

Repatriating Afghan Refugees from Pakistan: Background, Implications, and Consequences for Bilateral Relations and Regional Dynamics¹

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Abstract

This study aims to provide a comprehensive analysis of the Pakistani government's current policy regarding the repatriation of Afghan refugees from Pakistan. This comes amidst opposition from the Afghan Taliban government, humanitarian and human rights organizations, and activists. In October 2023, the Pakistani government announced a massive repatriation initiative, targeting over 1.7 million undocumented Afghan refugees. After escalating attacks on Pakistani security forces within its borders and a perceived reluctance to address the threat posed by the Tehrik-e-Taliban Pakistan (TTP), this was later extended to all refugees. These developments have significantly heightened tensions along the Afghan border – the Durand Line – and have witnessed Pakistani jet fighters making incursions into Afghanistan to target suspected safe havens. The primary objective of this research is to explain the factors contributing to the deteriorating situation along the 2,640km border, and its implications for trade and bilateral relations between the two countries of Afghanistan and Pakistan. Furthermore, this study not only examines Pakistan's strategy of pressuring the Afghan Taliban government through policies of apprehension, incarceration, and forced expulsion but also analyzes the concerns of international humanitarian bodies, questions of demography, human rights organizations, and human rights activists opposing the expulsion of refugees in light of the deteriorating economic and human rights situation in Afghanistan after the Taliban takeover and the withdrawal of Coalition forces from Afghanistan, which occurred as of August 15, 2021. The forced repatriation of Afghan refugees is a crucial issue that demands comprehensive research. In addition, the socio-economic burdens on Pakistan's vulnerable economy are considerable. The research also covers the historical context of refugee movements in the region, the role of international organizations, and the principles guiding the repatriation processes. In such a scenario, what would be the socio-political and economic impacts of the forced repatriation of Afghan refugees on Pakistan-Afghan bilateral relations and the broader regional stability in South Asia? To address this, the study incorporates the perceptions of Afghans who fled to Pakistan after the Taliban takeover in 2021 as well as the political imperatives of Pakistan's government behind 2023 exodus.

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Key Words:

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1 Introduction

Pakistan has been pursuing a need based 'geo-political' Afghanistan policy since its creation in 1947 (Ahmed & Bhatnagar, 2007). The policy aimed to maintain political harmony between Pakistan and Afghanistan to restrain Indian influence (Baqai & Wasi, 2021). However, Afghanistan and Pakistan's bilateral relations underwent turbulent phases. Amid socio-political and economic crises and wars, Afghan migration to Pakistan was influenced by a host of internal and external factors. The phenomenon of Afghan migration towards Pakistan remained a focal point in political discourse. The migration of Afghans to Pakistan occurred in several waves, involving both inflow and outflow (Amnesty International, 2023). The key internal and external events, including the Soviet-Afghan War (1979-1989), the Afghan Civil War (1992-96), the Taliban Rule (1996-2001), as well as the war in Afghanistan, i.e. the US-led coalition occupation during the War on Terror (2001-2021). Henceforth, the Soviet invasion 1979 led to a protracted conflict that compelled Afghans towards widespread displacement. After the withdrawal of the Soviet Union in 1989, refugees continued to come to Pakistan in the 1990s. Consequently, Afghanistan indulged into a civil war characterized by factional fighting among various Mujahideen groups, leading to the rise of the Taliban in the mid-1990s.

Over time, Afghan migration manifested an upward trajectory. The Taliban takeover of Kabul in 1996 further exacerbated the refugee crisis. This prompted another wave of Afghans to move to Pakistan. During this period, Pakistan faced significant challenges in managing the influx of Afghan refugees, including strained resources, security concerns, and social tensions. Despite these challenges, Pakistan remains a key host country for Afghan refugees, with the support of international humanitarian organizations such as the United Nations High Commissioner for Refugees (UNHCR). The situation continued to evolve in the early 2000s following the U.S.-led invasion of Afghanistan in 2001, which toppled the Taliban regime and led to the establishment of a new government (Goldstein, 2012). After the fall of the first Taliban government in 2002, about 1.5 million Afghans returned, and by 2012, the number rose to 2.7 million (Petrucci, 1996). While some Afghan refugees returned to their homeland during this period, many opted to remain in Pakistan because of ongoing insecurity, economic hardships, and lack of opportunities in Afghanistan. In recent days, the majority of Afghan flees have taken place after the revival of the Taliban rule in 2021. Since then, about 0.6 million Afghans once again sought refuge in Pakistan. The historic evidence of the Afghan exodus to Pakistan manifested decades of displacement and the complicated interplay of internal and external geopolitical factors (Zaidi, 2011).

