



AIHRC

# **The Returnees**

**(An Overview of the Situation of Returnees in Afghanistan)**

**1394**

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## **Introduction**

The issue of returnees in Afghanistan in the last few years has been one of the those issues to which many statistics and data have been attributed, but little attention has been paid however, to their living situation and their access to human rights. The returnees are regarded as a vulnerable group in the society, therefore a keen and thorough attention is needed to be paid to them. Given the high number of returnees, full attention should be paid to their living situation. With this in mind, the AIHRC has therefor, prepared the present report to comprehensively assess the situation. This report covers the year 1393 and a part of 1394. It assesses the general situation of the returnees during this period. Likewise, an overview of the relevant statistics and the situation of the returnees since 2002 until 2015 has been presented. This report will also find out the total amount of the services and assistance rendered to the returnees by the government.

The present report assesses the situation of the returnees from human rights point of view trying to assess their living and human rights situation. Issues such as their access to shelter, job, education and health care have been discussed. Likewise, the situation of the returnees at the borders is another issue discussed in this report.

This report consists of three parts. The first part covers general topics associated to returnees, the second part iscusseses the situation of returnees, and analyzes the findings of this report. The third part includes a summary and recommendations prepared based on findings of this report. Specific recommendations have been presented in this report to the government for the improvement of the returnees' situation and their access to human rights.

The present report is an analytical and descriptive report and is mainly based on the findings obtained by the AIHRC from border monitoring. For the completion of this report, data and statics from the Ministry of Refugees and Returnees Affairs, the UNHCR and the IOM have been utilized.

## Summary of the Report

### General Figures and Statistic

The reports prepared by the UNHCR show that around 5.8 million Afghan refugees constituting 20 percent of the population in this country have returned home since 2002 till 2014. Out of them, 4.8 million returnees were covered by the Voluntary Repatriation Program and around one million of them were out of this aid program. Afghanistan has around 2.6 million registered refugees in the neighboring countries out of which 1.6 million Afghan refugees live in Pakistan and 950,000 of them live in Iran. The total number of registered Afghan refugees exceeds 6.7 million persons.

Assessments show that the number of returnees has gradually decreased from 1391 to 1393. Based on the data and statistics presented by the UNHCR to the Census Bureau, nearly 95,897 people have returned home in 1391. In 1392 around 35,831 people and in 1393 around 25,229 people returned home. It indicates that the number of returnees has gradually decreased. The level of repatriation was high until 2008, but after 2008, this number has decreased noticeably compared to previous years.

### Returning from Pakistan

During the first six months of 1394, returning of refugees from Pakistan was at a high level. The UNHCR reported that during 9 months in 2015, including the six months of 1394, out of 53,881 returnees 51,294 of them returned from Pakistan which makes up 95 percent of all Afghan returnees. Statics prepared according to Christian calendar shows that the number of returnees from Pakistan during the first six months in 2015 compared with the first six months in 2014 has increased by 80 percent. Returning of Afghan refugees from Pakistan increased noticeably after a terrorist attack on a school in Peshawar. Since Jan.1. 2015, returning of Afghan refugees from different areas in Peshawar, Baluchistan, Sind, Karachi, Quetta, and Punjab districts have been eye-catching. Around 52 percent of these Afghan returnees were from Peshawar. According to the statistics prepared by the IOM, only during the first 9 months in 2015 around 12,967 Afghan refugees were deported from Pakistan (9,922 people through Toorkham border, and 3,045 people via Speenboldak border).

### Returning from Iran:

The statistics quoted from the UNHCR by the Census Bureau show that totally, around 4025 people returned voluntarily from Iran in 1393, but the level of voluntary return from Iran decreased remarkably in 1394. Based on statistics prepared by the UNHCR, around 2,484

Afghan refugees returned from Iran during 9 months in 2015, including the first six months of 1394. It shows around 34 percent decrease compared to the year 2014.

Border monitoring by the AIHRC shows that around 216,923 people were expelled from Iran in 1393. The number of deportees deported from Iran during the first 4 months of 1394 via Islam Qala border in Herrat, and Zarange border in Neemroze exceeded 68,261 people, while the number of deportees from Iran during the 4 months of 1393 exceeded 68,187 persons. There is no big difference between these two figures.

### **Returning from Other Countries**

In addition to Iran and Pakistan, a limited number of Afghan refugees returned from other countries too. The level of voluntary return from other countries is very low. A few people or families returned voluntarily from other countries during one year. The statistic prepared by the Ministry of Refugees and Repatriation Affairs indicates that around 1,441 people returned voluntarily from other countries in 1393. Most of these people returned voluntarily from countries like Greece (411 people), Bulgaria (368 people), Indonesia (102 people) and Norway (106 people) because, their cases of settlement were not accepted.

The level of returning from other countries decreased compared to the year 1393. Statistic prepared by the Ministry of Refugees and Repatriation Affairs indicates that 221 Afghan refugees returned from other countries during the first 5 months of 1394 while the total number of returnees during this period was 395 people. It shows a 44 percent decrease in the number of returnees during the first 5 months of 1394. Most of the returnees in 1394 were from Indonesia, Turkey and Norway. In addition, assessment by the UNHCR show that 14 people from India, 9 people from Tajikistan, and 2 people from Azerbaijan returned home voluntarily during 9 months in 2015.

Statistic forwarded by the Ministry of Refugees and Repatriation Affairs to the AIHRC shows that 7,290 Afghan refugees were deported from other countries during the last six months of 1394. Most of these Afghan refugees were deported from Saudi Arabia and Turkey.

Statistic by the IOM presented to media in 1392, indicate that Britain, Norway, Germany, Denmark, Sweden and Holland are the countries that deported most of the Afghan refugees. Statistic shows that Britain deported 2,092 Afghan refugees, Norway 256 refugees, Germany 246 Afghans and Sweden 65 Afghan refugees since 2003 to 2008. Other countries also deported a number of Afghan refugees. According to the Ministry of Foreign Affairs, Germany deported 7 Afghan refugees whose cases were rejected. Turkey sent back 180 Afghan refugees through the air recently.

### **The situation of the deportees and violation of their human rights**

The deported refugees face the harsh situation and a hard and bitter destiny. Given the importance of this issue, the AIHRC interviewed 2006 deportees through questionnaires at Islam Qala and Zarange borders to get information about their general situation. The interviews were participated by men (54 percent), and women (45 percent) aging between 13 to 70 years. Respondents were from 31 provinces of the country.

The findings of this report show that 24 percent of those refugees deported from Iran were arrested from Zahedan city, 12 percent from Kerman, 9 percent from Bandar-e-Abass, 7 percent from Yazd, 6 percent from Shiraz and the other 40 percent of them were arrested from other cities.

In the report, 99.6 percent of interviewees stated that they used force against them at the time of arrest. None of these interviewees were deported through court order. About 22 percent of the interviewees stated that they were notified before deportation, while 78 of them did not receive any notification.

Most of the Afghans deported from Iran faced inhumane and cruel treatment. In many cases, human rights of the deportees were violated by the security officials of Iran and they faced an appalling situation.

In this report about 63 percent of the interviewees stated that they were taken to the detention centers after being arrested, while 37 percent of them were not taken to those camps. Most of the refugees, who were taken to camps after the arrest, remained there for one to seven days before deportation. More than 90 percent of the detainees talked of poor condition in the detention facilities, including overcrowded, dirty rooms, and ill-treatment by guards, darkness and insufficient water. In addition, around 30 percent of the interviewees stated that they and their family members were punished in the detention facilities. Beating, forced labor, humiliation and insult were the other abuses mentioned by the interviewees. Of those who were taken to detention centers, 45 percent of them claimed of being beaten and 29 percent of them stated that they were insulted.

According to this report, around 498 people, making up 25 percent of all interviewees, said that their personal belongings and accounts such as home equipment, pre-paid rents, salaries and other personal and financial accounts were left in Iran,

### **General Situation of the Returnees and Rendering Assistance to Them**

The issue of migration and the needs in this area require fundamental and developmental measures, but the national and international aid institutions mostly render humanitarian and temporary assistances. A report by the IOM indicates that since the beginning of 2012 to 2014, this institution has rendered assistance for 30- 40 thousands Afghans who returned voluntarily from Iran and Pakistan through Islam Qala, Milak and Toorkham borders. The assistances rendered to Afghan returnees inside the country is mainly by the UNHCR. In the first step,



UNHCR donates \$200 to each returnee. A family of five members receives a total of one thousand USD which only meets their basic needs. Most of these assistances are short term and cannot meet their long-term needs.

Limited access to work is one of the basic challenges in the country. Based on the findings by the IOM, around 77 percent of the returnees have no job security in Afghanistan. The UNHCR confirms that some of the returnees migrate again due to lack of work in the country. A general research conducted by the IOM in 2011 shows that only 23.3 percent of Afghan returnees have been able to find employment. Unemployment in the country has caused many citizens to bear migration with all its difficulties and preferred migration to returning home.

The problem of housing of the returnees is a serious issue to be discussed. At the first step, the returnees need shelter. Based on a report by the Ministry of Refugees and Repatriation Affairs, 61 townships have been established for the returnees in 29 provinces. A report by the Ministry of Refugees and Repatriation reads, "Of all the applications for residential plots received and registered by the Departments of Refugees Affairs in the center and in the provinces, 115,543 families have been recognized by the related committees as deserving families to receive residential plots, but only 68,426 families have received their plots of land. According to this report 30,414 families have been able to build their houses." Similarly, in order to solve the problem of shelter for the returnees, 10,251 residential houses have been constructed in Barikab area of Qarabagh district in Kabul by the UNDP project of Habitat funded by Australia. These residential houses were distributed to deserving families through an authorized committee. The report adds that the Ministry of Refugees and Repatriation Affairs planned the building of 223,825 residential shelters that were assisted by the UNHCE in 34 provinces during the years 2002 to 2014. The houses were distributed to deserving families of the returnees and displaced persons. At the same time, the Chairman of Planning Department at the Ministry of Refugees and Repatriation Affairs believes that the resettlement projects in Kabul and in other provinces have their own special problems. He added, "Lack of transparency in the distribution of plots, insufficient land, long distance from the cities, lack of basic service in these townships are the main reasons that a limited number of returnees live in these townships. The above mentioned figures show that compared to the number of returnees, distribution of residential plots to them is very limited. The majority of more than 5 million returnees need shelters, but the State and related institution have not been able to put plots of land or shelters at the disposal of these returnees.

Health and education services for the returnees are another issues discussed in this report. Based on the information presented by the Ministry of Refugees and Repatriation Affairs, from 1383 to 1393, more than 25 health clinics have been constructed in different parts of our country for the returnees with the assistance of the international partners. Similarly, 24 schools have been built for the returnees in various parts of the country through international assistances.

The reasons for the influx of returnees to the cities are another issue has been raised in this report. According to the UNHCR, almost 60 percent of the returnees did not return to their native places, but resettled in the big cities. Most of the returnees have settled in Kabul, Herat, Balkh, Kandahar and Nangarhar provinces. The main reasons for why returnees prefer to settle in the cities are work opportunities, facilities and a relative security exist in the city.

### **The Reasons for Not repatriation of Refugees and the Existing Concerns in the Country**

The reasons for non-repatriation of refugees and the existing concerns in the country have been discussed in the report. Hopelessness about future, lack of the government attention to returnees and lack of employment are recognized as the main reasons. A report on the Economic and Social Rights Situation prepared by the AIHRC shows that around 15 percent of the citizens are hopeless about the future situation. A recent plebiscite launched by the Asia Foundation shows that optimism of Afghans about their future has reached its lowest level during the last ten years. In 2015 almost 36 percent of the people stated that their country is moving towards the right direction while this figure was 54 percent during the last year. This report shows that public trust on NA and NP has decreased one percent and 3 percent respectively.

Lack employment is another serious problem in Afghanistan and the crises of unemployment has made the people tired and exhausted. Job opportunity is severely limited. Reports by the IOM show that only 23 percent of returnees have access to jobs. Therefore, lack of employment is one of the main concerns for the Afghan refugees that has caused them to refrain from returning to their homeland. According to a recent report by the Asia Foundation, around 31 percent of the people consider the lack of employment as their main concern and more than 55 percent of the interviewees believe that work situation is in the worst state.

Security situation is one of the most concerning issues in Afghanistan. A report by the Asia Foundation indicates that 47 percent of the people consider the lack of security as the main problem in the country. Based on this report, more than 67 percent of participants in this plebiscite stated that they were worried about their personal security in one way or another. Although thousands of the refugees return home annually, the government pays no basic attention to them.

Administrative corruption also plays an important role in not repatriation of the refugees. Lack of transparency in distribution of assistances, bribery and corruption in the country is lowering the tendency of refugees to return home. Some of the refugees have sufficient capitals and they can invest and continue their business in the country. But negative views prevailing in the minds of refugees make them think their business would face challenges in their country due to administrative corruption. Based on a report by the Asia Foundation, public trust in the state institutions has decreased due to widespread corruption. In a plebiscite conducted by the Asia Foundation, more than 75 percent of the people stated that the government offices do not carry out their jobs properly while in 2014, 57 percent of the people believed that the government employees did not carry out their duties properly.

Expansion of the new waves of refugees is the last discussion in this report. A plebiscite conducted by the Asia Foundation that included 9 thousand people from all over the country shows that almost 40 percent of the interviewees expressed their preparedness to leave their country. During the current year, almost 146,000 Afghan refugees entered European countries. Out of them, 80,000 requested for asylum in the said countries. According to Afghanistan's Minister of Foreign Affairs, 43 percent of Afghan asylum seekers were accepted by Germany in 2015. The cases of remaining asylum seekers are under evaluation.

The increased applicants for passports are one of the indicators for the new waves of migration. Authorities at the Passport Department in the capital confirm that almost 4,000 people apply for passport every day, but they can distribute only 2,000 passports daily.

