

Pakistan

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Is there a refugee protection program?	Pakistan is not a signatory of the 1951 Refugee Convention, and there is no formal refugee protection program. The UNHCR, however, does work with the government of Pakistan to offer some conditional protection. ¹
Who runs any available refugee protection program? Who determines which applicants qualify for refugee protection?	Pakistan has no legal framework for refugee protection. The government of Pakistan does work with the UNHCR, and generally accepts the UNHCR decisions to grant refugee status. ²
Is the refugee protection program functional? For example, how long does it take for decisions to be issued? What percentage of applications are granted?	In 2020, the UNHCR registered 1,285 asylum seekers, 31 refugees, and 6 “others of concern.” ³ Of the 1,285 registered asylum seekers, the UNHCR recognized 5 applicants, and 17 applications were “otherwise closed” for a total of 22 asylum decisions. ⁴
Do refugees have a right to work? A right to education? A right to medical care?	<p>There is no formal right to work, but neither are there any laws that prohibit refugees from working.⁵</p> <p>The US Department of State notes that the constitution stipulates free and compulsory education for all children between 5 and 16, regardless of nationality. In practice, access to education may be more limited (e.g., due to lack of</p>

¹ <https://www.unhcr.org/pk/asylum-system-in-pakistan>

² <https://www.unhcr.org/pk/asylum-system-in-pakistan>; See also [1993 Cooperation Agreement between the Government of Pakistan and UNHCR](#).

³ <https://reporting.unhcr.org/pakistan>

⁴ Numbers obtained from queries through the UNHCR refugee statistics [Data Finder](#).

⁵ <https://www.state.gov/wp-content/uploads/2021/03/PAKISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>

	<p>available space to enroll additional students at local schools).⁶</p> <p>Other groups note that unregistered Afghan refugees do not have access to UNHCR supported refugee schools, and so private education is the only option. Private institutions, however, may be hesitant to accept unregistered Afghan students.⁷</p> <p>In some cases, seats at colleges/universities may be reserved for Afghan refugees (although this may vary by region).⁸ Note that holding a PoR card is usually a requirement, so it is possible that such quotas may be suspended if the government delays renewing the validity of PoR cards again in the future.</p> <p>Unregistered Afghan refugees have partial access to healthcare services, while registered Afghan refugees have good access to healthcare services.⁹ There have been no reports of Afghan refugees being denied access to health facilities due to nationality.¹⁰</p>
<p>Are those seeking refugee protection free to live freely or forced to reside in camps?</p>	<p>Afghan refugees are not required to live in camps, although so called Afghan Refugee Villages (ARVs) do exist. Generally, only registered Afghan refugees (i.e., those holding Proof of Registration (PoR) cards) are permitted to live in ARVs, but the majority of Afghan refugees (registered and unregistered) live outside the ARVs.¹¹</p> <p>Some new agencies are reporting that Pakistan may be considering closing the border and housing refugees in camps along the border.¹²</p>

⁶ <https://www.state.gov/wp-content/uploads/2021/03/PAKISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>

⁷ <https://www.acbar.org/upload/1562673003902.pdf>

⁸ See, e.g., https://car.punjab.gov.pk/quota_for_education

⁹ <https://www.acbar.org/upload/1562673003902.pdf>

¹⁰ <https://www.state.gov/wp-content/uploads/2021/03/PAKISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>

¹¹ <https://www.acbar.org/upload/1562673003902.pdf>

¹² <https://in.news.yahoo.com/pakistan-emulate-iran-model-contain-163118714.html>

<p>Does a grant of refugee protection result in a pathway to permanent status? In other words, can a refugee eventually become a citizen? Is there another form of legal permanent status available for people with refugee status?</p>	<p>Some Afghan refugees have attempted to acquire citizenship under Section 3 of the Naturalization Act, 1926, which allows for citizenship for persons:</p> <ul style="list-style-type: none"> • Residing in Pakistan for 5 years within the preceding 8 years, including the 12 months prior to the application; • Are of good character; • Can demonstrate knowledge of the local language; and • Declare an intention to permanently reside in Pakistan <p>Unfortunately, studies suggest that such applications have been denied at the discretion of the Federal government.¹³</p> <p>In 2018, the government of Pakistan announced that children of Afghans that were born in Pakistan would be granted citizenship.¹⁴ At the present, however, there do not appear to have been any concrete steps taken towards that goal.¹⁵</p>
<p>Does the country offer temporary protections available other than refugee status? If so, what are they?</p>	<p>Asylum seekers are offered similar protections as those with refugee status. Note that there is no formal legal protections for asylum seekers or refugees, but the government of Pakistan generally allows asylum seekers to remain in the country pending identification of a durable solution.¹⁶</p>
<p>What, if any, penalties are there for people without status or people who are denied refugee protection?</p>	<p>Unregistered Afghan refugees are subject to Section 14 of Foreigners Act 1946.¹⁷ Under the</p>

