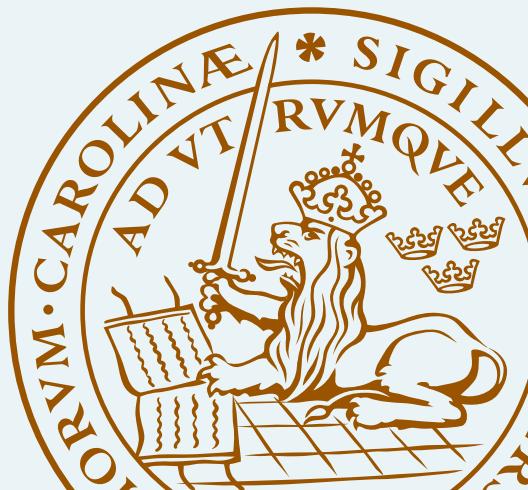# Repatriation of Afghan Refugees from Pakistan:

## Participation, Consultation and Consent in the Resettlement Process

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**Abstract**

Afghan refugees living in refugee camps in Pakistan are studied in this thesis. However, the repatriation and resettlement of Afghan refugees necessitate the durable solution strategy for their reintegration in home country. The previous program for the repatriation of Afghan refugees from Pakistan was subjected to complexities. This thesis analyzed the consultation and consent of Afghan refugees in relation to resettlement and repatriation. The previous repatriation program conducted by UNHCR, the Government of Pakistan and the Afghan government was critically studied. Besides the basic assistance, the consent and participation for the durable solution of Afghan refugees was critically analyzed. By reviewing academic studies and conducting interviews with Afghan refugees, it was analyzed that Afghan refugees were ignored in giving them ownership in the resettlement process. The rights of refugees are seldom addressed in the South especially in case of Afghan refugees which is highlighted in this thesis project. The findings suggested that refugees study was needed to pay attention to specific issues such as participation, consultation, consent and voices.

**Keywords:** Repatriation, Resettlement, Afghan refugees, Consultation, Consent, Participation, UNHCR

# List of Abbreviations

APS…………………..…..Army Public School

ACSU……………………....Afghanistan Comprehensive Solution Unit

AR…………………………. Afghan Refugees

ELA………………………... Emergency Loya Jirga

GOP…………………………Government of Pakistan

GOA…………………………Government of Afghanistan

IDP…………………………Internal Displaced Person

KP…………………………..Khyber Pakhtunkhwa

MORR………………………Ministry of Repatriation and Refugees

NRN…………………………National Refugee Network

NGO……………………….. Non-Governmental Organization

POR…………………………Proof of Registration

SSAR………………………. Solution Strategy for Afghan Refugees

TCRS………………………. Tanganyika Christian Refugees Services

TTP………………………….Tehreek-e-Taliban Pakistan

UNHCR……………………. United Nation high commissioner for Refugees

UN…………………………..United Nation

VRF…………………………Voluntary Repatriation Form

**Acknowledgment**

# Table of Contents

**INTRODUCTION**

*This chapter introduces the research problem following a short introduction, the aim of the thesis, research question including delimitation, thesis disposition and thesis contribution is provided in this part of the paper.*

Afghan Refugees (AR) mostly Pukhtun ethnic housed by Pakistan in Khyber Pakhtunkhwa (KP) province constitutes the largest protracted population of the world. Refugees are residing in camps primarily dependent on rehabilitation assistance, community support and self employment (Christensen, 1989, Sadat, 2008, Kucher, 2005:6). The repatriation of refugees to their country of origin has been considered by the international community as the durable and most feasible solution. Thus voluntary repatriation to return home is regarded as a basic human right (Stigter, 2006: 111-112). The repatriation process of AR has been assisted multiple times by the United Nation High Commissioner for Refugees (UNHCR) and Government of Pakistan (GoP). This was a forward step to obtain durable solution by repatriation, reintegration, rehabilitation, and reconstruction in the country of refugees' origin. The largest return took place between 2002 and 2005, emphasized to prevent returnees from being displaced once again.

Repatriation is promoted because of the right of an individual to go home. However, sustainable return and its implementation are less straightforward when repatriation takes place in countries with ongoing conflict and fragile infrastructure. Agencies generally pay less attention to provide a critical analysis of what they 'conceive to be home' and whether the return could be permanent or of a temporary nature (Stigter, 2006: 110-111). "Return may as well be an expression of an adherence to and reconfirmation of social networks that provide physical , social and legal protection and give meaning to the individual's life" (ibid). It should be noted that the consent of the returnees was obscure and the fragile structure of Afghanistan could not absorbed the massive return of refugees. The repatriation of AR will examine the consultation, consent and resettlement in this paper.

**Problem Formulation:**

Qualitative research necessitates the need to provide a rationale or reason for studying the problem (Creswell, 2007: 102).

The voluntary return in safety and dignity of all AR has always been anticipated by the GoP and UNHCR respectively. The lack of clarity about how events will unfold leaves refugees

uncertain about repatriating (Khan, 2014: 22). A considerable number of AR repatriated to Afghanistan in 2002 and 2005. It was considered a positive move on the part of UNHCR with contribution of Pakistan's government. This phase of repatriation did not last long while refugees came back to Pakistan in excessive numbers. This program was lacking many important issues that needed to be addressed. Of these, the absorption capacity inside Afghanistan, the absence of prior consent from returnees, very nominal compensation, and a very poor strategy of resettlement were included. Nevertheless, the previous phase of repatriation was short term; therefore it is evident that the current influx of refugees is still exists in a considerable number. The registered and unregistered− refugees are a big challenge in the repatriation process. Therefore, it is also unclear how the next repatriation program will take place, and which group of refugees will be part of the process. Yet, it is still unclear whether refugees of more than two decades or the newly arrived refugees will be part of the next program.

Additionally, deportation of refugees takes place when the host country discourages AR to stay on. The interim administration in Afghanistan made some commitments for the assistance of the returnees. Large numbers of Afghans confirm a certain degree of confidence in the nascent state. The repatriation program was joined by those who suffered from the difficulties of accessing services and harassment in the host country and especially those who had nothing to lose by returning to Afghanistan (Stigter 2006: 114). Despite the high level of return to Afghanistan, many families were not willing to return to the country of their origin. In addition to harsh socio-economic condition, Afghans experienced insecurity due to absence of rule of law and political instability (ibid: 118). UNHCR envisage the core of voluntary repatriation and return with physical, legal, and material safety. In doing so, it will determine UNHCR's involvement in return operations. As a condition in the current transition period, the fully informed request of Afghans to return are not yet viable in the areas where military action involving use of force is still going on (Lumpp, et al 2004: 162).

With the targeted refugees' population, the criteria for voluntary repatriation are still ambiguous. Therefore it is needed to consult and inform the targeted refugees in order to ensure voluntary repatriation and resettlement. This thesis project will examine that how the targeted refugees placed themselves in the whole process. There is little known about the consent and consultation process which is an important element in relation to the repatriation of AR living in KP province Pakistan. Refugees in the South, especially in the case of AR living in Pakistan lack any solid platform to raise their voices. Therefore ARs are voiceless

and underrepresented in order to highlight their needs and preference. This thesis is an attempt to fill that gap.

**Aim of the Thesis**

The aim of this thesis project is to examine the experiences of Pukhtun ethnic AR currently residing in Stockholm who have been affected by the previous repatriation process in Pakistan. This thesis uses Pukhtun Afghan Refugees as a case to critically analyze the resettlement process and participation of the affected refugees. It does this through a review of academic literature, UNHCR documents, and interviews with Pukhtun AR. It examines the role of concern agencies and government policies in the process of resettlement of AR by raising the following questions.

**Research Question**

I would like to mention here that my research question is twofold and it concerns...

1: How the refugee regime dealt with the issues of information, consultation and consent?

2: How the targeted Pukhtun ethnic Afghan refugees are related to the issues of repatriation and resettlement?

Underpinning the second question are sub questions: I will place more emphasis on the second part because this part of the study is based on my primary data.

- What are the respondent's life situation and experiences of being refugees?
- What are their conceptions of home and belonging, and motivations, needs and preferences when deciding to move or stay?
- What are their knowledge and opinions about, and involvement in the next phase of repatriation programme?

**Delimitation**

This thesis is delimited to Pukhtun ethnic AR living currently in Stockholm, those who have been part of the previous resettlement and repatriation phase that took place in KP province Pakistan. The respondents are selected through the snowball sampling method. This thesis will not discuss Pak-Afghan relations − political disputes, and border conflicts between the two countries. The thesis focuses on displacement, resettlement and consultation process of AR. Thus, I will also explain how ARs have been part of the consultation process in relations

to the repatriation and resettlement programme. Moreover, the role of UNHCR, Government of Afghanistan (GoA) and GoP will also be explained. In addition, the thesis will also focus on the previous repatriation process. The majority of Afghan refugees living in Pakistan are Pukhtun ethnic, therefore the respondents represents only Pukhtun Afghan refugees related to the previous and coming repatriation program. The thesis will not discuss the current permanent or temporary status of the respondents living in Stockholm.