## Part One

### Overview

#### 1.1- Introduction:

The present report is a descriptive-analytical report on the situation of Afghan returnees. This report portrays the situation of returnees through description and analysis of statistics, figures and cases related to returnees.

This report shows that the level of refugees' repatriation has decreased during the recent years; instead a new wave of immigration to European industrialized countries as well as, America and Australia is in full swing this year.

The role of some factors, including the rapid spread of war and insecurity in different parts of our country, ever-increasing unemployment and poverty, widespread administrative corruption, withdrawal of international forces and increasing hopelessness about the future of the country on decreasing of the level of repatriation are discussed and evaluated in this report.

The refugees' returning routes and methods and their places of repatriation as well as the reasons and causes have been explained in this report. Similarly, level of vulnerabilities, needs and assistances rendered to returnees is highlighted in this report.

In this report the responsibilities and commitments of the government of Afghanistan towards the returnees have been explained according to the laws and official documents, and also the level of the government's efficiency and success in meeting the needs of returnees have been assessed.

This report consists of three parts: the first part deals with general issues, including definitions, methods of research, commitments and responsibilities of the government towards the returnees and meeting of their needs. The second part of this report assesses the routine systems of returning and the situation of the returnees. The third part includes a conclusion and recommendations. Given the situation of returnees, specific recommendations have been presented to the Government of Afghanistan.

**1.2-The aim of this research:** The main aim of this research is to assess the human rights situation of the returnees. As returnees are usually a vulnerable group in the society. Therefore, their human rights are more likely to be violated. Returnees, especially the deportees face various problems during their return and repatriation. This report attempts to study and analyze human rights violation of the returnees during the returning process. On the other hand, the returnees face many challenges including lack of access to employment and shelter during and after repatriation. The main purpose of this report is to study and evaluate the situation of the returnees including their access to their human rights such as the right to work, shelter, health,

education, etc. after repatriation. For more clarification, this report presents statistics and figures of the returnees registered by other related institutions. The overall objective of this report is to assess returnees' access to their human rights, which have been analyzed and assessed under specific topics.

### **1.3- Method of research:**

This is a descriptive-analytical report that analyzes and assesses the situation of the returnees. Most of the findings of this report are based on the statistics, data and monthly reports prepared by the Border Monitoring Unit in Herat regional office collected from Islam Qala and Zarange borders. The AIHRC consistently monitors the process of repatriation and the situation of the returnees at both border points in Islam Qala and in Zarange. During this monitoring, returnees are interviewed based on a special form. With regard to the human rights aspects, they prepare bi-monthly brief reports. The present research is based on the findings obtained from the interview forms and the reports prepared in 1393 including the first four months of 1394.

Similarly, the information obtained from the interviews, made with 2006 returnees through a special questionnaire in 1393 and kept in the AIHRC's special database, has been used in this research. Likewise, the reports published by the AIHRC have also been used in this report.

Moreover, supplementary statistics and data, especially about the number of returnees, in particular from Toorkham and Speenboldak borders, statistics and reports published by the IOM, the UNHCR and Asia Foundation, and information published by the Ministry of Refugees and repatriation Affairs have been used in this report. Furthermore, information and reports from the media and other institutions have been included.

In some cases, the reports and researches published by the AIHRC have also been used and referred to in some cases in this report.

In addition, individual interviews made with the officials and spokespersons of related institutions have also been used and relied upon in this report.

In order to make the needs, problems and the situation of returnees more tangible, patterns of cases about returnees' situation have been included in this report. These cases have been prepared by the Border monitoring teams during interviews. Likewise, several photos of the returnees taken at Zarange and Islam Qala border have also been included.

This report covers the year 1393 and the first few months of 1394. Since the statistical information prepared by most of institutions is based on Gregorian calendar, so year 2014 and half of 2015 are often considered as a base for the information. Efforts have been made to use the most updated information and data in writing of this report.

#### **1.4- Definition of Terminologies:**

**Vulnerability:** vulnerability is the situation when people or a group of people due to some reasons, including poverty, economic inability, unemployment, old age, childhood, particular social situation, disability, displacement, migration, natural disasters, security problems, etc. are exposed to danger or their lives are threatened more than others.

**Expulsion/deportation:** Expulsion is arresting and deportation of refugees from a host country. Expulsion can be legal and according to the applicable international laws and norms which is called legal expulsion or it can be contrary to international laws and norms that is called illegal expulsion.

**Legal expulsion:** Refer to “expulsion”

**Illegal Expulsion:** Refer to “expulsion”

**Local integration:** To obtain the right to reside in a place like other residents of the area. Resettlement of returnees or displaced people in the area where they live as displaced persons.

**Permanent settlement:** It is the process which leads to permanent resettlement of the displaced people or returnees.

**Resettlement:** It is a process of temporary or permanent settlement of displaced people or returnees

**Temporary settlement:** a process which is undertaken to move a displaced population when humanitarian, socio-economic and security conditions in the camps and transit centers are unacceptable, without prejudice to the rights of displaced populations to voluntarily return to their areas of origin when conditions are conducive, or the right to fixed permanent residence in an area different from the one of origin.

**Vulnerable individuals or groups:** Individuals or groups who suffer under particular conditions, including war and conflicts, poverty and economic inability, unemployment, old age, childhood, special social situation, disability, displacement, or faced with a natural disaster that jeopardizes their life and make them more vulnerable than others.

**Forced Repatriation:** Forced or compulsory repatriation is the kind of return that individuals or refugee family is expelled from the host country against their volition. Forced repatriation can take place in two ways. Sometime, the host country set up a deadline for the expulsion limiting the work opportunity and citizenship privilege of the refugees, in this case, the refugees are obliged to return home. This kind of repatriation is also called compulsory return. Another compulsory return is deportation or expulsion from the border, in which the refugees are arrested by the in charges of security organs and deported from the border, to send them to their own country.

**Voluntary return:** Refugees for any reason returning to their native country willingly. Sometimes it is organized through aid agencies.

**Returnee:** A returnee is a person who returns home after a period of exile for any reason, voluntary or compulsory in order to live in his/her native country.

**Displaced person:** they are individuals or groups who are forced to leave their native places to avoid war, armed conflicts, violence, human rights violation and natural disaster, but they do not cross the official borders of their country.

**Internal Displacement:** the involuntary or force movement from permanent residence as a result of war, armed conflicts, violence, natural disaster or poverty inside the border of a country.

**Refugee:** a person who crosses the border of a country in order to seek refuge in another place outside his/her country of origin to rescue his/her life from threats, dangers.

**Immigrant (accepted in another country):** a person who leaves his/her native country due to foreign aggression or occupation and war, civil war and armed conflict, or a well-founded fear of persecution because of race, religion, nationality, membership in a particular social group, or political, religious reasons and does not intend to return home.

**Emergency situation:** It is a situation developed suddenly as a result of crisis, which threatens public life, and its control is beyond public ability such as armed conflicts, earthquake, flood, landslide, avalanche, severe storm, extremely harsh weather or widespread communicable disease.

**Natural disaster:** Natural disaster is incidences caused by natural factors such as flood, earthquake, landslide, avalanche, storm, drought, natural fire, etc. and brings up life and material casualties.

**Deportation:** Refer to “expulsion”

**Returnee:** Refer to “repatriate”

**Emergency aid:** Assurances provided for the needy people during “emergency situation”

**Emergency situation:** Refer to “emergency conditions”

**Commitments of the State towards Human Rights of the Returnees**

Leaving or returning to a country is the right of every person. Paragraph two, Article 13 of the Universal Declaration of Human Rights clarifies, “Everyone has the right to seek and to enjoy in other countries asylum from persecution.” The Constitution of Afghanistan also enshrines this right. According to Article 39 of the Constitution, “Every Afghan shall have the right to travel outside Afghanistan and return, according to the provisions of the law.” Those who return to their native country after a long time undoubtedly needs basic assistances and the State should pay keen attention to them. The Afghanistan National Development Strategy clarifies the responsibilities of the state towards the returnees.

Chapter seven of the Afghanistan National Development Strategy is allocated to social security which covers the issue of returnees and displaced persons. According to this strategy, the state is obliged to protect returnees and displaced persons. The section on returnees and displaced people reads in part, “ To tackle the problems of returnees and displaced persons, the State should make efforts to promote the capacity of the related ministries including the Ministry of Foreign Affairs, Urban Development, Public Health and Education. Similarly, this strategy emphasizes, “The main focus of the State would be on the poor and vulnerable class of the returnees and special attention would be paid to food security, shelter and employment.”<sup>1</sup> Here we present a summary of that part of the National Development Strategy that deals with the issue of returnees and clarifies the state responsibility regarding the returnees.

### **1.5.1. A summary of the ANDS Objectives on Returnees:**

The ANDS strategic objective for the Refugee, Returnee and Internally Displaced People (IDPs) is to facilitate the planned and voluntary return and integration of refugees. The planned and voluntary return of refugees and IDPs will contribute to economic growth, reduction of poverty and the strengthening of security and stability of the country and the region. World-wide experience has indicated that large, unplanned, and essentially involuntary returns generate a range of negative consequences during the occurrence of emergency incidents.

### **1.5.2- The Sector strategy expects from the State:**

- ✓ Support the safe, voluntary, and gradual return of refugees from Pakistan, Iran and elsewhere.
- ✓ Prepare and implement more visible and effective, sustainable reintegration programs and interventions. Improve social protection and disaster preparedness.
- ✓
- Strengthen of cross- border movements management and economic migration.
- Prepare plans to improve response against the family displacement crisis.

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<sup>1</sup> Refugee sector strategy, returnees and displaced persons



- Pay greater attention to the protection of more vulnerable groups among refugees and IDPs, including children and women.
- Improve facilities through policy negotiation and coordination for a gradual return of all Afghans who wish to repatriate from Pakistan, Iran and other host countries;
- Strengthen the Government's capacity to plan, manage, and assist the reintegration process for all Afghan refugees and IDPs.
- Improving the living conditions for Afghans staying in neighboring countries.
- Make progress toward the implementation of bilateral agreements on temporary labor migration.

Moreover, the mentioned strategy will also support the implementation of the principles of Afghanistan Compacts as follows:

- ✓ By the end of 2010, all refugees and internal displaced persons who tend to come back home, will receive necessary assistance for the rehabilitation and reintegration into their main communities. Of course, the reintegration process will also be supported by the national development programs.
- ✓ Afghanistan and its neighbors in the region will enable Afghanistan by signing agreements to import skillful workers in the country and also send Afghans abroad for employment and sending money to their families in the country.

The ANDS specifies the State responsibilities regarding the provision of shelter and protection for the returns:

### **1.5.3- Provision of shelter, social facilities and services for the returnees**

To encourage the process of voluntary return, the state of Afghanistan provides facilities including shelter, residential plots and basic helps for the returnees. To support implementation of this strategy, the related ministries would implement key programs and projects. Of course, these projects would be launched through the provision of shelters, public services, income-generating opportunities to support the process of reintegration. Distribution of plots will be a basic measure for solving the shelter problem of the returnee. Public service programs will provide employment opportunities along with capacity building trainings.

## Part Two

### Returnees

#### 1.1- General Statistic and Figures

Afghanistan is one of the countries that have the huge number of refugees hosted worldwide. Based on the statistics presented in 1393 by the Ministry of Refugees and Repatriation Affairs, more than six million of Afghan refugees live in 73 countries of the world. Some Afghan refugees return home in various ways annually, but some others migrate to other countries. The Ministry of Refugees and Repatriation Affairs states that one out of each 25 Afghans has spent sometimes out of the country as refugee. Based on the information by that Ministry, out of each one hundred Afghan refugees, 25 of them have returned home during the recent 14 years, mostly from Pakistan and Iran.<sup>2</sup> Reports by the UNHCR indicate that since 2002 to 2014 around 5.8 million Afghan refugees have returned home, which constitute almost 20 percent of the population of the country. Out of them 4.8 million Afghan refugees have come home under the voluntary return program, while more than one million others have returned out of the support program.<sup>3</sup> Although the process of returning home has been slowed down compared to previous years, this process is continuing, especially from the neighboring and some other countries. According to the reports by the UNHCR, Afghanistan has around 2.6 million registered refugees in the neighboring countries, out of them 1.6 million Afghan refugees live in Pakistan and 950,000 thousands of them live in Iran.<sup>4</sup> The total number of registered Afghan refugees exceeds 6.7 million people. Evaluations show that the number of returnees has gradually decreased during the last four years. Quoting from the UNHCR, the statistic presented by the Census Bureau indicates that 95,897 Afghan refugees returned home in 1391 while in 1392 a total of

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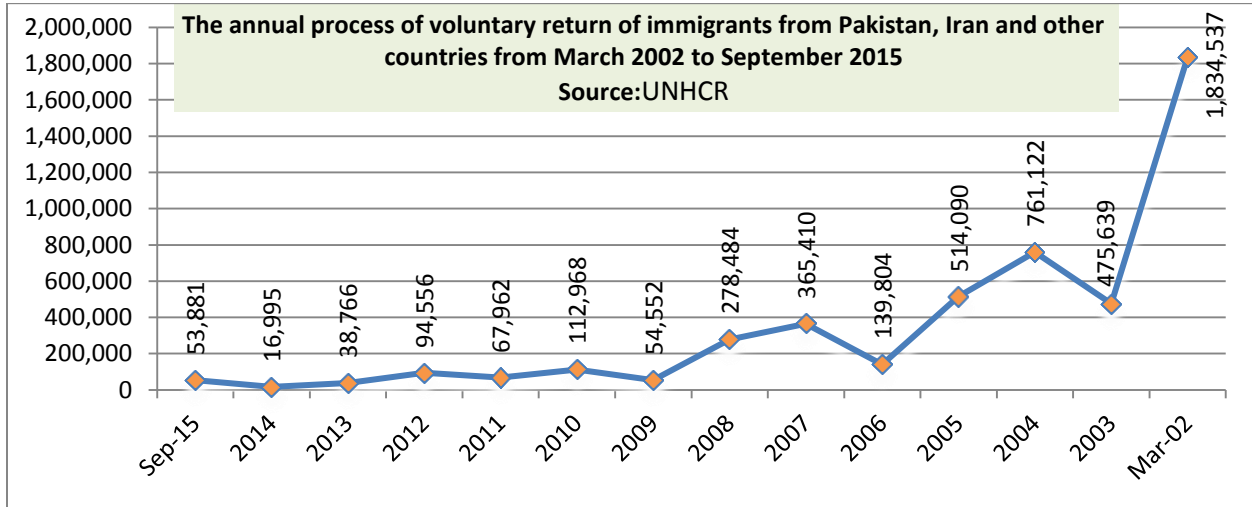
<sup>2</sup> Radio Liberty, out of every 25 Afghan immigrants one of them has been migrant for some time. Publish Date: Qaws 1392, date received: Sawr 1394. Address: <http://da.azadiradio.org/content/article/25204641.html>

<sup>3</sup> - UNHCR . Address :<http://www.unhcr.af/Applications/SitePages/Default.aspx?idx=0&sitepageid=28>

<sup>4</sup> - Ibid,

35,831 people and in 1393 around 25,892 people returned home.<sup>5</sup> It shows that the number of Afghan returnees has gradually decreased compared to the year 1391.

