

PAKISTAN

The Islamic Republic of Pakistan has a long history of hosting refugees and currently ranks as the third largest refugee-hosting country globally. Today, over 1.4 million registered Afghan refugees live within its borders, as well as some 840,000 Afghan Citizen Cardholders (ACC) and an estimated 400,000 undocumented Afghans. Pakistan also hosts a small number of non-Afghan refugees and asylum-seekers from countries such as Somalia, Iraq, Palestine, and Iran. The vast majority of Afghan refugees are registered by the Government of Pakistan and have been provided with Proof of Registration (PoR) cards to facilitate their legal stay in Pakistan.

Despite Pakistan's status as a lower-middle-income country facing economic and development challenges, protection space for refugees in Pakistan has remained secure, including access to territory and respect of the principle of non-refoulement. While the collapse of the Taliban government in Afghanistan in 2001 resulted in significant numbers of Afghan refugees repatriating voluntarily from Pakistan, there has been a consistent decline in the numbers of returnees over the years due to persistent conflict and insecurity.

KEY POPULATION DATA

1,427,850
Refugees

6,978
Asylum-seekers

0.66%
of the country's population (216,565,318)
are refugees and asylum-seekers

IDA 18 RSW / IDA 19 WHR ELIGIBILITY:
SEPTEMBER 2017

The vast majority of refugees in Pakistan are from Afghanistan. They are dispersed throughout the country, with the majority living in the provinces of Khyber Pakhtunkhwa (58 per cent of PoR card holders), Balochistan (23 per cent of PoR cardholders), and Punjab (12 per cent of PoR cardholders). The former two are border provinces with lower development indicators than the rest of the country. Of the 1.4 million registered Afghan refugees (PoR cardholders), some 31 per cent reside in 54 formally recognized Refugee Villages (43 of which are in Khyber Pakhtunkhwa, 10 in Balochistan, and 1 in Punjab), while some 69 per cent live outside Refugee Villages, mostly in urban and peri-urban settings among host communities (see [UNHCR – Overview of Afghan Refugee Population in Pakistan \(June 2020\)](#)).

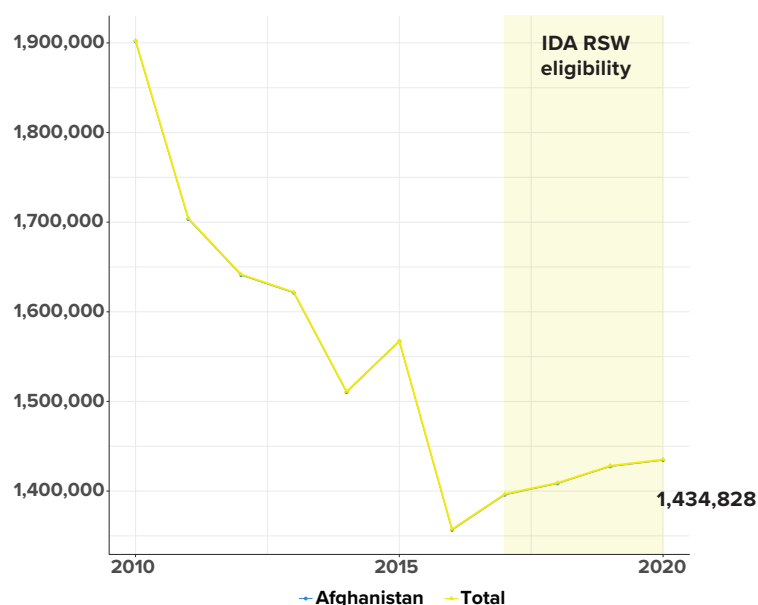


Figure 1: Number of refugees and asylum-seekers of the largest refugee population group

OVERVIEW OF REFUGEE POLICY ENVIRONMENT (JULY 2017–JUNE 2020)

The Government of Pakistan has generously hosted Afghan refugees for more than 40 years, thereby demonstrating its commitment to protecting and supporting the refugee population. It has developed a protective and inclusive refugee policy which is largely reflected in administrative instruments. Key elements and initiatives in the reporting period include:

- A system of issuing **Proof of Registration (PoR) Cards** for registered Afghan refugees, ensuring their legal stay in Pakistan, which are subject to periodic renewal. New **biometric documentation** for registered Afghan refugees (launched in 2021) contains an extended validity date (see sub-dimension 2.2 Security of legal status).
- A **Tripartite Agreement** with Afghanistan and UNHCR, subject to extension (most recently in June 2019), to facilitate voluntary repatriation.
- **Access to national health services**, most recently the **COVID-19 response** (launched in May 2020), with access to health care on a par with Pakistani nationals and inclusion in the national vaccination programme.
- A **Repatriation and Management Policy for Afghan Refugees** (adopted by the Federal Cabinet in February 2017, see Sub-dimension 2.1 Normative Framework), which led to the registration and documentation of some 840,000 previously undocumented Afghan nationals.
- A commitment to enhancing refugees' **access to government schools**, facilitate access to accredited examinations and certification, and improve access to national education services, higher education, and qualifications for employment.
- Improvement in PoR cardholders' **access to financial services** from 2019 onwards, permitting the opening of bank accounts under the *State Bank's Banking Policy and Regulations Department's circular no. 2 of 2019 of 28 February 2019* (<http://www.sbp.org.pk/bprd/2019/CL2.htm>). The notification was issued under legally enforceable banking regulations.

These initiatives are consistent with the Solutions Strategy for Afghan Refugees (SSAR), which was developed in 2012 by the Islamic Republics of Afghanistan, Iran, and Pakistan with the support of UNHCR. The SSAR comprises the overall framework for the response to Afghan refugees in Pakistan and includes three pillars: support for voluntary repatriation; promotion of sustainable reintegration in Afghanistan; and provision of continued assistance to host communities.

In September 2017, Pakistan became eligible for the World Bank's IDA18 Refugee Sub-Window (RSW), which includes support for strengthening Pakistan's institutional capacity for refugee management (Strengthening Institutions for Refugee Administration (SIRA) project approved in 2020).

Pakistan has been active regarding refugee issues at the international level, supporting the development and affirmation of the [Global Compact on Refugees \(GCR\)](#) in 2018. The Prime Minister of Pakistan co-convened the first [Global Refugee Forum \(GRF\)](#) in December 2019, alongside four other governments. In the context of the GRF, the Governments of the Islamic Republics of Afghanistan, Iran and Pakistan launched a [Support Platform for the SSAR](#), seeking to realize the commitment to enhanced international solidarity and responsibility-sharing that is enshrined in the Global Compact on Refugees. In 2020, Pakistan marked 40 years of hosting Afghan refugees with the conference [40 years of Hosting Afghan Refugees in Pakistan: A New Partnership for Solidarity](#), which convened regional and international stakeholders to strengthen support to the protracted Afghan displacement situation.

POLICY DIMENSIONS (AS AT 30 JUNE 2020)

1 Host Communities

1.1 Support for communities in refugee-hosting areas

Some 69 per cent of registered Afghan refugees live in urban and rural areas alongside their Pakistani host communities. While Pakistan's social protection policies and programmes do not target refugee-hosting communities per se, they apply equally to poor households in refugee-hosting communities, as eligibility is linked to the prevailing poverty level of specific geographic areas and/or the household poverty level. A Computerized National Identity Card (CNIC), which is only available to Pakistani nationals, is a prerequisite to benefit from social protection programmes and specific social services.

To redress the impact of hosting refugees and promote social cohesion, the Government with the support of UNHCR, UNDP and a consortium of other United Nations agencies launched the [Refugee-Affected and Hosting Areas \(RAHA\) Programme](#) in 2009. RAHA aims to mitigate the impact of the protracted refugee presence through targeted humanitarian and development investments in national systems, as well as to create income-generating opportunities and develop infrastructure benefiting refugees and their host communities. Most RAHA interventions are incorporated into the provincial governments' development planning process, which enhances their ownership and sustainability.

1.2 Social cohesion

Pakistan adheres to policies directly or indirectly aimed at identifying, preventing, and mitigating potential social tensions and risks of violence in refugee-hosting areas, which are effectively implemented. As a result, intercommunal relations have, over the years, remained predominantly cohesive.

The [Constitution of the Islamic Republic of Pakistan \(1973\)](#) provides for equal protection of law and treatment in accordance with law as an inalienable right for all persons, including citizens and non-nationals. The life, liberty, body, reputation, and property of all persons are equally protected in accordance with the law. There is no national law or policy specifically addressing discrimination based on nationality or legal (including migratory) status, although refugees are protected against certain types of discrimination as provided by federal and provincial laws, which in theory apply equally to nationals and non-nationals. For example, there are provincial laws aimed at protecting women from violence [children against forced and early marriage and prohibit child labour](#) (Baluchistan Domestic Violence (Prevention and protection) Act (No VII of 2014); [Punjab Women Protection Authority Act 2017](#); Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015, [Punjab Prohibition of Child Labour at Brick Kilns Act, 2016](#)). However, gaps remain in the legislative framework overall (see for example, [Gap Analysis of Legislation Related to Ending Violence Against Women \(EVAW\)](#)).