**Thesis Disposition**

The first chapter comprising a short introduction, problem statement, aim of the thesis research question and thesis contribution. Chapter 2 introduces the historical background of AR and their influx into the neighbouring countries including the reason why they fled from their home country. Chapter 3 introduces the method that I used for this thesis. This chapter explains the data collection and interviews process. Chapter 4 situates the study in academic research work in the respective field. Chapter 5 consists of three sections, Summary of the findings, the discussion on the findings and conclusion. The interview guide is attached at the end.

**Thesis contribution**

This thesis is an attempt to contribute in the current studies of refugees especially in the south, where the criteria for the refugees' participation and consent are seldom addressed. In the case of AR living in Pakistan, the previous unsuccessful attempts of resettlements necessitates to incorporate refugees' participation and consent in the next phase, yet there is far more to be studied.

**AR: Historical Background:**

*This section is consist of historical background and some events that lead to the displacement of AR including internal political and social turmoil in Afghanistan, and it tell us that how people of Afghanistan labelled as refugees.*

The 1979 Soviet intervention created political and social unrest in Afghanistan while the successive events plunged the country into a civil war (Haqqani 2005, Margesson, 2007; Sigar, 2015, Zieck, 2008, Lewis, 2003, Alam, 2012, Martin, 2000, Harpviken, 2014). A very large number of refugees moved to Pakistan mostly to KP province where Pakistan shares a long border with Afghanistan. Until 1980 more than 6 million people from Afghanistan sought refuge in Pakistan, Iran, turkey, and India respectively. (Hiegemann, 2012: 42). The number increased up to 1.7 million (registered) Pakistan is currently hosting. The numbers of fleeing Afghans to Pakistan reached to 3000 every day (Ghufran, 2011: 946). Besides the registered number, more or less 1.4 million AR in Pakistan are unregistered, which makes the largest most protracted refugees in the world (UNHCR, 2015).

The first repatriation program for AR was given a formal shape in 1992, conducted by a tripartite commission comprising Afghanistan, Iran and UNHCR. Despite the fact that Iran is a signatory of the 1951 refugee's convention and the 1967 protocol, approximately 600,000 AR returned to Afghanistan from Iran in what was not considered a voluntary repatriation (Glazebrook et al, 2007). UNHCR promoted the three solution strategy, voluntary repatriation in the country of origin, integration in the host country, and resettlement in the third country (Ambroso, 2011: 10). Moreover, in response to the back and forth movement of AR, Afghanistan Comprehensive Solution Unit (ACSU) and UNHCR become aware that a new strategy is needed beyond the 'historical mandate of protection and assistance' (Monsutti, 2008: 59). Prior to the previous repatriation, the prime concern of AR was their survival in Afghanistan where the basic facilities were scarce to start life again. The refugees were uncertain whether they could find their former homes and whether they would be safe in case of the presence of landmines (Sheriff, 2006: 215). It should be noted that this uncertainty and fear of AR while returning homes were not far from reality and it tell us that the repatriation and resettlement process could not achieve the anticipated results. Additionally, in the previous program refugees were largely ignored, therefore the entire program was navigated without any representation of refugees.

As studies show, that repatriation process regarding refugees in the South tend to neglect proper consultation with the concerned population. Consultation and consent is needed to ensure that the programme addresses the needs and takes into consideration the specific condition of the respective population, yet it is also important for monitoring the programs implementation. A tripartite framework for another two years until 20th March, 2005 was signed in Tehran. This was an extension of the 16th June 2003 mutual − agreement. This program was intended to assist Afghans in solving their legal disputes before their return. On the other hand, the negotiation process on voluntary repatriation which was a new tripartite repatriation framework with Pakistan took longer. Multiple reasons stood in the way of this tripartite framework. Yet lack of systematic registration of AR in Pakistan was one of the reasons. Besides that, the changing policies of government for the new AR on one hand, while difficulties on negotiation of the scope of agreement on the other hand remained an obstacle to address issues (Lumpp, et al 2004:155). "The difference in number can be attributed to practical reasons such as the unrestricted mobility of AR in Pakistan which makes any evaluation difficult." (Bentz, 2013: 377).

The security situation had not remained suitable for the re-integration of returnees. Moreover, refugees were aware of the fact that returning home is insecure and unsafe, and consequently many refugees came back to Pakistan (Ghufran, 2011:951). "Repatriation may often−but need not always-involve physical return especially in fragile post conflict states with inadequate capacity to meet their citizens basic social and economic needs. Physical return may always harm reconstruction efforts by exacerbating state fragility even as refugees political repatriation is a necessary condition for recovery and state strengthening" (UNHCR, 2010).

On coming back to Pakistan, refugees confronted many other problems; most of the camps were bulldozed while refugees were accommodated by some of their extended relatives and local community. After all, self relocation and back and forth movement was common practice of the displaced mohajirin[1] (migrants). Mohajirin sought refuge in Iran and Pakistan were forcefully repatriated and some westren countries also expel AR since 2001 (Sadat , 2008: 331).

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[1] Mohajirin are those people who migrated in the result of some conflicts or political turmoil. This term is also having religious association like the Holy Quran orders the believers to unite and solve their problems collectively. See for more explanation; Surah 8 Anfal Verse No, 72.

### In Legal Terms

Over 25% of the present day refugees of the world are housed in Pakistan. Refugees in Pakistan were supposed to be on '*prima facie*' basis in the first two decades. A series of agreements have taken place between GoP, UNHRC and GoA regarding the voluntary repatriation programme. The last series of agreement under UNHCR assisted voluntary repatriation dated back to December 2009 (Zieck, 2008). In legal terms, Pakistan is not a signatory to the 1951 refugee convention and 1967 protocol regarding refugees' status (Zieck, 2008, Langenkamp, 2003: 231).

### Border Situation

The security situation between Pakistan and Afghanistan is currently focussed on porous and unstable border in relations to intermittent attacks and shelling from both sides (Pakistan Defence & security report 2011: 57-58). Despite having commonalities on many grounds, Pakistan and Afghanistan experiences very complex relations. This complexity of relations is primarily related to the shared border region which has never come under the true control of any government. Sensitivity of the border has emerged as a great challenge in recent past which could not be handled single-handedly (Latif and Hussain 2012: 91). Notwithstanding the current influx and insurgency on the border, GoP and UNHCR (Jacobson 2015: 149) launched biometric system in order to strengthen human security and 'contain back and forth' movement. It can be noted here that this tight security check is considered an obstacle in Pukhtun ethnic relations, especially for those who have business connections and family ties across the border.

### Pukhtun Ethnic Ties

Pukhtun have "constantly suffered from not only internal divisions, but also from foreign subjugation which has instilled among them an acute perception of deprivation and victimization" (Saikal, 2010: 6). Pukhtun have never been acted as a 'coherent collective' but they have been fragmented into various 'social segments' involved in conflicts with one another and subjected to periodic interventions and occupations. To unite them by some of their leaders as attempted in the past remained futile. Nevertheless, they showed some solidarity when they threatened by outside forces (Ibid: 6-7). Although generally well

received by the host government along with local population, the prolonged refuge of Afghan migrants has strained local relations (Wood, 1989: 349).

**Stigmatized Identity**

Hospitality, protection, giving shelter and food are the core values in Pukhtuwali[2]. Living since a long time in Pakistan, AR are regarded part and parcel of the same ethnicity, assisted in all respects but the notion of superiority and inferiority is distinctly exist in this social construction. "Ethnic groups are socially determined, they are social construction, and ethnic boundary is a social boundary. Specific cultural features may be important in some context and not others, they may guide behaviour for one activity but not another" (Barth cited in Hummel, 2014: 50). AR especially those who are still living in the camps are 'stigmatized' as lower in social status than the host community. However, Pashto language is an important element of being Pathan, but language only cannot be the core factor of ethnic membership. Multi-ethnic groups can exist in the same linguistic category (Ibid: 49). The well settled Afghans can be even higher than the local in social status, integrated but still considered 'others.' This inferiority has been internalised by some marginalized groups in the same social circle. Moreover, religion and culture are the common bonds of Pukhtun's socil life which practices from decades yet differences are going side by side. " The comunity of religion binds the followers in an overarching solidarity, both ritual and doctrinal, but is frequently undercutt by identities along caste, class, clan and lingustic lines" (Jalal, 1995: 202).

**The Earlier Settelemnts**

AR were warmly wellcomed by Pakistan after the Soviet invasion and the successive events. Most of the Afghan leaders (Pukhtun ethnic) were settled in Peshawar and Islamaabad subsequently. Support from internationl actors and Pakistan was extended to contain communism, yet Afghanistan's commissioarate remained instrumental in supporting refugees. Refugees integrated into the local comunity on religious and ethnic lines. AR Strengthern social ties with local people, got education in Pakistani institutions, while intermarriages and businees connections paved their way towards citizenship through various means and channels.

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[2] Pukhtuwali means the way of Pathan, in broad sense it incorporates forgiveness, hospitality, revenge, loyalty, love, bravery, giving protection to a guest whether he is right or wrong.

**The Current Situation of Refugees**

AR lives in fear after the Army Public School (APS) incident where 144 school children from age 6 to 18 years were massacred by the terrorists on 16th December 2014. Tehreek-i-Taliban Pakistan (TTP) accepted the responsibility. Harassment against refugees has intensified after this incident.

