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Briefing Note

Solutions for Afghan nationals ordered to return from Pakistan

May 2024

Introduction

Why this brief?

The Asia Displacement Solutions Platform (ADSP) is a joint initiative of the Danish Refugee Council (DRC), the International Rescue Committee (IRC), and the Norwegian Refugee Council (NRC) which works to contribute to the development of comprehensive solutions for displaced populations in Asia. Established in 2017, ADSP focuses on research initiatives to build an evidence base for its members and other humanitarian actors to facilitate joint advocacy and common understanding around durable solutions.

Since 2022, Samuel Hall, a research organisation founded and based in Kabul, has been working with ADSP to create a space for research and advocacy on durable solutions, building on existing data. The aim of this series of briefs is to focus on the sub-regional protection needs of Afghan refugees, inform and raise awareness on the specific needs of demographic groups.

This Briefing Note focuses on the state of returns of Afghan nationals from Pakistan in the last quarter of 2023. It presents data collected from a mission in Afghanistan, to Torkham and Jalalabad, in November 2023, protection monitoring data collected by DRC and the Protection Cluster, and additional data from organisations working closely on the issue¹.

Key messages

Over half a million Afghan nationals, many in need of international protection, have been ordered to return from Pakistan since 2023². On the Afghan side of the border, families have faced acute protection risks as they returned without assets, and without access to information or time to prepare their return, and subsequent reintegration. Afghans are once again facing return to a context where conditions for sustainable reintegration are not met. Rights organisations have documented prior attempts to return Afghans³, while research has shown that, if the causes of the initial departure remain unaddressed, returnees will probably leave again⁴. Any durable solution will be hard to reach in a context where returns are unprepared and when they generate stress and anxiety among returnees and the communities receiving them.

While the response of the authorities in Afghanistan has been one of welcome at the border, the short to long term remains a source of pressing concern for families interviewed. While the International Organization for Migration (IOM) has organised, in Afghanistan, a border consortium with the United Nations High Commissioner for Refugees (UNHCR), NRC, and DRC, alongside other key stakeholders, the response has not yet been planned and organised to provide support beyond the border and to cover basic needs, beyond humanitarian assistance.

This brief calls for:

- Learning from past lessons on returns and understanding the pressures of evictions on reintegration prospects.
- Influencing and informing the authorities' policies on durable solutions.
- Investing in information sharing and harmonising humanitarian and basic needs data to better protect Afghan nationals in Pakistan and other host countries, as well as returnees in Afghanistan.

Risks and Lack of Information Ahead of Returns

Afghan nationals have been facing mounting risks related to their lack of legal status in Pakistan, compounded by the fact that legal processes are hard or impossible for many Afghan nationals to understand⁵. Recent efforts by IOM in Pakistan have contributed to improved awareness raising, but the gap between rights in theory and in practice remains as authorities, organisations, private business owners, landowners and community representatives find information on plans *vis-à-vis* Afghan refugees and other migrants hard to access and

1 A durable solutions analysis for Jalalabad will soon follow this Briefing Note, mapping out pathways according to indicators for the following dimensions: material safety; physical safety; legal safety.

2 Cumulatively, from 15 September 2023 to 3 February 2024, 511,997 individuals have returned. UNHCR-IOM Flash update #15. <https://data.unhcr.org/en/documents/details/106520> (For latest data see: <https://afghanistan.iom.int/situation-reports>)

3 Human Rights Watch, Pakistan Coercion, UN Complicity: the Mass Forced Return of Afghan Refugees, February 13, 2017.

4 Liza Schuster, and Nassim Majidi. Deportation, Stigma and Re-migration, *Journal of Ethnic and Migration Studies*, 41 (4), pp. 635-652, 2015.; NRC (2024) Nowhere to Turn: Profiles, Vulnerabilities and Protection Risks of Afghans Crossing Borders, January 2024.

5 Key informant interview 5.

difficult to comprehend.

In Pakistan, foreign community members often lacked access to information that could be used for their regularisation, understanding of their situation and overall protection. The Proof of Registration (PoR) cards of over 1 million registered Afghans had expired on June 30, 2023⁶. Those who had left Afghanistan after August 15, 2021, in the hope of being resettled, or having been promised protection by foreign governments, were considered by the Government of Pakistan as “transit refugees”⁷, with temporary and transient protection rights only. The shrinking protection space, and a feeling of an unwelcoming environment, was reported by all – protracted or recent migrants – during interviews on the Afghan border.