In 2023, the caretaker government of Pakistan adopted a novel narrative for repatriation, which was based on maintaining peace within the country and bringing economic stability. Conversely, the narrative was built outside the Pakistan parliament. Therefore, the narrative was based on the deteriorating economic situation and rising terrorism activities, for which the refugees from Afghanistan who arrived in the country following the Soviet invasion were solely blamed for. In fact, due to the worsened relations with the insurgent Tehreek-e-Taliban Pakistan (TTP) and their parallel attacks, Pakistan's state authorities decided to use forced repatriation to put pressure on the Taliban led government for

possible support. Therefore, the forced repatriation is primarily revolving around geopolitics, external relations and the non-fulfilment of prevailed expectations of Pakistan's government. As a result, Afghan migrants experience themselves as subjects to imprisonment, harassment and forced eviction from Pakistan (Khan, 2003). Due to political dynamics, Pakistan's attitude towards the Afghan's migrants had been converted from hospitality to hostility.

From a historical context, multiple wars and socio-economic instability led Afghans fleeing to Pakistan to secure their lives, protection, and well-being. Ordinary Afghans were in search of a place providing safety from war. Pertaining to the treatment of refugees, Pakistan is bound by several principles of international law, for instance through the 1993 Cooperation Agreement with the UNHCR. Based on this agreement, Pakistani is bound by the principle of non-refoulement which prohibits the forced return of refugees to a country where they are at risk of persecution (Adam, 2021; Rashid, 2021).

2 Literature Review

Pakistan's claim that Afghan refugees are responsible for numerous societal issues is based on the current deteriorating relations with the TTP and the Taliban led government. It outlines the apparent effects of the Afghan refugee presence in Pakistan, including a damage of economic resources, social conflict, and threats to internal security and political stability. Similarly, Borthakur (2017) highlights the negative effect of the Afghan conflict on Pakistan's domestic security conditions, with the influx of migrants contributing to demographic and security problems. Jehangir (2023) further demonstrates how media coverage in Pakistan, prejudiced by the political perspective of the state, often framed Afghan refugees in a negative light. The media associated them with terror campaigns and ethnonationalism. These examples mutually indicate that Afghan migrants have been scapegoated for a range of troubles in Pakistan. However, it is important to note that this sequence of events is not universally accepted or supported by concrete evidence. For instance, Suleman (1988) challenges the notion that Afghan refugees have exacerbated the malaria burden in Pakistan, suggesting instead that the refugees' susceptibility to malaria is due to their own low herd immunity and not because they brought the disease from Afghanistan. This indicates that while there may be a tendency to blame Afghan refugees for certain issues, such claims should be critically examined and not taken at face value (Suleman, 1988). Thus, it is crucial to approach such assertions with a critical lens and consider the broader context and evidence available.

Since the current situation of Afghan refugees in Pakistan is a direct result of the ongoing political climate, many more Afghan refugees are suffering from poverty and unemployment. Therefore, this study is relevant to highlight issues revolving around the fall of Kabul 2021 resulting in Afghan migration as well as the outcomes of current repatriation efforts by the Pakistani government.

3 Methodology

The methodology explores this complex phenomenon from a variety of angles, employing a comprehensive approach through analyzing socio-economic impacts, security concerns, and regional implications by using secondary sources. It incorporates a historical and policy analysis and is concluding with policy recommendations. This methodology pays tribute to the complexity of the repatriation process and its broad implications for the

bilateral relations between Afghanistan and Pakistan, as well as the wider regional dynamics. The study underscores the importance of considering economic, social, political, and security factors in addressing the challenges of repatriation.

4 The Expulsion of Afghan Refugees

4.1 The 2021 Kabul Crisis, the Taliban Regime's Resumption, and their Implications on the Liberal Segment of the Society of Afghanistan

Pakistan is considered as a refugee-host country, as it hosted Afghan refugees for more than four decades. The most recent migration took place after the establishment of the Taliban government in August 2021. However, the Pakistani government did not register migrants who came to Pakistan amidst the Kabul crisis in 2021. A particular segment of the Afghan society immediately sought refuge there in light of resentment and insecurity, especially when religious beliefs and socio-political opinions clashed with those of the Taliban (International Crisis Group, 2022).