Being a front line state in the war against terrorism since 9/11, the state of Pakistan is most concerned with security situation. KP is the most targeted and vulnerable province where the adjacent tribal belt is considered to be a potential shelter for terrorist activities. It is also mentioned that terrorist activities have increased in recent years as compared to 2006 and 2007 (Khatak, et al 2014: 31-33). Pakistan's official statements reveal that terrorist attacks are mostly planned in Afghanistan with the local people as supporters. As it is also reported that in the most recent attack on Bacha Khan University where 20 students including one professor was shot dead (Craig Tim, Washington post, 21, Jan, 2016).Therefore, with the increase of terrorist activities, AR in Pakistan became more vulnerable than before. The enemy is not known in most cases while some ambiguous claims lead towards misconceptions between AR and local people. However, there is no solid proof of refugees' involvement in such heinous crimes. "Hence security becomes an issue of defending the integrity of state's territorial space from dangerous outside others" (Agnew cited in Tete, 2011: 108). It must be noted that there is perceived notion on the part of Pakistan's security agencies including citizens that AR and their camps are apparently linked to criminal activities. After all, these allegations and misconceptions will jeopardize an upcoming repatriation process which can become a great challenge for GoP, GoA, and UNHCR.

**Methodology**

*This chapter outlines the chosen method used for this thesis project; clarifies its application and how data was collected in the field, and what challenges occurred during field work. The ethical consideration and interviews methods will be discussed in this part.*

**Ontology and Epistemology**

I take the social constructivist stance for this thesis project; I believe that the world is socially constructed. Truth is there but it needs to explored and explained through knowledge based on logical understanding as also explained in Pettiford and Steans (2005: 181-82). This paper does not seek to find the truth but to transforms things in more visible and reasonable way. Human beings are always situated in particular contexts which inform their actions, they also reproduce or construct their world on the basis of their actions (Ibid). It is needed to understand the world around us and social reality which have meaning for human beings, and therefore human actions are meaningful (Bryman, 2012: 30-31). I also believe that social reality and knowledge is constructed by 'human beings' through proactive and purposeful interaction with the world as explained in Bryman (2012). It is needed to make sense of social realities and to interpret it in order to understand the complexities in a constructive way (e.g. Creswell, 2007: 21). This thesis investigates displacements, consultation, and consent of Pukhtun Afghan refugees connected to the previous and coming repatriation phase.

**Qualitative Research**

This paper uses a qualitative method through semi structured open ended interviews that encourage the respondents to freely express their opinion. In this respect rich qualitative data is more coherent and helpful in conducting research like this as suggested by Turner (2010:756). The repatriation of AR from Pakistan necessitates the understandings regarding displacement, consultation, consent and relocation. In order to have a better understanding of these contested concepts, I have adopted a qualitative approach where I used semi-structured interviews to have an embedded analysis upon the views and opinions of Pukhtun AR related to the repatriation process.

**Case study**

A single case is focussed in this thesis project which involve the study of an issue explored through one case as a 'strategy of inquiry' (e.g. Creswell, 2007: 73). The unit of observation is the ARs (Pukhtun ethnic) who are directly related to the repatriation and resettlement process.

**Interview site**

It is needed in a case study research to select a site (Ibid: 122). I have selected Stockholm as my field work site where Afghan communities are living. In order to avoid any security risk and to comply with my department rules and regulations, I refrained to visit the border area between Pakistan and Afghanistan for my field study.

**Method of Data collection**

The method used for this thesis is based on qualitative primary and secondary data sources. For primary sources I interviewed Pukhtun AR through semi structured interview method. I used UNHCR documents, research papers, news papers, books, and online materials as secondary sources as also mentioned for example in Ragin (2011: 28).

**Interviews- primary data**

I used snowball sampling method in which initial contacts are established with a small group of people who are relevant to the research topic and then used these contacts to establish more (e.g. Bryman, 2008:184). I maintained contact with three respondents who were interviewed for a previous course paper. My previous respondents helped identify people with similar characteristics. For avoiding any risk of time, I started my interview session from the earlier respondents. I spent two weeks in Stockholm for my field work. The interviews were conducted mostly at respondent's residence except some which took place in public area. All my respondents had a connection to the camp life in Pakistan.

The ages of the interviewees were between 28 and 62 from the same country but different regions. All of my respondents were doing odd jobs except one who was learning Swedish language. The interviews were mostly conducted in the afternoon; I used Pashto language as

a way of communication being the first language of both respondents and myself. My social interaction due to language, ethnicity, and previous contacts with three respondents created a 'stage' where the subjects were free to talk of about their experiences of being refugees. To write the response of the interviewees, a form of five pages with enough space between the questions was used. In order to avoid the challenge of asking questions and writing simultaneously, I used a sound recorder, after asking their permission as also suggested in Creswell (2007:133- 134). The social distance between me and my respondents was obviously existed. I have never been part of the repatriation process neither I was targeted and part of the camp life. The same ethnicity and language but different nationalities including my student status were the distinct marks between us.

**Transcribing the Data**

To obtain credible information, it is important to select qualified candidates for the interview. The participants acquired for this study willingly and honestly shared information as suggested for example by turner that it might be easier to interview participants in a free and comfortable environment (2010: 757). In the early stage data from the field was organized and saved in the computer file in order to easily locate the materials. After converting data into a proper text, I read the entire transcripts several times to make sense of it before breaking down into parts. After reading and managing, the data was interpreted and described. The list of codes was developed to match the segments of the text. Coding is the process in qualitative research where data are broken into small components and then arrange it by giving names to its different parts. Anything can be a code; it can be an idea, a phrase and the like. Therefore codification is used for arranging and compiling the data. As it is also noted in Bryman (2008: 538-555) that there are two common coding, focussed coding and initial coding. In initial coding every line is assigned a code to provide initial impression of the data while focussed code is the most common method for revealing about the data which I also used. For example one of my respondents reveals that "it is impossible to take refugees on board for consultation if there is no strong will of the three parties, UNHCR, Gop, and GoA". I coded this as... [Authority's Critique] The common problem with coding is losing the context of what is said as also explained in Bryman (2008) that the social setting and a particular interview transcript can be lost and it may result in the fragmentation of data. To overcome this problem, Pilot testing was helpful as I mentioned below.

**Secondary Data**

I have consulted policy papers, UNHCR documents, academic research papers, and news papers including books and journals. Human rights watch reports and internet sources are also used in this paper. I have used literature on the repatriation and displacement of refugees in other areas as a previous work in the same field. The information is gathered from multiple sources covering the previous repatriation process of AR, in order to gauge the opinion of the subjects on whether the previous return was based on consent and consultation. The findings were summarized. While for the analytical discussion on the findings, I used secondary sources which are also used in the literature review. Both primary sources and secondary sources are used for this thesis. There is very little known about consultation and participation regarding the repatriation process of AR living in Pakistan. Thus, I used similar work in other areas to critically analyse the situation of refugees in Pakistan.

**Reliability and validity**

The findings are transformed through a thick description for the readers and value of the data is established in a naturalistic way. Adequate references are used for the interpretation and triangulation of data. The informants' personal experiences which are revealed in this thesis, the academic literature and my reflexivity contributed to the validation of this work. As mentioned by Creswell in his validation strategies, I also engaged with my participants in building trust and enough understanding of cultural values and reconfirming some of the important points which enhanced the validity and reliability of the findings (2007: 204-206). The detailed field notes obtained for this thesis, the codification, audio recording and by transcribing the tape avoided any overlapping of the data. The native language between me and my respondents overcame any ambiguity of terminology. Case study research such as this, recommends pilot testing as suggested by Creswell (2007) to refine data and the detailed field notes which I found instrumental. The collected data was secured according to the principle which is also mentioned in Creswell (2007: 142-143) for example to keep backup copies, use good quality audio recording, protect the anonymity by masking the names of the respondents. Thus pilot test assisted in determining flaws while making revisions prior to the implementation of study.

**Ethical consideration**

Ethical responsibility entails great consideration to the people from whom information is gathered. Therefore I attached great importance to the views, opinions, emotions and attitudes of the participants. Participants were informed about the purpose of this study in advance as also suggested by Silverman, (2005: 257: 258) that respondents must be informed in order to ensure voluntary participation in the research process. The participants were also informed that they can withdraw from the interview session at any time. As argued that the involved people must be informed of their right to withdraw from the study at any time (Kvale & Brinkmann 2009: 70-71). All my participants were informed that the information they provided will be used only for the study purpose. The participants were also given the opportunity to read some the unedited work of my thesis as they could speak and understand English. My identity as a student of Lund University was already known to them but I provided my valid student identity card in order to avoid any misconception. They were willing to express their views on the debatable but uncontroversial topic of my research study. My previous interaction with a few respondents developed trust between us. They were all guaranteed anonymity. I masked their actual names to pseudonyms in order to avoid any future harm. Moreover, the specification regarding the nature of their jobs, residential places, and age is also masked. For the complete anonymity, verbal consent was obtained in the presence of two colleague's witnesses. Among the two witnesses, one was my gate keeper as well. Verbal consent was the preferred option in order to avoid any harm to their present status in Sweden.

**Challenges in the field**

In a busy city like Stockholm, it was quite difficult to locate respondents in the first place, secondly, time management for interviews was challenging on the ground that my respondents were working in two shifts, morning and night. However, they all agreed for interviews in the afternoon. The other big challenge was to find out actual people related to the camp life and whose families are still living in Peshawar Pakistan. This challenge was overcome with the help of snowballing method, but still many people have been contacted to find out the actual targeted refugees. After all, it was difficult without the help of a gate keeper in two weeks. Accommodation for two weeks in a city like Stockholm was difficult as well. On three months prior request, accommodation was arranged with the help of one of my friend who was my gate keeper as well.