Afghan nationals who had to return include mainly families, unregistered and registered, as documented through regular IOM situation reports⁸. The returnees also include separated families, with women and children having returned on their own following their husband or father’s arrest in Pakistan. At the start of the process, reports indicated male household members being singled out, putting women under considerable pressure to rush their return to avoid the trauma and shame of detention, in the words of returnees interviewed for this brief in November 2023, at the Afghan border and in Jalalabad. The sense of fear increased exponentially over the last months for Afghan women, impacting their ability to cope with the aftermath of return. **Women interviewed in Afghanistan spoke of the continued fear and stress from their experience over the weeks preceding their arrival.**

Although IOM situation reports indicate that a majority of returnees went back to their areas of origin⁹ in Afghanistan, in the interviews conducted in November 2023, many families explained no longer knowing their area of origin, or having been told by their relatives not to return, as they could not support them financially or materially. Many did not know where to go, and instead opted for the closest city – Jalalabad, for those returning through the Torkham crossing. This echoes previous trends from the 2016/17 returns, when areas such as Sorkhrod in Nangarhar, expanded into Jalalabad city. The growth of informal settlements, around the cities, is a repercussion, especially in the winter months, and a key focus of the recommendations presented in this brief.

Others could not afford an early return to Afghanistan, as the financial costs prevented many from leaving ahead of November 2023. They only did so as a last resort, often incurring new debts to finance the journey, when threatened with arrest. There are accounts of night visits by the police, asking for identification papers, arresting and detaining the male head of household. Women interviewed explained waiting until that point to try selling at a loss whatever they had to settle the rent with the landlord, not being allowed to leave otherwise, and pay for their transportation. In Afghanistan, the women interviewed were often in a state of waiting, putting on hold critical decisions until the return of the male head of household.

“Every time I just think about my husband, every time when I am by myself, I just cry and I am sad, depressed. The children also keep asking about their father. I am in a constant state of waiting until he returns too.”

– Shekoufeh*, 28, mother of 5.

Afghan nationals without documentation explained how little access they had to services while in Pakistan. Afghan children who were working did not have time to study. Some attended informal schools in their communities, but most did not do more than just work to earn a daily living. Interviews with Jalalabad city officials underlined the tension inherent in having a population of millions of Afghans, living over decades in Pakistan, without adequate papers.

In Afghanistan, families’ concerns focused on what would happen to them next – after the border, the transit centre, and the emergency assistance.

6 Voice of America, Afghan Refugees in Pakistan Worry as their Refugee Cards Expire, July 27, 2023. On 7 February 2024, the validity of PoR cards was then extended until 31 March 2024: <https://twitter.com/UNHCRPakistan/status/1755250762215534687?s=20>

7 ADSP/Samuel Hall, ADSP Briefing Note – Forced to migrate: Afghan women waiting for protection in Iran and Pakistan, December 2023. <https://adsp.ngo/publications/adsp-briefing-note-forced-to-migrate-afghan-women-waiting-for-protection-in-iran-and-pakistan/>

8 IOM Afghanistan Situation Reports: <https://afghanistan.iom.int/situation-reports>

9 Border consortium, emergency border operations, situation report 28 January – 10 February 2024.

Integration Difficulties Due to Information Gaps and Lack of Documentation in Afghanistan

In Afghanistan, interviewed returnees overwhelmingly reported lacking information that they could use to protect themselves. Women generally shared whatever paperwork they had – their papers from Pakistan, their Afghan registration sheet from the border, and also showed an Awaaz¹⁰ hotline number card without actually knowing or understanding what it represented. Much of the information they showed was not understandable to them – Pakistani pieces of paper in English, or hotline cards in Dari or Pashto, for those who are not literate, amount to no information at all.

They had gotten used to a life without papers, documentation or information. Najia*, 30 years old with six children, eight months pregnant – and with her husband in detention in Pakistan – explained having lived a life without documentation. Her family had never been registered in Pakistan despite the fact that she was born and got married in Pakistan. She did not know why they never had any, but she just never thought she needed documentation. Her father did not allow her to continue her schooling after Grade 4, so she is still illiterate. Her daughter used to go to school inside the refugee camp, but not her son as he had to work instead. She did however share her surprise that, while in Pakistan, information could reach her through loudspeakers day and night, while in Afghanistan, she encountered mainly silence.

Once in Afghanistan, some were given temporary accommodation in informal settlements such as Sheikh Mesri but were not included in community life. When asked if they were part of shuras or consultations within the communities to which they had returned, families advised that the only conversations they had were amongst themselves. Every night, returnee families spoke together wondering “*what are we going to do?*” Women spoke of the stress, depression, and frequent absences amongst their husbands.

Robabah*, 25, born in Punjab, Pakistan and returned to Afghanistan in November 2023

Robabah showed a temporary SHARP* card obtained in Pakistan in November 2022. Her family was told “*we can’t register you legally, but we will call you*”, although no follow up came through.