Especially those who feared that women's education and liberty might be threatened under the Taliban-led government, sought asylum in Pakistan (Jackson, 2022). Indeed, after the Taliban came to power, several decrees have been issued regarding women, in which the end of mixed education, mandatory presence of *Maharam* male guardians and wearing of cloak have been declared mandatory. Women's education and employment in Afghanistan has been banned (Hadid, 2022). Therefore, the Afghan citizens preferred to stay in Pakistan for the well-being of their children (Bhatti, 2023).

The mass migration of Afghans following the fall of Kabul and the Taliban's reestablishment can be attributed to a convergence of ideological factors deeply embedded in the Taliban's temperament of governance. The key factors are:

a. *Repressive Social Policies:*

The Taliban's interpretation of Islamic law has been notorious for its severe restraints, especially concerning women's rights and personal freedoms. During their rule in the 1990s, the Taliban enforced strict codes dictating women's roles, education, and dressing, raising fears of a return to such oppressive measures in 2021 (Rasmussen, 2022).

b. *Ethnic and Religious Minorities:*

The Taliban's fundamentalist Sunni Islamic ideology has often marginalized religious and ethnic minorities in Afghanistan. Communities like the Hazaras, Tajiks, and Uzbeks faced persecution and discrimination under Taliban rule, heightening concerns about their safety and rights.

c. *Civil Liberties and Human Rights:*

Reports of human rights abuses, including extrajudicial killings and restrictions on the freedom of speech and assembly, under previous Taliban regimes have instilled fear among Afghans. The prospect of living under such conditions again, prompted many to seek refuge elsewhere.

d. *Fear of Retribution:*

Afghans who worked with the government, foreign organizations, or military forces, as well as those who openly opposed the Taliban, feared reprisals and retaliation. The Taliban's history of targeting perceived collaborators contributed to this fear (Byrd, 2022).

The withdrawal of the U.S. and NATO created a vacuum and encouraged the Taliban to resume rule. The collapse of Afghan security forces faltered due to ineffective leadership and low morale. Furthermore, infighting political stakeholders and former elites has weakened government performance in different spheres. However, some local officials negotiated surrender agreements with the Taliban to safeguard their future residence and life on spot and to avoid migration towards Pakistan. Afghanistan is currently under dictatorial and unelected Taliban rule (Watkins, 2022). Thus, the free will of many Afghan citizens, such as the transgender community, Hazara and Christian community, human rights defenders, lawyers, journalists, artists, folk musicians, and female employees of the former Afghan government, were marginalized. In this scenario, women no longer had the right to work or study in Afghanistan. Thus, their involuntary eviction exposes them to gross human rights violations.

4.2 Residency, Citizenship and Expulsion

Claiming citizenship is a complicated matter that involves socio-political and legal considerations. The issue needs insights into the protracted character of the refugee crisis, the role of international organizations and Pakistan as a host country, that is already entangled in multiple internal problems. Due to its deteriorating economic conditions and law and order situation, Pakistan started blaming Afghan migrants to responsible for all the prevailing malaise (Bahiss, 2023).

In this context, obtaining citizenship of Afghan refugees in Pakistan has been crucial for those living in Pakistan for decades. International media organizations and human rights organizations are running stories almost daily in favor of Afghan refugees. The United Nation High Commissioner for Refugees issued a statement not opposing the return of Afghan refugees to their country but requiring only they should not be "forcibly" sent to their country (Amnesty International, 2023).

The Pakistan state authorities did not adopt systematic coherent policies in this regard. Before 2006, Afghan refugees did not need any legal identity documents to remain in Pakistan. In the 1980s, the government issued a passbook (identity card), which was their only way to identify themselves (Ahmed, 2023). As for the detailed census of Afghan refugees in Pakistan in 2005, which was conducted supported by UNHCR, Afghan's were registered through Proof of Registration Cards (POR). In August 2017, Pakistan started issuing Afghan Citizen Cards (ACC) to those with Afghan citizenship who did not have a POR. According to UNHCR, the number of Afghan citizens in Pakistan with ACC was about 840,000 by January 2022. When owning such a card Afghans were able to stay in Pakistan and were protected from deportation, detention, and imprisonment. Afghani's born in Pakistan are entitled to citizenship and any Afghani marrying a Pakistani citizen is also entitled to citizenship under the Citizenship Act 1951 (Sidique & Shah, 2023).

