

IN THE SHADOW OF THE TALIBAN



Photo by Abdul Majeed

COMMUNITY CONVERSATIONS WITH AFGHAN REFUGEE WOMEN IN PAKISTAN

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Edited by Chelsea Soderholm and Jennifer Euler Bennett



WOMEN'S REGIONAL NETWORK
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Community Conversations, Islamabad.

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EXECUTIVE SUMMARY

This report delves into the intricate landscape of the humanitarian crisis and lack of support and assistance for Afghan refugees, especially the ‘new arrivals’ who came to Pakistan after the Taliban took over Afghanistan in August 2021. In the backdrop of a spectrum of policy shifts, leading to gender apartheid and persecution in Afghanistan, post August 2021, the report highlights its multifaceted impact and the dynamics of humanitarian assistance meted out by the Afghan refugees in Pakistan. It underscores the following key findings:

Evolving Government Policies

Over the years, Pakistan’s approach to Afghan refugees has transformed significantly from one that welcomed refugees to one that denies Afghans refugee status, viewing them as security risks. Notably, UNHCR reports that adopting the National Action Plan (NAP) in 2015 has led to national security prerogatives taking precedence over humanitarian considerations, culminating in access restrictions. For example, obtaining a No Objection Certificate (NOC) to access refugee hosting areas now poses a significant challenge for all stakeholders, including Civil Society Organizations (CSOs), with only 43% successfully navigating this cumbersome process. This is further complicated by Pakistan’s arbitrary, recurrent and increasingly harsh deportation drives that do not distinguish between the ‘new arrivals’ fleeing Afghanistan to escape persecution and other migrants declared illegal.

Methodology

The report primarily relies upon 16 community conversations comprising of groups of 4-10 women of different ages, ethnicities and backgrounds. In addition, it relies upon questionnaires fielded to 240 women refugees, key informant interviews with 21 experts and secondary literature. The focus has been on the post-August 2021 refugees who arrived in Pakistan after the Taliban take-over. Although a small sample, it provides an insight into

the concerns faced by a wide range of intersectional women with diverse disciplines and identities.

The data was collected between June and September 2023, while the report writing took place during the time when the Pakistan government initiated the deportation drive.

Accessing Support

The report data reveals that UNHCR provides 38% of humanitarian support for Afghan refugees (refugees with documentation) in Pakistan. Unfortunately, 43% of those in need find it challenging to access this assistance. The dwindling availability of international financial support for Afghan refugees demonstrates the existence of critical gaps in the international approach to human rights concerns. This trend has become more pronounced in a world where the population of displaced persons has doubled. Donor fatigue through a protracted crisis is often cited as the cause of diminishing international humanitarian aid for Afghanistan, even though the reasons for the prolonged conflict lie with the regional and international community. Furthermore, different governments’ silence on gender apartheid, and quietly advocating for the acceptance of a fundamentally misogynist government is tantamount to taking responsibility for the aftermath of the Doha agreement.

Security and Resettlement Hurdles

The report provides an insight into security — less than 50% Afghan women in the study feel secure in Pakistan, citing legal hurdles and human rights violations as the primary causes. The report reveals that 53% of resettlement applications remain under review, while 32% have been rejected. The data showcases the onerous resettlement process, driven by political considerations and complicated by false cases. The total number of resettlement cases (not more than 3500 per year) remains minuscule in comparison to the demand for asylum from Afghans in Pakistan.

Gender-Based Violence and Harassment

The report underlines the pervasiveness of gender-based violence (GBV), including survival sex as a source of livelihood and young girls and boys resort to survival sex to offset the multiple adverse shocks that impact them and their families due to violent conflict situations.

Survivors are hesitant to come forward due to fear of retribution and the difficulty in providing concrete evidence. Notably, women involved in survival sex do not report maltreatment and exploitation due to fear of being killed. Many others, though resentful, consider being beaten or verbally abused a norm. There is a culture of silence around GBV, with little financial and human resources available to address it effectively.

Key Recommendations

The report offers recommendations for support to refugees and new arrivals and underscores the urgency of addressing gender apartheid. They are aimed at three sets of actors: a) the Pakistan government, b) the international community, including the UN and foreign missions, and c) civil society.

1. Recommendations for the Pakistan Government

These include signing the 1951 Geneva Convention and the 1967 Protocol on Refugees; to enact a domestic refugee law and policy for refugees. The recommendations emphasize the need for a balanced approach between national security and humanitarian considerations. The current deportation drive is against international customary law and human rights principles. No refugee or

asylum seeker should be forcibly returned to a country where they face persecution.

The 2017 Cabinet decision regarding refugees and the recommendations of the Parliamentary Committee on Human Rights needs to be honored. These ask for domestic legislation and policy, improvement in the restrictive policies vis a vis media and NGOs and advocate for greater accountability of the police against harassment of refugees, including extortion and petty bribes. They also call on making a Refugee Council and include the proposal for a credible research center and micro data repository based on the existing information and knowledge available with the government's States and Frontier Regions (SAFRON) Ministry and Afghan Commissionerate that address refugee affairs and management.

Importantly, to combat GBV, the government's anti-sexual harassment policies need to be implemented effectively and more resources must be invested in trained workers, as well as response mechanisms. The government's autonomous commissions for women's rights, and for human rights need to push for awareness of gender apartheid in Afghanistan, and advocate for the protection of vulnerable Afghans, especially women and children in Pakistan, instead of their forcible return.

2. Demands from the International Community

This set of recommendations begins with the urgent demand to end the system of Gender Apartheid in Afghanistan and for the world community to recognize this system as fundamentally misogynistic and unacceptable. It also asks UNHCR and its partner organizations to increase the volume of funds for the needs of Afghan refugees and new arrivals living in precarious conditions; and ensure that refugees across the world are treated in a just manner, irrespective of race and color vis a vis global budget allocations. Notably, the recommendations ask for more effective interventions for GBV and global advocacy for the urgent redressal of Afghan women's rights.

3. Demands from CSOs (including NGOs, INGOs, Media and Political Parties)

Civil society organizations can significantly impact refugee rights and well-being by ensuring that refugees receive the protection, assistance and support to

rebuild their lives. This can be achieved through a range of measures: policy advocacy, awareness raising and support for resettlement initiatives; legal aid and legal assistance; support for education, healthcare including mental health, as well as economic and social empowerment. The recommendations emphasize identification of CSOs that can carry out consistent documentation, research, and advocacy alongside community building, peace building and pressing for global solutions. Political parties need to denounce the gender apartheid imposed on Afghan women and call for its rollback so that vulnerable Afghan women and their families are not forced into precarious situations. The issue of survival sex

needs a coordinated response from the government in terms of generating livelihood and skills training opportunities, and health-related interventions, encompassing reproductive and mental health.

In summary, this report underscores the multifaceted challenges faced by Afghan refugees in Pakistan. It calls for customized solutions, support structures, and nuanced policy approaches to uplift marginalized refugee communities. If countries refuse to accommodate displaced populations whether as economic refugees or those escaping gender apartheid, then they must take responsibility for fostering a more just and peaceful world that does not require border policing.

ABBREVIATIONS/ GLOSSARY

AACPR	Actions (in Aid of Civil Power) Regulations Act	MoU	Memorandum of Understanding
ACC	Afghan Citizen Card	NADRA	National Database and Registration Authority
AGHS	Asma, Gulrukh, Hina, Shehla (AGHS) Legal Aid Cell	NAP	National Action Plan
APS	Army Public School (Peshawar)	NGOs	Non-Governmental Organizations
CC	Community Conversations	NOC	No Objection Certificate
CRSS	Center for Research and Security Studies	OCD	Obsessive Compulsive Disorder
CSOs	Civil Society Organizations	PoR	Proof of Registration
FC	Fraud and Corruption	PSEA	Protection from Sexual Exploitation and Abuse
GBV	Gender-Based Violence	SAFRON	Ministry of States and Frontier Regions
HRCP	Human Rights Commission of Pakistan	SEHER	Society for Empowering Human Resource
HRDs	Human Rights Defenders	SHARP	Society for Human Rights and Rehabilitation of Prisoners
IDEA	Individuals with Disabilities Education Act	SRSP	Sarhad Rural Support Program
IDPs	Internally Displaced people	TTP	Tehrik e Taliban Pakistan
IMC	International Medical Corps	UNHCR	United Nations High Commissioner for Refugees
INGOs	International Non-Governmental Organizations	USSR	Union of Soviet Socialist Republics
IRC	International Rescue Committee	WHRDs	Women Human Rights Defenders
IRSP	Integrated Regional Support Program	WRN	Women's Regional Network
KII	Key Informant Interviews		
KP	Khyber Pakhtunkhwa		
LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex		

AFGHANISTAN STATISTICS: BEFORE AND AFTER THE TALIBAN

The Taliban takeover of Afghanistan in August 2021 undid two decades' worth of progress in women's and girls' rights, wiping out all traces of women and girls from public life. To better understand what the Taliban took away, the gains of the past 20 years need to be carefully assessed.

