Pakistan's Anti-Immigration Policy

Why in news?

Recently, Pakistan government launched a nationwide deportation operation against 17 lakh undocumented Afghan refugees.

Why there is huge influx of Afghan refugees in Pakistan?

> *Afghanistan and Pakistan share a 2,640km long border which passes through rugged mountains, densely forested valleys and narrow rock passages. Its topography makes it porous and difficult to control.*

- According to estimates*, more than 95% of refugees* in Pakistan, both documented and undocumented, are Afghan nationals.
- **Soviet invasion**- In 1979, Soviet invaded Afghanistan, resulting in steady migration of people to neighbouring Pakistan.
- **US invasion**- United States invaded Afghanistan after the September 11 attack.
- **Rise of Taliban**- Refugees International, an independent humanitarian group said that since the fall of Kabul to the Taliban in 2021, more than 600,000 Afghans have fled to Pakistan.

What is the deportation about?

- **Deportation**- The surge in violence this year triggered Pakistan to launch a nationwide deportation operation.
- Afghan refugees require a *Proof of Registration (PoR) card* to legally remain in Pakistan.
- **Afghanistan's response-** Afghan government led by the Taliban called the deportation as unacceptable and asked Pakistan to reconsider the decision.
- **Deportations in the past**
  - **2016** - More than 600,000 Afghan immigrants, returned to their country, according to data compiled by the United Nations High Commissioner for Refugees (UNHCR).
  - **2018**- Almost 50,000 Afghan citizens, both registered and undocumented, were expelled, according to the UNHCR.

What are the implications of this move?

- The alarm bells ring louder for *minorities, women and journalists* who are being forced to return to a country languishing under the Taliban regime.

- This move would particularly put *women and girls* in grave danger as they would be exposed to persecution and other human rights violations simply because of their sex and their gender.
- It would affect people who are living and studying in Pakistan as the Taliban has imposed *bans on young and unmarried women* from accessing health centres, schools and universities, public spaces, or pursuing means of employment.
- Those who *worked for the U.S., the U.K. and other Western countries* before the Taliban took control of Afghanistan are highly vulnerable.

Is deportation legal?

- **Forceful detention**- Mass deportation and harassment are illegal, unconstitutional and violative of people's fundamental rights.
- **Principle of refoulement**- It forms an essential protection under international human rights, refugee, humanitarian and customary law.
- United Nations specifies that countries are forbidden from directly or indirectly forcing people from returning to a place of persecution.
- It states that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm.
- **Applicability-** It is applicable to all migrants at all times, irrespective of migration status.

What is the reaction of human rights agencies?

> *Human rights agencies estimate that about 60% of Afghan refugees in Pakistan are undocumented.*

- **Amnesty International**- Afghan refugees' lives and rights are at stake due to the collective failure of Pakistan and the international community to share the responsibility for their protection.
- **United Nations**- It called the decision a 'human rights catastrophe' which will put the refugees who fled persecution in neighbouring Afghanistan at grave risk.
- **Rights group-** They have urged Pakistan to stop the crackdown against, and harassment of, Afghan refugees across the country in keeping with international legal obligations.

References

1. The Hindu- Why Pakistan deporting Afghan migrants and refugees
2. United Nations- Principle of non-refoulement

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