After the establishment of the new government in 2002, there was a strong hope for the refugees that resulted in returning of more than one million and eight hundred thousand Afghan refugees. The level of returning was high until the year 2009, but since 2008, the number of returning home has dropped compared to previous years. The following chart shows the voluntary return of Afghan refugees since 2002 until 2015:

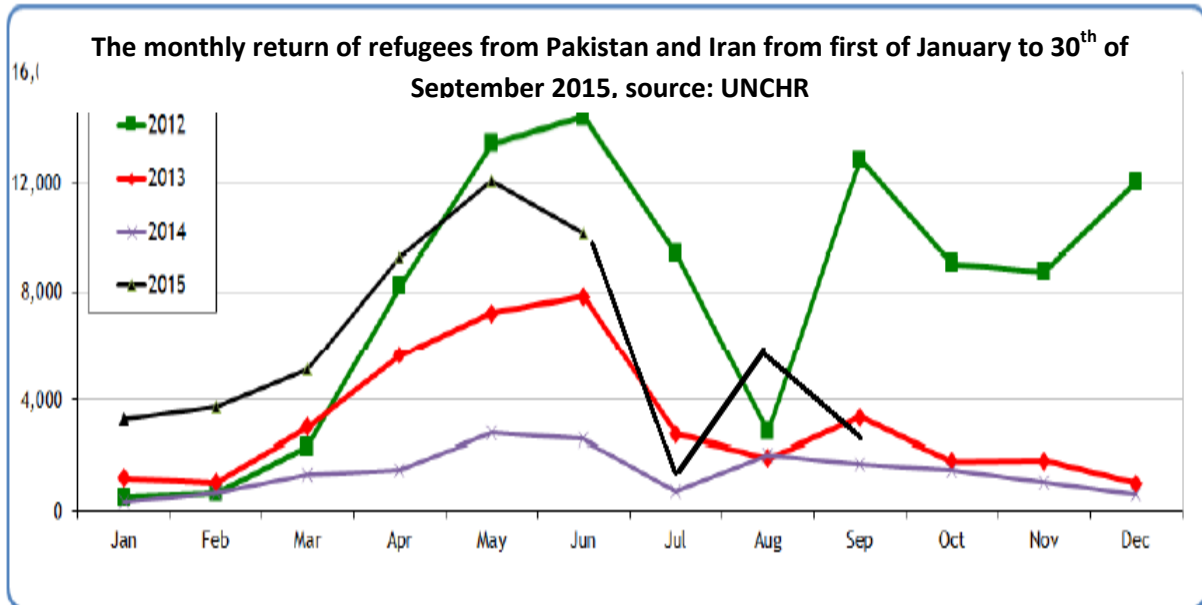


The process of voluntary return of Afghan refugees from Pakistan, Iran and other countries since March 2002 until Sept.2015: (source the UNHCR)

The process of returning has been variable in different months, but monthly returning of Afghan refugees during the recent four years shows that the highest level of returning was in June 2012 and the lowest level was in July 2014. There was no visible increase in the number of returnees in 2015. Based on statistics by the UNHCR, 53,881 people returned home during 9 months in 2015 that covers the first six months of 1394, while in general 16,995 people had returned home in 2014.<sup>6</sup> The following chart shows monthly returning of Afghan refugees from Pakistan and Iran since 2012 to 2015:

<sup>5</sup> -Census Bureau , Statistic data 1393, Address :<http://cso.gov.af/fa/page/1500/11161/10214>

<sup>6</sup> - UNHCR: voluntary return to Afghanistan. Report: January – September 2015 peg 1



The process of monthly return of Afghan refugees from Pakistan and Iran sin 1 Jan. 2012 to 30 Sep. 2015

## 2.1- Type of returning

### 2.2.1- Voluntary returning

**2.2.1.1- Voluntary returning from Pakistan:** The level of returning of refugees from Pakistan was the highest during the first six months in 1394. Reports by the UNHCR show that during the first 9 months in 2015 (covering the first half of 1394), out of 53,881 returnees 51,294 of them returned from Pakistan.<sup>7</sup> It makes up 95 percent of All Afghan returnees. Statistics shows that the level of Afghan returnees from Pakistan increased 80 percent during the first six months in 2015 compared to the first six months in 2014.

**2.2.1.2- Voluntary return from Iran:** Quoting from the UNHCR, the Census Bureau reported that around 4,025 Afghans refugees returned voluntarily from Iran in 1393,<sup>8</sup> while the level of voluntary return from Iran decreased in 1394. Based on the statistics by the UNHCR, around 2,484 refugees returned from Iran during the first 9 months in 2015 ( covering the first half of

<sup>7</sup> - UNHCR: <http://www.unhcr.af/Applications/SitePages/Default.aspx?idx=0&sitepageid=28>

<sup>8</sup> - Census Bureau , Statistic data 1393, Address, <http://cso.gov.af/fa/page/1500/4722/2014-2015>

1394), which shows a 34 percent decrease compared to 2014.<sup>9</sup> There are two reasons for this decrease. A large number of Afghan refugees in Iran went to Europe individually or with their families in 2015. On the other hand, due to the deterioration of the security situation and job opportunities in Afghanistan, there is no tendency for returning home. For this reason, Afghan refugees prefer standing hard situation over returning home.

**2.2.1.3- Voluntary return from other countries:** Voluntary return from other countries is on the lowest level. There are a few individuals or Afghan families who will voluntarily return home from other countries annually. Statistics received by the AIHRC from the Ministry of Refugees and Repatriation affairs show that 1,441 people voluntarily returned home from other counties in 1393. Most of these refugees returned from Greece, Bulgaria, Indonesia and Norway. After their cases were rejected by those counties, they returned home willingly. Based on the findings, 411 people from Greece, 368 people from Bulgaria, 106 people from Norway and 102 people from Indonesia returned home voluntarily in 1393. The following chart shows the number of Afghan refugees returned from other countries voluntarily:

**Table of voluntary returnees in 1393 with the specification of months and countries**

No	counties	Hamal	Sour	Jawza	Saratan	Assad	Sonbulla	Mizan	Agrab	Qaws	Jadi	Dalwa	Hoot	total	remarks
1	Austria	1	12	5	2	1	1	2	1	1	1	6	1	42	
2	America							2						2	
3	Indonesia	6	2		7		8	12	16	18		5	28	102	
4	England	1 5	8	2		2		2	6	2	5		4	48	
5	Ukraine							5	1	2	1	16	2	27	
6	Azerbaijan												2	2	
7	Australia				1				1	1	1	4	1	9	
8	Germany	1 1	4	1	1	5					1		1	24	
9	Belgium			2								1		3	
10	Bulgaria	4	4			1	6	46	50	73	32	71	81	368	
11	Tajikistan								1				2	3	
12	Turkey	1 7	15	8	9							16	16	81	
13	Denmark	3	4	2	2	1		2	4	2	1	1	2	24	
14	Russia					1			2	2	3	1	1	10	

<sup>9</sup> - UNHCR - voluntary return to Afghanistan, monthly report. January- September 2015. Peg 1

15	Sweden	۱		۱	۵	۸	۳	۷	۷	۱	۳		۴	۴۹
16	Iraq							۱					۱	۲
17	France							۲	۱	۱		۱	۱	۶
18	Kirgizia							۲	۱			۱		۴
19	Poland	۱						۱		۱	۱	۱		۵
20	Malaysia							۲			۱			۳
21	Egypt							2						۲
22	Norway	۲	۲۷	۶	۹	۸	۱۷	۱۵	۱۸	۱۹	۲	۱۷	۸	۱۶۶
23	Holland	۳	۲	۱	۱۰	۴	۱				۲	۱	۴	۲۸
24	India							۲	۹	۵	۲	۱		۱۹
25	Greece	۲	۹	۵۰	۳۰	۱	۲۸	۵۷	۴۱	۷۴	۳۱	۵۸	۱۰	۴۱۱
		۲												
	<b>Total</b>													۱۴۴۱
		۱۲۰	۸۷	۷۹	۷۷	۳۲	۹۶	۱۶۶	۱۵۹	۲۰۲	۸۷	۲۰۱	۱۶۱	

The level of voluntary repatriation decreased in 1394 compared to the year 1393. The statistic obtained from the Ministry of Refugees and Repatriation indicates that during the first 5 months of 1394, a total of 221 Afghan refugees returned home from other countries, while this figure reached to 395 people in 1393. It shows a 44 percent decrease in the number of returnees during the 5 months of 1394. Most of the Afghan returnees in 1394 had come from Indonesia, Turkey and Norway. The following table shows this figure with identification of countries and months:

#### The figures of voluntary returnees during the first 5 months in 1394

No	countries	Hamal	Saur	Jawza	Saratan	Assad	Total
۱	<b>Austria</b>					۸	۸
۲	<b>Australia</b>	۱	۲				۳
۳	<b>Indonesia</b>	۲۳	۱۹	۳	۱۰	۱۶	۷۱
۴	<b>England</b>	۲	۵	۳	۱	۴	۱۵
۵	<b>Germany</b>			۱			۱
۶	<b>Belgium</b>			۱		۲	۳
۷	<b>Bulgaria</b>		۱		۱		۲
۸	<b>Turkey</b>	۷	۱۶	۱۴	۷	۶	۵۰
۹	<b>Denmark</b>					۴	۴
۱۰	<b>Sweden</b>		۲				۲
۱۱	<b>Swiss</b>				۱		۱
۱۲	<b>Iraq</b>		۱				۱
۱۳	<b>Georgia</b>	۱					۱
۱۴	<b>Norway</b>	۴	۱۲	۷	۳	۹	۳۵

۱۵	<b>Holland</b>		۱	۱			۲
۱۶	<b>Greece</b>	۴	۵	۳	۸	۲	۲۲
	<b>Total</b>	۴۲	۶۴	۳۳	۳۱	۵۱	۲۲۱

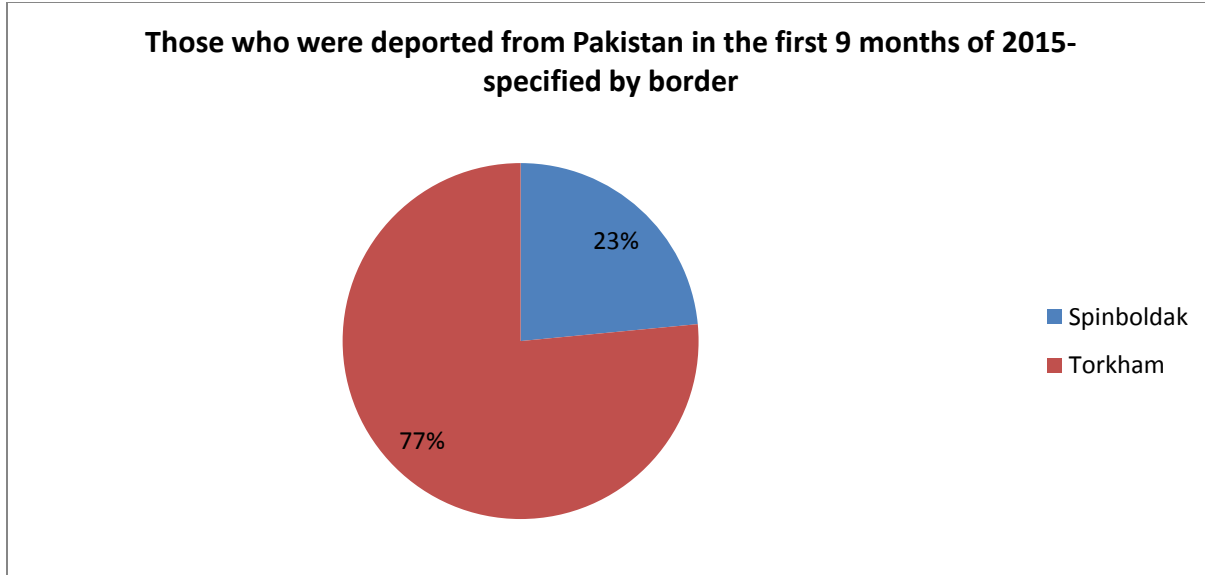
In addition, evaluations by the UNHCR shows that during the first 9 months in 2015 a total of 41 people from India, 9 people from Tajikistan, and 2 people from Azerbaijan returned home willingly.<sup>10</sup> The level of voluntary return of Afghan refugees from European countries is very low.