In Afghanistan, statistics show that in 1979, the adult female literacy rate was 4.1 %, and remained almost stagnant over the next twenty years. Although, official data is unavailable, Save the Children, an international NGO estimated that by 2001, the adult female literacy rate (literacy rate in girls aged between 15-24 years) in Afghanistan had only risen to 5.6% (The New Humanitarian, 2001). However, overall literacy rates and female literacy rates in particular showed immense

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growth after 2001, i.e., when the Taliban were ousted and a transitional government was established. A democratic government was elected later on in 2004. Adult female literacy rate shot up to 17.2% in 2011. Despite continued generalized insecurity issues, proxy wars in Afghanistan and Taliban's consistent presence in provinces, data shows that women did get access to education, and later on, to employment opportunities during this period. The literacy rate for women peaked at 29.8% in 2018 and again dipped to 22.6 % in 2021



Community Conversations, Peshawa.

(Countryeconomy.com, 2022). The literacy rate for women of all age groups also grew from 17% in 2001 to almost 30% in 2021 (UNESCO, 2023).

Girls were banned from schooling by the first Taliban regime and during the period from 1996 to 2001. In 2001, only 5000, girls around the country (Kelly, 2011) were enrolled in schools, while many others resorted to secret schooling. From 2002 onwards, the international community invested billions in Afghanistan to rebuild its education system, resulting in rapidly increased enrollment of girls in schools which according to UN data led to an estimated 2.5 million girls enrolled in primary schools by the year 2021. Afghan women's enrollment in higher education institutions also increased from 5,000 in 2001 to over 100,000 in 2021 according to UNESCO.

To date, the Taliban have issued over 100 edicts placing severe restrictions on Afghan women's access to public life.

The increase in literacy rates and school enrollment in Afghanistan also translated into a rise in female labor force participation throughout these two decades. The World Bank data shows that 16.5 % of females comprised the total labor force participation in 2000, during the first Taliban regime. The female labor force rose consistently in the next two decades, reaching a maximum of 23% in 2019 (World Bank, 2023), falling to 19.7% in 2020. The total percentage of the female population engaged in employment increased from 15.3 % in 2000 to highest 21.9 % in 2019, subsequently declining to 16.5% in 2020.

Due to the reservation of seats under the new Constitution of Afghanistan, women took up 27% seats in the Afghan Parliament. Before the Taliban takeover in 2021, there were 63 women in the parliament. Additionally, 21% of all defense counsels were women and of a total of 1951 judges in the country, 265 comprised female judges (Medica Mondiale, 2022), and over 500 female prosecutors. According to the 2020-2021 report of the Afghan Ministry of Education, 80,554 women worked as teachers in 18,765 schools across Afghanistan (Ahmadi, 2023). Until 2019, 2439, Afghan women worked as lecturers in higher education institutions, and more than 2000, small and medium businesses were being run in Afghanistan, which were owned by women, before the Taliban takeover.

During this period, the Afghan government and international agencies also prioritized building effective healthcare system and making primary healthcare accessible for all Afghans. Afghanistan had the second highest maternal mortality rate globally in the early 2000s owing

to a lack of healthcare services following decades of brutal conflict. Women had to give birth without the assistance of doctors or midwives. The maternal mortality ratio in Afghanistan shrunk by more than 50% in two decades, from 1273 deaths per 100,000 live births in 2001 to 620 deaths per 100,000 live births in 2020 (The World Bank, 2023). The percentage of Afghans using modern family planning services also rose from 10% to 22% between 2003 and 2010 (UNFPA, 2012). As evidenced, women were playing a key role in Afghanistan's society, and the Afghan government had invested resources in improving the quality of life for Afghan women. The Taliban's takeover has effectively erased this progress and brought Afghanistan back to its pre-2001 state.

Although initially, to gain international favor, the Taliban government promised to respect women's rights and freedoms under the ambit of Sharia law (Latifi, 2021), but quickly went back on its words and issued decrees that denied women and girls their fundamental human rights. To date, the Taliban have issued over 100 edicts placing severe restrictions on Afghan women's access to public life. Upon assuming power in August 2021, they immediately ordered women to stay indoors and banned them from working outside the home. They prohibited girls beyond 6th grade from attending school. The edicts that followed stopped the operation of women-owned businesses, and prohibited women from working with non-governmental organizations including the UN, and from delivering humanitarian aid. The edicts further put mandatory requirements for a male chaperone in public spaces at all times and banned women from visiting parks or historical places in the country (Human Rights Watch, 2023). Afghan women who protested for their rights faced threats, arrests and torture. There have been reports of detentions, child marriages, forced marriages and rape (Medica Mondiale, 2022). Through their policies and laws, the Taliban have systematically treated women as second-class citizens, depriving them of all rights and liberties they are entitled to. Consequently, Afghanistan is now ranked at the bottom, among 170 countries, on the Women, Peace and Security Index. The International Community has thus claimed that the Taliban's treatment of women and girls qualifies as Gender Apartheid.

A timeline of some crucial edicts and directives of the Taliban that have directly impacted women

JULY 2021

As the Taliban continued to capture provinces and districts, including near the border areas of Afghanistan, they issued a letter, under the name of the Taliban Cultural Commission, asking local religious leaders to provide them a list of girls above the age of 15 and widows under the age of 45, so they can be married off to Taliban fighters (Ray, 2021).

SEPTEMBER 2021

The Taliban reopened secondary schools only for boys and not girls. They also started revising the education curriculum (Fadel et al., 2021).

The Taliban replaced the Ministry of Women's Affairs with the Ministry of Propagation of Virtue and Prevention of Vice which was to act as a morality police. This ministry assumed the position of an important office under the Taliban regime (BBC, 2021).

Shortly after inviting women to join the government, the Taliban on September 20th instructed all women workers in the Kabul city government to stay at home until further notice (The Observer, Afghanistan, 2021).

Women were also banned from teaching and attending the Kabul University (Constable, 2021).

MAY 2022

The Taliban dissolved the Afghan Independent Human Rights Commission and four other important departments of the former government, citing them as unnecessary (Yunus, 2022).

SEPTEMBER 2022

The Taliban removed the only position held by a woman at the Commission of media violations (Eqbal, 2022).

2021

AUGUST 2021

The Taliban leadership announced a general amnesty for Afghan citizens including previous government officers and pro-republic individuals. This amnesty did not go into effect. In the same announcement, the Taliban asked women to join its government. The announcement was made by the senior Taliban member, Enamullah Samangani (Muzaffar, 2021).

The Taliban officials in Herat province banned co-ed education in public and private educational institutions (PTI, 2021).

NOVEMBER 2021

As part of eight directives launched by the Taliban Ministry for the Propagation of Virtue and Prevention of Vice, women were banned from appearing in television shows or movies (Popalzai, 2021).

2022

MARCH 2022

The Taliban announced that girls' schools would be reopened, but only a few hours later directed the schools to shut down again, continuing the ban on secondary education for girls (Barr, 2022).

The Taliban issued a directive preventing women from traveling or entering healthcare centers without a 'Mahram,' a male chaperon (Nader & Amini, 2022).

JULY 2022

The Taliban officials called and notified women working at the Ministry of Finance to send male relatives as their replacement, irrespective of their skills or qualifications (Kumar, 2022).

NOVEMBER 2022

The Taliban closed public baths for women in Northern provinces Balkh and Herat. The announcement was made by Sardar Mohammad Heydari from the Ministry for the Propagation of Virtue and the Prevention of Vice (Glinski, 2022).

The Taliban banned women from visiting the Band-e-Amir national park in Bamiyan province. The announcement was made by Mohammed Khaled Hanafi, Afghanistan's acting Minister of Virtue and Vice (Radford, 2023).

JANUARY 2023

The Taliban in Kandahar ordered female healthcare professionals not to go to work without a Mahram. The order was communicated verbally to the Public Health Department in Kandahar (Khalid, 2023).

The Taliban ordered travel agencies not to sell tickets to any woman who is not accompanied by a Mahram (Hakim, 2023).

MAY 2023

Through an audio message, the Taliban leader and the head of Kandahar Department of Vice and Virtue, Mawlawi Abdulhai Omar ordered all departments to prevent women and girls from going to healthcare centers and to graveyards (Hakim, 2023).

2022

DECEMBER 2022

The Taliban suspended women from higher education institutions and religious educational centers, besides tutoring classes that they took in private residences. The announcement was shared by the spokesperson for the Ministry of Higher Education Ziaullah Hashmi (Hadid, 2022).

The Taliban issued a decree banning women from working in national and international non-governmental organizations. The Ministry of Economy sent a letter to NGOs and INGOs threatening them with license cancellation in case of non-compliance (Farzan et al., 2022).

Taliban leader Haibatullah Akhundzada directed the judges in Afghanistan to impose Sharia Law punishments for specific crimes, including public amputations, stoning to death and executions (BBC, 2022).

2023

APRIL 2023

The Taliban banned women from working with the United Nations. UN female staff members were stopped from reporting to work in Nangarhar province (Wintour, 2023).