**Limitations**

There are a large number of Afghan communities living in Stockholm including settled, unsettled, and new asylum seekers. I was only concerned with Pukhtun Afghan refugees with a connection to the camp life in Pakistan and who had been part of the previous repatriation process and the next phase as well. This thesis is only concerned with the victims of repatriation, displacement, and consultation process. This thesis is not discussing the old claim of greater Afghanistan and border issues in detail. Only male members are interviewed in this project, because of cultural barriers, it is difficult for a male researcher to incorporate females in the research process.

**Literature Review**

**Introduction**

*This chapter will focus on two areas of studies, the first part deals with refugees and resettlement especially their 'participation' in the process which is a recent study. This part comprises the critical study of the UN refugee regime in relation to north bias assistance approach. The second part will focus on AR living in KP province Pakistan. This part emphasizes AR in relation to their participation in the repatriation and resettlement process which has not been given enough attention and remained understudied.*

**1: Traditional assistance approach**

The term refugee designates those who flee from internal and external political unrest and who cross international boundaries, but it is also refers to those who flee as a result of physical disasters, such as floods, earthquakes, famine, and drought (Gould 1974: 413, Ambroso, 2011: 8-9). Traditional assistance approach is a refugee regime that largely relies on informal assistance by the host community. In modern times this traditional assistance has been extended to involve civil society organizations. Over the last 25 years, this form of refugee assistance has been consolidated into the potential transitional National Refugee Network (NRN) in New Zealand. Under the auspices of this NRN platform, refugees have changed from being passive recipients of assistance in the shape of welfare to active participants. This network provided a solid platform to refugees in choosing their representatives within their own community. Their leaders are the people who have refugee background. Additionally, refugees are actively involved in polices having impacts upon their communities. However, in the result of this empowerment refugees became more effective in making decisions and choices (Elliott, 2015: 58). On the other hand, the traditional assistance approach has been criticized on many grounds in refugees' crises. As Puggioni (2005: 320) argued, this is evident in the case of Mediterranean countries that have historically developed a weak social system while maintaining quite strong informal networks for assistance. In modern times, charity networks, organization, civil society and Non Governmental Organizations (NGOs) have extended traditional assistance in need. The resettlement largely shaped by religious and non religious institutions and networks of refugees, for instance, protestant church' created the American committee for Christians (Brown and Forrest, 2014 13-14).

Refugees in Germany affected by the Nazi persecution were supported, this was an intuitional based support provided to them. Several institutions came into existence for the resettlement of escapees from detention (Brown & Forrest, 2014: 14). In this way, Somali and Cambodian refugees in the United States of America were provided institutional support beyond government assistance although there was tacit and active support from government as well. The community and networks played a remarkable role in the resettlement of refugees. The community organizations in Australia assisted Greek and Cypriots immigrant with employment, and the difficulties concerning residency was primarily overcome by mutual cooperation. Moreover, it is noted that there were deficiencies in systematic and well-thought community strategies, yet it indicated the lack of infrastructure and weaknesses in organizations to cope with the size and the 'persistence' of the incoming almost epidemic Greek immigration. Despite all weaknesses, networks, organizations, along with government support overcame difficulties regarding large number of refugees (Tamis, 2013: 119).

The same refugee regime has been dominant in Pakistan, where AR has been given traditional assistance by the host community and humanitarian organizations in every difficult time. During floods and earthquakes, charity networks and NGO's extended considerable assistance to the victims of refugees' camps. As Ghufran (2011: 948) mentioned that local community extended every possible support to AR. Refugees were accommodated, and provided shelter according to the local Pukhtun tradition.

A more general observation is that traditional approach to assistance based on humanitarian relief is not the durable response to protracted refugees situation. Thus international donors and policy makers must understand to address issues beyond humanitarian assistance (Tyler, 2014: 19). In the case of Pakistan, regional Solution Strategy for Afghan Refugee (SSAR) acknowledged that humanitarian issues remained 'compartmentalised'. In this respect, the durable solution framework- repatriation, resettlement, and local integration, remained challenging which is considered to be the only viable durable solution (ibid).

**Resettlement and Re-Unification**

Resettlement varies according to the type of refugees with family re-unification and relatives connections locations important elements involved in the resettlement of refugees. Resettlement on the other hand is also linked with development. This development may be internal in the shape of some projects which necessitate the displacement of residents, while external resettlement may refer to 'migration chain concept,' an approach whereby migrants

settle in places where their predecessor and extended family members are already settled, following the path of relatives, acquaintances, and those members of their community who migrated earlier and who can facilitate them in the settlement process (Brown& Forrest 2014: 11). This is one approach in which the choice and consent of the migrants exists. This approach entails mobility to cities, capital movement, social opportunities, innovation diffusion, business and job prospects. Thus it can rationalize decision on where to locate, and what to locate under which circumstances (ibid). Yet migration also take place in response to a complex set of 'external constrains' and some predetermined events. These events vary in terms of its salience and impacts but elements of compulsion and choice exist in relation to decisions that take place during migration. In this sense, it can largely make a distinction between 'forced' and 'voluntary' migration (Scalettaris, 2007: 39)

## 2: AR in Pakistan

Studies of Voluntary Repatriation Forms (VRF) issued by UNHCR indicate that ARs are opting to return to their home country. An agreement was signed on 17th march 2003 in Brussels between GoP, GoA, and UNHCR. Nevertheless, the agreement affirms the voluntary character of repatriation and the 'freely express wish' for AR who sought− refuge in Pakistan (Lumpp, et al 2004: 155). Moreover, the agreed principles and modalities were kept intact. However the agreement incorporated the principles and commitments for safety of return, including freedom of choice of their destination in home country. The agreement also incorporated the consultation process between host country and the country of origin for the return of persons determined not to be in need of international protection. It is further mentioned that returnees confronted countless problems including confiscation of land, illegal occupation, land disputes, forcible recruitments, illegal taxation, extortion and forced labour. Nonetheless, incidents of persecution against ethnic minority groups, sexual violence, gendered discrimination and lack of access to justice resulted in the repatriation program (Ibid: 155-162). In this way, it is argued that there is need to pay much attention after return, in order to recognise that repatriation is the end of one cycle and the beginning of a new cycle generating new challenges and vulnerabilities (stigter, 2006: 111). Moreover, for many individuals the process of re-adjustment upon return home is more difficult than the previous adjustment in the host country (Alder cited in Andreason, 2005:110).

The three solution strategy promoted by UNHCR in the case of AR comprises Voluntary repatriation, integration in host country, and resettlement in the third country. This solution

strategy is considered beyond the basic assistance and protection (Monsutti, 2008). It is mentioned that a series of agreements taken place between the three parties, GoP, GoA and UNHCR. These tripartite commissions on voluntary repatriation commenced in 1993 conducted eight agreements until 2007. The term voluntary repatriation remained the popular discourse for all these agreements, but the term 'gradualism' (The gradual return of refugees) was coined for the first time. Yet in these agreements only registered refugees, those who holds Proof of Registration (PoR), were entitled to voluntarism and gradualism. Among these, the last agreement entails assistance in terms of information and other relevant knowledge to the returnees while taking into consideration the absorption capacity in the country of origin (Zieck, 2008: 264-265). It is noted that the last agreement also failed to address the fate of those refugees who were still in camps and local premises because repatriation program was terminated in December 2009 (ibid).

Thus, with limited rights the term 'voluntariness' has little relevance concerning repatriation. Therefore the cut off basic services generates a threat perception which makes it difficult to stay. Moreover this threat can ultimately turn into 'coercion', in this way free will of the people have no sufficient grounds in the voluntary repatriation documents (The voluntary repatriation form) (Gerver, 2015: 32-33). "The entire notion of voluntary repatriation was imposed more out of political expediency than any real concern for victims of persecution or generalized violence" (Chimni cited in Langenkamp, 2003: 235).

## 3: Critical Study of (UN) Refugee Regime

Durable solution and voluntary return necessitates the full expression of the displaced people's will and voice which profoundly affect their lives. Further, the views of displaced persons are pervasive, yet to reach to the durable solution, there is an urgent need for the refugee inclusion as an active participant in resolving their own problems (Tete, Suzanne 2011: 106-107). The representation of refugees is fundamental element in order to raise their voice in multiple forums. To represent their community in order to have consultation with concerned authorities, refugees' movement have been subjected to legal restrictions by not giving them the right to travel to organise regional and international events (Salinas, 1989: 10). As it is mentioned in the beginning that consultation− processed are neglected in the [South] while the critique of refugees discourse holds that in the absence of refugee 'specific regime' the South Asian states may not fulfil all the entitlements concerning refugees but its role is not poorer than the North (Chimni 2009: 16). However, refugees' studies evolved in

the North. In this way, the key journals located in the North publishing the issues of refugees. Therefore, institutions in the South lack proper mechanism to provide information and address the ongoing problems of refugees (ibid).