Pakistan's new government's (formed after the 2024 general elections) decision to continue displacing hundreds of thousands of people (who have made Pakistan their

home and country), is not only unconstitutional but also violates numerous international laws. These Afghan individuals have sought refuge from multiple wars and totalitarian regimes. The matter of illegal deportation was brought before the Supreme Court of Pakistan under Article 184(3) of the Constitution in November 2023, in Senator Farhatullah Babar and others vs Federation of Pakistan, and in Uzair Kayani and others vs Federation of Pakistan. Both petitions claimed, “[t]hat with its policy of expelling refugees, the then Caretaker Government Pakistan was not only acting against its constitutional mandate but also against the fundamental rights granted by the Constitution of Pakistan and the international law obligations. The petitions sought interim relief, requesting that the government halt its actions until the court had made a final decision on the matter” (Bhatti, 2023).

Despite the fact that the matter was pending before the Provincial High Courts of Sind and Supreme Court of Pakistan, the Government and Provincial Governments expelled 500,000 undocumented Afghan Refugees in a most degrading and inhumane way. The Courts clearly failed to comply with their constitutional duty to prevent the violation of fundamental rights that the Constitution extends to everyone in Pakistan. Interim relief, if granted by the courts on time, could have prevented many such expulsions and deportations (Reayat, 2023). To make the forced eviction successful the state authorities of Pakistan adopted harsh attitudes as they do not see any responsibility to protect Afghan refugees in Pakistan due to the changing regional political dynamics (Siddique & Shah, 2023). Law enforcement officials seized and destroyed many Afghans’ POR, ACC, and Computerised National Identity Cards (CNIC) in a bid to intimidate and illegally detain individuals and families. The state opened multiple detention centers where refugees, migrants, and citizens were refused their right to legal counselling and spiritual support. Journalists, lawyers or activists were barred from entering detention centers (Human Right Watch, 2021).

It is widely recognized that the Constitution of Pakistan guarantees the right to a fair and impartial trial (Art. 10-A Constitution), the prohibition of torture (Art. 14 para. 2 Constitution), and the protection of children’s rights (Art. 25 para. 3). Additionally, the Constitution mandates that any form of compulsory measures must be humane and in accordance with human dignity (Bhatti, 2023). However, the government that was formed following the 2024 general elections in Pakistan has continued to carry out state-sanctioned persecution, resulting in a situation where citizens of Afghanistan and Pakistan have been deprived of their voice and their freedom. Therefore, implementation of Article 10-A remains a necessity to ensure the rights of individuals, such as the prohibition of rape, the protection of children from abduction and trafficking, and the prevention of torture.

4.3 International Policies in the Wake of Forced Evictions of Afghan Refugees

There are ambiguities in Pakistani laws regarding the status of refugees. Pakistan is neither a signatory of the 1951 Convention related to the Status of Refugee nor its 1967 New York Protocol, in which the refugee definition, protection of rights and legal obligations of refugees are clarified (Rashid, 2021). Therefore, Pakistan is not bound by conventional international refugee law to keep refugees on its territory. Pakistan has been giving shelter to Afghan refugees based on being an ally of the West. In return for supporting the Western allies in the Afghan wars, Pakistan has received military and economic aid (Weinbaum, 1991). The Foreigners Act of 1946, the Naturalization Act of

1926, the Pakistan Citizens Act of 1951, and the Citizenship Rules of 1952 have been resorted to for the regulation of entry and residence of people from other countries. Still, it is not entirely clear who is regarded a foreign national and who is a refugee, and how long foreigners can stay in the country, or when they could obtain citizenship. It was not until 2021, that Pakistan's policy gave more considerations to the principles set by UNHCR for refugees.

In 1980, the Ministry of States and Frontier Regions (SAFRON) was formed by the central government in view of the first wave of Afghan refugees in Pakistan (CCAR, 2021). Under this ministry, the Chief Commissioner of Afghan Refugees was appointed in the four provinces. His purpose was to support those working to assist Afghan refugees. Amidst the Soviet-Afghan war, Afghans first started registering as refugees in Pakistan. It was an (unannounced) prerequisite that they were to belong to one of the seven Mujahideen groups that were involved in fighting against the Soviet Union in Afghanistan. These Afghan Mujahideen were supported by Pakistan. The main reason for this was to support the Mujahideen fighting against the Soviet Union. But as soon as the Soviet Union withdrew from Afghanistan in 1989, Pakistan stopped registering Afghan refugees. In 1992, the repatriation of Afghan refugees started. Afghan refugee camps were closed. Anyhow, in 2017, with the support of UNHCR, 840,000 Afghans were given Afghan citizenship cards (Ahmed, 2023).

