tens of thousands of people within Afghanistan.

The Pakistani authorities also blocked UNHCR and other relief groups from assisting the estimated 160,000 Afghans who had the resources to pay smugglers to guide them into Pakistan over remote mountain passes. Most of the new arrivals stayed with relatives and friends, but some who had nowhere else to turn settled in Jalozai camp.

The Pakistani authorities' harsh stance appeared to be motivated by fears that millions of Afghans would enter if Pakistan opened the border, that the international community would eventually lose interest in the refugees (as it had in the past) and not honor its pledge to cover all the costs of assisting them, and that Pakistan would ultimately be saddled with even more refugees than it already had.

UNHCR, refugee advocacy groups, and many governments were highly critical of Pakistan's actions, but the Pakistani authorities remained

unyielding. USCR expressed its concern both publicly and in face-to-face meetings with senior Pakistani government officials in Islamabad in early November.

Although the Pakistani authorities, particularly those in NWFP, refused entry to most Afghan refugees, the authorities in Baluchistan Province did allow small numbers of particularly vulnerable Afghans to cross the border. These included injured people seeking medical treatment, the elderly, and unaccompanied women with children (and, reportedly, those who could pay sufficient bribes). The authorities initially placed the new arrivals in an impromptu transit center, Killi Fazio, near the border. UNHCR registered the new arrivals at Killi Fazio, then transferred them to one of two new camps further from the border. Because the Pakistani authorities limited the number of refugees at Killi Fazio, at times a number of Afghans became temporarily trapped on the Afghan side of the border in a so-called "no man's land," where they did not receive assistance.

In November, UNHCR began to transfer some of the 150,000 Afghans who had entered since September, as well as residents of Jalozi, to the new camps in the tribal areas. Many NGOs expressed concern for the safety of both the refugees and their own staff at the new camp locations. Because non-Pashtun Afghan refugees would face particular hostility from the local population in some of the tribal areas, different camps were established for them in other locations.

By year's end, UNHCR had transferred about 36,000 new arrivals and Jalozi residents to the camps. Although UNHCR insisted that the moves were fully voluntary, Human Rights Watch, which monitored the relocations, reported that, "during November, 2001, both UNHCR and the government of Pakistan failed to adhere to a standard of voluntariness that included adequate and impartial information and the absence of push factors."

Afghan refugees in Pakistan began repatriating spontaneously soon after the Taliban began to collapse in northern Afghanistan in late October. Repatriation escalated in December, when the U.S. military and Afghan opposition forces succeeded in ousting the Taliban from most of the rest of the country. Because of ongoing fighting in some areas of Afghanistan and the continuing humanitarian crisis (exacerbated by interruptions in the delivery of aid), UNHCR cautioned Afghans not to repatriate prematurely. Nevertheless, between November and the end of December, as many as 35,000 Afghans returned home from Pakistan.

Pakistan's *refoulement* of Afghan refugees also continued throughout the last few months of the year. During October and November, Pakistan forcibly returned about 600 Afghans. Although no reliable figures exist on the number of Afghans *refouled* during the year, based on information about forced returns between January and May and November and December, USCR estimates that Pakistan probably forcibly returned more than 3,000 Afghan refugees during 2001.

(UNHCR completed the transfer of all the refugees in Jalozi to new camps and officially closed Jalozi on February 12, 2002. More than 113,000 Afghans, mostly ethnic Tajiks, repatriated spontaneously from Pakistan between January and February 2002. However, during the same period, some 50,000 Afghans, mostly ethnic Pashtuns, fled into Pakistan citing harassment by non-Pashtuns, ongoing fighting, lawlessness, and lack of food in their home areas. On March 1, UNHCR began an assisted repatriation program for Afghans wishing to return from Pakistan.)

Kashmiris

Pakistan continued to host about 17,000 refugees from the region of Kashmir that is part of India, some of whom have been in Pakistan since 1947. The refugees live in 17 camps in the region of Pakistani-controlled Kashmir known as Azad and Jammu Kashmir, where the local authorities assist them.

In addition to the refugees, about 2,000 Kashmiris are internally displaced in Pakistan. Most were displaced in the late 1990s from areas under Pakistan control. A majority of the displaced live in one of two camps for displaced people in Azad and Jammu Kashmir, while the remainder live in a makeshift camp in the Northern Territories. An unknown number of other Kashmiris are also internally displaced, but because they live with relatives and friends, they are not readily identifiable. Because the Pakistani authorities want the displaced to return to their villages along the frontier to reinforce Pakistan's claim to that area, the government does not provide the displaced the same level of assistance that they provide the refugees from India. The International Committee of the Red Cross assists the displaced.

Since the late 1980s, the Indian armed forces in Kashmir have fought Kashmiri Muslim insurgents – allegedly supported by Pakistan – who seek either union with Pakistan or an independent Kashmir. On occasion, the conflict, whose origins lie in the 1947 partition of India, pits India and Pakistan, now both nuclear powers, directly against one another.

Tensions between Pakistan and India increased in late 2001 when a suicide bomber killed about 40 people in the building housing the legislature of the Indian state of Jammu and Kashmir on October 1. India demanded that Pakistan detain members of a group that the Indian authorities blamed for the attack, while Pakistan warned India not to send troops into Pakistani territory to pursue the alleged culprits. Tensions escalated significantly when another suicide bomber mounted an attack on the Indian Parliament on December 13. Pakistan and India massed more than 800,000 troops along the border. According to *Agence France Presse*, 26,000 people fled the area due to skirmishes and shelling near the border, but it was not clear whether they remained displaced at year's end.

Other Refugees

According to UNHCR, Pakistan hosted 986 refugees from various other countries, including 156 persons whom UNHCR newly recognized as refugees during the year.

Pakistan regards non-Afghan refugees, including those recognized by UNHCR, as illegal aliens. It permits UNHCR-recognized refugees to remain pending repatriation or resettlement to countries outside the region, but does not permit them to work. UNHCR provides the refugees financial assistance, medical care, and scholarships, and seeks durable solutions for them. During 2001, 618 non-Afghans (372 Iranians, 180 Iraqis, 64 Somalis, one Ethiopian, and one refugee from Guinea-Bissau) resettled to third countries.

USCR Response

USCR visited Pakistan three times during 2001, meeting each time with

UN, U.S. embassy, and Pakistani government officials, representatives of international and local NGOs, and individual refugees in camps, villages, and urban centers. Upon return, USCR communicated its findings and recommendations directly to U.S. government officials and U.S.-based NGOs, and to the international community.

During the January visit, USCR focused on the severe problems that Afghans who had fled conflict and drought in late 2000 faced in Pakistan. During that visit, USCR also traveled to Afghanistan to document the conditions that were forcing Afghan civilians to flee. USCR's advocacy contributed to the U.S. government's decision to provide additional emergency assistance to Afghan refugees and displaced persons.

USCR returned to Pakistan in June to investigate the Pakistani authorities' increasingly harsh treatment of Afghan refugees living in urban centers. Following this visit, USCR issued a major report on the plight of Afghan refugees in Pakistan, *Pakistan: Afghan Refugees Shunned and Scorned*.

Pakistan's refusal to permit entry to Afghan refugees following the start of U.S. military action in Afghanistan in October prompted USCR to return to Pakistan for a third time in 2001. USCR formulated a set of recommendations aimed at protecting war-affected Afghans, including new Afghan refugees in Pakistan, that were presented to UN, U.S. government, and Pakistani officials and widely reported by the media.