**Change in the Refugee Regime**

"The change in the international refugees' regime that refers to a set of legal norms based on humanitarian and human rights law as well as a number of institutions designed to protect and assist refugee is crucial to understand migration policies" (Aras, Mencutek, 2015: 194-195). Due to the politicization of refugees' regime since 1990s, states are more concerned about security and territorial integrity than to give protection to refugees. State polices in terms of security and sovereignty became very tough and strict. Hence, this approach gives more consideration to the state security than refugee protection (ibid). In this respect, refugees discourse is politicized and considered the product of war and conflict which makes refugees 'unfortunate' while this 'coercive engineered migration' is a deliberate attempt on the part of state and non state actors. Consequently, this deliberate attempt of forced displacement has many dimensions to extract concessions and political gains (Salehyan, 2010: 640).

It could be mentioned here that in the case of displacement there are humanitarian assistance organizations providing basic facilities to refugees in one way or another while this assistance could not addressed the displacement and resettlement issues. Thus, large scale human abuses are not the only reason of involuntary displacement; therefore natural disasters are also often related to displacement. Further, large scale migration whether it is internal or external caused by economic and political reason, yet it may also be placed in the category of involuntary displacement (Amoroso, 2011: 5). Moreover, 'displacement' refers to involuntary population movement while displacement can be distinguished from migration, yet in migration the choice of relocation does exit (Muggah, 2015: 224). It can be noted here that displacement of people from their place of origin if it is planned involuntarily implicitly considered as coercion. Additionally, the displaced people can judge their situation very well therefore they can respond in a better way to the policy which is made on their behalf. In this way, the displaced people should not be treating as "speechless emissaries". Nevertheless, their views are important while it make them capable to articulate their own needs (Tete, Suzanne, 2011: 107). On the other hand, Stein (cited in Malkki 1996:388) stated that "refugee are helped because they are helpless; they must display their needs and

helplessness." Hence, this statement is linked to the 'constitution of speechlessness 'among refugees; helpless victims needs protection and need someone to speak for them (ibid).

Malkki narrated her conversation with an administrator of Tanganyika Christian Refugee Services (TCRS) during her field work in Africa that admin of the camp rejected stories of refugees as baseless, messy, and hysterical (ibid: 385). Therefore, the authority always decides the future of refugees without consulting them. Moreover, it is observed that refugees have been disregarded in this context. Nevertheless, reactions of refugees are also remained hostile towards the authorities in some respect. It is further mentioned that "homelessness is a serious threat to moral behaviour and the conduct of displaced person in a disorganized social setting proves it to be an unrealistic assumption" (Malkki, 2002: 357). It is also observed that forced displacement is a common practice in the current scenario, especially in the south. "Movement has been taken for granted as poverty pushes and economic development pulls, but the infrastructure of movement has not been sufficiently considered in empirical or analytical terms" (Lindquist et al in Brown, 2014: 13).

Host states admitted refugees to their countries are expected to treat refugee with respect and dignity and must consider the principle of 'non-refoulement.' It is also noted that if refugees desired to return, there are such conditions that should be taken primarily in great consideration. These conditions are the conducive and sustainable environment for return, safety, non discrimination and opportunity for livelihood (Tete, 2011, Bradley, 2009, Long, 2013:2). Further, article 1, of the Universal declaration proclaimed that all human beings are born free and equal in dignity (Freeman, 2011:5; Bradley, 2009: 373). On the other hand, Bradley contends that dignity and equality are more rhetorical and remained only the traditional language of organizations (2009).

**The question of choice**

It is mentioned that repatriation should be understood as a 'question of choice'. Hence 'dignity and safety' can be obtained when the 'remaking citizenship' is built on 'consent' and free will. Additionally, voluntariness implies the absence of any kind of coercion, psychological, physical or mental pressure. In this respect, voluntary repatriation not only contemplates the absence of coercion but the consent or any other genuine alternatives (Long, 2013:1-3).

**Muted voices**

Voice and representation can be duly regarded in the repatriation of refugees. In her research work in Africa, Malkki observed that refugees were frequently regarded as unreliable informants while characterized dishonest by exaggerating their problems. Hence the conspicuous observations on the part of administrators and authorities of the refugees' camps labelled refugees as liar and baseless storytellers (Malkki, 1996: 384-385). The voices of refugees have been suppressed by many ways as characterized hysterical and messy (Ibid). It is further mentioned that beyond traditional assistance and protection, ethical repatriation needs 'safety and dignity' in order to incorporate refugees in the process of resettlement (Long, 2013). Long builds her arguments on Nozicks's philosophical approach regarding voluntariness' yet this notion is reduced to the 'non- infringement of rights'. "Burning down refugees houses in a refugee's settlement or forcing refugees across the border-in other words, explicit and coerced refoulement –would clearly result in an involuntary or coerced repatriation, yet reducing or withdrawing food rations to encourage repatriation can be seen in Nozicks's term as entirely consistent with an ethical attachment to voluntary repatriation because refugees have no right to expect such positive assistance" (Long, 2013:4). Long maintains that [minimalist] principles of non coercion as non-infringement of life and property can constitute involuntary repatriation (ibid).

 **Invisibility**

To understand invisibility in the case of refugees and their displacement, it is noted that 'invisibility is the weapon of weak' while invisibility is closely linked with 'power' in relation to the vulnerable that stay invisible to that power. Moreover, the vulnerable obscuring and hiding identities and their activities. Therefore invisibility is the alternative for survival of many displaced people including refugees. Additionally, failed asylum seekers in Europe seek survival to hide their identities to become invisible entities (Polzar, Hammond, 2008: 418). It is maintained that in country where entry has been relatively easy but it might be risky, and where the informal economy has the capacity to absorb a considerable number of workforces, where the charity networks have potential and where local practices prevail rather than official policies, should be the centre of attention  (Puggioni 2005: 322). The other aspect of invisibility (Puggioni 2005, Barbara et al 2007: 283) is primarily a self help-system ——established within the community while this help system indicates the absence of any public response regarding assistance and concern. Puggioni holds that different cultures

impact differently on the same phenomenon on the ground that for instance in Italy, as compared to other northern countries, people manage to remain invisible, because there is a quite 'welcoming tissue' within the private sphere (ibid). Therefore, limited community links leads towards highly precarious situation, living hand to mouth beyond access to community links and refugee camps, as illustrated in the case of Burmese refugees living in far flung remote areas of Thailand since 1990. Due to pressure of limited available options in the camps, refugees make themselves invisible in search of better access to labour market. In some cases life outside refugees' camps is more difficult and vulnerable (Joliffe, South, 2015: 223).

In sum, refugees scattered in the localities. Living since a long time in urban and rural set up, AR are well aware regarding the dynamics of survival. It must be noted that refugees have their survival on informal businesses while the invisibility of AR constitutes another perspective as well. However, an increasing number of ARs are heading towards Europe and other western countries using different channels like agents and human traffickers. The invisible refugees make themselves invisible for not being recognized as refugees inside the host country in the first place. Yet many of them are heading towards Europe through Iran−Turkey and Greek. The invisibility of AR in Pakistan is a crucial factor in the long run while for GoP and UNHCR it is also a matter of serious concern in order to accelerate the next repatriation phase. Multiple factors constitutes the invisibility of AR, for instance, the indifferent response to the camp life by GoP, lack of support from Afghan government, UNHCR cold response and continuous negligence in terms of basic necessities in camps and easy identification of AR in case of any criminal act whether committed by them or not. The intended plan of GoP to bulldoze some of the camps to replace it for commercial use is not a sound step for the refugees and their future. The registration process was already a serious problem for UNHCR and GoP. Hence, such factors like invisibility multiplied the difficulty in registration process in the first place. Refugees perceive fear of push factor which is observed in some cases therefore they want to be invisible in order to avoid threat of displacement. Additionally, push and pull factors are continuously denied by government authorities of both Pakistan and Afghanistan. It is reported by Human Rights watch that during November 2001, both UNHCR and GoP failed in adhering any standard of voluntariness that include enough impartial information and the absence of 'push factors' (Human Rights Watch, 2002).

Monsutti, (2008: 73) mentioned that there is need to look beyond the three solution to the refugees problems usually recommended by UNHCR, voluntary repatriation to the country of origin, integration in the host country or resettlement in the third country. This trajectory of settlement is not sufficient for managing the settlement of AR. Consequently, back and forth movement of AR is not part of any planned voluntary return which is mostly experienced on the border. Afghan government is reluctant to support pull factor strategies even for those who want to return on their own will.

It is also pertinent to mention here that irrespective of the non signatory status of 1951 convention, Pakistani authorities cannot pursue the push factor policy which is akin to forceful repatriation and without the prior consent of victims. Monsutti further noted that, the absorption capacity inside Afghanistan is limited, therefore full repatriation is neither feasible nor desirable, yet repatriation could destabilize the already fragile equilibrium of the renascent Afghan state. In this respect it could have a negative impact on neighbouring countries as well (Ibid). It is also noted that repatriation has some negative consequences if there is no proper adjustment planning in home country.

**My Analytical Approach in this study**

I will analyse the AR regime in Pakistan at two different levels in this thesis, the level of refugee regime and the level of individual refugees. I will particularly focus on participation, consultation and consent of refugees regarding the process of repatriation and resettlement. My analysis will draw upon the literature that I have reviewed in this chapter. The key concepts in my analysis on resettlement at the level of refugee regime will be return in dignity, re-integration, and participation. At the level of individual, I will focus on AR who have been victims of repatriation process in the previous phase and will face the next phase as well. Here the key concepts in my analysis will be the voices and choices of the displaced AR in a critical constructive way. The life experiences of individual AR will be examined in relation to their preferences and desire regarding resettlement. The role of governments and agencies like UNHCR and other organizations will be critically studied.