Local community mechanisms promoting peaceful coexistence, dialogue, joint activities and citizen engagement – including representatives and participants from both refugees and host communities – have grown organically. Some communities in refugee-hosting areas have, for example, organized conflict resolution committees, so called “Falahi committees”, and professional associations comprising members from both communities. Similarly, refugees are included in sports and religious events or other community activities. The most common spaces for exchange between the two communities are mosques and marketplaces, where communication and coexistence are quite visible.

The RAHA programme has been key to promoting social cohesion and alleviating the burden of communities hosting refugees. Through dedicated projects benefiting host and refugee communities in core areas of health, education, livelihoods, water and sanitation, it contributes to creating a more conducive environment for peaceful coexistence.

1.3 Environmental management

While there are no specific policies to mitigate the possible negative environmental impacts of hosting refugees, national environmental policies are applicable throughout the territory, including in refugee-hosting areas. These include the [National Energy Conservation Policy \(2006\)](#), the [National Action Plan for Sustainable Energy for all \(2019\)](#), the [Draft Alternative and Renewable Energy Policy \(2019\)](#), the [National Water Policy and Comprehensive Regulatory Framework \(2018\)](#), and the [National Forest Policy \(2015\)](#).

1.4 Preparedness for refugee inflows

Pakistan does not have a national asylum law or specific administrative instrument regulating access to territory for individuals seeking international protection, nor does it have a law or specific administrative instrument regulating preparedness for refugee inflows.

2 Regulatory Environment and Governance

2.1 Normative framework

Pakistan has generously hosted Afghan refugees for more than four decades, providing access to territory and respecting the principle of non-refoulement and right to asylum. While it does not have a national asylum law or specific administrative instrument regulating access to territory for individuals seeking international protection, Pakistan's provision of protection and assistance to refugees is generally in accordance with international standards and Pakistan's international human rights obligations. Pakistan is not a signatory to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. The supervisory role of UNHCR vis-à-vis refugee protection is acknowledged in a Cooperation Agreement from 1993 that recognizes the role of UNHCR within the parameters of its Statute.

Pakistan's refugee policy and response are predominantly based in administrative measures developed over the last four decades. Such measures include numerous administrative notifications conveying the Prime Minister's Cabinet decisions extending the PoR regime for registered Afghan refugees. Relevant authorities are often informed via administrative notifications, from the Ministry of SAFRON, about entitlements and extensions for PoR cardholders.

The overall framework for the response to Afghan refugees in Pakistan is the regional Solutions Strategy for Afghan Refugees (SSAR). Over the last years, the Government of Pakistan has repeatedly reaffirmed its commitment to the SSAR. The 2017 Repatriation and Management Policy for Afghan Refugees—which was adopted as a direct result of the 2014 National Action Plan's objective of “Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all refugees”—builds on the SSAR. It includes, notably, (i) continued and gradual voluntary repatriation with the assistance of UNHCR; (ii) extending the validity of PoR cards; (iii) endorsement of a flexible visa regime for different categories of Afghan refugees; (iv) a call for the adoption of a national refugee law; (v) registration and documentation of undocumented Afghan nationals in Pakistan; and (vi) improved border management. A draft national refugee law was prepared in 2013 with UNHCR support but has not yet been adopted. The draft meets international standards of refugee protection and would establish a national refugee status determination (RSD) procedure.

Under its [National Action Plan \(2014\)](#), the Government of Pakistan reinforced its border management approach. Afghan nationals are required to obtain travel documents and visas to enter Pakistan via official border crossing points (Chaman in Balochistan and Torkham in Khyber Pakhtunkhwa). The PoR card provided to registered Afghan refugees serves as an identity document and authorizes the holder to temporarily remain in the country. Most refugees and asylum-seekers of other nationalities arrive in Pakistan on visas issued in accordance with [general visa policy](#) and immigration laws (Pakistan citizenship Act (1951), Naturalization Act (1926), Pakistan citizenship Rules (1952), [Foreigners Act \(1946\)](#), Passport Act (1974), Passport Rules (1974), etc.) and may later seek asylum by approaching UNHCR. UNHCR conducts

individual RSD for such asylum-seekers. UNHCR also provides continued access to UNHCR registration and documentation processes for Afghan individuals who do not hold PoR cards or other forms of documentation.