JULY 2023

The Ministry for the Prevention of Vice and Propagation of Virtue issued a notice ordering the closure of all beauty parlors and salons for women in the country within a month (Reuters, 2023).



Photo by Abdul Majeed

THE PAKISTAN CONTEXT

The presence of Afghan refugees in Pakistan can be traced back to January 1980, after Russian tanks entered Kabul on 24 December 1979 in support of the government of Babrak Karmal. Over a hundred thousand Russian troops took control of Kabul and all major cities. This marked a shift in the Cold War as an active conflict began waged by the Mujahideen groups, aided by the US and its allies, and the Soviet Union in Afghanistan. Over the next 43 years since then, Afghanistan experienced changes in leadership and governing regimes. Notably, the Geneva Peace Accords of 1989, brokered between the United States and the USSR, led to the Russian withdrawal from Afghanistan. This was followed by the resignation of the USSR-backed Najeebullah-led government in 1992, paving the way for the Mujahideen to establish their rule in Kabul. Subsequently, the Taliban government came to power in 1996-2002. The aftermath of the September 11, 2001 attacks on the US, and the

US-led allied bombing of Afghanistan, led to the overthrow of the Taliban regime which was replaced by the US-supported administrations. This situation persisted for two decades until the Doha Agreement in 2021, that allowed the Taliban to return and re-establish their rule in August 2021 on four major conditions that excluded women's rights. In Doha four aspects were prioritized:

1. Reducing violence;
2. Withdrawing all foreign troops;
3. Starting intra-Afghan negotiations, and
4. guaranteeing Afghanistan will not again become a refuge for terrorists.¹

¹ Lindsay Maizland, "US Taliban peace deal: What to know?" Council on Foreign Affairs, March 2020 <https://www.cfr.org/backgrounder/us-taliban-peace-deal-agreement-afghanistan-war>



Community Conversations, Islamabad.

With every regime change in Afghanistan, a fresh wave of Afghans experience displacement, seeking refuge in neighboring countries, notably Pakistan and Iran. Over four decades Afghans from diverse walks of life, including those hailing from rural and urban areas, various ethnic and linguistic backgrounds, different religious sects, and varying socioeconomic statuses, have become refugees, seeking security in neighboring as well as Western countries. These population movements have created a complex refugee population, with some undergoing the plight of displacement multiple times resulting in entire generations born as refugees.

The situation for women in Afghanistan took a turn for the worse following the hurried withdrawal of international forces in 2021, culminating in the Taliban's takeover of Kabul. Prior to the withdrawal, the US had engaged with the Taliban in Doha to reach an agreement without the participation of the Afghan government — a shameful development that left everyone in disarray. The tragic news footage and images from Kabul Airport with Afghans attempting to flee by clinging to aircrafts, are etched in people's minds. This upheaval prompted a significant influx of Afghan refugees into Pakistan, where they have faced harsh realities of insecurity, poverty, natural disasters, and the added burden of the COVID-19 pandemic.

According to UNHCR, as of October 2023, there were 3.7 million Afghans in Pakistan. Among them, roughly 1.4 million hold Proof of Registration (PoR) cards, approximately 840,000 possess an Afghan Citizen Card (ACC),

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and an estimated 775,000 lack any formal documentation. While PoR and ACC cardholders receive limited protection, primarily safeguarding them from refoulement, undocumented Afghans remain vulnerable to the risk of arrest, detention, and deportation. During the first half of this year, over 82,006 new Afghan arrivals sought assistance from various SHARP offices across Pakistan. Their requests encompass a range of protection needs, including relief from harassment,² documentation, financial support, shelter, healthcare, and access to education.

Challenges Faced by Afghan Refugees in Pakistan

Afghanistan has experienced decades of conflict and socio-economic challenges. These conditions have driven Afghan refugees to seek safety and stability in neighboring countries, including Pakistan. The legal status of Afghan refugees in Pakistan has been governed by various agreements, including the 1979 Agreement on

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- 2 Harassment 1. Any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another. Harassment includes — but is not limited to — words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle or cause personal humiliation or embarrassment to another; or that cause an intimidating, hostile or offensive work environment. It includes harassment based on any grounds such as race, religion, colour, creed, ethnic origin, physical attributes, gender or sexual orientation. It can include a one-off incident or a series of incidents. Harassment may be deliberate, unsolicited and coercive. Harassment may also occur outside the workplace and/or outside working hours.

Reference: [\(UNHCR\)policy_on_harassment.pdf](#)

the Repatriation of Afghan Refugees, which delineated their rights and responsibilities. However, the political climate in Pakistan keeps evolving in response to regional and international dynamics. From their initial warm welcome to the current deportation drive, there have been several policy shifts in the government's attitude towards refugees and issues around legal protection.

Deportation and Refoulement

Approximately 1.7 million Afghan refugees, including those without formal documentation, currently face the risk of persecution in Afghanistan due to the Pakistani caretaker government's arbitrary deportation drive to expel them. This threat is not new, as similar deportation drives occurred in the years 2000 and 2015. Such actions are typically accompanied by xenophobic allegations of refugees' involvement in criminal activities, association with terrorist groups and drug mafias. They are also blamed for placing already strained resources under increased pressure, and a decline in wages within the labor market owing to an oversupply of Afghan labor. The Pakistan government attributes its policy shift to several factors, including a worsening security situation, a deteriorating economy, decreasing international financial support for refugees, social issues exacerbated by the presence of refugees, and the government's belief that many Afghans who entered Pakistan after August 15, 2021 are victims of drought and economic pressures rather than being refugees fleeing persecution.

Due to a resurgence of terrorism in Pakistan during 2023, the caretaker government recently took a drastic measure — one that many contend is beyond its mandate. It announced a nationwide crackdown on all Afghan refugees irrespective of their legal status, with a strict deadline of November 1, 2023. Ten days later the government announced that all undocumented Afghans should leave Pakistan. However, the police have arrested and deported even those with valid documents. This move comes in response to the escalating security concerns that have been blamed upon the Afghans in Pakistan. Political analyst and senior journalist Zahid Hussain³ writes that nearly 1,100 lives have been lost to militant violence in the first nine months of 2023. As reported by Center for Research and Security Studies

(CRSS), an Islamabad-based NGO, Khyber Pakhtunkhwa (KP) and Baluchistan bore the brunt of these incidents, accounting for 92% of all fatalities. There is limited evidence linking a few Afghan nationals to these attacks.

The government's policy of forcible return through punitive actions against an entire community is akin to collective punishment. Until recently, the stay of Afghan refugees has been governed by a tripartite agreement between Pakistan, Afghanistan and UNHCR. The 'undocumented refugees' include those who arrived post-August 2021 and include vulnerable families who were associated with or employed in the bureaucracy, military and police by the former regime, in addition to musicians, journalists, human rights defenders, and ethnic and religious minorities like Shias, Hazaras, Uzbek, Tajiks, as well as some Pashtuns. The vulnerable also comprise women-headed households who cannot secure livelihoods in Afghanistan because the Taliban have forbidden them from leaving their homes without a *mehram* (a male with whom marriage is prohibited, e.g., father, brother or uncle).

As the deportation deadline of 1 November 2023 drew near, some Pakistani civil society organizations denounced the move; lawyers filed petitions questioning the role of the government's Apex Committee formed under the National Action Plan⁴ and the Human Rights Commission of Pakistan (HRCP) forcefully stated that the government's policy of deportation countered customary international law.⁵ Seven persons representing different groups petitioned the National Human Rights Commission (NHRC) to take notice and stop the deportations. They relied upon Pakistan's agreements with UNHCR, the Cabinet decision of February 2017 that expressly stated that no Afghan shall be deported. The Parliamentary Human Rights Committee's recommendations and Justice Babar Sattar's judgment also condemned this policy and stated that the absence of law does not take away the right of an asylum seeker to seek asylum in Pakistan; and that such a person

3 "A surge in terrorist attacks" published in the Daily Dawn on October 4, 2023

4 <https://www.radio.gov.pk/03-10-2023/nap-apex-committee-vows-to-address-all-security-challenges-in-befitting-manner>

5 HRCP, Government must withdraw its decision to deport refugees by 1 November. 18 October 2023 <https://hrcp-web.org/hrcpweb/government-must-withdraw-decision-to-deport-refugees-by-1-november/>

cannot be deported on the basis of the Foreigner's Act.⁶ Independent media channels such as Voice.pk have systematically covered the human rights violations of Afghan refugees while Aurat March has organized protests across all major cities of Pakistan. Afghan refugees have also protested outside SHARP and appealed to the UN Special Coordinator for Afghanistan⁷ and the Rapporteur for Afghanistan about their plight and their concern that no one at the global level cares to hear their voices. At the time of the writing of this report, it is not clear if these efforts will dent the government's deportation drive.