In 2002, Pakistan had signed an agreement with UNHCR under which Afghan refugees could be sent back to their homeland. Moreover, because of Pakistan's shifting repatriation policy, 200,000 Afghan refugees were sent back to their homeland during 2016. (Masudi, 2023). This repatriation can be understood within the larger context of regional and international responses to Afghan displacement. The European Union, too, refused to grant refugee protection to Afghans. According to records, at least 350,000 Afghans applied for political asylum in various European countries, but their applications were mainly rejected (Human Rights Watch, 2021). Amnesty International has urged Pakistan to stop expelling thousands of Afghan men, women, and children to the neighboring country Afghanistan, stating that, "[t]he deportation of Afghan refugees from Pakistan will put women and girls at unique risk" (Hussain, 2023). Therefore, the repatriation of Afghan refugees is not an isolated phenomenon. It can be seen as ever evolving Pakistan's refugee policy. Considering the internal, external and regional conflicts, the policy has oscillated from hospitality to hostility over the years.

4.4 Deteriorated Bilateral Relations between Pakistan and Afghanistan

Pakistan's recent narrative about the Afghan refugees needs a nuanced analysis in light of the perception of "being the largest migrant-host state" (Khan & Niami, 2023). The main reason for the present haphazard exodus is the non-existence of a coherent policy on illegal immigrants in Pakistan. There is also no law in Pakistan that defines the term *Mohajerani* or "illegal immigrants" or explicitly talks about their rights. The government of Pakistan adopted a fresh justification for the eviction of Afghan refugees claiming that there is no war situation anymore in Afghanistan. Pakistan is of the view that the country itself is currently facing severe financial difficulties. Pakistan is of the view that the country itself is currently facing severe financial difficulties.

The deteriorating ties between Afghanistan and Pakistan can be traced back to the Taliban's return to power in 2021. Pakistan's decision to deport thousands of Afghan

immigrants has also strained the bilateral relations. The situation remains tense, with both countries exchanging accusations against each other on the matter of TTP insurgencies and forces eviction of Afghan migrants. Contrary to the initial expectations, Pakistan eventually realized that the Afghan Taliban's resurgence has emboldened the TTP and provided it with safe heavens (International Crises Group, 2023).

Besides the above-mentioned factors, Pakistan's policies promoting hardline Sunni Islam in northern and western Pakistan as well as in Afghanistan, helped create the Taliban in the 1980s. While Pakistan's armed forces have had considerable successes fighting the TTP, the Taliban regime in Afghanistan has seemingly strengthened the TTP, showing more loyalty to the militant faction than to the Pakistan state.

It is these bilateral tensions and background against which Pakistan's government decided to deport thousands of Afghan refugees by referring to their alleged involvement in street crimes and militant attacks.

4.5 Surge in Terror Incidents

Pakistan has experienced a momentous increase in terror activities, particularly in Khyber Pakhtunkhwa (KP) and Baluchistan. It was followed by the Taliban's takeover of Kabul in 2021 and the TTP's decision to end its ceasefire with the government in November 2022. In this context, Baluchistan and the Khyber Pakhtunkhwa (KP) provinces of Pakistan have been the epicenter of violence. These provinces have seen a surge in terrorism-related activities. It includes attacks on military forces and collateral civilian damages. Airstrikes by the Pakistan Airforce inside Afghanistan signaled a hazardous escalation in the conflict between Pakistan and Afghanistan. The situation remains fluid, with both countries exchanging heated rhetoric and accusations (Hussain, 2023). As a consequence, migrants are paying the price, as they are forcibly evicted due to the ongoing worsened bilateral situation of Afghanistan and Pakistan (Fahrney, 2023).

4.6 Terrible Human Tragedy Resulting from Repatriation

During November 2023, Pakistan's government issued orders to deport Afghan refugees. Since then, Afghan refugees have been facing police brutality. Thousands of Afghan laborers have been arrested across the country. Pakistani owners were asked to immediately vacate their houses and shops etc. occupied by Afghan refugees (International Crisis Group, 2022).

In the guise of this operation, the police also confiscated the little savings they seized from Afghan workers. 70, 80-year-old elderly as well as 10-15-year-old children were imprisoned, and even women were not spared. Many incidents of violence and inhumane treatment were reported. Afghan workers continue to hide in fear of the police. Thousands of Afghan women are also kept in detention centers. There is fear of heinous crimes as human rights activists and lawyers cannot access these centers. Henceforth, the process of returning Afghan migrants has started, heart-wrenching pictures and videos are shared on social media. Violation of basic human rights also occur in the border areas. Many of these refugees have been living in Pakistan for decades or have migrated after the 2021 fall of Kabul to seek a safe heaven. On their return, they are likely to face oppression, homelessness and alienation in their own land.