Information on refugee rights, including entitlements for PoR cardholders, is disseminated to refugees through government initiatives supported by community outreach.

2.2 Security of legal status

Afghan refugees have been exempted from some provisions of the [Foreigners Act \(1946\)](#) through administrative orders, which helps to protect against arbitrary arrest, detention and refoulement. As mentioned, registered Afghan refugees (PoR cardholders) can remain in Pakistan for a specified period, subject to extension. The most recent PoR cards were printed with an expiry date of December 2015, and their validity has been periodically extended through Cabinet notifications, most recently in June 2019, for a period of one year. In anticipation of expiry of the PoR cards on 30 June 2020, the Government issued an interim notification on 29 June 2020 to ensure continued protection of Afghan refugees by all Federal and Provincial government actors, pending a decision by the Federal Cabinet on the extension.

The Government of Pakistan and UNHCR are currently undertaking the PoR [Document Renewal and Information Verification Exercise \(DRIVE\)](#) to respond to the increasing need to validate existing data, capture additional information, and address the challenges associated with cards showing an expiry date of 31 December 2015. Launched in April 2021, DRIVE is issuing new biometric smartcards as identification for registered Afghan refugees. They are digitally renewable, with a two-year validity. This identification grants refugees safer and more effective access to services, enhances their protection, and records their skill sets, level of education, socioeconomic circumstances, vulnerabilities and sources of income. This, in turn, enables better targeted support and informs investments toward solutions in the Priority Areas of Return and Reintegration (PARRs) in Afghanistan.

Due to COVID-19, the Government of Pakistan temporarily closed its land borders in March 2020. Borders were reopened on 1 May 2020 for limited pedestrian movement and commercial trade with Afghanistan. Although registered Afghan refugees and refugees and asylum-seekers of other nationalities enjoy de facto protection from refoulement and generally can move freely within the country, there are sporadic reports of arbitrary arrest and detention, largely due to misperceptions concerning their legal status and documentation requirements. For non-Afghan refugees, UNHCR-issued asylum-seeker and refugee certificates have generally ensured that they are protected against refoulement and are able to enjoy freedom of movement and to access health and education services.

2.3 Institutional framework for refugee management and coordination

The Ministry of States and Frontier Regions (SAFRON) is responsible for managing refugee affairs in Pakistan. It provides leadership and fosters coordination between line ministries and national and sub-national levels of government. Within the Ministry of SAFRON, the Chief Commissionerate for Afghan Refugees (CCAR) in Islamabad and the provincial Commissionerates for Afghan Refugees (CARs) in each refugee-hosting province are responsible for coordinating and implementing Government policies concerning Afghan refugees. CCAR and CARs have been responsible for coordinating not only humanitarian support for Afghan refugees but also policy discussions within the Government and with humanitarian partners. There is no specific entity responsible for managing refugees of other nationalities.

The [Ministry of Interior](#), the [Ministry of Foreign Affairs](#), the [Ministry of Federal Education and Professional Training](#), the [National Health Services, Regulations and Coordination](#) and the [Ministry of Human Rights](#), as well as corresponding authorities in the provinces in which refugees reside, are involved in refugee matters to the extent of their respective mandates. The body responsible for the registration of Afghan refugees is the [National Database and Registration Authority \(NADRA\)](#), under the Ministry of Interior, which is also in charge of registering Pakistani citizens.

There is no official consultation mechanism to obtain refugee input and feedback. UNHCR facilitates regular consultations with refugees in the context of its annual [Participatory Assessments \(PA\)](#), through focus group discussions and key informant interviews, which reflect an age, gender and diversity (AGD) approach. PA reports are shared with relevant stakeholders, including the Government, to inform planning and programming to address protection and assistance needs. The low level of women's participation in decision-making was highlighted during the 2019 PA: more than half of female respondents indicated that women have little say in the existing community-level conflict resolution and decision-making mechanisms.

Refugees are not systematically included in national data collection systems. While socioeconomic data on refugee and host communities is currently limited, the DRIVE initiative is collecting key socioeconomic data relating to PoR cardholders. In line with the recommendation made by the Inter-agency and Expert Group on SDG Indicators at the fiftieth session of the United Nations Security Council, the United Nations system is working closely with the Government of Pakistan towards the inclusion and disaggregation of the most vulnerable groups, including those affected by forced displacement, in national statistics and surveys.