### **2.2.2- Forced return or deportation:**

**2.2.2.1- Compulsory return or deportation from Pakistan:** After the terrorist attack on a school in Peshawar, returning of Afghan refugees from Pakistan increased noticeably. In Dec. 2014, the terrorists attacked on a school in Peshawar, which, resulted in the killing of a number of students. Following this incident, Pakistan issued a statement in December 2014 on the expulsion of Afghan refugees. After that, a large number of Afghan refugees returned home. The statement on the expulsion was in fact a pressure on refugees that, limited the ground for work and businesses of Afghan refugees. Since 1<sup>st</sup> Jan. 2015, return of Afghan refugees from parts of Peshawar, Baluchistan, Sind, Karachi, Keota and Punjab was noticeable. Most of the returnees were from Peshawar, which constituted 52 percent of the returnees from Pakistan. Based on the statistics by the IOM, around 12967 Afghans were deported from Pakistan during the first 9 months in 2015. Out of them 9,922 people deported through Torkham border and 3,045 others were deported via Spinboldak border.<sup>11</sup> The following graph shows this figure clearly:

<sup>10</sup> - UNHCR: report, January – September 2015

<sup>11</sup>- IOM - Return of undocumented Afghans from Pakistan, September 2015 . from: <https://afghanistan.iom.int/pakistan-returns>



Statistic of deportees from Toorkhum border recorded by the IOM shows that during the first three months in 2015 more than 45 thousand people were deported. The following table shows the statistic of deportees via Toorkhum border during the first 9 months in 2015:<sup>12</sup>

Months	The number of deportees from Toorkhum border
Jan. ۲۰۱۵	۱۴۷۲
February	۱۵۷۵
March	۱۴۷۲
April	۱۲۲۹
May	۱۱۱۸
June	۸۴۵
July	۴۹۵
August	۹۱۴
September	۸۰۲
<b>Total</b>	<b>۹۹۲۲</b>

Deportees usually face with numerous challenges, including joblessness, lack of shelter, and lack of access to basic living facilities. Deportees who are with their families suffer from more

<sup>12</sup> IOM: <https://afghanistan.iom.int/pakistan-returns>



challenges. Separation of children from their families, harassment at the borders and lack of health and food security is the problems experienced by the deportees.

### 2.2.2.2- Compulsory return of refugees from Iran:

Afghan refugees deported from Iran face terrible situation and a hard and bitter destiny. The AIHRC regularly monitors the situation of deportees from Iran at Islam Qala border at Herrat and Zarange border in Nimroze provinces. Border monitoring by the AIHRC at Islam Qala and Zarange borders show that thousands of Afghan refugees are deported from Iran in various ways every month. The following table shows bi-monthly figures of deportees from Iran in 1393:

No	Months	Border	The number of deportees				Total	Total sum	
۱	Hamal & Saur	Herat	Single	۲۶,۲۵۱			۲۶,۷۲۹	۳۷,۱۵۵	
			family	۱۳۵	women	۲۴۰			
					men	۲۳۸			
		child							
		Nimrooz	single	8,978			۱۰,۴۲۶		
			Family	343	women	۷۷۳			
men	۶۷۵								
child									
۲	Jawza & Saratan	Herat	single	21,750			۲۲,۴۴۵	۳۱,۰۳۲	
			family	139	women	417			
					men	278			
		child							
		Nimrooz	single	7,051			8,۵8۷		
			family	369	women	804			
men	732								
child									
۳	Assad & Sunbolla	Herat	single	۳۲,۴۰۰			۳۳,۴۵۱	۴۷,۴۹۲	
			family	۲۴۸	women	۴۷۵			
					men	۵۷۶			
		child							
		Nimrooz	single	10,305			۱۴,۰۴۶		
			family	442	women	۱,۴۳۱			
men	۱,۳۰۸								
child	۱,۰۰۲								
۴	Mizan & Aqrab	Herat	single	۱۰,۳۲۴			۱۱,۳۷۴		
			family	۲۱۰	women	۶۳۰			
					men	۴۲۰			
					child				

		Nimrooz	single	۶۵۱۸		۸,۸۶۲	۲۰,۲۳۶	
			family	۳۷۲	women			۸۵۶
					men			۷۱۸
		child			۷۷۰			
۵	Qaus & Jandi	Herat	single	۱۹,۴۳۰		۲۱,۴۱۸	۳۸,۴۵۱	
			family	۳۴۶	women			۱,۰۳۸
					men			۹۵۰
		child			۰			
		Nimrooz	single	۱۴,۷۹۹		۱۷,۰۳۳		۳۸,۴۵۱
			family	۵۵۴	women			
men	۱,۰۲۴							
child								
۶	Dalwa & Hoot	Herat	single	۲۱,۸۳۰		۲۳,۵۴۰	۴۲,۵۵۷	
			family	۳۴۲	women			
					men			۶۸۴
		child						
		Nimrooz	single	۱۶,۵۹۹		۱۹,۰۱۷		۴۲,۵۵۷
			family	۴۸۲	women			
men	۱,۱۶۵							
child								
<b>total</b>						<b>۲۱۶,۹۲۳</b>		

As the table shows, 216,923 people were deported from Iran in 1393. Monitoring by the AIHRC from Islam Qala and Zarange borders continued in 1394. Statistic obtained from border monitoring during the first quarter of the year 1394 is shown in the following table:

The table of deportees from Iran during the first quarter in 1394

No	Month	border	Number of deportees			total	Total sum	
۱	Hamal & Saur	Herat	single	۲۱,۶۵۴		۲۲,۰۶۹	۳۲,۹۴۵	
			family	۱۱۶	women			۱۹۸
					men			۲۱۷
		child						
		Nimrooz	single	۹,۳۳۸		۱۰,۸۷۶		۳۲,۹۴۵
			family	۳۰۰	women			
men	۷۶۰							
child								
۲	Jawza & Saratan	Herat	single	۲۳,۹۲۷		۲۴,۷۶۶	۳۵,۳۱۶	
			family	۱۹۳	women			
					men			*
		child			*			
				۸۳۹				
Nimrooz	single	۹,۴۳۰						

			family	۲۸۰	women	*	۱۰,550		
					men	*			
					child	*			
				1,120					
		Total							۶8,۲۶1

The table shows that the total number of deportees from Iran via Islam Qala and Zarange borders during the first 4 months of 1394 exceeds 68,261 people, while the total number of deportees from Iran during the first 4 months of 1393 reached 68,187 people. There is no big difference between the figures in these two years. Border monitoring by the AIHRC at Islam Qala and Zarange borders show that Afghan deportees face numerous problems

### 2.2.2.3- Forced return or deportation from other countries:

In many cases, Afghan refugees, whose cases have not been accepted were deported from various countries including Europe. Based on a statement by the Ministry of Foreign Affairs of Afghanistan, 7 Afghan refugees were deported from Germany recently<sup>13</sup>. According to media reports, 180 refugees were transferred back to Afghanistan by airplane. Recently, some European countries have taken new measures against refugees. In a new case, Turkey has arrested 1,300 refugees to be deported. These refugees are from Afghanistan, Iran and Syria and their destination was Greece.<sup>14</sup> Statistic by the Ministry of Refugees and Repatriation Affairs received by the AIHRC indicates that 7,290 Afghan refugees have been deported from other countries during the last six months of 1393. Most of these deportees were from Saudi Arabia. Turkey is the second country that deported the largest number of Afghan refugees. The following table shows this statistic with the specification of the related countries:

### The table of forced return or expulsion of Afghan refugees by the following countries via airport

#### Last six months in 1393

No	country	Mizan	Aqrab	Qaus	Jani	Dalwa	Hoot	Total
۱	Saudi Arabia	۷۴۶	۱۰۳۹	۸۸۰	۵۵۷	۶۵۴	۵۰۱	۴۳۷۷
۲	Turkey	۶۴۹	۵۳۶	۴۸۷	۲۶۱	۲۹۱	۱۷۱	۲۳۹۵
۳	Imaret	۵۰	۵۵	۵۱	۵۵	۳۹	۵۳	۳۰۳

<sup>13</sup> - BBC: The number of Afghan refugees exceeds 146 thousand people. Broadcast in Aqrab 1394, adapted on Aqrab 26 1394. Add. [http://www.bbc.com/persian/afghanistan/2015/11/151116\\_k05\\_afghan\\_reugee\\_in\\_european\\_countries](http://www.bbc.com/persian/afghanistan/2015/11/151116_k05_afghan_reugee_in_european_countries)

<sup>14</sup> - BBC: Turkey arrested 1300 Afghan refugees. Published: 10 Qaus 1394 add: [http://www.bbc.com/persian/world/2015/12/151130\\_u04\\_turkey\\_migrants](http://www.bbc.com/persian/world/2015/12/151130_u04_turkey_migrants)

۴	Oman	۴۵	۵۲	۲۹	۵۰	۱	۳۵	۲۱۲
۵	Kuwait	۱	۱	۱				۳
	Total	۱۴۹۱	۱۶۸۳	۱۴۴۸	۹۲۳	۹۸۵	۷۶۰	۷۲۹۰

Expulsion of Afghan refugees from other countries was lower in 1394. Statistics show that 64 people departed from other countries in 1394. This number is very small number compared to the year 1393. The following table shows the figures clearly and specifies the related countries

### Deportation of Afghan refugees from other countries via airport during

#### The first 5 months of 1394

No	Country	Hamal	Sawr	Jawza	Saratan	Assad	Total
۱	Australia	۱				۱	۲
۲	England		۶	۱	۲		۹
۳	Denmark		۱		۴	۲	۷
۴	Sweden		۸			۱	۹
۵	Norway	۴	۸	۲	۱۴	۵	۳۳
۶	Holland		۳		۱		۴
	Total	۵	۲۶	۳	۲۱	۹	۶۴

In 1392, some European countries resorted to the unprecedented expulsion of Afghan refugees that was considered against Geneva Convention by human rights activists. The free media published a research report in 1392 on the expulsion of Afghan refugees from western countries. Free Media Corporation consisting of many national media assessed the expulsion of Afghan refugees and published their findings. Based on the findings of this assessment, Britain, Holland, Denmark, Australia, Austria, Belgium, Hungary, Norway, Greece, Italy, Sweden, France, Swiss, Fenland, and Ukraine sent some Afghan refugees to Kabul by force. Statistic by the IOM also shows that Britain, Norway, Germany, Denmark, Sweden, Holland and some other countries also sent a large number of Afghan refugees back to Afghanistan forcibly, during the last few years. The Free Media report reads in part, “Statistics shows that since 2003 to 2008 England deported 2092 Afghan refugees, Norway 256 refugees, German 246 refugees, Sweden 65 refugees and some other countries also deported some Afghan refugees back to Afghanistan.”<sup>15</sup> Article 33 of the Geneva Convention on refugees reads, “No contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be

<sup>15</sup> -Hasht-e-Shobh daily, violation of Geneva Convention on Afghan refugees, published: 18 Aqrab 1392. Adapted 9 Aqrab 1394. Add:

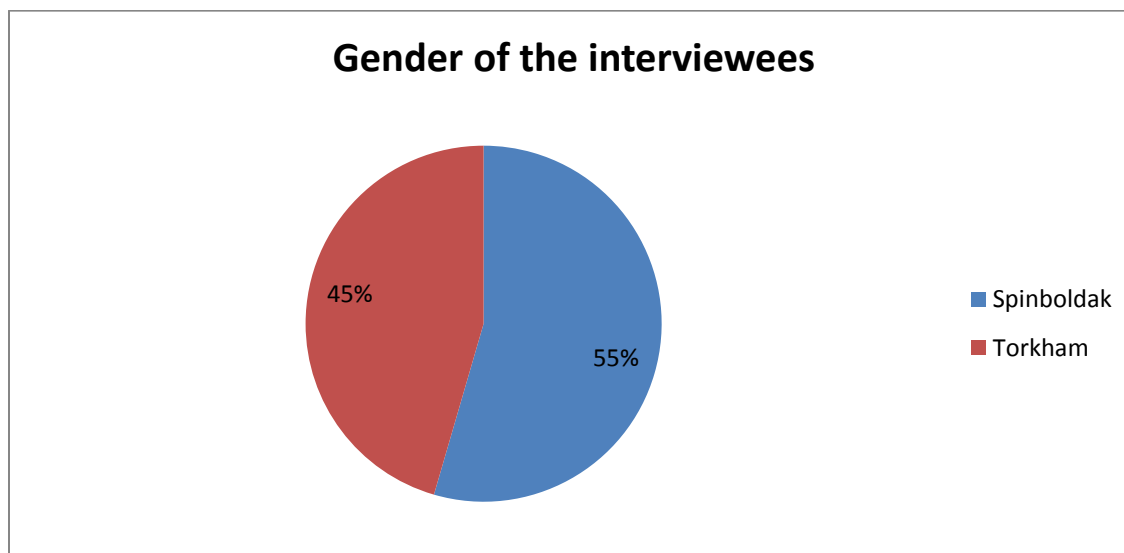
threatened on account of his race, religion, nationality, membership of a particular social group or political opinion”<sup>16</sup>

### 2.3- General situation of deportees during expulsion:

After the expulsion, the deportees face tremendous challenges, including lack of shelter, unemployment, separation from family, lack of food and health security, and unclear destiny. The refugees deported from any country pay a heavy price, which scatters and destroys their living order. Expulsion or deportation from Iran and Pakistan is usually imposed at the family level. Expulsion of families, including women and children causes tremendous problems. This part of the report pays particular attention to the general situation of the deportees from Iran, and depicts their situation during the expulsion. The AIHRC monitored the situation at the Islam Qala border in Herat province and Zarange border in Farah province very precisely and consistently in 1393. Border monitoring reports were prepared monthly. Similarly, the AIHRC conducted interviews with 2,006 deportees at the said borders. During these interviews many cases about their expulsion were recorded that indicate a violation of their human rights in various cases as well as their poor living condition.