**FINDINGS IN THE FIELD**

*This chapter will highlight the refugees' life situation in refuge. And it will explain how the targeted refugees situate themselves in the process of resettlement. The experiences of interviewees in relation to consultation and consent regarding the previous and coming phase will be described in this section. Moreover, the targeted refugees who leave their families behind them in Pakistan and the problems they face will be discussing. The findings in this part are based on two weeks field work in Stockholm. The refugees interviewed in this part are supporting their families they left behind in Pakistan. The discussion on the findings consists of two parts. In the first part the findings are summarized. The discussion in the second part will be critical and analytical based on secondary sources.*

**Summary of the findings**

Findings indicate that ARs were living an independent life in their home country, primarily dependent on agricultural land and some small business activities. Due to political and social unrest they left their land while taking refuge in Pakistan because of close proximity, religious, cultural, and ethnic affinity. Their life in home country was easy as compare to life in refuge. The basics livelihood for life in their home country was more or less satisfactory as there were no uncertainties like what they feel today. Findings indicate that ARs are well connected to their families, clan, and other community members. Neighbourhoods and relatives connections are important elements in their collective life. Pukhtun ethnic Afghans are mostly living in the premises and countryside close to their land and tribesman. Therefore they are desperate to re-unify with their community members, family, and relatives. Additionally, property in the shape of arable agricultural land is more valuable to AR than other things. The great attachment to the land property they left behind in home country and the ongoing uncertainties and complexities of life increased their zeal for their homeland.

Large number of AR crossed the border between Pakistan and Afghanistan while they faced hardship and difficulties in the beginning. ARs were accommodated in refugees' camps in Pakistan, assisted by GoP and UNHCR while the local community also supported refugees. Material assistance was provided to the refugees inside camps by UNHCR and other relief networks. After prolong stay in host country, AR confronted with many problems including harassment and harsh treatment by the host government authorities. The basic relief was also not enough as long as refugees stay in the host country prolonged.

The findings indicate that repatriation process started after some of the refugees' camps were bulldozed by the host government authorities. These were some steps taken by the host government to quicken the repatriation process while refugees decided to go back to their home country. There was no option left for refugees other than return to home country. Refugees took nominal compensation on the border but that was not enough for their resettlement. Repatriation process was assisted by UNHCR and GoP but without any solid platform which was necessary for sustainable and durable return. On return there was no proper accommodation to start life with. Attention was not given to some of the important sectors, for instance, health, agriculture, education and so on. This entire process of repatriation and resettlement indicate that the program was not properly executed. There were no satisfactory results of the previous resettlement process because refugees confronted with new challenges in home country; therefore, they came back to Pakistan. The life stories of refugees indicate that they could not re-integrate in home country. The weak absorption capacity of Afghanistan, lack of infrastructure, fragile economy, and land disputes could not pave the way for re-integration and resettlement of returnees.

Moreover, refugees were entirely ignored to take part in the repatriation process. The previous phase of repatriation and experiences shows the absence of refugees consent and consultation. Refugees were not taken on board; neither informed in advance to bulldoze their camps. No alternatives were provided while refugees moved by their own to the nearby villages in search of accommodation. Refugees were not included in the program; neither promised them any durable solution for resettlement, therefore the program was already made in order to repatriate them to the most vulnerable place where hostilities between the local warlords and government forces were still going on. It is indicated that neither GoP nor UNHCR showed serious concern to incorporate AR in consultation process. Refugees displaced multiple times in host country and home country as well. In this way their life stories reveals their discontent for not given them due place in the process of repatriation and resettlement. On the basis of their past experiences, refugees feel that they are weak; therefore they were not asked to be part of the process. Findings further indicate that there is trust deficit among refugees as they showed serious concern that there is no political will on the part of the authorities to pay attention to their priorities. UNHCR, GoP, and GoA are lacking political will to properly address refugees and their issues. Expiry of refugee's registration cards indicates a serious matter on the ground that it is the only legal document

through which they are entitled to receive assistance and food rations. In this way it is difficult to accelerate future process without refugees' registration cards.

The respondents' life experiences indicate that they want a dignified return to their home country in order to regain their property and other belongings. To avoid the previous mishaps, ARs are demanding surety of life and durable resettlement in the next phase. They are willing to participate in the next phase as their previous reservations were not addressed by any agency and government. Besides basic assistance, refugees were not given the right to decide for their own future. They referred to the agreements that made on their behalf which could not address their problems.

 AR felt serious concerns that they were not given the right to represent their community in order to articulate their own needs. This denial of representation was experienced by AR in the previous repatriation and resettlement program. Yet, they showed more or less the same feelings for the coming phase which is not yet clear. The increasing uncertainties for future make them conspicuous about the host government and home government authorities. Voluntary repatriation program is difficult to accelerate without participation of the AR as indicated from the respondents experiences. The lack of potential voice on the part of AR makes them vulnerable and weak. Agencies and governments make them deprived of their active role in deciding their fate. AR remained passive agents in the entire process.

 ARs are not certain about any choice of resettlement in the third country because the choice was not given in any previous program, yet their intentions indicate that they will not opt for any third world country in case of any option offered to them. Respondents seem reluctant for any third world country on the account that any poor country cannot help such a large number of refugees. Their first priority is to return to their homeland to re-integrate in community life. The choice of destination in their home country is also their prime concern.  Their intentions show that in the prevailing circumstance return to Afghanistan is dangerous on many grounds. Lack of proper infrastructure, insecurity of life, no proper accommodation and meagre resources are the major obstacles ahead. Instead of any third world country, they intend to prefer to be resettled in Europe. Afghan community are living in Europe, in this respect refugees want to be re-unified with their relatives and family members. The experiences of respondents which they shared during the interview sessions indicate that choices were imposed on them in the previous phase in the shape of vacating camps in

exchange for receiving nominal compensation on the border. In the coming phase Afghan refugees needs ownership to participate in the process for sustainable and dignified return.

In sum, ARs are living since a long time in refugees' camps in Pakistan; they confronted hardship outside their home country. Limited assistance was available to them in refugees' camps but they feel connected with their family members. Their cultural association with their own community members inside camp reflect that they want the same family and community life. Life once again becomes difficult when some of the camps were closed down and refugees displaced multiple times in host country. This displacement generated many problems for refugees as it was difficult to rent homes in residential areas in the host country. The only option was to return to home country without any planning which did not last long. Returnees came back with no resources to start life again as they found themselves in more vulnerable situation than before. Thus they were looking for community assistance to get shelter and basics for living. It seems that in every difficult time refugees took self initiative to re-adjust themselves in any circumstances.

**Discussion on the Findings**

**Introduction**

*The study also shows how refugee discourse has been studied in relation to repatriation and resettlement. This section will also explain the AR' participation, consent and consultation in the repatriation and resettlement process, their choices and preferences will be discussed. The discussion upon the findings is based on the secondary sources.*

Repatriation of AR is considered to be sustainable and gradual by UNHCR and GoP as the proposed strategy and it is also promised that the consent of refugee will be duly regarded. The durable solution strategy has been subjected to complexities in the previous repatriation, although the tripartite agreement between UNHCR, GoP, and GoA is still intact (Monsutti, 2008:60-62). The previous repatriation painfully demonstrates the story of the victims returned to Afghanistan. This complex challenge which was anticipated initially conceded by UNHCR, nevertheless it was the largest assisted repatriation. Notwithstanding, this positive move on the part of UNHCR in relation to the largest protracted refugees, the return to a politically unstable country was not fruitful on the ground that the repatriated refugees could not reintegrated. Lacking documents to prove their ownership, the returnees became internally displaced, or occupied someone else land. These disputes turned the returnees as

Internally Displaced Persons (IDPs) which further increased their discontent. Living for many years in refuge, the purported property was not evident and the returnees decided to move back after being despised in home country (Lumpp, et al 2004).

Schmeidle lamented that  repatriation could not prove in the best interest of Afghan refugees because of multiple reasons, there was no feasibility report to sustain life on one hand, secondly the instability and turmoil was still going on while returnees found their land occupied which was the primary source for life in a country like Afghanistan. Besides all these, some of the basic elements for life, like shelter and livelihood were not satisfactory. Hence refugees came back due to uncertain situation and this displacement was considered more traumatic. (2008: 20-22).

 Gull, a victim of the previous repatriation process, living in Stockholm describes his own experiences...

*"There was no such program for consultation in the previous repatriation process. [...] Refugee only took a nominal amount of money but they came back. No one is informed what will happen in the next repatriation process but we heard that GoP will repatriate them as always." (Gull, 2nd Feb, 2016)*

Against the charges of forcible return, states bilateral repatriation agreement affirms the importance of voluntariness, safety, and respect for human rights. The contemporary practices regarding repatriation do not always meet these liberal ideas of respect and dignity for which states and institutions are responsible in order to take refugees plight in due considerations (Long, 2013). Voluntariness depends on consent, implying the absence of any physical, psychological, or material pressure (ibid, 2-3). As mentioned in the literature review Long maintained that an individual may act without having access to all relevant and necessary information, therefore they make a 'voluntary choice' if there is no acceptable alternatives. However, consenting-choosing to repatriate can be considered 'truly voluntary' if refugees are in such a position to have all relevant information about prospects for re-integration, reconciliation, and access to regain those belongings they left behind in the country of their origin (ibid).  Agha, the other respondent reveals his own family situation in the following way.