Impacts of the Shift in Focus of the International Humanitarian Community & Reduced Aid

The waning international attention has resulted in a notable reduction in humanitarian funding and assistance available to Afghan refugees in Pakistan, exacerbating their already challenging situation. Humanitarian organizations, that previously concentrated their efforts on assisting Afghan refugees, have reoriented their resources and attention toward more immediate crises. This shift has had a direct impact on the quality and availability of services and programs for Afghan refugees in Pakistan. Furthermore, the terms of the Doha agreement did not prioritize women's rights or safeguard human rights violations. The diminishing international focus on Afghan women's rights in Afghanistan and the Afghan refugee situation in Pakistan has led to a lack of public awareness and empathy for them. This decreased visibility has made it even more challenging to garner support and advocate for their rights.

Focus of the Report

Regime changes in Afghanistan, notably the Taliban takeover in 2021, have had significant and far-reaching impacts on Afghan women refugees in Pakistan. This report seeks to highlight the consequences of the Taliban's enforced gender apartheid in Afghanistan and its reverberations on Afghan women who have sought refuge in Pakistan. It emphasizes that the denial of fundamental rights in Afghanistan not only leaves women, who have fled persecution within the

country vulnerable but also extends this vulnerability to those who have taken refuge in neighboring Pakistan. Moreover, the absence of refugee status, and thus the accompanying legal, economic, and physical protection, underscores the need for the international community to acknowledge and address their plight.

The evolving legal discussions surrounding gender-based violence⁸ (GBV) and the growing movement against Gender Apartheid in Afghanistan hold the potential to enhance our understanding of the gravity and systematic nature of gender-based persecution in Afghanistan. This progress brings us closer to the possibility of ending impunity and recognizing gender-based persecution as a legitimate reason for invoking refugee protection. This was a primary goal of the project; however, in Pakistan, the challenges faced by Afghan women refugees categorized as 'new arrivals' are strikingly similar to those experienced under gender apartheid in Afghanistan, as demonstrated by the denial of livelihood opportunities in Pakistan due to legal status.

The report focuses on intersectional discrimination⁹, considering factors such as ethnic, religious, and sexual minority identities, as well as vulnerable targeted groups like Women Human Rights Defenders (WHRDs), women in public life associated with the previous regime, and female-headed households. Additionally, given the presence of 'stranded' Afghan students and 'medical tourists' in Pakistan, it is imperative to acknowledge their presence and recognize the extent to which their circumstances overlap with the precarious situation of Afghan refugees and the challenges they encounter.

Gender Persecution

The Taliban's restrictions on Afghan women and girls might amount to a crime against humanity of

6 https://mis.ihc.gov.pk/attachments/judgements/161521/1/W.P_No._1666_of_2_023_Rahil_Azizi_Vs._The_State_638282052901135229.pdf

7 <https://amu.tv/70451/>

8 For the purposes of this report the term violence and "violence against women" means any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Reference: Declaration on the Elimination of Violence against Women Proclaimed by General Assembly Resolution 48/104 of 20 December 1993. Reference: Microsoft Word - Document1 (un.org)

9 Discrimination occurs when a person is unable to enjoy his or her human rights or other legal rights on an equal basis with others because of an unjustified distinction made in policy, law or treatment. Reference: Discrimination - Amnesty International

Since 15 August 2021, the Taliban have released over 100 decrees that intensely discriminate against and control women's lives in Afghanistan.

persecution, given the severe deprivation of their human rights combined with acts of imprisonment, torture, and enforced disappearance.¹⁰ These actions specifically target women and girls due to their gender, and these violations against women and girls could be considered gender persecution, a recognized crime against humanity.¹¹

Gender persecution refers to the intentional and severe deprivation of fundamental rights contrary to international law, specifically directed against individuals based on their gender, which is universally recognized as impermissible under international law. This persecution arises from the identity of the gender group targeted, and is in connection with acts or crimes that fall within the jurisdiction of the Court.¹²

Gender Apartheid

Since 15 August 2021, the Taliban have released over 100¹³ decrees that intensely discriminate against and control women's lives in Afghanistan. Studies evaluate these decrees against Article II of the Apartheid Convention, which describes "Inhuman Acts" that signify apartheid when committed systematically to uphold one group's dominance over another, that in



Community Conversations, Peshawar.

this context, the Taliban's actions against women potentially align with the institutionalized system of segregation and male dominance as described in the Apartheid Convention.¹⁴

Gender Apartheid is a system of governance that enforces systematic segregation between women and men based on laws and/or policies, often resulting in the exclusion of women from public spaces and spheres. This system infringes upon the fundamental principles of international law by codifying the subordination of women, denying them the opportunity to enjoy all human rights as recognized under international statutes. Similar to racial apartheid's violation against principles prohibiting race discrimination, gender apartheid opposes the foundational norms of international law.¹⁵

In the Taliban-controlled Afghanistan, the term "gender apartheid" emphasizes that discrimination is not an anomaly but is integral to their system of governance. This means that discrimination is not just a byproduct, but the primary objective of their public policy. Consequently, the state or governing body becomes the main driver of such discrimination.

10 OHCHR. (2023). Situation of women and girls in Afghanistan: Report of the Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls (A/HRC/53/21, Article 92, pp. 16-17).

11 Amnesty International. (2023). THE TALIBAN'S WAR ON WOMEN: The crime against humanity of gender persecution in Afghanistan (ASA 11/6789/2023, pp. 32-33).

12 UN General Assembly. (1998). Rome Statute of the International Criminal Court (Article 7(1)).

13 USIP. (2023). Tracking the Taliban's (Mis)Treatment of Women: An interactive graphic illustrating how the Taliban are attempting to erase Afghan women from public life.

14 Afghanistan Research Network Reflection. (2023). Recognition of gender apartheid in Afghanistan justified. PeaceRep: The Peace and Conflict Resolution Evidence Platform, University of Edinburgh.

15 Karima Bennouna. (2023). The international obligation to counter gender apartheid in Afghanistan (Issue 54.1, pp.24).



Photo by Abdul Majeed

RESEARCH METHODOLOGY

The research methodology employed for this study builds upon previous Community Conversations (CCs) and is characterized by several key elements. It has primarily relied on group discussions, survey questionnaires, interviews with key experts, as well as reports and articles. The specific thematic areas for collecting data were shaped through consensus after consultations with the advisory group of the Women's Regional Network (WRN).

The researchers conducted twenty-one detailed qualitative interviews and sixteen community conversations with Afghan women in Pakistan to obtain their reflections regarding their experience of violence, militancy, displacement, corruption, mental health, and access to humanitarian organizations. The community conversations were designed to include Afghan women who could represent the diverse ethnic, linguistic, and sectarian/denominational identities, as well as the timeframe during which they became refugees and asylum seekers in Pakistan.

The questionnaire respondents came from different fields and included women's rights activists, journalists, social media activists, mental health professionals, lawyers, and non-government/development workers. Their ages ranged between late twenties to early fifties (most were in their thirties). Each respondent thus represented a spectrum of experiences and reactions to conflict. The CCs consisted of a diverse set of women — housewives, political party activists, social activists, a midwife, and some students. They had varying educational qualifications, ranging from very limited schooling (primary) to matriculation and bachelor's degrees; a few had Master's degrees. All of them were articulate in responding to the different sets of questions and a majority expressed their views candidly.

We relied on intensive qualitative and quantitative research methods to gain firsthand insights into the experiences of Afghan women in dealing with discrimination and persecution. Our goal was to establish a

well-grounded understanding of the gender apartheid faced by Afghan women, to bring the depth of this systematic discrimination to a wider audience, and to increase international pressure to halt the covert acceptance of this phenomenon. Thus, the report underscores the ‘blind spots’ and lip service given to Afghan women’s rights that have been overshadowed by other conflicts perceived to have a more profound impact on the interests of Western alliances. From a *realpolitik* perspective, the fundamental rights of Afghan women have been relegated to a low priority in policy circles. As a result, this report has deliberately focused on women’s perspectives, with only two exceptions and the methodology has been designed to prioritize the voices of women through both quantitative and qualitative research.

Rationale for Site Selection/Geographic Areas, Target Groups

The rationale for site selection and the choice of target groups is a crucial aspect of the research process, which involved reaching approximately 390 women through questionnaires, Community Conversations (CCs), and Key Informant Interviews (KIs). Specifically, 240 individual women were interviewed to gather quantitative data, and the collected data was meticulously entered into a database. Moreover, a total of 16 CCs (four per city) and 22 KIs were conducted.

The choice of areas and venues for data collection in different cities was made considering various factors, including accessibility, the presence of Afghan communities, and the availability of Afghan women for interviews and Community Conversations (CCs). The following details highlight the location-specific challenges faced during the research in Islamabad, Peshawar, Karachi, and Quetta:

Islamabad

- Questionnaires were administered in various locations in Islamabad, including E11, G9, F11, F7, F10, Peshawar Morr, Kurri Road, Bahria Town, and Faisal Town.
- CCs were held at E11, G9, F11, and Kurri Road, with women gathering from different parts of Islamabad and Rawalpindi.
- These areas were selected due to the higher concentration of Afghan residents, ensuring the availability of

participants. Additionally, when visiting one location, it was observed that women from surrounding areas also took part in the CCs.