Related to these brutal state actions, the Pakistani government propagates that the situation in Afghanistan is now much better. Complete peace had been established and the country was on the path of prosperity, indicating that there was no longer any justification for these refugees to stay in Pakistan (Asif, 2023). However, the real situation is quite the opposite. The Taliban regime is an appalling and heinous dictatorship where the people are heavily oppressed. The majority of basic human rights are not guaranteed. Women's education and employment etc. are banned and many women who raise their voice against these policies are facing hardships of imprisonment. Employment opportunities are scarce and according to a report of Human Rights Watch (2023), about 97 percent of the population is already undernourished. Judging on the scale of international standards, about 90 percent of the people are living below the poverty line, the prosperity of Afghanistan is entirely being destroyed, while large populations of the cities and most of the rural areas are forced to live an inhumane life. There have been reports of families selling their teenage boys and girls (Soofi, 2023).

In such a situation, the return of thousands of people will lead to increased scarcity of necessities, and psychological and social tensions will reach its extremes. If anger and agitation against such conditions and oppression do not find political expression, they can become pawns for fundamentalism, reactionary ideas, and vengeful sentiments.

It is also observed that during this forced eviction, no agreement of any kind has been reached between the Pakistani state, the Taliban government, and the international community regarding the protection of the basic human rights of these refugees (even if there was, it would be a formal act of imperial hypocrisy). Thus, this hasty forced repatriation is illegal and inhumane, and all steps taken by the state to implement it are illegal (Soofi, 2023).

4.7 The Impetus of the War on Terror on the Current Repatriation Measures

The policy of forced eviction of Afghan refugees living in Pakistan started in November 2023. The government had given an ultimatum to the Afghan refugees till 31st of October 2023, but the state agencies i.e. the police had already been mobilized, and the roundup of the refugees had started. This policy of the Pakistani state reflects the frustration of the policy makers due to the continuously shrinking role of the Pakistani government in the changing situation of the region. However, the current problem can also be investigated in the light of the past three decades of developments. It was the logical outcome of the state's double game implemented during Pervez Musharraf's tenure (1998-2007) when Pakistan was facing severe 'diplomatic isolation'. In this double game, fake operations were carried out in the Pashtun areas of Afghanistan in the name of the war against terrorism, in which billions of dollars were collected from the United States by selling the bodies of ordinary Pashtuns and keeping the 'good' Taliban under state protection (Zaidi, 2017).

4.8 Pakistan's Shifting Internal Priorities and Implications for Afghan Migrants

Forced repatriation is undoubtedly a serious decision taken by the government of Pakistan. However, this decision was prompted by the TTP's repeated attacks in Northern areas of Pakistan (Siddique & Baber, 2023). Pakistan's internal dynamics and expectations from the Taliban-led government influenced its approach towards Afghan refugees. Pakistan was hoping that the Taliban government in Afghanistan would support Pakistan against the TTP and would be pivotal in securing Pakistan's interests (Ahmed,

2023). But contrary to the assumptions of Pakistan's government when the Taliban-led Afghan government refused to extend this support, Pakistan reportedly started began with the forced eviction of Afghan refugees.

Pakistan's shifting priorities, driven by its internal politics and regional dynamics, have drastic implications for the Afghan refugee population within Pakistan. This suggests a thorough examination of the factors behind Pakistan's decisions regarding Afghan refugees in the context of the changing political landscape in the region.

4.8.1 *External Factors*

For the Pakistani state, China was seen as an alternative to the United States as an emerging economic force to cooperate closely with, and for a time, Chinese aid and investment continued to satisfy the state elite's lust for commissions and plunder, but this made the economy conditions worse than before (International Crisis Group, 2022). Parallel to this, the Taliban-led government of Afghanistan has also rejected the Pakistani state's middleman role and is now pursuing a policy of direct 'dialogue' and 'transaction' with Western powers, China, Russia, and India. Many supporters and sympathizers of Pakistan among the Taliban regime may exist in the present Afghan government, but their role and control over the overall situation is no longer the same (Maizland,2023).

4.8.2 *Pressure Tactics*

In the post-2021 era, hold of Taliban-led Afghanistan government on TTP has weakened, and a new wave of terrorism has been born in Pakistan (Fahrney, 2023). Masses are facing historic inflation and unemployment due to the harsh terms of the deal with the International Monetary Fund (IMF). International analysts have warned that the tolerance of the Pakistani people is about to be exhausted, and the Pakistani state may face a popular uprising like Sudan and Sri Lanka. The political crisis and the internal strife of the state institutions are also on the rise (USIP, 2023). On the other hand, there is increasing pressure from the IMF to reduce unproductive spending, but the state's ruling class is not ready to give up their privileges in any way, leaving the entire burden of the crisis on the migrants (Human Rights Watch, 2023).