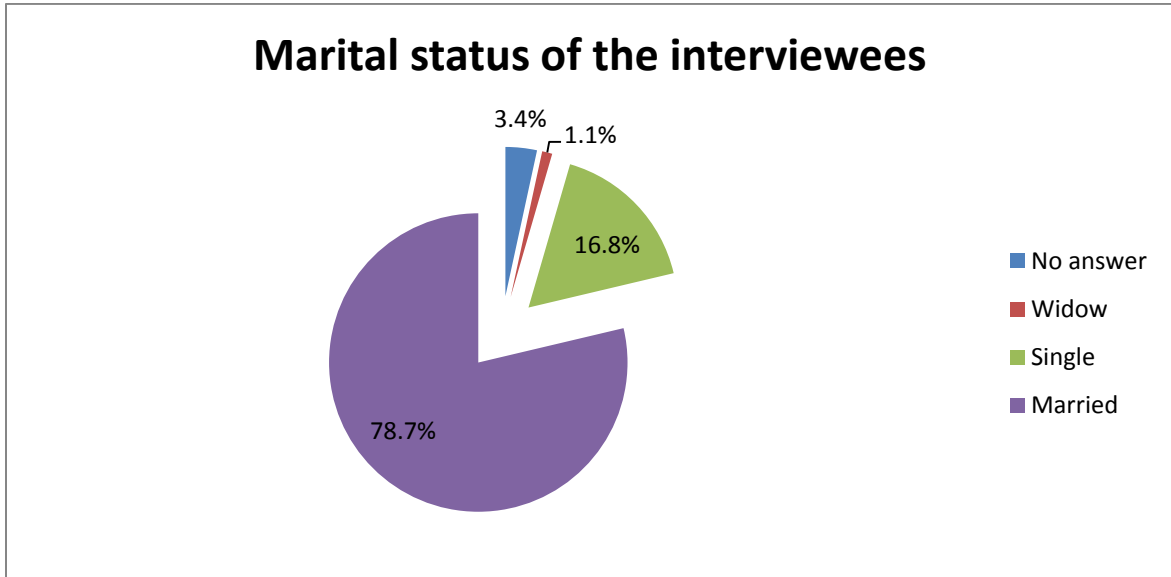
#### 2.3.1- General information about the interviewees:

Interviewees of this research have been those who had been deported from Iran via Islam Qala and Zarange borders. The interviews were conducted through a special form during the year 1393. The interviewees included women, men, children and elderly people (45 percent women and 54 percent men). The following graph shows the gender of the interviewees:

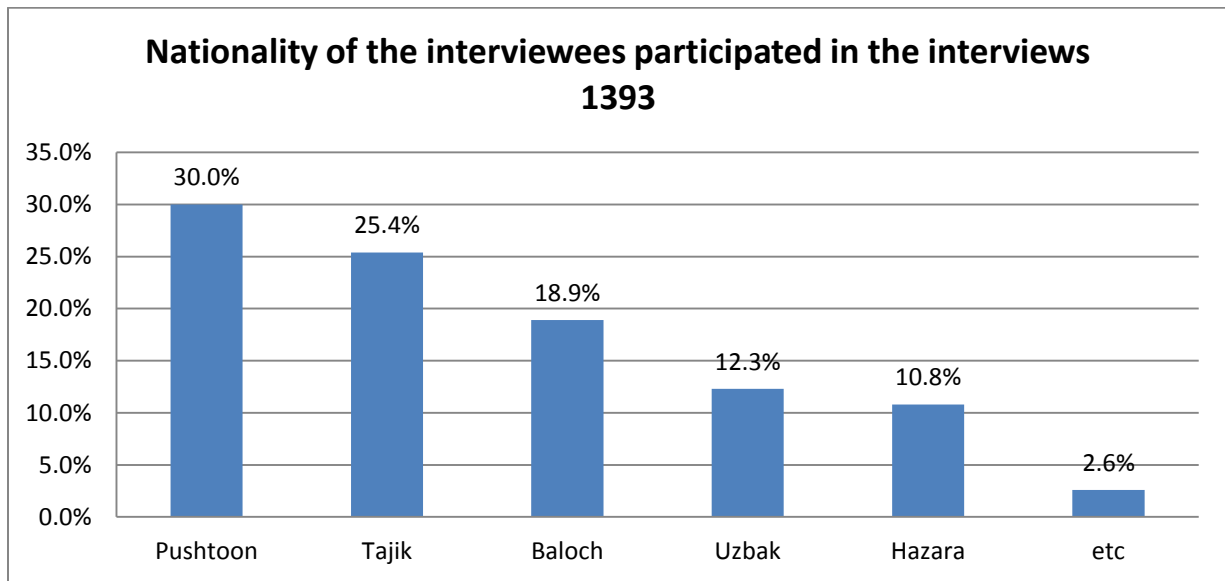


<sup>16</sup> - Geneva Convention, adopted 10 Dec. 1948 UN General Assembly

The age of interviewees ranging from 13 to 70 years old, and they were interviewed at Islam Qala and Zarange borders. The number of their family members ranged from 2 to 25 people. Most of the interviewees were married. The following graph shows the marital status of the interviewees:



The deportees were from various tribes in Afghanistan. Participants of this interview were Pushtoons 30 percent, Tajiks 25 percent, Balooch 18 percent, Uzbek 12 percent and Hazara 10 percent. The following chart shows these figures clearly:



Around 99 percent of the deportees did not have any documents. According to this report, 99 percent of the interviewees had entered Iran illegally. Only one percent of them had entered Iran

legally, but their documents were expired or no attention was paid to their documents. Tens of Afghans enter Iran daily with the assistance of traffickers, but most of them are deported immediately or after some times. Based on this report, 60 percent of the interviewees had entered Iran via Nimrooz border, but the others did not specify their entry rout.

**Provinces of the interviewees:** The deportees at Islam Qala and Zarange borders were from different provinces of Afghanistan. The interviews conducted with 2006 people took place in 31 provinces of Afghanistan. The following table specifies the provinces of the interviewees:

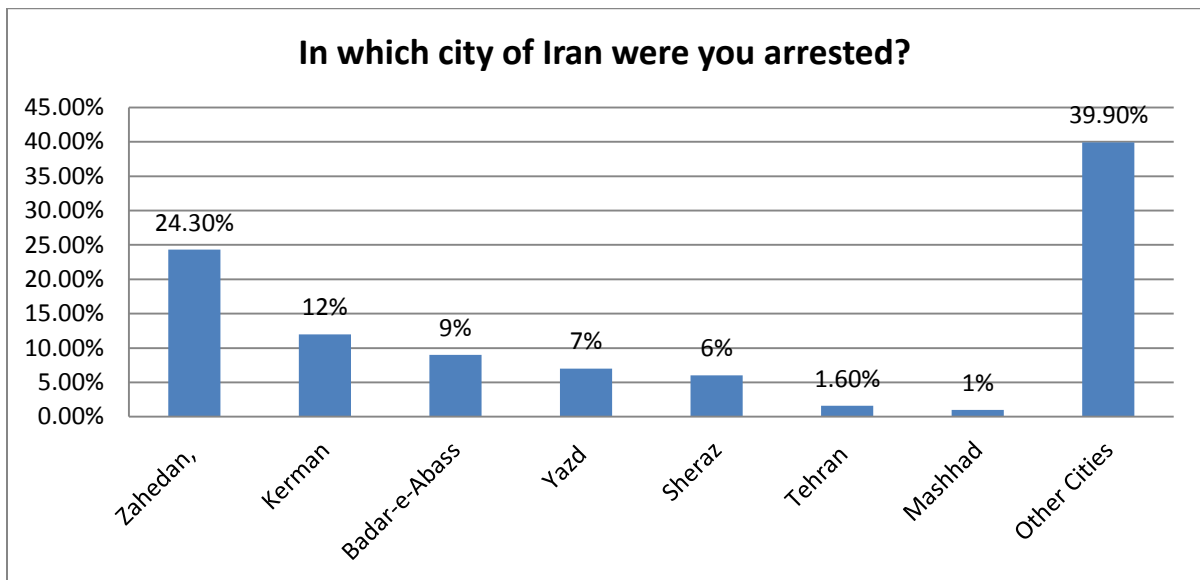
No	Province	Number	Percentage
۱	Kabul	۲۶	% ۱.۳
۲	Kapisa	۹	۰.۴
۳	parwan	۳۰	۱.۵
۴	Wardak	۳۳	۱.۶
۵	Logar	۷	۰.۳
۶	Ghazni	۸۳	۴.۱
۷	Paktia	۱	۰.۰
۸	Ningarhar	۱۳	۰.۶
۹	Laghman	۲۸	۱.۴
۱۰	Kunnar	۶	۰.۳
۱۱	Badakhshan	۳۳	۱.۶
۱۲	Takhar	۱۰۴	۵.۲
۱۳	Baghlan	۸۲	۴.۱
۱۴	Kundoz	۱۳۱	۶.۵
۱۵	Samangan	۴	۰.۲
۱۶	Balkh	۸۱	۴.۰
۱۷	Jawzjan	۱۸	۰.۹
۱۸	Fariab	۱۵۵	۷.۷
۱۹	Badghees	۳۳	۱.۶
۲۰	Herrat	۱۱۴	۵.۷
۲۱	Farah	۱۸۹	۹.۳
۲۲	Nimrooz	۴۱۶	۲۰.۷
۲۳	Helmand	۸۵	۴.۲
۲۴	Kandahar	۳۲	۱.۶
۲۵	Zabul	۴۲	۲.۱
۲۶	Urozgan	۶	۰.۳
۲۷	Ghoor	۹۷	۴.۸
۲۸	Bamian	۱۶	۰.۸
۲۹	Paktika	۸	۰.۴
۳۰	Sar-e-Pul	۶۷	۳.۳
۳۱	Daikundi	۵۷	۲.۸

<b>Total</b>	۲۰۰۶	%۱۰۰
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The above table shows that the majority of deportees are from Nimrooz province that make up almost 20 percent of all interviewees. Nimrooz province has a joint border with Iran, and the inhabitants of this province enter Iran for seeking employment. Farah and Fariab provinces come second and third, while other provinces have less than 7 percent of the deportees from Iran. Out of these interviewees, 83 percent of them stated that they would return to their homelands, but around 16 percent of the interviewees gave a negative response. Those returnees who do not return to their native places, usually stay in the big cities.

### **Cities from where the refugees were arrested and expelled:**

The deportees have been arrested from different cities in Iran. Findings by the present report show that around 214 percent of these deportees were arrested from Zahedan city, 12 percent from Kerman and 9 percent of them were arrested from Bandar-e-Ababass. The following chart shows this figure clearly:



In this report, 99.6 percent of the interviewees stated that the officials used force against them during the arrest. None of the interviewee was expelled on court order. Out of the interviewees, 22 percent of them stated that they were informed before expulsion, but the reaming 78 percent of them did not receive any warning. From one day to one week's time had been allocated for those refugees who had been informed before expulsion, but most of them state that a deadline of 2-3 days were fixed before deportation.

### **Human rights violation of the deportees from Iran:**



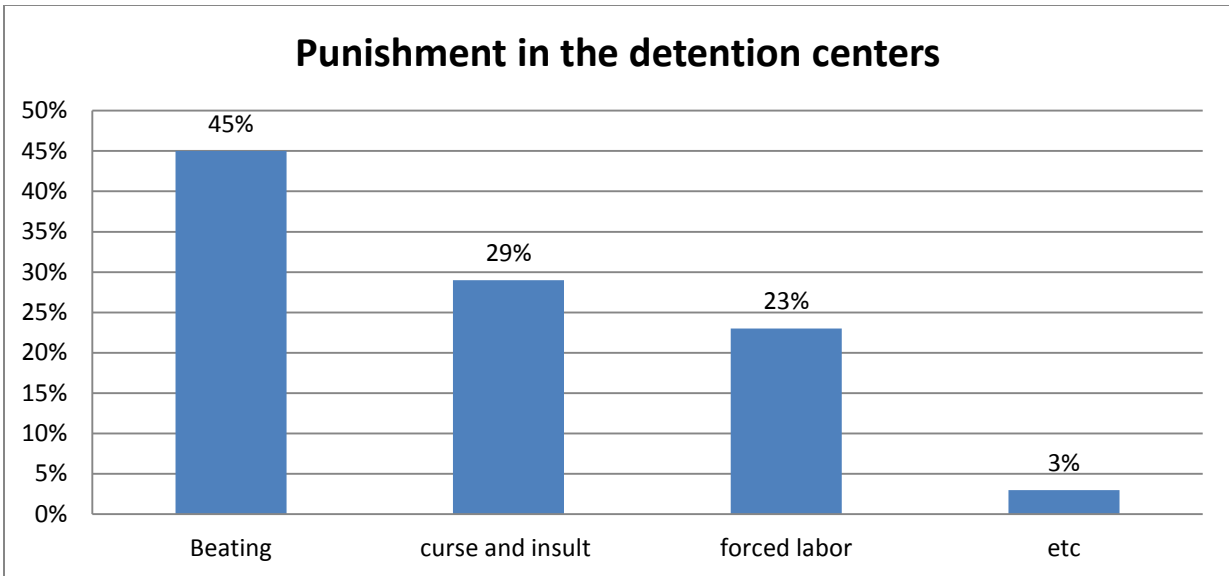
Most of the Afghan refugees expelled from Iran were treated improperly and inhumanely. Their human rights have been violated by the security officials of Iran and they faced a bad situation. The AIHRC recorded many cases of human rights violation during field monitoring missions. A few examples of them are quoted in this report.

#### **Violation of the right to human dignity:**

Human dignity is one of the basic human rights emphasized upon in the Universal Declaration of Human rights and other international human rights documents. The first article of this declaration clarifies that all human beings are equal from the view point of dignity and rights. Article Five of the Universal Declaration of Human Rights reads, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Enjoyment from the right to human dignity under any condition is the right of every person. Cases of torture, cruel punishment, inhumane treatment, degradation and humiliation are clear violation of the right to human dignity. The cases recorded by field monitoring teams of the AIHRC show that the human dignity of the deportees has been violated severely through beating, degradation and insults.