Peshawar

- Individual interviews and questionnaires were conducted in diverse locations within Peshawar, including Husain Chawk, Hayat Abad, Haji Camp, Hashnaghari, Faisal Colony, Bara Road, Gulberg, Arbab Road, Abdara Road, Andershair, and Sadar.
- CCs were organized at Husain Chawk, Haji Camp, Hashnaghari, and Regie Malma Model Town Nasir Bagh.
- The areas were chosen for their accessibility to Afghan communities, ensuring a broad representation of participants.

Karachi

- In Karachi, a place known as Afghan Basti is home to Afghan and Uzbek-Tajik communities. Persian speakers from Afghanistan also reside there.
- The areas surveyed included Janjal Goth, Al Asif, Afghan Basti, Sikanderabad, and Azam Basti. The CCs took place in Janjal Goth, Afghan Basti, Sikanderabad, and Itehad Town.
- All interviews and CCs were conducted in-person. Challenges included some individuals being fearful of being targeted or evicted, as they were living in insecure conditions and had concerns about disclosing information. Additionally, some of their family members who had entered Pakistan illegally had been detained.

Quetta

- In Quetta, areas and venues were selected based on references, prioritizing security, privacy, and safety.
- The areas surveyed included Alamdar Road, Hazara Town, Nawa Kili, Pashtoonabad, and Syedabad. CCs were conducted in Hazara Town, on Peer Mohammad Road, at Mariabad, and near Burma Hotel on Sariab Road.
- All interviews and CCs were conducted in person, with the last CC in the Uzbek community facing challenges due to its suburban location and difficult road conditions. The broken road full of pot holes resulted in damaging the facilitator’s vehicle.

The Challenges of Data Collection

The data collection process faced several notable challenges:

- 1. Fear of Deportation:** Afghan refugees, particularly women, were living in a state of fear. They were apprehensive that Pakistani authorities, including the police and other actors, would deport them if they discovered the refugees lacked proper documentation such as passports or visas. Many refugees had fled their home country for reasons of personal safety, further intensifying their vulnerability. Additionally, seeking permission from male family members to participate in interviews or community conversations, or waiting for their responses, presented a significant challenge.
- 2. Identifying Suitable Venues:** Locating appropriate venues for Community Conversations proved to be a challenge. Finding spaces where women felt safe and comfortable was essential for productive discussions. We could not use NGO offices as arranging and holding CCs with Afghan women is not a government pre-approved project for them; therefore, their registration and MoU with the government could be at risk.
- 3. Safety Concerns:** Gathering women in one place was a daunting task. Some were hesitant to go to unfamiliar locations, particularly the homes of others. The prevailing fear of authorities, including the police, was a significant deterrent to women coming together.
- 4. Repetition of Information:** In some CCs, it became evident that participants were providing similar responses rather than sharing their personal stories. For example, they expressed concerns about not receiving aid or not having access to medical care, fearing that sharing information about having received aid previously might disqualify them from receiving future assistance.
- 5. Minority Groups:** Vulnerable minority groups, such as the LGBTQI community, were particularly hesitant to come forward and share their stories. For instance, the disclosure of such stories often came through close friends or allies rather than the individuals themselves. This could be due to the fear of persecution or discrimination within their communities.

Some were hesitant to go to unfamiliar locations, particularly the homes of others. The prevailing fear of authorities, including the police, was a significant deterrent to women coming together.

- 6. Challenges with UNHCR Engagement:** Despite repeated official reminders, the UNHCR's response to interview requests was notably delayed; after several reminders an officer asked for the list of questions we wanted to ask; these were promptly shared. However, after this, UNHCR officials in Peshawar ceased to respond to any requests via email, telephone calls and phone messages. We realized that if we could face so many difficulties in even getting a response from UNHCR to acknowledge our request, what could ordinary illiterate Afghans expect? This interaction or lack of it highlights the difficulties in accessing relevant stakeholders for the research.

These challenges underscore the complex and sensitive nature of conducting research in the context of vulnerable and displaced communities, particularly Afghan women refugees in Pakistan.

Reflections on qualitative methodology

Every time we conduct qualitative research with marginalized people, we unintentionally raise their expectations about what we can do to address their problems as we delve into their lives to understand the issues confronting them. However, as researchers we can only ensure that their voices can reach and influence policy circles; our efforts cannot immediately mitigate the difficulties they face every day, day after day. Furthermore, the lack of follow-up communication adds to their

disappointment. In this research also, we encountered skeptical views about our role as researchers, e.g., some of the women participants said that NGO's teams conduct interviews and say that we will help but they never come back. (Karachi CC-1). There was also an expectation for monetary compensation that the team could not fulfill but one that was not misplaced or unjustified.

The team witnessed different types of expectations among Afghan CC participants. First, the participants' hopes were raised because a Pakistani team had come to them to understand their issues. They agreed to the CC also because there was an unstated hope of accessing UNHCR with their cases or reaching a Pakistani official who could help them. The CC in their view was an opportunity to reach any institution that could help them as individuals with their status as refugees.

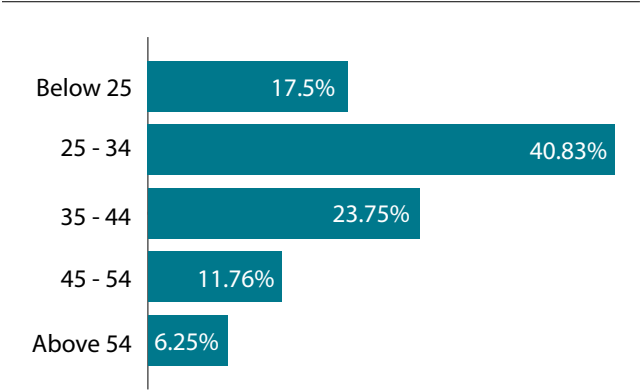
Second, in some CCs, men from the families also sat with the women (e.g., in Quetta) and responded to some questions. In Karachi, the men sat outside the room where the CC were conducted and when women opened up about their problems, their men spoke to them in Persian after which women provided brief yes/no responses despite wanting to speak in detail. The men suspected that the CC was a ploy to implicate them i.e., what they divulged at the CC could be used as a basis for their incarceration and deportation (Karachi CC 1). These fears were not unfounded given the large number of forced deportations from Karachi.

Brief Statistical Profile of Research Participants

This section provides a snapshot of the women refugees who agreed to respond to the questionnaire developed for the Pakistan context. It is based on the limited and modest dataset that prioritized the 'new arrivals' as well as women (but not men) from marginalized and vulnerable groups. As such, this snapshot only provides a glimpse into the issues faced by the Afghan refugees population in Pakistan.

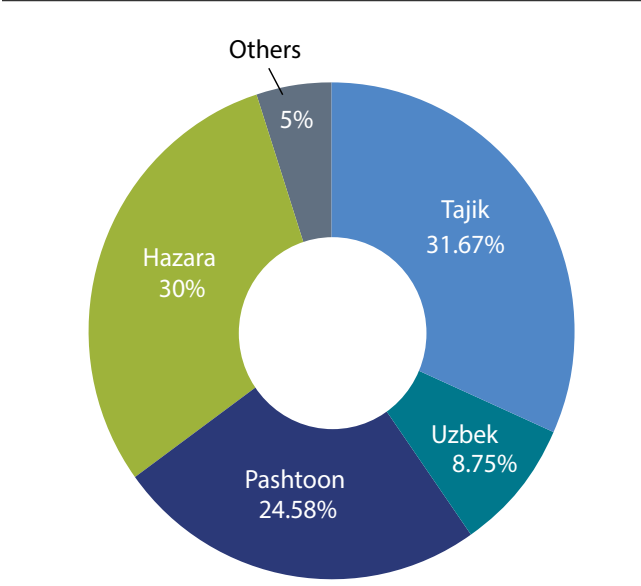
Age Profile: Table 1 demonstrates that a major proportion of the surveyed women refugees were in the age group of 25-34 years followed by a group of women aged 33-44 years.

TABLE 1: AGE PROFILE



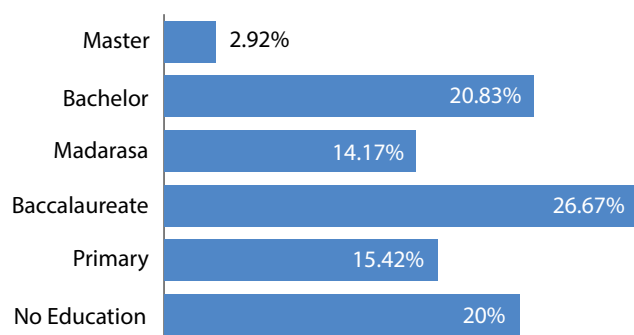
Ethnicity Composition: Our questionnaire data (Table 2) reveals that Tajik (31.7%), Hazara (30%) and Pashtun (24.6%) constitute the major ethnic groups that have come to Pakistan. It should be noted that Pashtuns are associated with older waves of refugees in Pakistan.