¹³ <https://easo.europa.eu/file/30904/download?token=17vIUUnYM>

¹⁴ <https://www.theguardian.com/world/2018/sep/17/pakistan-imran-khan-citizenship-pledge-afghan-refugees>

¹⁵ See <https://www.state.gov/wp-content/uploads/2021/03/PAKISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>; see also <https://www.arabnews.pk/node/1629221/pakistan>,

¹⁶ <https://www.state.gov/wp-content/uploads/2021/03/PAKISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>

¹⁷ <https://www.unhcr.org/pk/asylum-system-in-pakistan>

	Foreigners Act, refugees may be denied entry or deported from Pakistan. ¹⁸
What organizations exist in-country that can help displaced people seek available protections? What other organizations in the country may be able to help displaced people access services and rights, even if their mission is not to specifically work with refugees and displaced people?	Community Help Community ¹⁹ Norwegian Refugee Council Pakistan ²⁰ Pakistan International Human Rights Organization (PIHRO) ²¹ Rights Now Pakistan ²² Society and Human Rights and Prisoner Aid ²³ Union Aid for Afghan Refugees ²⁴
Is there other information that might be valuable for displaced people arriving in that country to know?	Some border crossings may be closed. In particular, the Chaman-Spin Boldak border crossing (one of the busiest Afghanistan/Pakistan border crossings) has been closed a few times recently, and seems to be currently closed as of 08/06/2021. ²⁵

Additional notes on the various legal documents:

Prior to 2006, Pakistan did not require legal documentation to reside in the country.²⁶

In 2006-2007, Pakistan and the UNHCR began registering Afghan refugees. Registered Afghan refugees were issued Proof of Registration (PoR) cards.²⁷ The PoR card does grant legal stay and freedom of movement.²⁸ The government of Pakistan has allowed the PoR cards to expire on

¹⁸ <https://www.refworld.org/docid/3ae6b4f314.html>

¹⁹ <https://chcworld.org/>; Contact for refugees: refugees@chcworld.org

²⁰ <http://www.nrc.no/?aid=9147742#.VaOiLM6-DKM>

²¹ <http://www.pihro.org/>

²² Rights Now Pakistan is a member of the [Asia Pacific Refugee Rights Network](#).

²³ <http://www.sharp-pakistan.org/> (focus appears to be on if refugees become targets of police harassment and/or illegal detention)

²⁴ <http://www.unionaid.org/>

²⁵ <https://www.reuters.com/world/asia-pacific/taliban-close-border-crossing-with-pakistan-call-visa-free-travel-afghans-2021-08-06/>

²⁶ <https://easo.europa.eu/file/30904/download?token=17vIUUnYM>

²⁷ <https://easo.europa.eu/file/30904/download?token=17vIUUnYM>

²⁸ https://car.punjab.gov.pk/proof_of_registration_card

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multiple occasions, but for the most part the PoR cards were valid until June 2020 (when it appears a deadlock prevented the government from renewing the PoR cards again).

In 2017, the government of Pakistan began issuing Afghan Citizen Cards (ACCs) to document many unregistered Afghan refugees. ACCs provide legal protection from arbitrary arrest, detention, and deportation as well.²⁹

Unregistered Afghan refugees can still register with the UNHCR and receive UNHCR documentation for protection, but are not eligible for PoR cards or ACCs at this time.³⁰

It appears that both PoR and ACC were subject to limited windows for registrations, so there is still a large population of Afghan refugees unregistered with the government of Pakistan. While the government has extended the validity date for PoR cards numerous times, it seems to just be for existing PoR card holders. No sources indicate that the government of Pakistan is issuing PoR cards to new applicants (with some exceptions, such as previously registered children who are now over the age of 5).

²⁹ <https://www.acbar.org/upload/1562673003902.pdf>

³⁰ <https://reporting.unhcr.org/node/27152>; See also <https://www.unhcr.org/pk/wp-content/uploads/sites/103/2021/04/Drive-Social-Media-English-12-April-2021.pdf> (notably, DRIVE extends only to certain existing PoR card holders, and does not accept new registrants.).