She is originally from Nangarhar and called her relatives to tell of her return. They then searched for a house but as their area has become densely populated and expensive, her father could not find a home for her family. She did not dare call other relatives to ask for help.

Scared of being arrested, her family had to leave Pakistan in a hurry, managing to take only half of their belongings. They left behind a motorcycle, clothing, household items and a rickshaw. She realised those could have helped them pay the rental in Afghanistan. “*No one will send them back to us, they don’t care about us*”, she said.

After going through the biometric process at the Afghan border, they had to wait until getting the final assistance package from the IOM-run transit centre and until their paperwork got finalised. After that, she wondered, “*the government should give us a place to go to, right?*”

She mentioned sitting and waiting for what may come next, not knowing anything, feeling confused. “*The deportation has now ended and now what will happen?*” she asked. Looking around the tent, she said that her children were all getting sick. One of her daughters is disabled. Doctors said she could have been treated but they could not access the treatment in Pakistan.

*Society for Human Rights and Prisoners Aid (SHARP) is a Pakistani NGO, which provides assistance to asylum seekers and supports registration through providing SHARP screening slips/cards.

¹⁰ AWAAZ is a humanitarian helpline which provides information on assistance to Afghan IDPs, returnees and refugees affected by conflict and natural disaster. <https://awaazaf.org/>

Rahela*, 17 years old, married

“My life was in two phases - Phase 1, I was born in Pakistan and returned to Afghanistan in 2016; Phase 2 we went back in 2017 to Pakistan, just to get harassed and deported again in 2023.”

Rahela was originally from Sorkhrod district but was born, raised and married in Kustakal, Pakistan. Her husband was a day labourer who, due to poverty and lack of jobs in Afghanistan, had left for Pakistan. She acknowledged they will certainly go back to Pakistan, where his pay (almost 500 PKR a day, about 1.8 USD) meant that they could pay for their rent and electricity.

They could not afford the cost of return before November, so they eventually borrowed money to pay for their return. The overall cost was higher than expected. They borrowed 50,000 PKR (about 181 USD) for the truck from relatives who lived near them.

This is the second time they have returned to Afghanistan. Last time, they received Tazkiras, aid and cash. But this time, organisations told her they could only support with transportation, not with cash beyond immediate need. She explained having seen, on social media, information that they would be supported, but she no longer knew what to believe. She said they had no information or plans prior to their return. She called her family, in the village, to ask if they could go to them. But she was told *“you have been hardly spending any time here, we cannot host you”*.

Protection Considerations after Returns

Women’s protection issues include the fact that women are returning pregnant, having survived gender or sexual violence, or with other health concerns that require assistance. Their health issues are often limiting their ability to work and contribute to their household’s income. In addition, their families are facing mounting debts, which affects their ability to return to the safety of their areas of origin or their own families. Hamidah* was born in Afghanistan and got married when she went to Pakistan. She is 50 years old and had left decades ago. She studied midwifery in Pakistan, one of the few jobs women can still practice in Afghanistan. But she explained that she cannot work as a midwife because of her health concerns. Her eyes are no longer seeing properly, and she has a consistent headache affecting her brain. *“I have had this problem for one year and right now I am not seeing you properly”*, she explained during the interview. Another Afghan female returnee, Sahar*, explained that their relatives did not want them to return. In her words, she said *“our relatives are against us”*. Further, the husband is still sick and one of the older sons – aged 16 – is mentally ill, requiring constant attention. As a result, they worry about him and do not let him out much.

Women often lack proper documentation, and face restrictions in their ability to work. Some who have gained skills in Pakistan, explained that with the restrictions in Afghanistan, they feared they would not be able to work. They returned with the anxiety of having to fare in a country where the sustenance options and sources of support they can count on would probably be lower than what they have experienced in Pakistan.

Children’s protection and access to services, upon return, is a key protection concern, although not entirely dissimilar to their previous experience. Education services were often not accessible to those who did not have registration or documentation cards in Pakistan, and children return therefore without literacy levels or the ability to integrate the Afghan education system. The same applies to adequate access to healthcare. For the undocumented, hospitals and schools’ entry were closed in Pakistan. Children often attended madrassas for religious studies, or informal schools set up by other Afghans. They could not benefit from the same education as Pakistani children.

