



Australian Government
Refugee Review Tribunal

Country Advice

Afghanistan

Afghanistan – AFG37369 – Returnees from
Pakistan – Commissionerate for Afghan
Refugees – Identity documents –
Independent Electoral Commission
recruitment

14 September 2010

- 1. Is it true that Afghan families registered with Pakistan’s Commissionerate for Afghan Refugees were issued with “Afghan Citizen Cards”, but that in 2007 there was an official announcement that these would not be renewed upon expiry in 2009, making these people unable to remain there legally?**

The reference to ‘Aghan Citizens Cards’ is almost certainly in relation to Proof of Registration cards. Beginning in October 2006 the United Nations High Commission for Refugees (UNHCR), with the approval of the Pakistan government, initiated a registration process for Afghan refugees in Pakistan. As part of this process ‘Proof of Registration’ (PoR) cards were issued to registered Afghan refugees.¹ PoR cards distributed in 2006 permitted card holders to legally reside in Pakistan until 30 December 2009.² The Pakistan government initially aimed to complete the repatriation of Afghan refugees in Pakistan by 30 December 2009.³ In July 2007 the Pakistan Minister for the States and Frontier Region confirmed the government’s intention that all Afghan refugees would be repatriated by the end of 2009.⁴

¹ Department of Foreign Affairs and Trade 2010, *PAKISTAN: Conditions for asylum caseloads: Afghan refugees*, 19 July - Attachment 1; United Nations High Commission for Refugees 2009, ‘Fact Sheet: UNHCR Pakistan Registration Information Project for Afghan Citizens (RIPAC)’, October - Attachment 2; Zeick, M. 2010, ‘The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises’, *International Journal of Refugee Law*, vol.2. no.2, p.263
<http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> - Accessed 10 September 2010 - Attachment 3.

² Department of Foreign Affairs and Trade 2010, *PAKISTAN: Conditions for asylum caseloads: Afghan refugees*, 19 July - Attachment 1; United Nations High Commission for Refugees 2009, ‘Fact Sheet: UNHCR Pakistan Registration Information Project for Afghan Citizens (RIPAC)’, October - Attachment 2; Afghanistan Research and Evaluation Unit 2009, *Searching For My Homeland: Dilemmas Between Borders, Experiences of Young Afghans Returning “Home” From Pakistan and Iran*, July, pp. 4 & 57
http://www.areu.org.af/index.php?option=com_docman&Itemid=&task=doc_download&gid=686 - Accessed 10 September 2010 - Attachment 4.

³ Zeick, M. 2010, ‘The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises’, *International Journal of Refugee Law*, vol.2. no.2, p. 263 & p.268
<http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> - Accessed 10 September 2010 - Attachment 3; Human Rights Commission of Pakistan 2010, *State of Human Rights in 2009*, Human Security Report Project website, February, p.290 http://www.humansecuritygateway.com/documents/HRCRPA_AnnualReport2009.pdf - Accessed 10 September 2010 - Attachment 5; ‘Pakistan to Close All Afghan Refugee Camps by 2009’ 2007, *Asia Pulse*, 31 July, source: *Pajhwok Afghan News* - Attachment 6; ‘Pakistan to send back all Afghan refugees by 2009’ 2007, *Organisation of Asia-Pacific News Agencies*, 30 July - Attachment 7; ‘Repatriation of Afghan refugees to be completed by December 2009’ 2007, *Pakistan Press International Information Services*, 22 June - Attachment 8.

⁴ ‘Pakistan to Close All Afghan Refugee Camps by 2009’ 2007, *Asia Pulse*, 31 July, source: *Pajhwok Afghan News* - Attachment 6; ‘Pakistan to send back all Afghan refugees by 2009’ 2007, *Organisation of Asia-Pacific*

This announcement may have suggested to Afghan Refugees that in 2007 the Pakistani government did not intend to renew or extend PoR cards.

In March 2009 the UNHCR and the government of Pakistan signed a letter of intent to extend the term of PoR cards to allow Afghan refugees to remain in Pakistan until December 2012.⁵ The agreement to extend PoR cards was confirmed during a tripartite meeting in July 2009 between the governments of Pakistan and Afghanistan and the UNHCR.⁶ UNHCR are planning on replacing PoR cards, which expired in December 2009, with new 'smart' cards with updated identification features.⁷

The UNHCR have conducted an assisted, voluntary repatriation scheme for Afghan refugees in Pakistan.⁸ The repatriation scheme was originally intended to be completed by the end of 2009.⁹ Many Afghan refugees voluntarily repatriated from Pakistan during 2008.¹⁰ According to the UNHCR, during 2008 over 270 000 refugees returned to Afghanistan from Pakistan.¹¹ A 2008 journal article by Dr Marjoleine Zeick, Associate Professor of Public International Law at the University of Amsterdam questions the 'voluntary' nature of the repatriation of Afghan refugees who were legally required to leave Pakistan by the end of 2009.¹² A UNHCR report also states that one of the reasons Afghans voluntarily repatriated in 2008 was because

News Agencies, 30 July - Attachment 7; 'Repatriation of Afghan refugees to be completed by December 2009' 2007, *Pakistan Press International Information Services*, 22 June - Attachment 8.