#### **Situation of the deportees in concentration camps:**

The security officials of Iran usually arrest the individuals and transfer them to the camps and then to Afghanistan, but in some cases deportation takes place directly. In this report, 63 percent of the interviewees stated that after the arrest, they were taken to detention camps, but 37 percent of them were not taken to such camps. Those who are taken to the camps usually spend from one day to one week under detention and then deported to Afghanistan. More than 90 percent of those who were taken to detention camps complained about bad condition and lack of facilities. Overcrowded, dirty rooms, ill-treatments by the in charges, darkness, insufficient water and food are the problems mentioned by the interviewees. Similarly, 30 percent of the interviewees claimed that they or their family members had been punished in the camps. Beating, forced labor, humiliation and insult had been the main cases mentioned by the interviewees. Around 45 percent of those who were taken to the camps claimed that they were beaten and 29 percent of them complained of being insulted and humiliated. The following chart clearly shows the figure and types of punishments.



**Case: (Beating)** “Since 7 months I together with my family have been residing in Sarwan city. I used to leave home for work every day and I was a tailor. One day, suddenly the police broke into my work place and arrested me and some other Afghan workers. I showed them my residency card, but they did not pay any attention and tore my card. First, they took us to the custody of Sarwan and then after few hours transferred us to Sarwan detention camp. After

spending seven days there, we were taken to Zahidan camp. They did not give us enough food or water at Zahidan camp. In addition, the police beat me with sticks and slapped me severely. The signs of beating are still clearly visible on my body.”



**Case:** (humiliation and insult) “ I was a gardener in Anarak area in Iran. The owner of this garden was a kind and good man. One day it was at 5 pm that some people entered the garden and came towards me. As soon as I saw their weapons, I thought they were thieves. I started fleeing and they opened fire at me. One bullet hit my knee and I fell down. They captured me and started kicking and punching. They shouted, “ You dirty Afghan, escaping from the grips of the police!” Then they put me in a vehicle like an animal and took me to Kerman hospital. Since I had lost too much blood and also being beaten severely, I fainted as soon as I reached the hospital. I remained in the hospital for 6 days. On the seventh day, the same policemen came and told the doctors, “ We take this dirty Afghan to the camp.” The doctors demanded, “ Let him be here for two more day and his knee will recover.” The police did not pay any attention and stated, “This rubbish should die. They have destroyed our country.” They took me immediately to Kerman camp and I stayed in this camp for two nights. Then they deported me.”

### **2.3.3.3- Health threats:**

Enjoying a good health is a basic human right. No one has the right to limit the right of individuals to health, or harm the health of a person. Article twenty fifth of the Universal

Declaration of Human Rights emphasizes on the right to health. Findings by the AIHRC show that deported individuals from Iran face serious health threats at the border areas and they are in bad health condition.



**Case:** “ Mriam daughter of... was deported from Iran while suffering from illness. She narrates: “I together with my family migrated to Iran to seek employment and medical treatment. After entering Iran, we settled in Samnan city. Since I was sick, I decided to visit a doctor and my son accompanied me (for one year I have been suffering from jaundice). On the way, the police stopped us and after investigation, they found out that I had no residency card. So we were arrested, though I was suffering from illness. I demanded to allow me to contact my husband and then they can deport us together, but they did not pay any attention to my demand. They took us to Kerman camp and we spent 6 days there without health facilities, while I was suffering from illness. They did not allow me to contact my husband, and there was no doctor either, so finally we were deported.”

**Case:** “My name is Abdul Rahim. I together with my friends had just arrived Zahidan city when our vehicle made an accident because of fast driving. My leg and waist severely injured. Soon

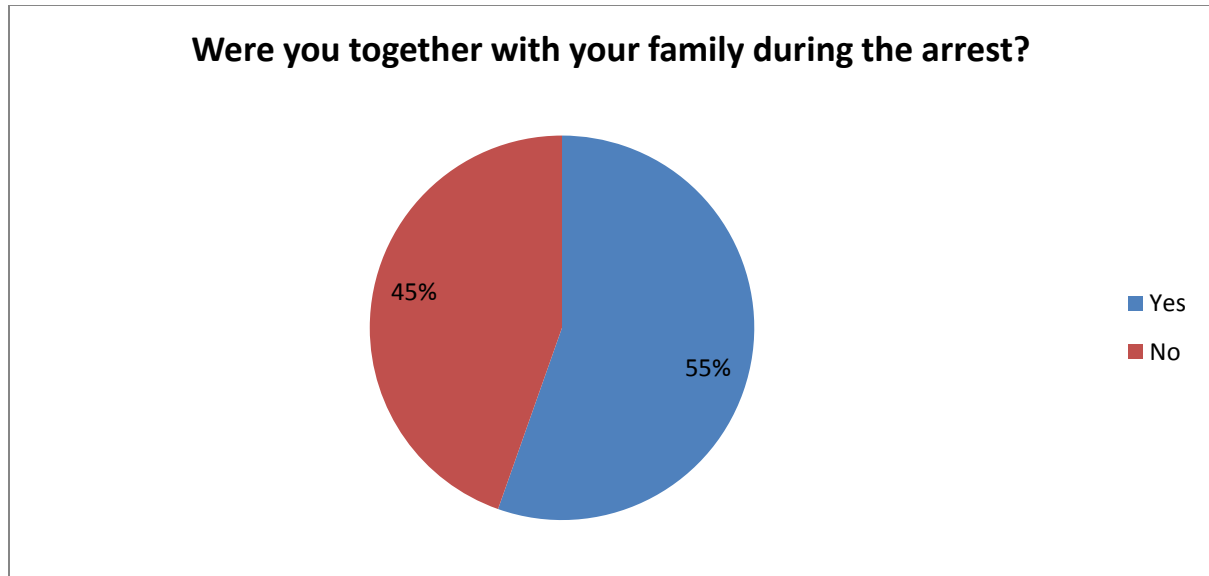


after the accident, the police arrived and they asked for my documents, but I didn't have documents. After insulting, they put me in the car and moved toward the border, while I needed to be in the hospital. Now I suffer from severe injury.

#### **4.3.3.2- Separation of children from their families:**

Family is the only safe shelter for children. Separation of children from their families is contrary to ethical values and a clear violation of child right. Forced separation of children from their parents is contrary to Article 9 of the Child Rights Convention. Observance of child rights is the responsibility of every citizen. Border monitoring and evaluation conducted by the AIHRC shows that children were separated

from their families during deportation. Out of the people under coverage of this research, 44 percent of them stated that they were together with their families during the arrest. It shows a rough number of family deportations. Deportation with family combines with numerous problems and these problems are mostly focused on children and women during deportation. The other 55 percent of these people stated that they were deported alone. The statistics of such group of people that either have been alone in Iran or their family have been left behind in Iran, but they have been deported, are clearly shown in the following chart



**Case:** “ I am a native of Sarjun village in Jawzjan province. I suffer from heart disease. My father got a passport and visa for us, and I together with my father and mother came to Iran legally and we stayed in Esfahan city. My father worked in a dairy farm for one year to collect money for my medical treatment. He took me to Esfahan Hospital and paid the amount of money that was supposed to be handed over in advance. The next day, on the way to hospital Iranian police stopped us and asked for my father’s documents. My father showed them the hospital receipts, but they did not accept and insulted us. They put us in their vehicle like animals and took us to the police custody. After a few hours, we were transferred to the camp and they wanted to deport us. My father asked for permission to contact with my mother and send me to her, but they did not allow him. Later they transferred us to Safaid Sang camp and after 5 days, we were deported. My mother is still in Esfahan.”



**Case:** A man says, “ I was living in Esfahan for 4 years. One day I together with my two sons aging 9 and 12 years left home to participate in the wedding party of my friend. On the way, police arrested us and took us to a custody where some other Afghan were detained. They put us in the cars to be deported. They put my sons in another car and I have no news about them. For many days, I have been looking for them at the border, but I could not find them.”

**Case:** A 14-year-old child says, “I was working in a Kabab Restaurant in Iran. One day I wanted to go home, when the police stopped me at the bus station and asked for my documents. I did not have documents to show. After punching and kicking, they threw me in a vehicle and took me to the police station. They took my mobile phone and seventy five thousand Toomans I had received as my wage. After one night, they transferred me to Safaid Sang Camp. I spent two days there without food. Since I had no money for my transportation, then ty put me in forced labor for 5 days. Finally, I collected some money for my transportation by begging and they deported me. Their border police asked for 40 thousand Toomans, but I did not have the money. So, he slapped and allowed me go. Now, I have no money or a place to go.”

This report shows that in many cases, children under 18 years old with permission of their families or sometimes without their permission go to Iran through Zarange and Islam Qala borders. After deportation, these children face serious problems.



**Case:** Mass-deportation of 9 children natives of Azizabad village in Zabul and Sheendand of Herrat province, “Due to insecurity and unemployment, our parents were forced to send us to Iran for seeking work. We moved towards Iran via Nimrooz border with a trafficker. We walked for 14 hours and along the road, some of us were crying and even some children fainted. The trafficker threatened us to death and we were forced to continue moving until we reached a jungle. In the jungle, there was a ruined house. We told each other that the trafficker has brought us here for selling, but out of fear we could ask. The next day we moved and reached Bam city in Iran. It was dark and our vehicle came under shooting. The vehicle stopped and we run towards a hill and hid ourselves in a place. We were very tired and fell asleep. Before getting up in the morning, the police had already surrounded and arrested us. They beat us severely and accused us of smuggling narcotics. We cried and pleaded and told them that we had come there for work, but they took us to their station and imposed forced labor on us for 5 days. Then they transferred us to Safaid Sang camp, and forced us to clean the toilets, rooms and yard every day. The detained Afghans at Safaid Sang were kind enough to collect some money for us to become ready for deportation.

In this report, 498 deportees covering almost 25 percent of the interviewees claimed that their properties left behind in Iran. House utilities, prepaid rents, the remaining salary and personal accounts were the cases mentioned by the interviewees. They claimed that enough time was not given to them after arrest to collect their money and belongings.

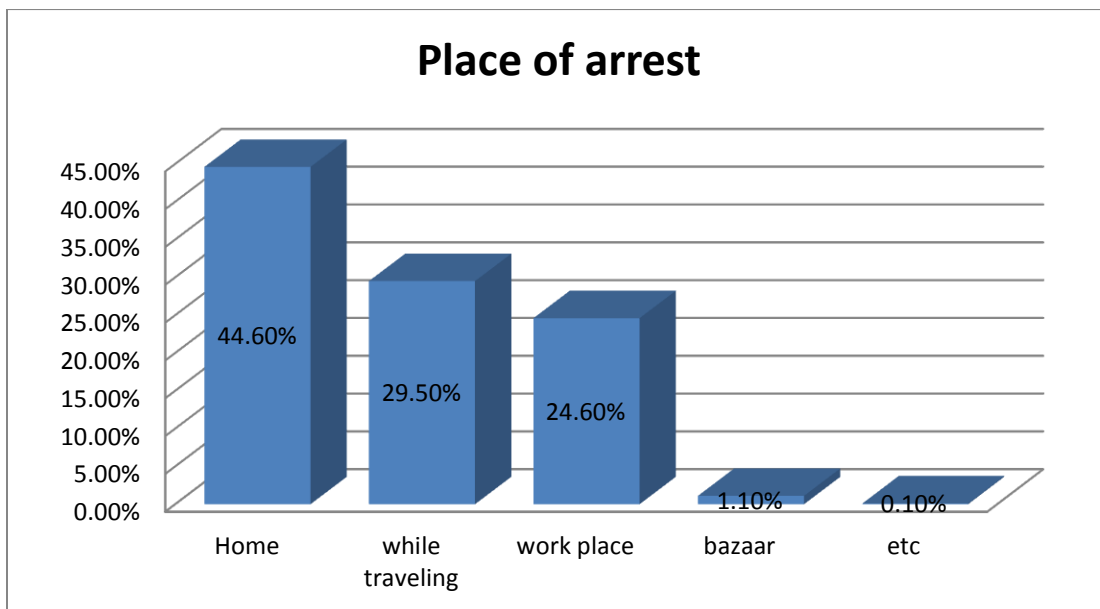
**Case:** A woman says, “To seek for employment, I together with my family migrated to Iran 8 years ago. After entering Iran, we settled in Kerman city. One day I with my husband and a child



left home for Zahidan to visit our relatives. My two other children and their grandfather stayed in Kerman. Along the way to Zahidan, near Nasratabad checkpoint the police took us out of the buss, because we did not have road pass. They transferred us to Zahidan camp and we spent two days there. During this time, the police did not allow us to contact our family until they deported us to Afghanistan. My children and belongings left behind in Iran.”

### 2.3.3.5- Violation of the right to security of residence:

Article 12 of the Universal Declaration of Human Rights emphasizes that: No one shall be subjected to arbitrary interference with his privacy, family, or home. The findings of this report show that most of the deportees were arrested from home. It means non-observance of an individual’s personal privacy by the security in charges of Iran. Based on the findings of this report, around 44 percent of the deportees were arrested from home, 29 percent along the way and 24 percent of them were arrested from their work places. The following chart shows this figure clearly:



**Case:** Zobaida says, “ Due to unemployment, I together with my family migrated to Iran 6 years ago. After entering Iran, we settled in Zahidan. On 12.2.1393 at 8 o’clock in the morning, police broke into our house without pre-information, while my husband had left home for work. The police forced us leave our home and we left all our properties behind. We demanded them to give us time until my husband returns, but they did not pay any attention. They put my four children and me in a vehicle and took us to Zahidan camp. After one day, we were deported to Afghanistan without my husband. Now we are in Afghanistan while my husband and our properties left behind in Iran.

### **2.3.3.6- Abduction and Killing:**

Abduction and killing by traffickers and Mafia bands are the most shocking cases registered. The findings show that in some cases, individuals deported from Iran have been kidnapped or even killed by kidnappers.