Some families interviewed in Afghanistan reported that their children were suffering from chronic illnesses or disabilities. In one household visited at the Afghan transit centre, a young girl had partially lost her eyesight, as a result of an accident in Pakistan that had been left untreated due to the lack of access to health care. Doctors had told them it could be cured, but they never received any treatment. A man explained that his daughter had tuberculosis and needed to be urgently treated. Another woman explained her 5 month-old daughter was sick, with a disability that prevents her from using her hands and doctors in Pakistan had explained that she would need surgery. In the absence of her husband, in detention in Pakistan, she could not go see any doctor in Afghanistan.

Countless returnees expressed concerns over stress disorders impacting them, especially the youth. Private reports shared by organisations confirmed suicidal tendencies among Afghan youth in Pakistan¹¹, while accounts from interviews confirmed post-traumatic stress disorders among teenagers of returnee families.

Some elderly returnees interviewed suffered from severe diseases such as cancer, but without money for food, had never accessed treatment for their illness. One interviewee was suffering from kidney stones, trying unsuccessfully to treat himself. As he has now returned to Afghanistan, he was worried that his health condition might worsen more rapidly without a job, a home, preventing him from sustaining a future for himself and his children.

Failures of Return and Reintegration

The spectre of previous failed returns

“I have spent my whole life in Pakistan. I was born there and got married there. I have four children and my beard is turning white. We returned to Afghanistan once before, in 2017, but there was no work. I don’t know anything other than laying bricks, and I can’t do anything else. Our life in Pakistan was good, I was working in a brick factory, and we were managing our life whether we earned more or less. I was sometimes collecting scrap metal and earned some money from it. It has now been seven days since we came to Nangarhar; I am not familiar with how things are done here, nor do I know anyone.”

– Mahmood*, interviewed on November 13, 2023.

Afghan families interviewed at the Torkham crossing and in Jalalabad have lived through previous episodes of compulsory returns from Pakistan, both in 2011 and in 2016/17¹². These are not the first times Afghan families are being returned to a context that does not lead to their sustainable reintegration. Over time, Afghan nationals reported that life had become harder for them in Pakistan – more expensive as a result of inflation and an economic downturn, and more restrictive with increasing police checks of their identification documents after the Taliban returned to power in 2021. The spectre of the 2016/17 returns loomed over their heads as a constant risk. As a Jalalabad municipal representative explained in an interview in November 2023, Afghans in Pakistan have lived day by day for 40 years, without papers, without any support, and with a constant threat of being returned, when in other countries, such a long duration of stay may have led to citizenship or regularisation.

Afghan nationals had already been compelled to return in 2011. For example, Ahmad*, originally from Laghman, had obtained his e-Tazkira (biometric identification document) from Balkh province as he settled with his family in Mazar-e-Sharif in 2011. After the Taliban’s return to power in August 2021, he lost his job, his home and his car, and loans started piling up. He decided to return to Pakistan for the second time in 2022, working in a factory in Punjab. He explained that the behaviour towards Afghans changed after August 2021. Afghans’ access to supermarkets, health and educational facilities, without any form of refugee card, decreased. One day, he learned he had 29 days to leave the country. The factory owner tried to help him but could not. In the process he lost his belongings, his ID card, but his children still have theirs.

Other Afghans interviewed shared similar accounts of previous failed returns to Afghanistan. Having lived up to 30 years in Pakistan, with the hopes of safety in Afghanistan, they had returned to find that there were no job opportunities. This signified going back to Pakistan again, often a choice made by elderly parents with children still living and working in Pakistan. Others had to make the choice to return to Pakistan when the government changed and the Taliban took control of Afghanistan.

Uncertain reintegration and continued fear of evictions in urban areas in Afghanistan

“A home is a place where you can live a normal life because it contains all of the necessary items such as furniture, mattresses, and so on. The place where we are now is not a home; it is like a hole that the community leader (malik) has provided for us.”

– Omar* and Abeda*, interviewed in an informal settlement in Jalalabad, November 2023

Returnee men and women were asked to share their dreams. One example among others, Hamidah* explained that, in her sleep she relived her expulsion, imagining what will happen next. She would then wake up

¹¹ Private protection brief, December 2023.

¹² Shuja, R., Pakistan’s Forced Deportation of Afghan Refugees, Jurist.org. November 6, 2023.

wondering “how long will my children be jobless, how long will we be in this bad situation?”

With the situation in Afghanistan still not conducive to sustainable livelihoods and the inability to find stable employment¹³, the biggest obstacles to their reintegration are the debts accrued, linked to a feeling of lack of safety and fear of those wanting to collect money from them. In certain cases, the amounts of debt owed and the lack of cash or assets to repay impede the safe return to a rural area or village. Certain families cannot go back as either their communities of origin are unable to accept them, due to their own situations of precarity, or because they have been rejected by their communities, or simply as they have been away for too long and have lost all ties to their ancestral homes.