2.4 Access to civil registration and documentation

NADRA is responsible for the registration of Afghan refugees and the issuance of civil documentation (birth, death, and marriage certificates) for nationals. As refugees have no access to regular devolved national registration centres, NADRA delegated the handling of matters related to registered Afghan refugees to four dedicated PoR Card Modification Centres (PCMs). These centres process modifications and replacements of existing PoR cards; registration of infants and children up to the age of five years; issuance of new cards for eligible children who are five years and older; and issuance of birth certificates to children under the age of 18. To facilitate implementation and access of PoR cardholders living in remote areas, NADRA deploys Mobile Registration Vans (MRVs) and Mobile Delivery Vans (MDVs). Due to a process-related change introduced by NADRA, birth certificates for PoR cardholders have not been issued since January 2019.

Besides refugees, approximately 840,000 undocumented Afghan nationals were registered under the 2017 Repatriation and Management Policy for Afghan Refugees and issued with Afghan Citizen Cards (ACCs). The ACC regularizes the temporary stay of the holder. The card bears no expiry date and its validity is regulated through administrative orders that have been judicially enforced. The ACC registration was done in collaboration with the Government of Afghanistan and with the support of UNHCR and IOM, with the expectation that this population group would be brought into the regular visa regime. As per the agreement between the Governments of Pakistan and Afghanistan in the context of the Afghanistan Pakistan Action Plan for Peace and Solidarity (APAPPS) forum, ACC holders are required to return to Afghanistan, prior to the expiry of the ACC, to obtain machine-readable Afghan passports and a Pakistani visa, with which they can re-enter Pakistan.

2.5 Justice and Security

Law enforcement authorities generally ensure comparable levels of security for refugees and nationals, and the civilian and humanitarian character of asylum is maintained in Refugee Villages and urban and peri-urban areas hosting refugees. In the regional political and security environment, Afghan refugees may at times face a more uncertain security environment than nationals. Actual or anticipated security incidents can result in security operations in refugee-hosting areas, with an increased risk of Afghan refugees being arrested and detained.

The official justice system serves nationals and refugees alike, and refugees have access to courts. For refugees who do not otherwise benefit from State provided legal aid, effective access to the justice system may depend on services for refugees such as legal aid centres and helplines that are run by CSOs or UNHCR and its legal partners.

3 Economic Opportunities

3.1 Freedom of movement

Generally, asylum-seekers and refugees can move freely within Pakistan and choose their place of residence, except in areas with particular security constraints applicable to foreigners and, at times, to nationals. This primarily affects land belonging to railways, the China-Pakistan Economic Corridor (CPEC) route and, in some cases, land in the close vicinity of military installations or airbases. Freedom of movement and issues relating to place of residence are regulated by the police and the local administration in the areas where the refugees reside. This freedom of movement and residence is formally acknowledged by the Ministry of SAFRON through a 1997 notification (Status of Afghan Refugees in Pakistan). PoR cardholders living outside Refugee Villages do not need documents to travel to other areas.

3.2 Right to work and rights at work

Because the Constitution of Pakistan protects both citizens and foreigners' inalienable rights, all relevant labour policies and laws apply to foreigners, including refugees. The Government of Pakistan has ratified 36 International Labour Standards, which prohibit any forms of discrimination or exploitation in respect of employment and labour and promote decent work for all, with a focus on disadvantaged groups, including women, workers in the informal economy, and persons with disabilities. The Government of Pakistan has issued a reservation regarding ILO Convention 143 on Migrant Workers, which is relevant to refugees' right to work.

There are no specific work permits for refugees, yet in practice, Afghan refugees are often allowed to work in the informal sector. Formal sector employment, however, requires individuals to hold a Computerized National Identify Card (CNIC), which is available only to citizens of Pakistan. Given that refugees do not have the right to access the formal labour market, their professional certificates and diplomas, while generally recognized, may not be of significant use. Under the 2017 Repatriation and Management Policy for Afghan Refugees, a flexible visa regime would allow Afghan PoR cardholders to apply for a visa inside Pakistan, including a work visa, although this policy is yet to be implemented.

Refugees are not permitted to hold positions in the public sector (see Foreigners Act (1946) and Foreigners Order (1951), 10.1). Refugees are not permitted to own a business, and therefore in practice may do so only if established with a local partner, i.e., a registered by a CNIC holder. The [Minimum Wages for Unskilled Workers \(Amendment\) Act \(2016\)](#) does not distinguish between refugees and Pakistani nationals, specifying only "unskilled workers" and therefore potentially including refugees.

Gender disparities have contributed to lower education and skill levels among refugee women (see [UNHCR Pakistan Education Strategy 2020–2022](#)). More limited de facto personal freedom of movement for refugee women affects their access to skills development and opportunities for income generation.

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