⁵ 'UNHCR and Pakistan government sign Letter of Mutual Intent' 2009, *Reuters*, 13 March, source: United Nations High Commission for Refugees

<http://www.alertnet.org/thenews/newsdesk/UNHCR/a3fcfe1db39d0c1754e349e055eafbb0.htm> - Accessed 10 September 2010 - Attachment 9; United Nations High Commission for Refugees 2009, *Afghanistan Situation: Operational Update*, September. p.7 <http://www.unhcr.org/4ac49fa39.html> - Accessed 13 September 2010 - Attachment 10.

⁶ United Nations High Commission for Refugees 2009, *Afghanistan Situation: Operational Update*, September. p.7 <http://www.unhcr.org/4ac49fa39.html> - Accessed 13 September 2010 - Attachment 10.

⁷ 'Pakistan extends validity of registration cards for 1.7 million Afghans' 2010, United Nations High Commission for Refugees website, 26 March <http://www.unhcr.org/4bac9adf9.html> - Accessed 13 September 2010 - Attachment 11; United Nations High Commission for Refugees 2009, *Afghanistan Situation: Operational Update*, September, p.7 <http://www.unhcr.org/4ac49fa39.html> - Accessed 13 September 2010 - Attachment 10; United Nations High Commission for Refugees 2009, 'Fact Sheet: UNHCR Pakistan Registration Information Project for Afghan Citizens (RIPAC)', October - Attachment 2.

⁸ 'UN agency repatriates 2,912 Afghan refugees from Pakistan' 2008, *BBC Monitoring South Asia*, 25 March, source: *Associated Press of Pakistan* - Attachment 12; Zeick, M. 2010, 'The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises', *International Journal of Refugee Law*, vol.2. no.2, p. 264 <http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> - Accessed 10 September 2010 - Attachment 3; Department of Foreign Affairs and Trade 2010, *PAKISTAN: Conditions for asylum caseloads: Afghan refugees*, 19 July - Attachment 1; 'Repatriation of Afghan refugees to be completed by December 2009' 2007, *Pakistan Press International Information Services*, 22 June - Attachment 8.

⁹ Zeick, M. 2010, 'The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises', *International Journal of Refugee Law*, vol.2. no.2, p. 264 <http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> - Accessed 10 September 2010 - Attachment 3.

¹⁰ 'UN agency repatriates 2,912 Afghan refugees from Pakistan' 2008, *BBC Monitoring South Asia*, 25 March, source: *Associated Press of Pakistan* - Attachment 12; '9,000 refugees return from Pakistan in a month' 2008, *Pajhwok Afghan News*, 30 March, source: *Pajhwok Correspondent* - Attachment 13; United Nations High Commission for Refugees 2008, *Assisted Voluntary Repatriation of Afghans from Pakistan – Statistical Overview: Repatriation of Registered Afghans (with POR Cards) 01 March – 31 October 2008*, pp. 7-9 <http://www.unhcr.org.pk/publications/statistics/VolrepMonthlyStats-31October%202008.pdf> - Accessed 13 September 2010 - Attachment 14.

¹¹ '2010 UNHCR country operations profile – Pakistan' 2010, UNHCR website <http://www.unhcr.org/pages/49e487016.html> - Accessed 13 September 2010 - Attachment 15.

¹² Zeick, M. 2010, 'The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises', *International Journal of Refugee Law*, vol.2. no.2, p. 269 <http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> - Accessed 10 September 2010 - Attachment 3.

“they knew their Proof of Registration (the basis on which they could stay in Pakistan) would expire in 2009”.¹³

2. Please provide any information regarding the recruitment of Afghan returnees from Pakistan by the Independent Electoral Commission in Afghanistan in 2009.

No information was found in relation to the Independent Electoral Commission’s (IEC) recruitment of Afghan refugees who have returned from Pakistan. Large scale recruitment of electoral staff by the IEC did, however, take place with regard to the August 2009 elections. Reports indicate that the IEC employed between 120 000 and 144 000 temporary election staff for the August 2009 elections in Afghanistan.¹⁴ No information was found regarding the recruitment processes for election staff for the 2009 elections.

The IEC website provides the following staffing figures for the presidential and provincial elections held on 20 August 2009:

During the 2009 electoral process, the IEC accredited more than 280,000 observers comprising 22% female (61,951).