While families are there to support each other, upon arrival, returnees will still be expected to pay rent for places they might be given access to. An income is the main hope for reintegration and acceptance in communities. Ibrahim* explained that he hoped for a system where his skills could be transferred from Pakistan to Afghanistan. In his case, he could reinvest his Pakistani brick kiln experience into an Afghan brick kiln that are common around Nangarhar and Kabul provinces. The benefits of those factories, he explained, is that they provide accommodation for the family, in exchange for the father and children all working together. Thinking further about jobs where he could have benefits, he said his second thought was for his brother-in-law, who works with the current government, to link him with a post as a customs official or porter at the Afghan border. He was hoping to find work where he could still be able to access facilities such as water, clinics, and schools.

Upon return to Afghanistan, in Jalalabad’s informal settlements, many Afghans were told they could be evicted again. Families know that they will have to leave their temporary shelters, or are living in settlements that have been marked for forced eviction. They have received letters from the authorities informing them of the eviction plans coming into effect in March 2024. From the homes they were forced to flee, to the Afghan border, the transit centre, and temporary accommodations offered to them, their lives over the months following their return were a continued story of displacement and evictions. The choice of settlement upon return often turns to urban areas – in the case of those interviewed in Nangarhar, specifically Jalalabad, Behsud and Samar Kahil areas, alongside informal settlements such as Sheikh Mesri, were locations where returnees considered they could access better prospects for employment and income generation. However, most of the returnees were also coming to informal settlements where they faced the threat of eviction from Afghan authorities.

“Unfortunately, we are unable to afford the expenses associated with finding a new house or providing for our families. We implore the authorities to assist us in this dire situation. We are currently in a government facility, but the authorities’ recent ultimatum instructs us to leave within a month. As we have young children, we are uncertain of where to turn in these circumstances. We lack the means to secure a home, find employment, or acquire the necessary resources. Therefore, we earnestly appeal to charitable organisations, institutes, and the government to assist individuals who, like us, have been returned. It is crucial that they are provided with employment opportunities and shelter.

I hope that the Taliban will refrain from forcibly evicting me from this house. Instead, I urge them to allow me and my family to continue residing here, enabling me to secure employment and support my loved ones financially. This dwelling originally belonged to my uncle, who was also deported in the past. He resided here and constructed additional rooms. However, within the last five days, the Taliban visited us on three occasions, instructing us to vacate the premises. I kindly request that they provide blankets for my family’s warmth, assist us in constructing additional rooms, and support my children’s education by ensuring they receive proper schooling and do not remain illiterate.”

– Jalil, father of 7, temporarily staying in an informal settlement*

13 Samuel Hall, University of Sussex and IOM, Returning to Debt: Examining the effects of indebtedness on reintegration outcomes, 2022.

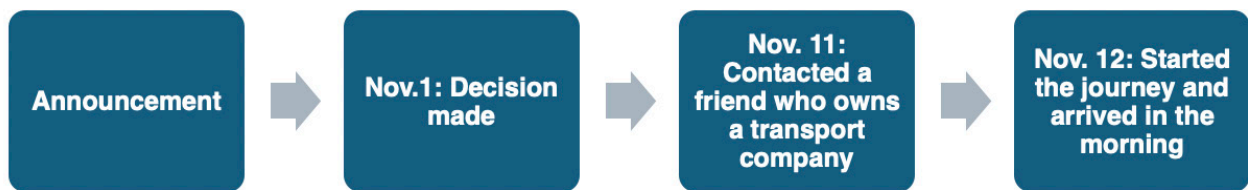
Durable Solutions Planning A rushed and involuntary return process

Abdul-Razaq* and Karima* shared what many expressed: the painful memory associated with a rushed departure from a place they called home, lived experiences generating fear, stress and trauma affecting the subsequent reintegration process.

The reduced time between the acceptance of return and the actual return rarely left room for preparations, leading instead to high levels of stress and anxiety. Interviewees reported taking painkillers and medication before and upon return to Afghanistan, including in Torkham. Women reported their nervous system being strained, and the men feeling pains in their hearts.

Even though many had learned a month before that they would need to leave, their actual decision often came a few days before their departure. In the case of Ikhlas*, below, he took the decision ten days before his return. A friend of his, a travel agent, initially tried to help him stay, but he then reverted to the only option available – to return.

Many waited until they felt that return was the only choice left, that it would be imminent, and as a result did not prepare a post-return scenario. The little time left between the decision and the act of return was spent over the logistics of transportation and carrying families safely to the Afghan border. Afghan nationals without assets had to search for a car. They did not think about the steps beyond the border – although they were reassured to see that the authorities in Afghanistan had planned for the first days of food, a card and transportation costs.



