

**One Day Seminar on**  
**The Refugees Rights in Pakistan**  
**24<sup>th</sup> April 2008.**



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## **Background**

In 2005-2006, when the Government of Pakistan (GOP) and UNHCR decided to count Afghans and conduct “Census” of Afghans living in Pakistan, SHARP played a vital role in assisting both GOP and UNHCR in this important task.

In 2006-2007, when the GOP and UNHCR started “Registration” of those Afghans who were counted during the Census, SHARP also provided its full support to both GOP and UNHCR and the project was successfully completed. Approximately more than 2 million Afghans were registered and issued with “Proof of Registration – PoR” cards valid for a period of three (3) years expiring on 31 December 2009.

After issuance of PoRs to Afghans, both GOP and UNHCR have reviewed their policies toward Afghans living in Pakistan. It has been decided that SHARP ALAC will provide free legal aid and advice to those Afghan nationals who are holding POR card. Non-POR card holders will be of no concern to ALAC since April 2007.

In this regard, SHARP ALAC-I felt it necessary to organize a Seminar and inform all the Afghan nationals holding PoR Cards about their legal status in Pakistan.

## **Executive summary**

On April 24 2008, Society for Human Rights and Prisoners’ Aid (SHARP) organized a one day seminar on the Rights of Afghan Nationals in G-9 sector Islamabad. There were more than 40 participants, including the representative of MoRR Afghanistan. The main objective of the seminar was to raise awareness among the Afghan Nationals residing in Pakistan for their legal status and repatriation.

The seminar started with a recitation from the Holy Qura'n followed by sessions of the SHARP’s Advice and Legal Aid Center Team (ALAC). Miss. Ayesha Sultana, Mr. Arbab Haroon Akhtar and Mr. Sheraz gave the brief introduction to SHARP its Project, ALAC and its mandate. Mr. Sheraz as being the focal person for the HIV and AIDS section of SHARP also delivered an awareness raising session on HIV and AIDS.

The general reactions to the Seminar were positive and welcoming. Participants took the view that the seminar had correctly described the dimensions of issues of Afghan Nationals residing in Pakistan.

### **Opening remarks and Welcome by Mr. Sheraz**

In opening remarks Mr. Sheraz welcomed all honorable guests and participants who cherished their valuable participation in the event. He welcomed and thanked especially the representatives of MoRR Afghanistan and Afghan Elders who presided over the event.

The seminar started formally the recitation from the Holy Quran. The participants were asked for the medium of instruction on which they agreed on Pashto and Persian. Then they were asked for any other issue regarding the agenda.

Then he introduced SHARP and its free legal services in its ALAC (Advice and Legal Aid) Project. He also explained to the audience the topic of the seminar “The Rights of Refugees in Pakistan”.

### **Introduction to SHARP**

Mr. Arbab Haroon Akhtar, Lawyer, gave a brief introduction to SHARP. He said that SHARP has been working independently as well as an implementing partner of the United Nations High Commissioner for Refugees (UNHCR) since 1999. The basic theme of work is providing Legal Assistance and Legal Aid to the registered Refugees in Pakistan. He said that SHARP does not restrict its services to indoor visiting beneficiary population rather it also furnishes the needs of the society as a whole through out-reach activities, such as visits to jails, prisons, communities, seminars and through trainings in rural, as well as urban areas.

He added that currently SHARP working in Islamabad, Lahore, Karachi and Mianwali (hosting the sole Afghans camp in Punjab province). In order to disseminate and promulgate UNHCR’s programme, SHARP staff visit Afghan communities in their areas of jurisdiction, organize community, elder and individual meetings, deliver lectures, distribute pamphlets and handout regarding voluntary repatriation on behalf of UNHCR.