*"No one was consulted before; my elders are there since a long time but no one informs them regarding any consultation. Some people were [forced] to return by one way or another but*

*they came back. The registration cards (the valid identification) for refugees are already expired in December 2015, the next program is impossible without registration cards. [T]he first thing is the renewal of registration cards, on the basis of these cards GoP and UNHCR can go further". (Agha, 7<sup>th</sup> Feb., 2016)*

Noor Ullah in a similar situation describe his own experience

*"[M]y father was there in the repatriation program, yet it was neither consent nor forceful but the program was already made for refugees. There must be [consultation] and consent of the victims and there must be surety of life while return to Afghanistan. GoP is powerful [...] I do not think that there will be any − consultation program." (Noor Ullah, 3<sup>rd</sup> Feb., 2016)*

Refugees are always disqualified to have their 'voice' in the process of repatriation; hence they have been always told that they would be safe while returning home. There is no clear answer for the disqualification of refugees in order to incorporate them in the process, but the contemporary form of humanitarianism bound refugees for assistance, in this way they are the 'tragic mass' of humanity who needs only material help (Malkki, 1996: 392-394). It is noted that besides the basic humanitarian assistance on the part of donors and other relief organization, strategies of the host countries changed over time as Stigter hold that pressure exercised by host countries have certainly contributed to high level of return. However, returnees who confronted hardship in access to services and other problems in the shape of harassment and degradation in host country (Pakistan) forced them to be part of the repatriation operation (Stigter, 2006: 114-115). The life experiences of AR shows that coming back to Pakistan (host country) was the result of poor strategy concerning resettlement on one hand and devastated absorption capacity of Afghanistan on other hand (Zieck, 2008, Monsutti, 2008: 72-73). Moreover, the financial resources allocated by the donor's agencies and organizations were spent on humanitarian relief but the overall reconstruction was largely ignored. Agricultural sector which is playing an important role in the livelihood of Afghan nation was not given proper attention; progress in health sector was not satisfactory as well while some positive steps were taken in addressing the needs of population, for instance, primary education, and access to water (Stigter, 2006). Agha expressed that "registration cards are legal documents which shows the identification of refugees. On the basis of these registration cards refugees are entitled for basic assistance like food rations and other necessities. Besides these basic needs, registration cards are valid and legal identity for their routine movement in order to have an access to the hospitals and so

forth" (7<sup>th</sup> Feb. 2016). The following section will explain the feelings of AR for their homeland.

**Choices, preferences and motivations**

Zaman, a victim of the camp life expressed his feelings in the following way.

*"Afghanistan is 'watan' (homeland) there was no question of 'Dodai' (bread) and no harassment by police; therefore everyone was free to move in the whole country. I owned land in my own village yet I was not dependent on city life. We neither paid rent nor needed to go to the city except in case of emergency. The problem occurred from outside. Landlords, musicians, technicians and doctors left everything behind them for the sack of survival. This was like a cyclone which took away everything. Streets became empty Masjid (Mosque) turned barren and deserted; Hujras (common gathering guest house for male members) remained no more there. People flooded to the neighbouring counties and the remaining people stuck with the fear that who will participate in the funerals and who will bury dead bodies in case of death causalities. How could we handle life and death without community participation? Life in refuge is always uncertain if someone understands, therefore it is quite painful to start life from sifar (zero)." (Zaman, 4<sup>th</sup> Feb, 2016)*

Putnam argued that "For a variety of reasons, life is easier in a community blessed with a substantial stock of social capital" (1995: 66). There is much dependency on the community life in Afghanistan and people have great respect for one another inside the community. Property and honour is highly regarded in such a community life and it is not necessary that each member of the community must know each other. As Benedict Anderson (2006: 06) holds that "It is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion" Honour and autonomy of Pukhtun is closely linked with land and property. Pukhtun are closely associated with land which they considered their most important belongings. Loss of the land means that they have nothing left with them (Boesen 1986: 116).

As mentioned by Lin (2001:14) that an alternative theoretical explanation of human capital existing in the form of cultural capital. The dominant classes of society influence the rest by imposing their culture in the shape of norms and education. These cultural features of the dominant classes are reproduces in the coming generations. The targeted refugees are eager

to reconnect with their relatives, community members to regain their lands they left behind as Zaman explained *"I owned land in my own village yet I was not dependent on city life."(*Zaman, 4, Feb, 2016). Nevertheless, the same community connection they continued in the camp life being refugees, but it did not last long in some cases which will be explained in the following section.

*"Nasirbagh (Kacha garai) was the big camp, which is bulldozed by the GoP. We lived for a long time in camps. Refugees in the camps were [poor but morally rich] and intact with their own people. Consequently, AR moved to the nearby villages and urban areas for searching homes to be rented. Some people can afford rent but there are many people who could not afford, therefore they plan once again to return to their home country." (Rehman, Feb, 8 2016)*

Coercion can arises when there is potential threat to cut off basics for survival. In such cases stay in the host country becomes difficult and refugees are bound to make choices for alternatives. Voluntariness is of little relevance in the most extreme cases when there are limited rights. Thus government clearly influences choices by different means (Gerver, 2015: 32-33). Beyond community connection, life outsides camp is more precarious. Limited community connections leads towards difficult situation and due to pressure of limited option, refugees always take initiatives for alternatives. However, refugees disperse in the suburbs and local premises. This fear of uncertainty usually divides communities which makes them more vulnerable outside camps (Jolliffe et al 2015: 223-25). In this way, when choices are made in case of no alternatives available in the result of burning down refugees houses and withdrawing their food rations in order to generate repatriation is clearly consistent with coerced *refoulement.* These measures' constitutes insecurity in both cases, the imposed choice to return to the country of origin and displacement in host country with no basics for survival (Long, 2013:4-6). " No contracting state shall expel or return a refugee in a manner whatsoever to the frontiers of territories where his/her life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion" (United Nations General Assembly 1951:Art.33 cited in Long,2013:12).

. It is obvious that Pakistan is not a signatory of 1951 convention, but there are bilateral agreements between − Pakistan and Afghanistan to house and protect refugees, while refugees were welcomed by Pakistan. Moreover, it is obligatory to protect refugee from any

harm and prevent unsafe return (Zieck, 2008: 254-255). Langenkamp mentioned the story of Afghan victims in refugees' camp in Peshawar. "They had been told by the police that they either had to take part in the program or they would be put out on the street because the camp was being destroyed" (Langenkamp, 2003: 245).

Khalil, working in Stockholm stated...

*"[A] homeless person can sail in every situation as we have taken any risk for the survival of our families. But we do not have any potential voice or someone to speak actively for us. [...] We have been displaced many times. UNHCR did nothing for us and we cannot decide by ourselves. UNHCR is no more neutral, it is political than humanitarian organization. Refugees are week entities therefore no one consulted us before and it will not happen in future as well." (Khalil, 4th Feb, 2016)*

The experiences of refugees often deny 'tenets' like participation, equity, empowerment and the right to speak (Elliot, 2015:58). Refugees discourse emphatically stresses the needs that the displaced person like any social actor are 'capable agents' can respond in evaluating their own situation. The program implemented on their behalf can be sustainable and effective when they are given ownership in the process. The sub-citizen mass treatment of refugees dehumanized them. Thus pictorial representation of sufferings and needs make them weak and incapable in articulating their own needs (Tete, 2011:107). Moreover, return is largely motivated by a desire to be at home. The feelings and motivations to return to native land is the result of continuous sufferings, degradation, and disperse life. "There is no great sorrow on earth than the loss of one's land" (Tete, 2011).

Hajji, lived for a long time in refugees camp express his reservations...

*"This is quite impossible that refugees will take on board for consultation. Additionally, consultation is possible if there is strong will of the three partite, UNHCR, GoP, and GoA, but the past experience shows the opposite. This consultation process is not the game of the weak party and refugees are on the receiving end. Therefore consultation process is not so simple; it needs high profile sincere officials from both countries including UNHCR representatives. I am pretty sure that AR will accept this move." (Hajji 6th Feb, 2016)*

**The Emergency Loya Jirga (ELA) and AR Participation**

Loya Jirga[3] is the council of elders which has a due place and highly regarded by Afghan nation from ages. Under the Bonn agreement a special commission was proposed to convene the emergency Loya Jirga to determine the number of people who would participate in order to establish the criteria for allocation of seats for refugees living in Pakistan and elsewhere through broad consultation. Under this process, more than two million refugees were supposedly eligible to participate in the election program. However, this process could not materialize due to security and financial constrains (Lumpp, et al 2004: 154).