(SSI 2, Male, father of four)

The fear of being imprisoned and separated from family motivated others to return promptly, rushing to gather funds to leave within the allocated time. Many could not secure any money and found themselves negotiating access to loans, entering new debts before their return, which would also impact negatively their post-return process. The sale of whatever belongings they had took a couple of days on average, often done at a loss, generating up to 50,000-80,000 Pakistani Rupees (about 180-290 USD), to rent a car to transport them back to Afghanistan

Durable solutions policy making in Afghanistan

On the Afghan side, returnees who were registered at the border were then provided with cash to pay for their transportation and immediate food needs. Accounts differed depending on the timing of return – whether families returned in October, November or December 2023, the aid package had evolved. At the time of interviews, in early November 2023, families reported having received AFN 10,000 (about 143 USD) cash upon registration. Most families went through the assistance provided by IOM and received their support from the transit centre, several kilometres down the road from the Torkham crossing. Others, who were registered PoR cardholders, went through the support and assistance provided by UNHCR and their implementing partner, through one of their encashment centres.

Further, those returning to the Eastern region were provided with AFN 700 (about 10 USD) per person as a transportation cost to their home, while those returning to Northern provinces were provided with AFN 3,500 (about 50 USD) per person as transportation cost in the reception centre.

Beyond immediate reception, the authorities in Afghanistan declared having allocated approximately 28 million US dollars in response to the returns from Pakistan, primarily to ensure emergency services and aid for returnees¹⁴. The official position is one of readiness to receive returnees, who are eligible to receive cash and food assistance. There have also been claims that there are mobile teams on the ground to support those who need health care assistance, and the Ministry of Health has committed to reinforcing health services. The authorities in Afghanistan have reportedly developed guidelines to focus the response on¹⁵:

- Dignified returns
- Voluntary return to places of origin or settlement elsewhere in the country
- Providing a dignified livelihoods

The authorities have used the narrative of the international community against forced evictions in Afghanistan, to state what they expect of the Pakistan authorities: 1) negotiate and discuss, 2) prioritise the voluntariness and dignity in returns, 3) adhere to international laws, norms and principles. This was documented in the media – VOA Persian¹⁶ and Jahan TV¹⁷ – but also the same three arguments were used by local authorities, such as Jalalabad municipal representatives, in a meeting with Samuel Hall in November 2023.

The recommendations from the authorities include asking for private businesses to provide work opportunities for returnees from Pakistan in exchange for facilitated access to equipment, facilities, machinery, industrial parks, and banking services for businesses supporting returnees. They also plan for land to be distributed to returnees based on the number of family members with both medium (1000 m²) and large houses (1500 m²), and with an associated system of rent to be paid by returnees. They note that the land must be distributed in a transparent and careful manner, alluding to the failed promises of land allocation documented in Afghanistan¹⁸. However, the discussions on renting land, albeit at a discounted rate, will require further planning in a context where returnees cannot afford to pay rent without jobs. The authorities asked specifically for the support of humanitarian organisations in these efforts.

While the supportive statements and commitments may be encouraging, the immediate concerns are manifold, and build on the need to learn from past policy mistakes around returns and reintegration processes in Afghanistan. Among these are:

- **The risks of geographic segregation** and of new camps being created across Afghanistan through land allocation and the creation of new areas that are not equipped with sufficient services and resources for reintegration. The disconnect is especially clear when returnees' preferences have historically been to settle in urban areas, closer to the Afghan border, to retain the flexibility and possibility to return to Pakistan. The failures of past land allocation schemes rested on the fact that they did not connect returnees to infrastructure, basic services, water and energy resources, and were simply lands in "new" areas that neither rural rehabilitation nor municipal services invested resources in.
- **The disconnect between planning for returnees' integration and city planning.** The official discourse of municipal actors focuses on the response at the Afghan border and in temporary shelters for returnees, alongside the creation of new land allocation sites, but does not speak of the implications for the city or its informal settlements. While for returnees, peri-urban informal areas remain clusters of hope as social commons where rent and land are cheaper, where they can access protection and share resources, these areas are under threat¹⁹ in a context where development funding to municipalities has stopped.
- **The continuation of forced evictions notices given to Internally Displaced Persons (IDPs) living in protracted situations in Afghanistan's informal settlements,** at a time when Afghanistan, its people and institutions, are not equipped to face compulsory returns and evictions. The official line of the Afghan authorities, much like the previous administration, remains on returns to the place of origin.