Mr. Arbab Haroon Akhtar, Lawyer, briefed the Afghan Nationals on PoR Card and its validity and said that the registered Afghan Nationals residing in Pakistan have the legal right to live in Pakistan till December 31st 2009. The Afghans were encouraged to avail the Repatriation package given by UNHCR to PoR Card Holders and to return to their homeland with dignity.

### **Repatriation**

Miss. Ayesha Sultana, Lawyer, explained the repatriation process to the Afghan National and encouraged them for voluntary repatriation. She said that the Registered Afghans living in Pakistan are no more refugees; they are Afghan Nationals residing in Pakistan legally. During her session she also explained ALAC and its mandate.

She said that Afghans have been entering into Pakistan since 1979. During frequent influxes over the last more than 25 years, millions of Afghans scattered in rural and urban areas of Pakistan. However, till early March 2005 there was no comprehensive data available on the number of Afghans living in Pakistan following Soviet invasion in 1979. In February-March 2005 census was carried out by the GoP's Population and Census Organization (PCO). UNHCR provided financial and technical support to the GOP for the census.

In the last quarter of 2006 and early 2007, UNHCR & NADRA conducted Registration exercise thereby registering more than 2.1 million Afghans throughout the country. These Afghans have been given PoR cards which are valid upto 31 December 2009. She explained that ALAC will provide free legal aid and advice to Afghan POR card holders in Islamabad, Lahore, Mianwali, and Karachi. SHARP does not extend legal aid / protection to Non-PoR card holders.

In the end she concluded that SHARP provides legal assistance on particular issues related to return, such as identity documents and repossession of property or land rights, tenancy rights, family disputes, direct or indirect interaction with the local bodies for their day-to-day living while they stay in Pakistan as registered Afghans.

### Queries

After the introduction to SHARP ALAC and its mandate the team welcomed the participants for any queries from their side. There were certain questions that were asked and were duly answered by the team. The queries are as follows.

Sr. no	Question	Answer
1	There are issues in PoR cards, some have got the name mistakes and some have gender mistakes, how can this gap be filled, because we are facing some problems regarding these issues.	As mentioned earlier a census was carried out in the result of which UNHCR and NADRA exercised a registration process in early 2007. There were such mistakes in the cards. To rectify such mistake UNHCR has another project in pipeline which will be launched soon so as to address such issues.
2	You are here talking about refugee rights, why are the Afghan Refugees discriminated by GoP from other Refugees like Arabs, Somalis, Iraqis Etc. why are they facilitated?	Afghans have been entering into Pakistan since 1979. During frequent influxes over the last more than 25 years, millions of Afghans scattered in rural and urban areas of Pakistan. As far as the other refugees are concerned they are in very limited number and have got a limited duration of their stay in Pakistan and they are not facilitated by GoP, they are facilitated by UNHCR for a limited period of time.
3	What is the future of Afghan Nationals after the expiry of PoR card in December 2009?	This depends of the GoP, GoA and UNHCR decision. Meetings are being conducted by

		the three parties and whatever the decision would be that would be in front of us all.
4	What is the future of those Afghans who have enmities and other problems in Afghanistan, they cannot return back?	There is a process for that. The person has to write an application to UNHCR regarding repatriation. Then UNHCR will determine whether to repatriate or not. Before December 2009 no one can be forcefully repatriated.
5	There are some people who are having economic problems. Can you assist them?	One thing must be clarified that all the assistance is from UN. We have schools for your children, there are health facilities, and we have got lawyers who will provide you free legal assistance.
6	There are some people who did not get the PoR cards. Can they get the PoR cards now?	After the census there was a certain period of time given to all Afghans residing in Pakistan for registration. There was a deadline. The advertisements were constantly given on Radio and TV etc. Now the deadline is over. No such registration process is in practice.

### **Conclusion**

Overall the Seminar was very succesful because there was full and interactive participation of the Afghan community. The representative of MoRR Afghanistan also attended the seminar. The lectures were very effective in understanding the legal status of PoR card holders and above all the volunatry repatriation.