**Case:** The fate of a deceased person narrated by his cousin: “I together with my cousin was deported from Iran. At the border, we had no money to return home or go back to Iran. We were begging to collect some money. One day a man came and took my cousin home for work. After a few hours, I received a call from my cousin that he was kidnapped and now the kidnapper wants money. I did not have money to give him. After one day I called that number to ask for my cousin, but that man angrily responded, “The boy is dead now and don’t call again!”

### **2.3.3.7- Addiction:**

Border monitoring shows that in some cases, the deportees remain at the border for a long time and they become addicted to narcotics. Most of the deportees became bankrupt at the border and they are not able to come home or go back to Iran. For this reason, they resort to begging and addiction. They face a dark future.

**Case:** “ My name is..... and I am from Ghazni province. I was deported two times. The first time I was arrested in Esfahan and then deported. I remained at the border for one week until one of my relatives sent me money to go back to Iran, but I was arrested again in Zahidan city and they deported me. I was in debt and had no money to return home. I became acquainted with two other people who used to sell and smoke narcotics. I was begging during the days and smoked narcotic at nights with them. Now I am absolutely addicted, and am not able to work. There are many people like me living on the border for years.

### **Influx of returnees to the city centers:**

Assessments and reports show that most of the returnees choose cities for their resettlement. According to the report by the UNHCR, “Around 60 percent of the returnees have not gone to their native areas, instead they have settled in big cities. Most of the returnees have settled in Kabul, Herrat, Balkh, Kandahar and Ningarhar provinces.”<sup>17</sup> Border monitoring findings by the AIHRC show that 80 percent of deportees from Iran stated that they would go back to their native areas. Since most of the deportees are single, therefore they would return to their families. These findings show that 20 percent of the returnees from Iran have their families in Kabul. In

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<sup>17</sup> - Radio Liberty, Published in Qaus 1392, date of receive: Saur 1394, add:

<http://da.azadiradio.mobi/a/25204641.html>

general, most of the voluntary returnees from other countries choose cities for their resettlement, because cities are more suitable for returnees from many points of view.

#### **2.4.1- The reasons for influx of returnees to the city centers:**

**2.4.1.1- Work and Employment:** There is more opportunity for work and employment in the cities compared to rural areas. During the recent years, droughts have limited agricultural activities and business. For this reason, the returnees try to choose cities for living.

**2.4.1.2- Urban Culture:** Most of the returnees have lived in the cities for long years in other countries and they are used to the urban culture and like to live in the cities. For this reason, they do not have the skills for living in the rural areas and it is difficult for them to adapt.

**2.4.1.3- Security:** In many villages and districts in the country, there is no perfect security. Therefore, returnees in terms of security, prefer to resettle in urban areas.

#### **2.5- General situation of the returnees and assistance with them:**

First of all, the returnees need basic protection and support, which should be rendered to them. Refugees who return home after long years of living in other countries usually face with challenges, including lack of shelter, employment, unfamiliarity with the environment, etc. For this reason, paying keen attention to the tackle the problems of returnees, especially those with serious economic problems is the obligation of the state to take action. Part of the ANDS is allocated to the returnees. The section on returnees reads as such:, “ All of the returnees are not at the same economic level. The State’s main focus would be on poor and vulnerable groups and special attention would be paid to their food security, shelter and employment. ”<sup>18</sup> This strategy specifies that it is the state obligation to support returnees and resettle them in the society in a basic and inclusive way. At present, the Ministry of Refugees and Repatriation Affairs functions as a policy-making institution.

This Ministry as the most important state institution responsible in the sector of refugees and returnees needs serious attention of the State. Issues including capacity building, allocation of budget and also redefining the role of this Ministry are the main issues to be considered seriously. The phenomenon of migration and the needs of this sector has long-term infrastructural and developmental nature, but the national and international aid institutions just render temporary humanitarian assistances. For example, distribution of rice, cooking oil, blankets, etc. are the aids rendered by the related institutions. In some cases, the Ministry of

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<sup>18</sup> Refugee sector strategy, refugees and displaced persons, p.3

Labor and Social Affairs provides short-term vocational training which has no big role in their employment. The IOM is one of the institutions, which has assisted returnees during previous years. A report by that institution indicates that since beginning of 2012 to 2014 the IOM has assisted 30 to 40 thousand Afghans who have voluntarily returned home from Iran and Pakistan via Islam Qala, Milak and Toorkham borders.<sup>19</sup> In Afghanistan, assistances to the returnees are usually rendered through the UNHCR. In the first step, this organization pays \$200 to each returnee.<sup>20</sup> A family of 5 members can receive \$1000 which is sufficient for their basic needs. However, this assistance cannot meet their long-term needs.

### **2.5.1- The right to work:**

Access to work and employment is a basic need of every man and women. Access to work paves the ground for the achievement of other rights including shelter, education, health, etc. According to Article twenty-three of the Universal Declaration of Human Rights, every person has the right to work and should be protected against unemployment. Limitation of access to work is a basic challenge in the country. Based on the findings by the ILO, 77 percent of the returnees have no job security.<sup>21</sup> Lack of work and employment force some of the returnees to migrate again. The UNHCR confirms that some of the returnees leave the country again due to lack of employment. A general research conducted by the IOM in 2011 shows that only 23.3 percent of the refugees were able to find employment.<sup>22</sup> The condition of unemployment has caused many Afghans to migrate in spite of all serious difficulties and they prefer migration to repatriation. The State has not been able to prepare work opportunities for the citizen during the past years. For this reason migrations continues. A report on Economic and Social Rights Situation published by the AIHRC indicates that around 29 percent of the returnees are not

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<sup>19</sup> - IOM report: [www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand](http://www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand)

Interview with Nader Farhad, Spokesman of the UNHCR

<sup>20</sup> - Interview with Nader Farhad, Spokesman of the UNHCR

<sup>21</sup> - BBC, date of publication Qaus 1392, date of receive Jawza 1394. Add: [http://www.bbc.com/persian/afghanistan/2013/12/131217\\_k03](http://www.bbc.com/persian/afghanistan/2013/12/131217_k03)

<sup>22</sup> IOM report: [www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand](http://www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand) peg 7

satisfied with their return. Around 60 percent of them consider unemployment as the main reason for their dissatisfaction.<sup>23</sup>

### **2.5.2- The right to shelter**

Shelter is a basic need of every family. At the first step, the returnees need shelter. Based on a report by the Ministry of Refugees and Repatriation Affairs, around 61 townships have been established for the returnees in 29 provinces of our country.<sup>24</sup> According to this report, “Out of all the requests handed over by the returnees for plots of land in various provinces, 115,543 families have been recognized deserving to receive plots of land. Out of them 68,426 families have received their plots and 30,414 families have built their houses in these townships.” To tackle shelter problems of the returnees, Australia, through UNDP has built 10,251 residential houses under project Alaskan (Habitat) at Bareekab area of Qarabagh district in Kabul province and distributed them to deserving families through a commission.<sup>25</sup> The report adds that organized by the Ministry of Refugees and Repatriation Affairs and assisted by the UNHCR and some other organs 223,825 residential shelters have been built at the townships of returnees and displaced people in 34 provinces of our country since 2002 to 2014.<sup>26</sup> At the same time, Chairman of Planning Department at the Ministry of Refugees and Repatriation Affairs believes that township construction projects for repatriates in Kabul and other provinces have their own specific problems. He added, “Lack of transparency in distribution of land, insufficient land, the long distance of the projects from the cities and lack of basic services in these townships are the reasons that few returnees live in these townships. Out of 62 refugee-townships, only 29 of them are active and resided by around 300 thousand people.<sup>27</sup> The aforementioned statistic shows that the amount of land plots or shelters is very limited compared to the number of returnees. Most of the 5 million returnees need shelter ,but the state has not been able to put land or house at their disposal. Efforts should be made for building more residential apartments and townships to encourage repatriation.

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<sup>23</sup> The AIHRC, Economic and Social Report in Afghanistan. 1391, p.33The AIHRC, Economic and Social Report in Afghanistan. 1391, p.33

<sup>24</sup> - Ministry of Refugees and Repatriation, cities of the returnees and rendering of infra structural assistances, adapted in Mizan 1394 <http://morr.gov.af/fa/page/13090/13092/13100>

<sup>25</sup> Ministry of Refugees and Repatriation, *ibid*

<sup>26</sup> -*ibid*

<sup>27</sup> - BBC: The new government of Afghanistan and the long way of returning of refugees- Mahdi Mutahari, Chairman of Planning Department at the Ministry of Refugees and Repatriation Affairs, published: Aqrab 1393 add:

### **2.5.3- The right to health:**

The right to health is a basic human right. Being faced with environmental changes, the returnees are more vulnerable against diseases. Therefore, preparing the ground for their access to health services is an important need. Based on the information by the Ministry of Refugees and Repatriation Affairs, since 1383 to 1393 around 25 health clinics have been built for the returnees with financial assistance rendered by the related international organizations.<sup>28</sup> Reports show that primary health assistances have been provided by related organizations for the returnees, but their regular and consistent access to health services are still faced with challenges. Necessary health facilities should be put at the disposal of returnees who live separate and far away townships.

### **2.5.4- The right to education:**

Education is the basic right of every person. According to Article twenty-six of the Universal Declaration of Human Rights, everyone has the right to training and education. The returnees settled in different places and their children need education and training. Therefore, the state is obliged to prepare the ground for education of the returnees. Some of the returnees settle in the cities or village among the people, so they have better access to schools and education. But, those who live in faraway townships are in great need of new schools. The Ministry of Refugees and Repatriation Affairs claims that around 24 new schools have been built for the returnees in various parts the country through assistance by the international organizations<sup>29</sup>. In spite of this, the returnees are faced with other educational challenges including differences in language and system of education. The children of refugees in Pakistan usually had attended schools where the teaching language and material were in Urdu or in English, but after returning to Afghanistan, the teaching instructions and material were in Dari or Pashtu. They faced language problems. A report by the IOM shows that some of the returnees whd had lived in Pakistan for long years and they returned home in 2015. Their children face different education system and teaching language. For this reason, the State and related organizations should pay keen attention to education problems of the returnees and prepare the ground for their better access to education.

**2.5.5- The right of Access to potable water:** Access to potable water is considered a basic right of every person. The State should prepare the ground for the returnees to have access to potable water in the townships. A report by the Ministry of Refugees and Repatriation Affairs reads that 814 semi-deep and 24 deep wells have been drilled and also, 24 water reservoirs have been

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<sup>28</sup> - ibid

<sup>29</sup> Ministry of Refugees and Repatriation Affairs, Townships of Returnees, Add; <http://morr.gov.af/fa/page/13090/13092/13100>

constructed in the townships.”<sup>30</sup> Taking into consideration that 29 returnees’ townships are active, there is a need to pay more attention to their drinking water problem.

## **2.6- The reasons for not returning of Afghan refugees and the existing concerns in the country**

A large number of Afghan refugees in other countries, especially in the neighboring countries are not interested in returning home. Mahdi Motahari, Chairman of Planning Department at the Ministry of Refugees and Repatriation in an analytical essay references the main reasons for not returning of the refugees. He believes that the basic needs, including shelter and work, unstable living conditions, lack of trust on the future and insecurity have forced Afghan refugees to bear all the problems and live as refugees. He added that in some cases Afghan refugees in the host countries have no access to their basic rights. For example, children of some refugees, due to having no valid and credible residency documents in the host country are deprived of their right to education. Refugee workers have nothing to do except hard labor. The refugees who have no credible residency documents are deprived of social services in the host country and live under threat of expulsion. Sometimes Afghan refugees become victims of political deals and they are used as a tool of pressure in political deals<sup>31</sup>. In spite of all these challenges abroad, Afghan refugees have no tendency to return home. Lack of security and employment, concerns about the future, drought, and lack of basic attention to returnees are the main reasons for not returning of Afghan refugees.

### **2.6.1- Hopelessness about the future of the country:**

Expansion of insecurity and consistent unemployment has made people concerned about the future. Hopelessness and an unknown future have caused new waves of migration. A report on Economic and Political Rights Situation published by the AIHRC shows that almost 15 percent of the people in Afghanistan are hopeless about the future condition.<sup>32</sup> Presidential election in 1392 was a source of hope and wide public participation in the elections indicated public hope

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<sup>30</sup> Ibid

<sup>31</sup> -BBC: The new government of Afghanistan and the long way of returning refugees- Mahdi Motahari. Chairman of Planning Department at the Ministry of Refugees and Returnees Affairs. Published 22 Aqrab 1393, address afghan\_refugees

<sup>32</sup> - The AIHRC, Economic and Social Situation in Afghanistan, 1390 and 1391. P. 67

for a better future, but the challenges in the elections and political tensions afterwards had a negative impact on public hope. The report indicates that over time, public hope about future reduced. A new plebiscite launched by the Asia Foundation shows that optimism of Afghans about their future reached to its lowest level during the recent ten years. In 2015 around 36 percent of the people stated that the country is moving towards the right direction, while this figure was 54 percent last year.<sup>33</sup> This report shows that public trust on Military forces decreased one percent and on the NP 3 percent.

### **2.6.2- Unemployment:**

Unemployment is another important issue that has made the people very worried and job opportunities become limited severely by passing of each day. After the establishment of the National Unity Government, there was hope for better job opportunities, but lack of practical plans and intensification of security problems had negative impacts on work opportunities in Afghanistan. Reports by IOM show that 23 percent of the returnees stated that they had access to work. A serious concern of the Afghan refugees is about lack of job opportunities in the country. For this reason, they avoid returning home. Based on a new report by the Asia Foundation, around 31 percent of Afghans consider unemployment as the main challenge and more than 55 percent of the interviewees consider the working situation as the main problem in the country.

### **2.6.3- Insecurity and war:**

Insecurity is the most concerning and a basic issue in Afghanistan. Under such insecure condition, the least number of refugees show tendency to return home. A new report by the Asia Foundation shows that 47 percent of the people consider the lack of security as the most difficult problems in the country. Based on this report, more than 67 percent of the participants in this plebiscite stated that they were worried about their personal security in one or other way<sup>34</sup>.