14 Bibi Amina Hakimi, Islamic Emirate Allocates 2 Billion Afs for Returnees, TOLONews, November 2023. <https://tolonews.com/afghanistan-185903>

15 Official guidelines shared in hard copy with Samuel Hall, for translation from Pashto to English.

16 Dari VOA, [Mullah Hasan Akhund to Pakistan: If you have problems with our government, discuss, what is the sin of immigrants?], November 2023. <https://www.darivoa.com/a/if-you-have-a-problem-with-our-government-discuss-what-is-the-sin-of-immigrants-mullah-hasan-akhund-said/7340080.html>

17 Jahan TV, [The reaction of the Prime Minister of the Islamic Emirate regarding the forced deportation of Afghan immigrants from Pakistan], November 2023. <https://www.youtube.com/watch?v=O4tqmFe4aSk>

18 Nassim Majidi. Home sweet home! Repatriation, reintegration and land allocation in Afghanistan. REMMM, 2013. <https://journals.openedition.org/remmm/8098>

19 Samuel Hall / IOM, Research brief, Displacement trends and challenges in Afghanistan since 2021 – Urban migration, 2022.

- The inability of communities and businesses to support²⁰ in a context where community resilience is on the decline²¹: The assumption that businesses and others will be able to step in and support is unrealistic, and evidence shows that communities are not necessarily embracing returnees. There is a stigma related to return, with a perception that people have been gone for too long, and which leads to a fragmentation of social cohesion. Assuming the presence of a community to return to is misguided.
- The capacity of the authorities, both in financial and technical terms, to support returnees in the long term. Questions also remain on whether and how donors will support international organisations and civil society to provide the technical support necessary to plan durable solutions. While the Afghan authorities seem open to receiving such support, the limitations posed around donors' humanitarian only or 'humanitarian plus' approach have meant that initiatives related to building capacity among authorities have been paused.

Recommendations

To the Afghan Authorities:

- Communicate official plans and guidelines for returnees, and exchange on their implementation with humanitarian organizations, especially in the post-winter period. This includes plans for land allocation sites and alternatives for those being evicted from urban informal settlements. Current plans should be informed by lessons learned from past land allocation and settlement schemes.
- Build durable solutions planning on existing guidance and principles, particularly the IASC Framework on Durable Solutions and the 1998 Guiding Principles on Internal Displacement.
- Share data on the reintegration needs of returnees as collected through the Afghanistan Returnee Information System (ARIS) database, and request support for analysis and reporting as required.
- Allow for specific programmes to target returnee women's protection and health needs, alongside children's access to education and health, notably through community-based mechanisms.

To host country governments:

- Pause any return plans to Afghanistan to provide time to design and coordinate an orderly process for either the regularisation or alternative options for Afghan nationals. All coerced returns and deportations of refugees and asylum seekers should be halted, and proper processes be put in place. Previous similar calls²² are reinforced by the UNHCR non-return advisory put in place following August 2021²³, which underscores that voluntariness must be a precondition for any refugee return.
- Implement a robust process of screening those in need of international protection, in line with international criteria, and ensure adequate sensitisation of law enforcement on this process. The screening mechanism would help identify Afghans already in Pakistan and new arrivals who are in need of international assistance and be the basis for providing adequate legal documentation to allow them to stay.
- Abide by the Regional Refugee Response Plan for the Afghanistan Situation (RRP) 2024-2025's Strategic Objective 3, which emphasises the imperative of aiding host governments in guaranteeing access to their territory, providing asylum, and ensuring protection in alignment with established international norms. This entails upholding the fundamental principle of non-refoulement and addressing essential components such as admission, reception, registration, and documentation.
- Factor in their policies the fact that conditions in Afghanistan remain un conducive for sustainable return and that in the current context, returns may result in human rights concerns.

To donors:

- Mobilise additional funding to address the needs of Afghan returnees from neighbouring countries and avoid straining limited resources currently available to humanitarian responders.
- Facilitate technical support and spaces for participatory planning with key stakeholders in Afghanistan, including national NGOs and civil society networks. This should include making available fora for exchanges between all stakeholders, through participatory planning processes, technical secondments and legal support to developing reintegration plans that take into account the learnings from the last 20 years of

20 Nassim Majidi, Assuming reintegration, experiencing dislocation – Returns from Europe to Afghanistan, International Migration, Volume 59 Issue 2, 2020. <https://onlinelibrary.wiley.com/doi/abs/10.1111/imig.12786>

21 Samuel Hall / IOM, Research brief, Displacement trends and challenges in Afghanistan since 2021 – Mental health, 2022.