Under these circumstances, the state finds itself at an impasse. Therefore, instant Afghan repatriation holding Afghans responsible for the socio-economic situation aims distract the attention of the masses. Pakistan's state authorities are trying to make the people believe that Afghan migrants are solely responsible for the bankruptcy of the country's economy and the terrorism (Ahmed, 2023). Thus, Pakistani government is creating a scapegoat by putting all the debris of its own failures and all the crimes on the Afghan refugees. And at the same time, it is using the imperialist policy of 'divide and rule' which it learned from colonial powers. It is fueling ethnic, linguistic, and sectarian prejudices in the country redirecting public anger towards these issues hoping that the revolutionary progress of public consciousness and uprising against the prevailing system might be suspended. The forced eviction of Afghan refugees needs to be seen and understood against the background of these motivations. Moreover, to restore their influence in the region, state authorities of Pakistan intended to enter into new agreements with the Taliban-led government of Afghanistan based on their own terms. Failing to gain Afghan cooperation in this regard, Pakistan state's authorities have desperately started Afghans expulsion (International Crises Group, 2022).

4.9 Understanding the Complexities of Afghan Expulsion and Rising Terrorism

During the recent era, a connection between migration and terrorism has developed. It is accepted that these Afghan refugees did not come to Pakistan by fighting, but naturally, in the event of a major war, regime change or due to other human tragedy (Kugelman, 2023). Therefore, they sought asylum in the neighboring country Pakistan. Blaming the entire Afghan nation based on a few terrorists and criminals is unjustifiable both morally and politically. Pakistan's state adopted a recent narrative that the drugs, terrorism, and insecurity in the country are also caused by Afghan refugees. It takes Afghan refugees as an excuse to absolve itself of all its internal issues. In parallel, this should be called systematic Afghan phobia (Soofi, 2023). While it is observed that numerous Afghan refugees have been exploited for terrorism and drug trade, branding an entire nation as a terrorist is unfounded. Based on biased thinking, Afghan refugees are being declared as the biggest burden on the country's economy. In fact, 80-90 percent of Afghan refugees are employed as wage labor, working across various sectors including factories, restaurants, farms, markets, hotels, workshops, construction, transportation, and other service industries. They operate rickshaws, taxis, and other forms of transportation, such as carriage services. They are not a burden on the economy, but they have done all the hard work and dedication that no other laborer would be willing to do (Hussain, 2023).

At the same time, the terrorist industry and black economy have become so powerful and pervasive in the overall economy of Pakistan that even if the Afghan workforce was to disappear from it, the failing economic situation would not improve. The deteriorating economy needs a concrete agenda instead of haphazard decisions of Afghans' exodus (Ahmed, 2023).

4.10 The Question of Demography

Demography became a significant factor in public migration discourses. People who have fallen into the abyss of right-wing nationalism argue against immigrants that 'this way the natives will become a minority' (Joppke, 1996). This debate is relatable with the rising concerns in the Sindh province. Concerns have been raised there with respect to alleged unlimited purchase of lands and established businesses by Afghan migrants. Considering this context, skilled workers in Pakistan are attracted to the labor markets of Europe, America, Canada, and Australia. Similarly, for laborers in Afghanistan, Pakistan's labor market also emerges as the most readily available option. In certain circumstances, due to the ravages of war, it also emerges as the only option.

In terms of the distribution of registered Afghan refugees based on the demographics, approximately 52% (0.7 million) reside in Khyber Pakhtunkhwa, which constitutes only 2% of its population. There are 321,677 registered Afghan refugees in Baluchistan, constituting 24% of the total of Afghan refugees in Pakistan and 2.7% of the total population of Baluchistan. 0.2 million Afghan refugees are living in Punjab, which is 14% of the total of Afghan refugees and 0.14% of the population of Punjab. Another 41,520 refugees reside in Islamabad, which is 3% of the total of Afghan refugees and only 4.15 percent of the local population. 4,352 Afghan refugees have settled in Kashmir, which is 0.3% of the total of Afghan refugees and 0.1% of the local population, whereas Sindh has 73,798 registered Afghan refugees, which is 5.5% of the total refugees and 0.15% of the population of Sindh. These numbers show, that the largest concentration of Afghan refugees resides in the Khyber-Pakhtunkhwa Province. However, even there they are still

constituting only a small fraction of the local population, meaning there is no imminent risk of the local population becoming a minority.