...About 120,462 temporary election staff were recruited, of which approximately 39% (47,056) were female.¹⁵

The website of the British Embassy in Kabul states that the IEC “deployed over 144,000 staff on polling day (of whom 36% were women) to administer the vote” for the 2009 presidential and provincial elections.¹⁶

Attachments

1. Department of Foreign Affairs and Trade 2010, *PAKISTAN: Conditions for asylum caseloads: Afghan refugees*, 19 July. (CISNET Pakistan CX246370)
2. United Nations High Commission for Refugees 2009, ‘Fact Sheet: UNHCR Pakistan Registration Information Project for Afghan Citizens (RIPAC)’, October. (CISNET Pakistan CX235650)
3. Zeick, M. 2010, ‘The Legal Status of Afghan Refugees in Pakistan, a Story of Eight Agreements and Two Suppressed Premises’, *International Journal of Refugee Law*, vol.2. no.2 <http://ijrl.oxfordjournals.org/content/20/2/253.full.pdf> – Accessed 10 September 2010.
4. Afghanistan Research and Evaluation Unit 2009, *Searching For My Homeland: Dilemmas Between Borders, Experiences of Young Afghans Returning “Home” From Pakistan and Iran*, July

¹³ United Nations High Commission for Refugees 2008, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan* UNHCR website, 11 November, p.10 <http://www.unhcr.org/49ba33a02.html> - Accessed 13 September 2010 - Attachment 16.

¹⁴ ‘Elections 2009’ (undated), Independent Election Commission of Afghanistan website <http://www.iec.org.af/eng/content.php?id=3&cnid=15> - Accessed 13 September 2010 - Attachment 17;

‘Afghanistan Election’ (undated), British Embassy Kabul website <http://ukinafghanistan.fco.gov.uk/en/about-us/working-with-afghanistan/Afghanistan-Election#> - Accessed 13 September 2010 - Attachment 18.

¹⁵ ‘Elections 2009’ (undated), Independent Election Commission of Afghanistan website <http://www.iec.org.af/eng/content.php?id=3&cnid=15> - Accessed 13 September 2010 - Attachment 17.

¹⁶ ‘Afghanistan Election’ (undated), British Embassy Kabul website <http://ukinafghanistan.fco.gov.uk/en/about-us/working-with-afghanistan/Afghanistan-Election#> - Accessed 13 September 2010 - Attachment 18.

http://www.areu.org.af/index.php?option=com_docman&Itemid=&task=doc_download&gid=686 – Accessed 10 September 2010.

5. Human Rights Commission of Pakistan 2010, *State of Human Rights in 2009*, Human Security Report Project website, February
http://www.humansecuritygateway.com/documents/HRCP_AnnualReport2009.pdf – Accessed 10 September 2010.
6. ‘Pakistan to Close All Afghan Refugee Camps by 2009’ 2007, *Asia Pulse*, 31 July, source: *Pajhwok Afghan News*. (FACTIVA)
7. ‘Pakistan to send back all Afghan refugees by 2009’ 2007, *Organisation of Asia-Pacific News Agencies*, 30 July. (FACTIVA)
8. ‘Repatriation of Afghan refugees to be completed by December 2009’ 2007, *Pakistan Press International Information Services*, 22 June. (FACTIVA)
9. UNHCR and Pakistan government sign Letter of Mutual Intent’ 2009, *Reuters*, 13 March, source: United Nations High Commission for Refugees
<http://www.alertnet.org/thenews/newsdesk/UNHCR/a3fcfe1db39d0c1754e349e055eafbb0.htm> – Accessed 10 September 2010.
10. United Nations High Commission for Refugees 2009, *Afghanistan Situation: Operational Update*, September <http://www.unhcr.org/4ac49fa39.html> – Accessed 13 September 2010.
11. ‘Pakistan extends validity of registration cards for 1.7 million Afghans’ 2010, United Nations High Commission for Refugees website, 26 March
<http://www.unhcr.org/4bac9adf9.html> – Accessed 13 September 2010.
12. ‘UN agency repatriates 2,912 Afghan refugees from Pakistan’ 2008, *BBC Monitoring South Asia*, 25 March, source: *Associated Press of Pakistan*. (FACTIVA)
13. ‘9,000 refugees return from Pakistan in a month’ 2008, *Pajhwok Afghan News*, 30 March, source: *Pajhwok Correspondent*.
14. United Nations High Commission for Refugees 2008, *Assisted Voluntary Repatriation of Afghans from Pakistan – Statistical Overview: Repatriation of Registered Afghans (with POR Cards) 01 March – 31 October 2008*
<http://www.unhcr.org.pk/publications/statistics/VolrepMonthlyStats-31October%202008.pdf> – Accessed 13 September 2010.
15. ‘2010 UNHCR country operations profile – Pakistan’ 2010, UNHCR website
<http://www.unhcr.org/pages/49e487016.html> – Accessed 13 September 2010.
16. United Nations High Commission for Refugees 2008, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan* UNHCR website, 11 November
<http://www.unhcr.org/49ba33a02.html> – Accessed 13 September 2010.
17. ‘Elections 2009’ (undated), Independent Election Commission of Afghanistan website
<http://www.iec.org.af/eng/content.php?id=3&cnid=15> - Accessed 13 September 2010.
18. ‘Afghanistan Election’ (undated), British Embassy Kabul website
<http://ukinafghanistan.fco.gov.uk/en/about-us/working-with-afghanistan/Afghanistan-Election#> - Accessed 13 September 2010.