22 IRC, The IRC urges EU countries to urgently freeze deportations to Afghanistan, 2021. <https://www.rescue.org/eu/press-release/irc-urges-eu-countries-urgently-freeze-deportations-afghanistan>

23 UNHCR Guidance Note on the International Protection Needs of People Fleeing Afghanistan, February 2022, <https://www.refworld.org/policy/countrypos/unhcr/2022/en/124031>

programmatic and policy plans. This should include a thorough review of lessons learned and ways forward.

- **Reinforce support for community-based reintegration mechanisms, information and consultation processes:** communities are not always welcoming. Returnees may find relatives telling them not to come back, or informal settlements providing them with a temporary solution, such as a house “for ten days”. Many families face new deadlines upon return which means the experience of being returned, evicted, and pushed out continues. They are not included in the social fabric of the places they go to. They require more in person and over the phone information, counselling and awareness raising to support them in their new environments.
- **Mobilize the mechanisms and resources of the Support Platform for the for the Solutions Strategy for Afghan Refugees,** to show solidarity and responsibility sharing for host countries, support all durable solutions, coherent humanitarian and development responses, as well as constructive exchanges among stakeholders, in the spirit of the Global Compact on Refugees. This should include financial support for Afghans in need of international protection in host countries.
- **Continue to engage with Afghanistan to address the chronic economic paralysis,** underfunded humanitarian response and the absence of development assistance. Without progress on these fronts, sustainable returns will not be achievable.
- **Provide support to speed up western countries’ processing of visas/residencies for those who are ‘in transit’,** awaiting resettlement. Support related processes in host countries and work towards increased and accessible pathways to international protection.

To UN agencies, international organisations and civil society organisations:

- **Advocate for host and donor governments to pause return orders –** rallying actors within the broader ecosystem, inclusive of national and international actors, as well as donors and the highest levels of the United Nations system.
- **Plan for a gendered response to returns and associated protection issues, including health referrals –** especially as such plans are absent from current official plans and guidelines. There is a demographic and gendered experience of returns: women have a hard time understanding what awaits them next, they have not yet “returned” in their minds, and are lost – separated from their husbands or with them – and they lack visibility and information. They may have experienced harassment, violence, extortion, and detention. Health referrals are needed to support returnees with disabilities, women and children suffering from illnesses, and accompanying those with mental health conditions who are often marginalized in reintegration processes.
- **Reinforce coordination and decision-making fora,** such as the Durable Solutions Working Group, as spaces for coordination between UN, NGOs and civil society in Afghanistan and in coordination with other fora in host countries, when applicable.
- **Reinforce existing participatory planning fora** especially to enhance opportunities to co-design solutions and build consensus among city actors for inclusive urban solutions as a response to displacement.
- **Closely monitor the Afghan border in a context of possible renewed compulsory returns.** While in early 2023 numbers were back to pre-crisis levels on the Eastern border, constant monitoring is required through the border consortium. Following continuous rumours calling all undocumented Afghans to leave Iran, risk assessments and contingency plans at the Afghan Western border also remain necessary to anticipate the risk of mass returns.
- **Continue regular research efforts on the profiles, stories, and experiences of return and reintegration** with a focus on men, women and youth, as well as specific protection needs.
- **Invest in information systems that focus on durable solutions analyses,** linking humanitarian and basic needs data.
- **Strengthen regional research capacities to offer concrete steps of coordination and communication** that governments, NGOs and human rights organisers can focus on and link to their planning and advocacy efforts.



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About the Asia Displacement Solutions Platform

The Asia Displacement Solutions Platform is a joint initiative of the Danish Refugee Council, International Rescue Committee, and the Norwegian Refugee Council, which aims to contribute to the development of solutions for populations affected by displacement in the region.

Drawing upon its members' operational presence throughout Asia, and its extensive advocacy networks, ADSP engages in evidence-based advocacy initiatives to support improved outcomes for displacement-affected communities. As implementing agencies, ADSP members work closely with displaced populations and the communities that host them and are therefore able to contribute a distinctive, field-led, perspective to policy and advocacy processes which can sometimes be removed from on-the-ground realities, and, the concerns of those living with and in displacement.

By coming together under the aegis of the ADSP the three member agencies – global leaders in innovative policy and programming – commit to collaboration to achieve improved outcomes for displacement affected communities in the region.

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About Samuel Hall

Samuel Hall is a social enterprise that conducts research, evaluates programmes, and designs policies in contexts of migration and displacement. Our approach is ethical, academically rigorous, and based on first-hand experience of complex and fragile settings.

Our research connects the voices of communities to changemakers for more inclusive societies. With offices in Afghanistan, Germany, Kenya, and Tunisia and a presence in Somalia, Ethiopia, and the United Arab Emirates, we are based in the regions we study.

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