### **2.6.4- Negligence of the State regarding situation of the returnees:**

Although thousands of refugees return home annually, the state does not pay keen attention to them. Due to various reasons, the state has not been able to render sufficient assistance to returnees. Lack of transparency in the distribution of plots, long distance of the plots from the cities, lack of basic services in these townships are the main reasons that few returnees live in these townships. Out of all 62 townships for the returnees only 29 of them are active and 300 thousand people live in them<sup>35</sup>. The Ministry of Refugees and Repatriation Affairs as the main

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<sup>33</sup> - Asia foundation- Report. Published: 17 Nov 2015. Retrieved at 22 Nov 2015 from: <http://asiafoundation.org/publications/pdf/1558>

<sup>34</sup> - Asia foundation. Ibid.

<sup>35</sup> - BBC. The new government of Afghanistan and the long way of returning of refugees



responsible state institution in the sector of refugees and returnees, needs serious attention of the State. Issues such as capacity building, allocation of sufficient budget and redefining the role of this Ministry should be considered seriously.

#### **2.6.5- Administrative corruption:**

Administrative corruption also plays an important role in not returning of Afghan refugees to their country. Lack of transparency in the distribution of assistances, bribery and corruption in the country reduce the tendency of refugees to return home. Some of the refugees have sufficient capital that they can make investment and start business inside the country after they return home. However, due to negative picture of the country in the minds of the refugees, they think that due to corruption their business would face problems inside the country. The Chairman of Planning Department at the Ministry of Refugees and Repatriation Affairs believes that most of the refugees are not the same as the refugees of two or three decades ago who needed support. By using the least opportunities in the host countries, they have been changed to outstanding specialists and successful capital holders. A large number of them have received high education. Some others have good experience in investment and job creation. Based on a report by the Asia Foundation, public trust on state institutions has been reduced due to existence of corruption. A plebiscite launched by the Asia Foundation shows that more than 75 percent of the people claimed that their problems were not solved properly at the state departments, while in 2014 around 57 percent of the people believed that the state employees did not carry out their duties properly.

#### **2.6.6- Drought:**

Droughts during the recent years had direct effects on poverty and joblessness. In addition, farmers do not enjoy necessary agricultural facilities. Agriculture continues in traditional systems and modern agricultural facilities have not been put at the disposal of farmers. Lack of cold storages for fruits and lack of modern agricultural machineries have caused low product through hard labor.

#### **2.7- New waves of migration and its challenges:**

A new wave of migrations started during the current year. Assessments show that since the beginning of 1394 the process of migrations gradually increased and reached its peak in the summer of the current year. After the deterioration of insecurity in the country, limitation of job opportunities and hopelessness about future, many citizens of Afghanistan resorted to migrations. A plebiscite launched by the Asia Foundation and covered 9 thousand people from

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all over the country shows that almost 40 percent of the interviewees stated that they are ready to leave their country<sup>36</sup>, while this figure reached 33 percent in 2011.

The Ministry of Foreign Affairs, quoting the UN High Commissary in a recent statement proclaimed, “During the current year, 146 thousand Afghan refugees have entered Europe and out of them 80 thousand people applied for asylum in Germany. According to the Minister of Foreign Affairs of Afghanistan, 43 percent of the Afghan refugees have been accepted as refugees in Germany in 2015. Cases of the remaining 57 percent of them are under process. The number of Afghan refugees in Holland was announced 1847 people by the Ministry of Foreign Affairs. Similarly, 1,014 Afghans in Norway and 13,890 people in Sweden have applied for asylum.”<sup>37</sup> After Syria, Afghanistan is the second country with the largest number of refugees.

Increased number of people requesting for passport in 1394 indicates new waves of migration, which is unprecedented during the recent years. In charges of the Passport Department in the Kabul confirms that around four thousand people apply for passport every day, but the staff at this Department is able to issue only 2 thousand computerized passports in one day. “ Sayed Omar Saboor, Chairman of Passport Department says that due to lack of sufficient staff and facilities, this Department is able to issue only 2 thousand computerized passports daily. He added that two years ago the number of people requested for passport reached to 600 people in the capital while this figure increased to one thousand people last year. At present this figure exceeds 4 thousand people daily”<sup>38</sup>. Based on the reports, the number of people requesting for passport increased tremendously after collapse of Konduz province and spread of insecurity in other northern provinces. In addition, hundreds of Afghans migrate without a passport, illegally. The Afghans face numerous problems and risks during migration. A number of them enter Iran legally and then move towards Europe. Some others illegally cross the borders of Iran via Uromia and Turkey, and set out for Europe. Afghan Refugees Solidary Association in Turkey stated that Afghan refugees wander in various cities of Turkey without receiving any assistance from the State of Turkey or human rights organizations. At present, the UNHCR in Turkey refrains from accepting the cases of Afghan refugees and those Afghans who have been recognized as refugees are living under a condition of uncertainty. During illegal migrations, Afghan refugees face serious dangers, which jeopardize their life.

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<sup>36</sup> BBC: The number of Afghan refugees exceeds 146 people. Published on 25 Aqrab 1394, adapted: Aqrab 26, add: <http://asiafoundation.org/publications/pdf/1558>

<sup>37</sup> BBC: The number of Afghan refugees exceeds 146 people. Published on 25 Aqrab 1394, adapted: Aqrab 26, add:

<sup>38</sup> - Open society newspaper. Problems of Afghan refugees in Turkey: <http://dailyopensociety.com/fa/60000-afghan-refugees-leave-turkey>

## **Chapter Four**

### **Summing up and Recommendations**

#### **Conclusion**

After a thorough review of the returnees' situation, it can be concluded that the returnees are facing numerous and serious challenges. In spite of its commitments and responsibilities regarding the refugees, the State has not been able to fulfill its obligations properly and basically during the last one and a half decade. As pointed out in the first chapter about the state commitments, assessments show that in most cases, no basic attention has been paid to the returnees.

The ANDS emphasizes, “ To encourage the process of voluntary repatriation, the State of Afghanistan would provide facilities including shelter, plots of land and other basic assistances to the returnees.”

Findings by this report show that neither shelter nor work opportunities have been provided for most of the returnees. Only less than 30 percent of the returnees have access to jobs and most of them have not received basic protection. Most of the returnees cannot live in the townships allocated for the returnees due to long distances from the city centers, lack of sufficient facilities including water, electricity and roads. Although this report specifies short-term assistances to the returnees, it cannot meet their basic needs at all.

The ANDS specifies that necessary assistance would be rendered for the resettlement and reintegration of the refugees who are willing to return home until the end of 2010. In spite of passing around 5 years from the specified date, the state has not been able to fulfill its commitments according to that plan.

It is mentioned in a part of this report that deportees live under the worst condition in the border areas and they need basic attention by the state. Formation of the new waves of migration, the crisis of unemployment, insecurity and hopelessness in the country continues as serious challenges.

To cut a long story short, it can be said that in spite of obligations and commitments regarding the returnees, the state did not have practical mechanisms in this regard. For example in the ANDS, the sated has made a commitment to render basic supports to the returnees, but no sufficient budget has been allocated for a thorough protection of the returnees. The Ministry of

refugees and repatriation Affairs acted only as a policy-making organ. Therefore, it requires the state to pay keen and basic attention to returnees.

### **Recommendations**

After a research about the situation of the returnees, the AIHRC puts forward the following recommendations to the State of Afghanistan:

- 1- Assessments show that most of the returnees suffer from unemployment. The state should provide job opportunities for the returnees.
- 2- Lack of shelter is another problem of the returnees. The state should make the townships allocated for the returnees usable.
- 3- The Ministry of Refugees and Repatriation Affairs should be changed from a policy-making organ to an executive organ and sufficient budget should be allocated for settling the problems of returnees.
- 4- Besides short-term and temporary assistances to the returnees, basic protection and support should be provided to them.
- 5- The findings by the AIHRC show that Afghan deportees live under the worst condition in the border areas. The state should pay keen attention to bring them under protection.
- 6- The returnees face serious education problems including teaching language in some cases in schools. The state should design and implement basic and effective programs for education of the returnees.
- 7- Provision of health services in the townships of the returnees is an urgent need which requires attention by the State.
- 8- The State should take basic and practical measures for reintegration of the returnees.
- 9- The state should design and implement specific policies for the returnees
- 10- The State should follow a clear diplomacy with host countries, especially with Iran and Pakistan to prevent illegal expulsion of the refugees. In addition, efforts should be made for the ensuring of the citizenship rights of Afghan refugees in the host countries
- 11- The State should provide the ground for the living facilities including shelter, job, potable water, health and educational services in a basic and long term way for the returnees

## List of the References

Refugees, returnees and displaced people sector strategy

The ISA ( 4 Qaus 1392) National Policy on IDPs. Received on 4 Aqrab 1394 from:

<http://morr.gov.af/Content/files/National%20IDP%20Policy%20-%20FINAL%20-%20Dari.pdf>

Counseling office of Samuel Hall, representing the working group of the National Policy on IDPs (2015), brief information on the national policy on IDPs in Afghanistan- from policy to implementation, received on 3 Aqrab 1394 from:

[http://samuelhall.org/wp-content/uploads/2015/04/IDP-Policy-Briefing-Note\\_SH\\_FINAL\\_Dari.pdf](http://samuelhall.org/wp-content/uploads/2015/04/IDP-Policy-Briefing-Note_SH_FINAL_Dari.pdf)

UNHCR .:

The UNHCR office, add:

<http://www.unhcr.af/Applications/SitePages/Default.aspx?idx=0&sitepageid=28>

Central Census Bureau: Statistic Almanac 1393: add

<http://cso.gov.af/fa/page/1500/4722/2014-2015>

Central Census Bureau, add:

<http://cso.gov.af/fa/page/1500/4722/2014-2015>

BBC: The number of Afghan refugees exceeds 146 thousand people. Published on 25 Aqrab 1394, adopted on 26 Aqrab 1394, add:

[http://www.bbc.com/persian/afghanistan/2015/11/151116\\_k05\\_afghan\\_reugee\\_in\\_european\\_countri](http://www.bbc.com/persian/afghanistan/2015/11/151116_k05_afghan_reugee_in_european_countri)

Hasht-e-Sobh daily, violation of Geneva Convention regarding Afghan refugees, published on 18 Aqrab 1392, adapted on 9 Aqrab 1394, add:

[/http://8am.af/1392/08/18/migration-afghan-jenova](http://8am.af/1392/08/18/migration-afghan-jenova)

Geneva Convention, adopted on 10 Dec. 1984, by the UN General Assembly

Universal Declaration of Human Rights adopted on Dec. 10, 1984

Central Census Bureau, statistical information 1393, add:

<http://cso.gov.af/fa/page/1500/11161/10214>

Radio Azadi, out of each 25 Afghans, one has been a refugee for sometimes. Publishing date: Qaus 1392, receiving date Saur 1394, add:

<http://da.azadiradio.org/content/article/25204641.html>

Strategy of sector of Refugees, returnees and displaced persons

Interview with Nader Farhad, spokesman of the UNHCR

BBC, publication date Qaus 1392, receiving date: Jawza 1394, add:

[http://www.bbc.com/persian/afghanistan/2013/12/131217\\_k03](http://www.bbc.com/persian/afghanistan/2013/12/131217_k03)

The AIHRC, report on Economic and Social Situation in Afghanistan 1391

Ministry of Refugees and Repatriation Affairs, Townships for the returnees and rendering of basic services, add:

<http://morr.gov.af/fa/page/13090/13092/13100>

BBC: The new government of Afghanistan and the long road ahead of the refugees to return- Mahdi Motahari, Planning Director of the Ministry of Refugees and Repatriation Affairs, Published on 22 Aqrab 1393, add:

[http://www.bbc.com/persian/afghanistan/2014/10/141014\\_zs\\_afghan\\_refugees](http://www.bbc.com/persian/afghanistan/2014/10/141014_zs_afghan_refugees)

The AIHRC, Social and Economic Situation in Afghanistan, 1390- 1391

BBC: The number of Afghan refugees in Europe exceeds 146 thousand people. Published on 25 Aqrab 1394, adapted on Aqrab 26, add:

[http://www.bbc.com/persian/afghanistan/2015/11/151116\\_k05](http://www.bbc.com/persian/afghanistan/2015/11/151116_k05)

Kelid Group, 4 thousand people waiting for 2 thousand passports every day. Interview with Director of Passport Department, Published on 10 Assad 1394, Adapted on 12 Mizan 1394, add:

<http://tkg.af/dari/report/social/17476->

Open Society Daily, problems of Afghan refugees in Turkey:

<http://dailyopensociety.com/fa/60000-afghan-refugees-leave-turkey>

BBC: Turkey deported around 1300 refugees, published on 10 Qaus 1394, add:

[http://www.bbc.com/persian/world/2015/12/151130\\_u04\\_turkey\\_migrants](http://www.bbc.com/persian/world/2015/12/151130_u04_turkey_migrants)

UNHCR: voluntary return to Afghanistan. Report: January – September 2015 peg 1

UNHCR: <http://www.unhcr.af/Applications/SitePages/Default.aspx?idx=0&sitepageid=28>

UNHCR - voluntary return to Afghanistan, monthly report. January- September 2015.

UNHCR: report, January – September 2015

IOM - Return of undocumented Afghans from Pakistan, September 2015 . from:  
<https://afghanistan.iom.int/pakistan-returns>

IOM: <https://afghanistan.iom.int/pakistan-returns>

IOM report: [www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand](http://www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand)

Asia foundation- Report. Published: 17 Nov 2015. Retrieved at 22 Nov 2015 from:  
<http://asiafoundation.org/publications/pdf/1558>

Asia foundation- Report. Published: 17 Nov 2015. Retrieved at 22 Nov 2015 from:  
<http://asiafoundation.org/publications/pdf/1558>

IOM report: [www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand](http://www.docs.unocha.org/sites/afghanistan/2015afghanistanrefugeeand)