TABLE 2: ETHNICITY COMPOSITION



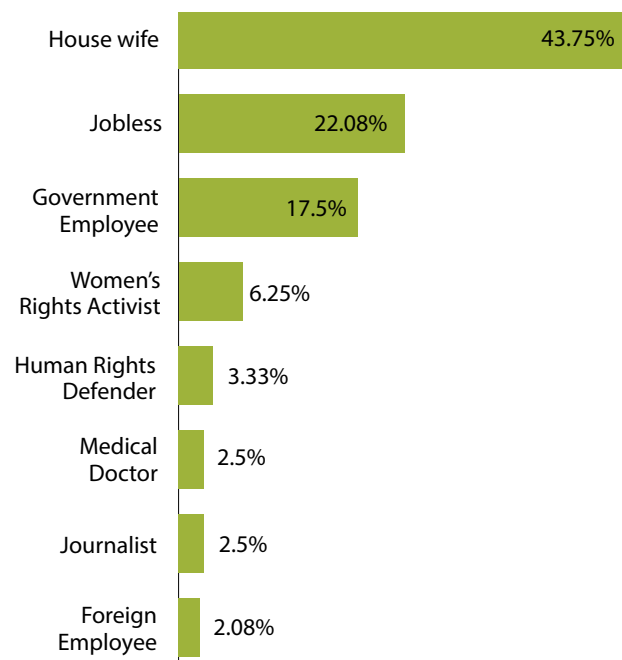
Education Status: Table 3 shows that 51% of the sample of refugee women have Baccalaureate, Bachelors or Masters degrees while 29% have been to a primary school or a madrassah.

TABLE 3: EDUCATION STATUS



Employment Status: Almost 44% women refugees were housewives while the remaining 56% comprised women who previously worked as government employees, doctors, journalists, etc., are now jobless.

TABLE 4: EMPLOYMENT STATUS



Date and Place of Arrival: Tables 5 and 6 show that 73.3% of the Afghan women surveyed reported they had arrived in Pakistan after August 15, 2021 and the remaining 26.7 % came before August 15, 2021. Furthermore, 45.4% of those who came after the August 2021 takeover by the Taliban, came via Spin Boldak in Balochistan province while almost 37% of Afghan women entered Pakistan via Torkham in Khyber Pakhtunkhwa province.

TABLE 5: DATE OF ARRIVAL

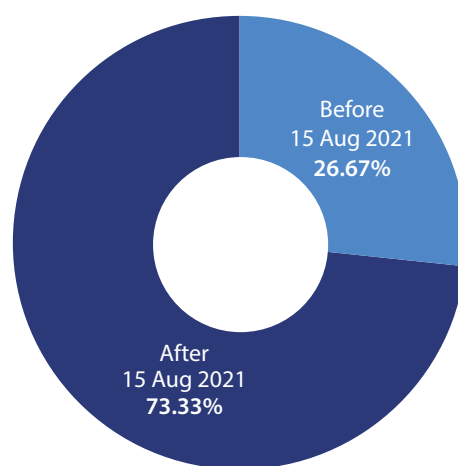


TABLE 6

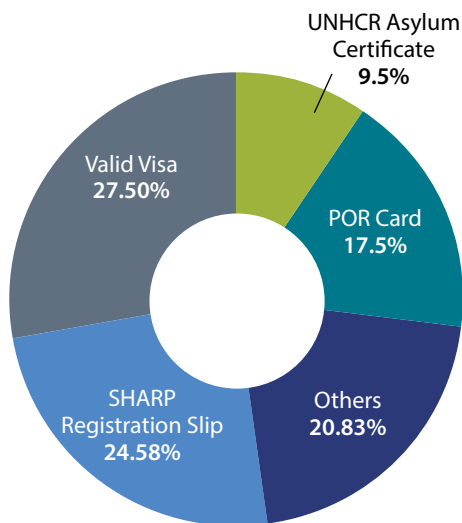
Place of Arrival	% of Respondents
Spin Boldak	45.42%
Torkham	37.08%
By Air	11.25%
Other	6.25%
Total	100.00%

Status of Stay, Visa and Resettlement Programs:

Research participants held different statuses vis a vis their status in Pakistan. Statistics show that 27.5% had a valid visa, 17.5% had PoR cards, 9.6 % had asylum certificates, while the remaining 20.8% had a SHARP registration slip . Almost 21% had an ambiguous status.

Within our data set almost 70% of the refugees in Islamabad hold valid visas. The highest proportion of ‘illegal’ or Afghans without documentation are found in Quetta at 72.5%. Quetta is the major city nearest the border town of Spin Boldak through which most of the new arrivals have entered, facilitated through payment of bribes to border security on both sides. Furthermore, 49% of those who have not applied for a visa extension are in Peshawar whereas of the 22 respondents from Quetta, who entered Pakistan with a visa, 72% have not applied for visa extension.

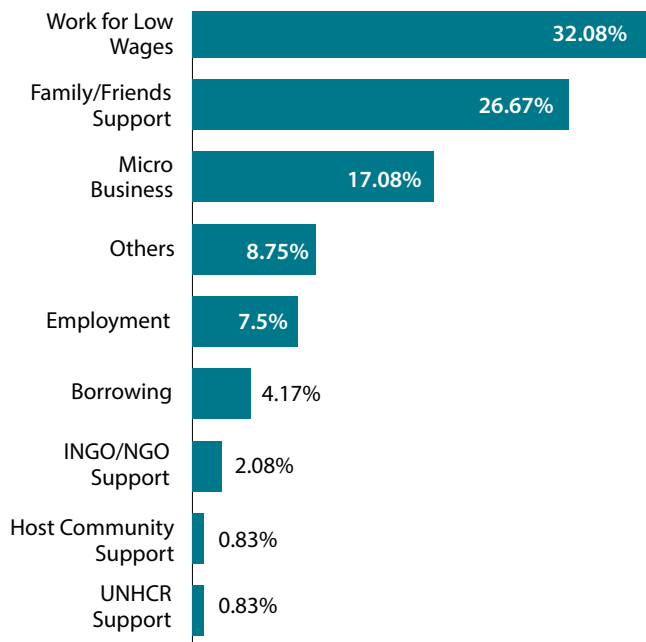
TABLE 7: STATUS OF STAY IN PAKISTAN



Livelihoods: Table 8 shows that the major source of livelihood for 32 % of Afghan women is low waged work. Around 26.7 % of the Afghans are supported by friends and family, while 17.1% Afghans earn livelihoods through micro businesses.

In Islamabad, about 57% of the refugees depend on family/friends’ support to manage their livelihoods. In Karachi, the major sources of employment are low wage unskilled jobs and micro businesses which together account for 82% of the refugees. In Quetta, four major sources support livelihood; working for low wages (37%), micro business (18%), friends/family (17%) and others (17%). The major source of livelihood for refugees in Peshawar comprise low wage work (40%), followed by 30 % who depend on family/friends support.

TABLE 8: MAJOR SOURCES OF LIVELIHOOD



THEME 1: DISPLACEMENT, CORRUPTION, MILITANCY AND MILITARIZATION

“Under the Taliban, women have two options: Leave or die”

—a prominent Afghan human rights activist

The Journey of Displacement

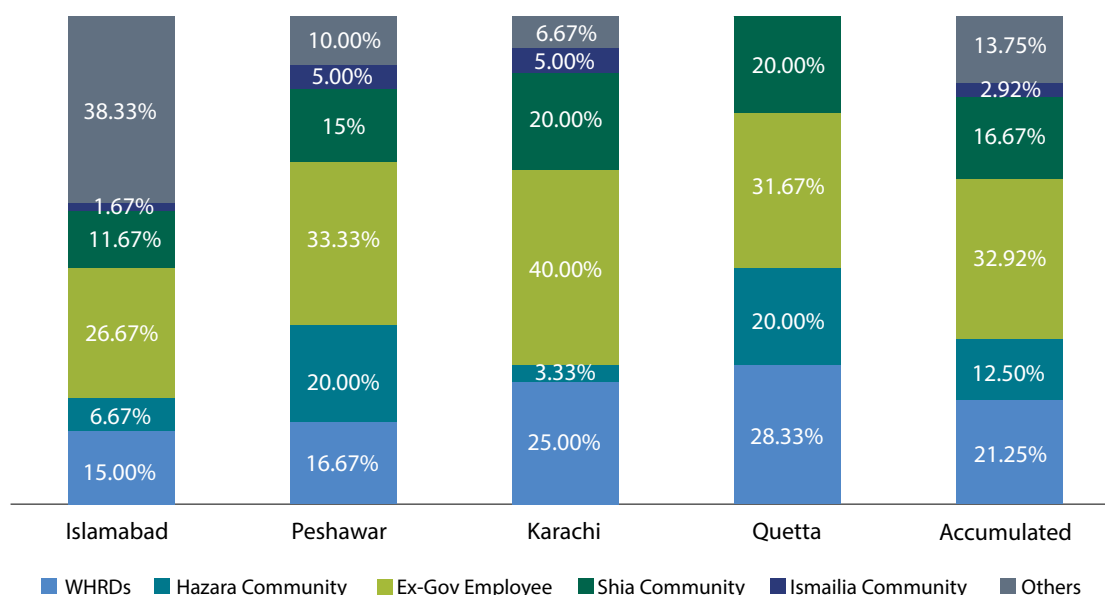
As discussed in the preceding section, our survey of 240 Afghan women living in Peshawar, Islamabad, Quetta and Karachi, reveals that around 27 percent had come to Pakistan before August 2021 and 73 percent after the Taliban take-over in 2021. Around 45 percent had come to Pakistan through the Spin Boldak border crossing in Pakistan's Balochistan province while 37 percent had crossed at the Torkham border in the Khyber Pakhtunkhwa (KP) province and 11 percent had arrived by air. A majority of the previous refugees and those with valid visas entered through Torkham in KP province or by air directly to Islamabad.