5 Discussion

Pakistan's Illegal Foreigners Repatriation Plan creates risks for international peace and security, while running the afoul of humanitarian principles and raising concerns under international law. The principle of non-refoulement in international law restricts the forcible return of migrants who might face persecution upon return. It is true that Pakistan is not a party to the 1951 Refugee Convention; however, it is a signatory to the UN Convention against Torture. Additionally, the principle of non-refoulement is applicable as a principle of international customary law.

From a legal or humanitarian viewpoint, the violent return of vulnerable groups (especially women who foresee that their basic rights would be unprotected under the Taliban-led government) and the confiscation of the returnees' belongings are troubling. Human activists and people from different walk of life have challenged the repatriation plan in Pakistan's courts by highlighting that it is to be seen as a contradiction to a 45-year old state policy (Amnesty International, 2023).

Despite the crisis driven global agenda, with wars in Gaza and Ukraine topping the headlines, international actors should devote more attention to this brewing crisis in Pakistan and the region. Foreign governments with influence in Islamabad, such as the U.S., should urge to stop the implementation of Pakistan's Illegal Foreigners' Repatriation Plan. In this context, Afghanistan and Pakistan should work simultaneously with humanitarian agencies to determine the future prospects for returnees. International donors support is also mandatory for financial and technical assistance. In this regard, Afghanistan, Pakistan, and the UNHCR should unanimously formulate an agreement to facilitate the refugee status. Additionally, a resettlement plan for the refugees to other countries may be implementable with the help of United States, European Union Member States, Canada, and other Western countries.

Otherwise, repatriation might have devastating effects with returnees being homeless on their native lands. In desperate attempts, they might become part of future terrorist activities. As former Senator Afrasiab Khattak has already pointed out, forcing Afghan refugees back to their country, which is under the repressive regime of the Taliban and offers no hope for survival, ultimately results in instability for the entire region. When millions of refugees return to Afghanistan, they will be forced to join terrorist organizations. Pakistan has stressed that the international community must not abandon Afghans, as it did in the past, which resulted in the nourishment and emboldening of terrorism in the mid-1990s, ultimately leading to events such as 9/11 (International Crisis Group, 2022).

Forcible evictions of Afghan refugees from Pakistan may pose serious security risks to both countries. The Taliban government is likely to be overwhelmed by an influx of jobless and homeless repatriates who are desperate for work. Therefore, for the sustenance of their extended families, returnees may be enticed into criminal activities or could join the armed opposition to the Taliban's rule. Conversely, one of the benevolent winners within this chaos might become TTP. Arguably, TTP fighters might be found among the repatriates as they are well acquainted with Pakistan's sensitive locations they could be instrumentalized for future attacks.

Therefore, Afghanistan and Pakistan should foresee possible outcomes of this displacement. The ongoing economic crises has Pakistan firmly in its grip. Coping with it, requires long-term tangible reforms and economic planning, instead of holding Afghan refugees responsible for the present malaise using them as scapegoats. A peaceful agreement or arrangement for those Afghan refugees at least who have lived in Pakistan for more than a decade is suggested (Bahiss, 2023).

6 Conclusion

Pakistan's policy regarding TTP and Afghan refugees after the withdrawal of the U.S.-led coalition forces is full of contradictions. Afghan refugees are blamed for the deteriorating economy as well as legal and law & order situation. Repeated invasions from world powers like the U.S.S.R. and the U.S.-led coalition resulted in terrorism, the rise of the Taliban and a complex situation where uncertainty and instability have forced hundreds of thousands to flee from war, terrorism, insecurity, death, and misery. Since the return of Afghan refugees is not voluntary and the government of Afghanistan is ill-prepared for their repatriation, refugees may die due to hunger and cold. Therefore, repatriation must adhere to the principles of voluntariness and dignity as stipulated by international law. A solution necessitates the involvement of three parties: Pakistan, Afghanistan and the international community. Additionally, for individuals unable to return due to unresolved challenges, the second component of the solution entails resettlement to other countries. Numerous Afghan refugees are eligible for Pakistani citizenship, but the Pakistani government has been denying it on several grounds. Former Prime Minister, Imran Khan, declared that the government would be granting them citizenship. But unfortunately, it was not implemented. The problem will not be solved without resorting to these three components in accordance with international humanitarian rights.

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