

# From forced migration to forced repatriation

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**The caretaker government on 26 September 2023 issued the ‘Illegal Foreigners Repatriation Plan’. According to the proposed plan, the intention is to regulate the presence of foreigners in Pakistan and to deport the illegal ones to their country of origin.**

The deportation plan of foreigners was implemented by the caretaker government, which speculated that illegal immigrants were involved in suicide attacks and contributed to the lamentable economic situation.

According to UNHCR’s recent report, around 3 million Afghan refugees are living in Pakistan, and an additional 0.7 million sought refuge since the fall of Kabul and the Taliban takeover. The second and third generations of Afghans are living in Pakistan.

Illegal Foreigners/Afghans Repatriation Plan requires an in-depth contextual analysis of the forced migration of Afghans from Afghanistan to Pakistan more than four decades ago and, now, their forced repatriation back to Afghanistan from Pakistan.

We at Pakistan Institute of Development Economics (PIDE), recently conducted a research study on Afghan nationals titled “Pre-Afghan Taliban Refugee Exodus and the Complexities of Returning Home” to address indispensable questions.

The findings of the study reveal that the influx of Afghan refugees occurred in four different waves, closely linked to major developments in Afghanistan: the First Wave (1978-1981) marked the end of Daoud’s government and the Soviet invasion; the Second Wave (1990s) followed the withdrawal of the Soviet Union and the re-emergence of Mujahideen; the Third Wave (2001) coincided with the 9/11 attack and the US-led invasion; and the Fourth Wave (2021) accompanied the exit of the US and the fall of Kabul to the Taliban.

The prominent factors that forced Afghan nationals to flee Afghanistan include both push and pull factors. Among the push factors, 97.1% of the respondents cited war, lack of safety (56.8%), protection of modesty (44.3%), and poverty (26.8%) as reasons that compelled them to flee their country. And, among the pull factors, 31.8% reported a feeling of safety in Pakistan, followed by stability (15%). This shows that the influx of Afghan nationals was not voluntary; they were forced to escape from war, persecution, religious extremism, and conflicts in Afghanistan.

Likewise, the repatriation of Afghan nationals is also involuntary, as their exodus was. Manifestly, our study shows that only 4% of Afghan nationals are voluntarily willing to repatriate to their country of origin. And around 29% of the respondents reported a willingness to repatriate under the condition of peace in their home country (Afghanistan).

However, the majority (67.3%) of Afghan nationals stated that they were not willing to return to Afghanistan. Furthermore, the findings of the study reveal that the majority (45%) of Afghan refugees reported a lack of safety as the primary reason for not returning to their home country (Afghanistan). And around 36.5% of Afghan refugees reported that they are happy in Pakistan; therefore, they are not willing to move back to their hometown.

Moreover, 14.3% of the refugees reported a lack of services in Afghanistan, and approximately 4% of the refugees reported the persistence of war as the main reason for their stay in Pakistan.

Based on the assumption of a 3 million population of refugees in Pakistan, the study estimates that only 0.1 million (100,800) would be willing to return voluntarily to Afghanistan, 0.87 million (873,000) would consider moving if they feel safe in their home country, and deportation of more than 2 million (2,019,000) would be involuntary.

Despite the caretaker government's commitment to forcibly deport Afghan nationals, Afghans have responded, either voluntarily or involuntarily, by returning to Afghanistan. The rate of Afghan return is above the average return rate.

Recent reports from returnees highlight that a significant 87% cited the fear of arrest as the primary motivation for returning to Afghanistan, which is against the customs of international law, the principle of non-refoulement, even though Pakistan is neither ratifying the 1951 Convention nor 1967 Protocol related to the status of refugees.

To sum up, it is shown that that Afghans neither voluntarily migrated to Pakistan nor are they voluntarily willing to repatriate to Afghanistan. And, suggest the government to prioritize voluntary migration solutions over forced deportation, respecting customary international law and the principle of non-refoulement.

In addition, it is argued that the deadline of 28 days given for a voluntary repatriation is unfair and inadequate even though if they are voluntarily willing to move back; Afghans living in Pakistan for more than 4 decades are entitled to various assets. Thus, the one-month ultimatum is inadequate to liquidate their assets.

The caretaker government should have at least given 1 to 2 years for voluntary repatriation of Afghans. As the Afghans' influx was in different waves at different periods, the repatriation process should be in different waves if the government is committed to deporting them at any cost.

Additionally, the government should have come up with a comprehensive strategy, which ensures their voluntary repatriation, in compliance with international laws and standards. And, considering the humanitarian aspect of their repatriation.

The caretaker government should have initiated the Afghan repatriation policy in collaboration with stakeholders, including Afghan refugees, political parties, social activists, humanitarian agencies, NGOs, the caretaker Afghan government and the local community.

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