Bonn agreement considered a landmark in transitional setup of Afghanistan which was held in 2001 in Bonn (Germany). A transitional setup was established in the result of this agreement to accelerate democratic process in Afghanistan. It also established a framework for free and fair elections and fully representative government but refugees' participation was largely ignored. The returns of refugees were not directly addressed in this agreement (Lumpp, et al 2004: 158) .Yet refugees were not incorporated even in the 2005 election, However, GoA, and international actors did not pay any attention to refugees' participation in parliamentary election.  This denial of voting representation was a 'political blunder'. It was also difficult for IDP's to travel to pooling stations without financial support. Further, the same story was repeated in the 2014 presidential election, a large number of AR were officially disenfranchised; the election day of 5th April was another ordinary day for AR (Ghufran 2006: 86-89).

 Decision making process needs to consider refugees as active agents to participate in the process before, during, and after return. To engage refugees in the decision making process, governments and agencies like UNHCR can respond while take into consideration the needs and values of different communities (Bradley, 2009).  United Nations and other organizations treat refugees as objects of humanitarian and other development assistance. In doing so, it is easy to manage the 'bare life' of refugees rather than their politics and passion for history (Malkki 2002: 329). Chimni further go on that a great stress is currently placing upon the solution in relation to repatriation of refugees; however, mass influx of refugees is not easy for the third world countries to afford it. To manage the burden of refugees in resourceless states is difficult to handle single-handedly unless it is share by the international community.

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[3] Loya Jirga is the council of elders highly regarded in Afghan culture. This is an old institution having its roots in the early Afghan dynasties; still possess a respectable place on national and regional level.

Further, there is little help available from the developed countries and international organizations. This help is limited only to relief and cash payment and material support, with this relief refugees returned to the areas ill-prepared and incapable of receiving them. In this respect, there is little commitment on the part of home country government to re-integrate and facilitate returnees (Chimni, 1993:245-247). Haji argues here again....

*"There is no option for any third country − because [India and Iran] will not accept it. Every Afghan will prefer to return including me, and I personally believe that AR will return from Europe as well because some of them are very loyal to their homeland. Additionally, many of them left rich cultivated land in home country." (Haji, 6th Feb, 2016)*

Unprecedented numbers of Pukhtun ethnic AR returned to Afghanistan after the demise of Taliban regime. This returned was both assisted and spontaneous with the help of UNHCR. The return was also started from Iran in the same year. The country (Afghanistan) was not only at the beginning of long and complex recovery from years of war, but had also confronted with severe drought. The numbers of Afghan returnees from Iran with UNHCR assistance had nearly doubled as compare to other country. The demise of Taliban regime was the commonly expressed reason to UNHCR by AR for deciding to return (Lumpp, et al 2004). As mentioned by shah in his interview discussion (2nd Feb, 2016) that Iran is repatriating AR and Pakistan will not send them to India, neither India will accept it because of Pak- India tension, secondly any third world country cannot help AR. Further, ARs are also reluctant to go to any third world country because of their bad experiences in refuge since decades. As the respondents described that AR wants a dignified and safe return to their home to regain their land and belonging, and to reconnect themselves with community life. Additionally, the dissatisfaction expressed by AR because of continuous failure of agreements and commitments with them. However, the Brussels agreement affirms the wish for free expression of AR in Pakistan (Lumpp, et al 2004: 155- 157).  Shah further expresses his concern...

*"[N]o one will move to Afghanistan until and unless there is peace. The prefer option is Europe rather than any third world country like India and Iran. Iran is repatriating AR and Pakistan will not send them to India and any other third world country cannot help refuges. Pakistan is a good option for the time being as refugees has no problem with the common people but it is difficult for refugees to go to Islamabad (.) and other big cities. [...] The only problem is Daulat (GoP). Homeland is like a paradise for everyone and every Afghan must*

*go back to participate in the nation building process but there is life risk in the current situation. After all, 80% people are willing to return to Afghanistan". (Shah, 2nd Feb, 2016)*

Refugees are willing to return from Pakistan but this return is conditional on many grounds. As Afghan Ministry of Repatriation and Refugees (MORR) discuss the principles and operational modalities in order to accelerate a new voluntary repatriation framework. In this regard, a draft was submitted to both the government of Iran and Pakistan. The first agreement was signed between Iran, Afghanistan and UNHCR in 2002. The programs entail the principles of voluntary repatriation; these principles were the voluntary nature of return, access to information, assurance of safety and re-integration in Afghanistan. Under these agreed principles many refugees returned from Iran (Lumpp, et al 2004: 154- 156). Whilst implementing the same principles upon the refugees housed in Pakistan remained challenging and almost difficult. The lack of systematic procedures for registration of AR and the changing policies and strict rules of GoP regarding new refugees could not pave the way for implementing the above mentioned principles.  It is pertinent to mention that the tri-partite agreement signed by non-neighbouring countries followed the same principles. Freedom of access to information, choice of destination, in Afghanistan, Juridical status, equivalency and family re-unification are the agreed principles (ibid).

The previous return was not long lasting on many grounds. The returnees faced illegal occupation, confiscation of land by commanders, land disputes, illegal power exercised by the authorities, persecution against ethnic groups, sexual violence, and gender based discrimination. Weak state capacity of Afghanistan and fragile economy could not address the basics needs of returnees. Thus, Afghanistan was characterized by the absence of rule of law, weak traditional conflict resolution mechanism, and limited control of government authorities (ibid: 162-164).

Besides return to home country with safety and protection which is the first conditional priority, ARs are reluctant to opt for any third world country as Shah contemplated that "there is life risk to return to Afghanistan in the current situation. He further argued that majority people will return to their land and belonging once peace is established. Europe is the preferred option than any third world country" (Shah, 2nd, Feb, 2016).

Refugees often move from the place of their resettlement especially those who are not preceded by 'cohorts' not in culturally comfortable communities or not near other members of their community. Further, there are several aspects of this kind of movement, for instance

job opportunities, cultural community, family migration chain and public support. In this regard, Brown and Forrest referred to Burundian and Liberian refugees who become second time migrants from Chicago and Boston in search of better job opportunities, affordable housing, and family re-unification. Consequently, Karen refugees migrated from North East in search of employment opportunities and community re-unification (Brown, Forrest 2014: 19).

**The Relationship between AR, GoP and Host Community**

AR complains against harassment and harsh treatment on the part of government (Pakistan) authorities. The most common push back occurred during 2001 (Langenkamp 2003: 243) when Pakistani police launched campaign to detain and deport AR. The police campaign against AR also involved a range of activities including the extortion of money from the daily wagers. Victims were not allowed to contact their family members during detention, police were beating those who refuse to pay.

Until recently, relations between local community and AR remained friendly. The reason behind such a prolong stay of AR in Pakistan is the result of their cordial relationship with the local community. Language, religion and culture are the fundamental elements in this relationship. Nevertheless, there are some issues between the local community and AR. Competition for already scarce resources, lower down in wages, and the increasing level of unemployment are the major areas of conflict. Additionally, the prevailing of AR in the local job market is a serious concern for the local people (Boesen, 1986: 110-114).

 **Summing up**

In reference to my second question and the sub questions I will sum up the discussion here. The study and findings suggests that the previous repatriation process was not successful on the ground that refugees were not consulted and their consent was not included. The refugee returned to Afghanistan in the previous phase could not sustain because the program was not properly executed. The stranded refugees were repatriated without any compensation and surety of life. After displaced multiple times, refugees are reluctant to go to their homeland without any substantial support and security of life. Their inhuman condition is a sad reminder that no government in Pakistan and Afghanistan have been committed and serious in resolving such a humanitarian issue. Moreover, their complaints regarding harassment and humiliation on the part of Pakistan's security forces indicate that actual victims wants a

peaceful return. Refugees were not given the right to participate in the repatriation and resettlement process, neither incorporated in the political process.

Study and findings further suggest that refugees' wants dignified returned to their homeland but international and national support has been dwindling. It is also showed that refugee want to return to their land and belongings they left behind them. Consultation and sharing information remained unsatisfactory. In addition, refugee showed great concern for their strong cultural ties to their homeland. After all, the study and findings also indicates the lack of political will of both governments in providing a solid ground for the successful and voluntary repatriation.

The next phase which is not yet clear, but the past experiences shows that AR are not certain regarding any consultation process in the next phase. The next phase requires the strong will of the three parties, UNHCR, GoP, and GoA as it was not the case in the previous phase. The analysis suggests that Jirga is the fundamental pillar in Pukhtun values; therefore AR cannot deny Jirga as it is against their norms. Jirga can be instrumental in order to take refugees on board for future program. The growing discontent and insecurity of AR increased their dissatisfaction; therefore the victims are not sure to be taking on board in the next phase.

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**Interviews**

1: Gull.

2: Rehman.

3: Khalil.

4: Agha.

5: Hajji:

6: Noor Ullah

7: Zaman

8: Shah

All the respondents are Pukhtun ethnic Afghans currently living in Stockholm, working odd jobs except one. All the respondents are supporting their families, while sending them money on monthly basis. All respondents are connected with camp life in Pakistan.


**Interview Guide:**

 *1: How was your life situation in the home country?*

*2: Which part of your country you belong to and how do you feel about your home?*

*3: Why did you flee from your home country and why did you choose Pakistan?*

*4: What is your family's current situation in the refugees' camp in Pakistan?*

*5: What do you think about your near and long term future?*

*6: Have you been consulted by any representative for the previous phase of repatriation or the next program?*

*7: Would you like to participate in the programme?*

*8: Which option you will prefer, return home, or stay in the third country and why?*

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