Those who fled Afghanistan to Pakistan without visas came through Spin Boldak to Chaman, then Quetta and

from there went to other parts of Pakistan, especially to Islamabad and Peshawar or settled in Quetta. A majority of these refugees constitute at-risk groups such as the Hazara, single or widowed women, musicians and women human rights defenders. The refugees who have been in Pakistan for several years either have ACC or POR cards. These identification documents enabled them to have access to a phone SIM card, healthcare and education at government hospitals and schools respectively, besides bank accounts and other facilities.

Table 9 shows that former government employees face the highest imminent risk in Afghanistan (32.9%) followed by WHRDs and the Shia community. However, if we combine the numbers for the Hazara and Ismaili community with the Shia community, they would

TABLE 9: COMMUNITY AT IMMINENT RISK IN AFGHANISTAN



almost equal the category of ex-government employees at a total of 31%.

As mentioned, the majority of the 'new arrivals' entered Pakistan through the Spin Boldak post near Chaman in Balochistan province. A 'new arrival' who preferred to stay anonymous explained the details: *"Habibullah (name changed) charged us PKR 50,000 per person; there were 19 of us but for my 2-year old nephew he did not charge a fee. Habibullah is a very influential person. His men brought our luggage. We were stopped by the police but his people — children in Pakistan — who were accompanying us — dealt with the police by informing them that they were with Habibullah. These children brought my parents in a wheelbarrow (my father is in his 90s and very sick) while we walked. The children are also involved in smuggling."* Children are used as they cannot be charged for offences.

Our data, collected before the deportation drive was initiated, indicates that 70% of refugees have encountered anti-Afghan tensions which are highest amongst refugees in Karachi.

The journey was not only a physical journey, it was also about a break with the past, a life lived in a place where one has a sense of belonging. Sitara, a human rights activist stated that after coming to Pakistan she tried to continue her human rights work but found no support for her work. No one knew her track record and none of the embassies she approached were receptive to her case. To escape her stress and depression she decided to enroll in an English language course in a middle-class neighborhood of Islamabad, where the relatively better off Afghans live. She said, *"We left Afghanistan — it is easy to say it in words — but we left our lifelong struggles and efforts behind as well. It is not only me but also my father, who spent all his life's savings to make us a home to protect us. He was just a civil servant. But all the evidence of our struggles and hard work has vanished. We had explosions every day prior to the Taliban take over yet we continued living there, but when we became direct targets of the Taliban, we*

could not stay. Now we live with fewer comforts, and we don't know what will happen tomorrow as there is no guarantee." (Islamabad CC-3)

Prejudice/Discrimination in Pakistan

There has been a clear attitudinal shift in Pakistan towards refugees since the 1980s and 1990s. From initially welcoming them, the government closed its borders to the Afghans in the aftermath of September 11, 2001 attacks on the US, by maintaining that terrorists would cross over into Pakistan. However, following intense international pressure and promises of humanitarian aid, the authorities allowed refugees to cross the border. Sadly, every few years when the Afghan government is perceived to be unfriendly, Pakistan begins a drive of deportations to pressure the Afghan government as is being done at the time of the writing of this

report in November 2023. This time the deportation is particularly pugnacious because Pakistan has denied refugee status across the board to the 'new arrivals'. Therefore, the number of vulnerable people, especially women, ethnic and religious minorities, and those fleeing persecution is much higher, and their deportation, in the face of denial of asylum, is particularly unjust. In Karachi,

Sindh province, over 500 refugees with PoR cards along with their children and womenfolk were incarcerated and deported. Furthermore, in some cases asylum seekers have committed suicide¹⁶ in despair after not hearing back about the progress of their cases from embassies or UNHCR in Islamabad, or if they were denied resettlement. These tragedies indicate the depth of hopelessness in their lives.

Our data, collected before the deportation drive was initiated, indicates that 70% of refugees have encountered anti-Afghan tensions which are highest amongst refugees in Karachi. Around 75% refugees feel that incidents

16 <https://pajhwok.com/2023/08/30/young-afghan-girl-commits-suicide-in-islamabad/#:~:text=Maryam%20finished%20university%20and%20included,economic%20challenges%2C%20she%20committed%20suicide>.

<https://www.thenews.com.pk/print/1084277-afghan-journalist-commits-suicide-after-being-denied-asylum-in-us>



Community Conversations, Karachi.

of sexual harassment of Afghan women is also a source of conflict at the community level. This is borne out by the CC discussions as well as KIs.

One participant at a CC in Karachi said, *“Pakistanis look at us suspiciously, they think that we are Taliban.”* (Karachi CC 1). Another participant stated, *“Being a mother, my worry is what will happen to my daughters. It is very hard to live in a country that one does not belong to and we don’t know the language. We share cultural similarities but it is not enough; we are not accepted here as refugees. Wherever we go we hear, ‘they are Afghans, sold by the Americans.’”* (Islamabad CC-2).

Bahar, aged 17, lives in fear alongside her mother and sisters. They are from Herat and do not know Urdu. Bahar was in grade 10 when the family came to Pakistan in search of education for her and her sisters. Her father was sponsored to Canada so he is not with them at the moment. At the time of the CC, they had shifted from one locality of Islamabad to another because women in plain clothes visited them and searched their house. Bahar’s mother informed the police and their neighbors but felt insecure. Her mother worked for the government and now has a pending immigration case of P-1 with the US embassy as she wants to resettle in the U.S. Bahar said wherever they go local people can identify them, and remark, *“Oh look! They are Afghani!”* Bahar

explained, “Afghani is not our nationality, it is our money; we are Afghans. We feel so bad about it. We wear jeans and t-shirts and do not wear the hijab; Pakistanis think we are bad and comment, ‘It is good Taliban are in your country.’ We are used to dressing like this in Afghanistan and we dress the same way here. We have our passports and visas. We don’t have financial problems but we still lack freedom. We are not accepted and we don’t have rights like other Pakistanis here.” (Islamabad, CC-3)

One participant laughed and said, *“We cannot remove the hatred from Pakistani people’s hearts but in other matters, if international organizations wish to help, it is possible to bring about a change and make a better environment for us.”* (Islamabad, CC 3). Another participant of a CC in Karachi said, *“the situation in Afghanistan is still dangerous as it is in the hands of the Taliban — they are a threat to us, but in Pakistan we are in danger from the Pakistani policemen, because they consider us Taliban and call us thieves.”* (Karachi CC 4)

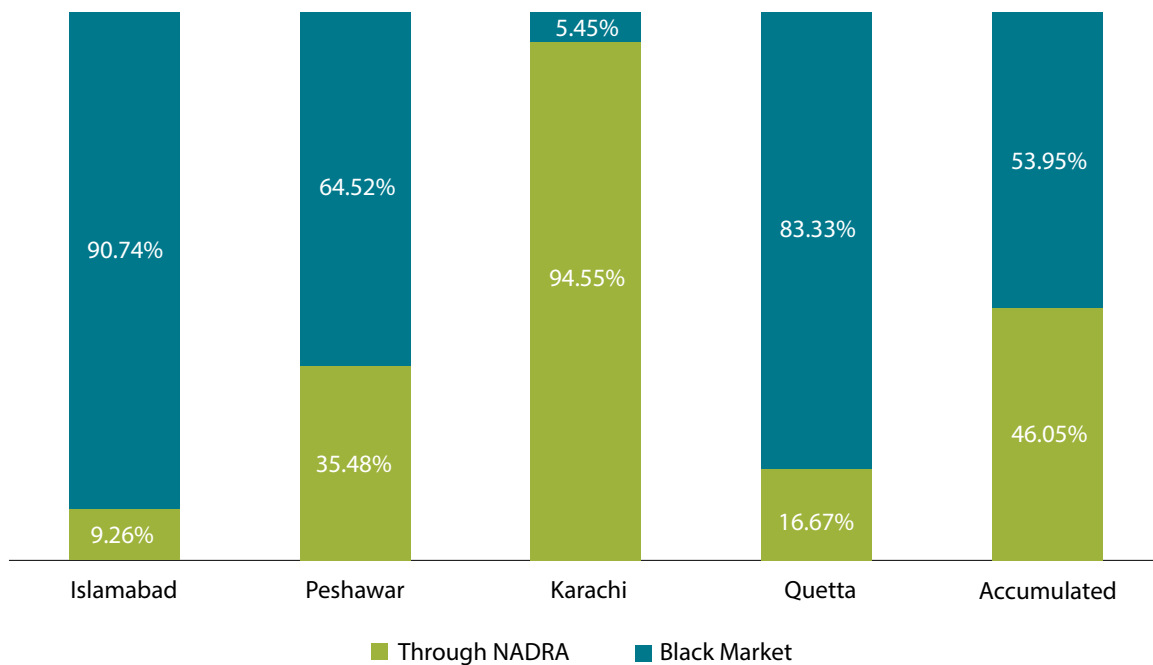
Another aspect that was highlighted by women in a CC in Karachi was their inability to escape the squalid conditions in which they live. They said that *“We come to Pakistan and are living here in a place that has no water, gas, electricity, and the sewage lines are also broken. The walls of our mud houses are washed away during rains. We tried to move to a better locality but people [police/authorities] didn’t let us shift.”*

Corruption

Many refugees regularly encounter instances of extortion, bribes and harassment in Pakistan in return for safety. Corruption has been reported in three contexts: the first is in connection with crossing the border without visas; the second with regard to the Pakistani police extorting bribes; and the third is in the context of receiving a positive response from UNHCR in resettlement cases.

“... if you pay an amount of PKR 60,000, they allow you to enter Pakistan even without a passport and visa, and an amount of PKR 15,000 to return to Pakistan without documents. The people of Afghanistan are really scared of the police in Pakistan. The police have even detained people with proper documents but released them after

TABLE 10: CHANNELS OF GETTING PAKISTANI VISA



the payment of a bribe. This happens not only on the borders but inside the cities too. Police detention frequently takes place in Islamabad compared to Peshawar.” (KII Spesalai, an Afghan policewoman)

There were also complaints about foreign missions relying upon WHRDs to recommend other vulnerable WHRDs, but who push only for their own relatives and friends. (Anonymous, KII. Islamabad))

Obtaining both Pakistani visas and visas for western countries constitute a significant problem for Afghan refugees. Table 10 shows that 46% of the refugees who received a Pakistani visa or a visa extension have done so through the black market, the highest prevalence being in Islamabad (91%) followed by Quetta (83%) and Peshawar (65%). These visas used to cost around US \$400 but after the announcement of the deportation drive (Oct 1, 2023), the black market price has gone up to US \$1200-1500, per visa which is delivered with an

exit stamp within 24 hours. This is facilitated through travel agents with officials on both sides, involved in taking bribes.¹⁷

Role of the Police

Afghans confront various challenges, including an increase in police harassment, targeting refugees across the board whether they have or lack documentation. Mass arrests and detention have taken place post- October 1, 2023, including demolition of Afghan *bastis* (settlements), branding them illegal, exacerbating further the plight of and challenges for undocumented refugees.¹⁸ This has happened in the past as well, notably in 2004, 2014, 2015, 2016 and 2017, politically motivated

17 The rates were divulged by Afghan research participants as well as Pakistani journalists

18 SHARP Situation analysis report Analysis Report on the Afghan Refugee Situation in Pakistan Amidst Global Humanitarian Priorities; October 2023

by land mafias.¹⁹ In addition, their properties and businesses are currently being confiscated. The intensity of brutality has increased markedly as there has been a continuous buildup created by different Pakistani governments when they wish to pressure the government in Afghanistan. The police become an important tool for execution, with financial benefits at the individual level.

In almost every CC, the participants highlighted how the police release Afghan men with or without documentation after taking bribes of Rs 3000-5000. In Karachi (CC-1), many women stated that, *“The policemen harass us a lot, they search the men of our house, if they find money on them they take it and threaten to put them in jail.”* Explaining the role of the police, Spesalzai, an Afghan policewoman in her detailed interview said, *“The police of Pakistan know that we poor people, are not involved in terrorist activities but they conjure these scenarios to make some money.”*

Other refugees, with POR/ACC cards have been voicing their insecurity long before the deportation drive, because their cards were not renewed in June 2023. The non-renewal was used by the police, especially in Karachi, to round up refugees and send them on buses to Afghanistan. The women participants of CC were very unhappy with the behavior of the police, saying most of the time the police do not recognize their cards and insult Afghan refugees. In addition, *“...there is no resettlement scheme for POR card holders. The problem is the expiry of the POR card... UNHCR is not updating our UNHCR cards; we are subject to threats of deportation as the period of our stay ends with the expiry of our cards. We have approached UNHCR for the renewal of our cards but have still not received our updated cards.”* (Karachi, CC-1)

The ‘new arrivals’ spoke about their experience starting with the border police and their everyday fears. One participant spoke about her negative experience while crossing the border, *“the behavior of the police on both sides of the border was awful. The police frequently hit*



Community Conversations, Islamabad.

passengers... you can only experience and understand the deeply ugly discrimination once you go through this border.” (Participant of Peshawar CC-4).

An Afghan woman who came to Pakistan after August 2021 said *“I sold all my gold and savings but I don’t know what will happen after this. My husband was selling bolani (stuffed flatbread), but now, he is at home out of fear of the police due to our lack of visas. We can barely afford food once a day now.”* (KII - Haleema)

“I have been repeatedly discriminated against since my arrival, particularly for my illegal stay as well as my gender. We have a group of families here connected through a WhatsApp group. Whenever the police arrive to look for Afghan refugees, we inform each other and leave our houses to spend the entire day in nearby parks or mosques. Now we feel that living in Pakistan is riskier than in Afghanistan, if you do not have proper documents for your stay in Pakistan.” (Rabia, Islamabad CC-2)

Using children to safeguard themselves against the police appears to be a common practice. Shabnam, a participant of the third CC in Islamabad said, *“We live in fear of Pakistan’s police. Every time my husband steps out, he takes one of the children with himself as he thinks the police will not be as harsh in the presence of the little child, and not harm him. The police also always search Afghans because they are after money; some of them do not even bother to check our visas and passports. Some*

19 Ocha/Reliefweb, “Pakistan slum clearances politically motivated?” April 2014 <https://reliefweb.int/report/pakistan/pakistan-slum-clearances-politically-motivated>

cannot even read our documents and do not understand them.”

Meena’s experience lays bare a combination of misogyny, prejudice and corruption. She had US \$5000, at the airport in Kabul where the Taliban aggressively investigated her about the money and her income, insinuating that she has loose moral values. Her US-based husband was providing financial support, which elicited more questioning. She said when she arrived at the hostel in Pakistan, her money was stolen. She reported it to the police who recorded her complaint but did nothing. She said, *“After all the police are also Pakistani, they will never help an Afghan refugee. My iPhone was also stolen but we have to stay in the same hostel because I don’t have other options.”* (Islamabad CC 3)

The Impacts of Militancy, Militarization and Conflict

“The biggest impact of militancy is that the space for women has shrunk even more and there is growing indifference regionally and internationally.” (Anonymous respondent of a KII).

Afghanistan has witnessed militancy, militarism and conflict over the last 40 plus years. Although militancy depicts insurgency by a violent group and militarism is the ideology whereby militaristic ideas become embedded in the state system, both have a yin-yang relationship in the context of conflict. The Taliban, who until 2021 were considered a militant group today constitute the *de facto* government in Afghanistan, just like they did between 1996 and 2001. Talibanization, which depicts both a militant and extremist mindset alongside allegiance to a militarized approach to statecraft, has left deep footprints on Afghan society. These footprints will continue to impact the future as well.

According to an Afghan human rights activist and a visiting scholar at Oxford, *“the largest impact of militancy and a militant mindset is the system of gender apartheid in Afghanistan — it is not just in girls’ access to education, women’s right to work and mobility but also women’s spaces which are now restricted to the bedroom, the kitchen and the home.”* According to her, the devastating effects of the current gender apartheid will be felt in the

future as well. She added, *“Women are human beings and constitute 50% of the population, yet they have been stripped of their fundamental rights while the international community watches silently and with growing indifference.”*

On the question of militancy, women at a CC said it had negative impacts besides economic destruction. The phenomenon *“has ruined our lives, and many women are widowed, they have lost sons, family members, and have lost freedom.”* The conservative mindset that has been produced is not restricted to Afghanistan. It follows Afghan women into Pakistan as well. Men regulate women’s dress and movements viciously. In one instance, men at a local mosque called Najia’s (a KII participant) husband and told him that his daughters indulge in fashion which has a corrupting influence on our people. Furthermore, this message was communicated to all the Afghan men in connection with their womenfolk.

Another impact of militancy is the inability of the people, and especially women, to leave the country. Women cannot leave without male permission, nor can they travel without a *mehram* (male family member) accompanying them. In addition, visas are not granted to a majority of Afghan women even if they wish to leave. There is no legal recourse to leave and the only option is to live in poverty or die. As a result, there are increased suicides in Afghanistan.

The post 2021 refugees constitute a new wave of educated young people who had more hopes and ambitions about the future. However, an uncertain future, lack of education and work opportunities, accompanied by hostile attitudes in neighboring countries add to their anxieties and loss of hope. All they see is extreme poverty, and police intimidation both within and outside their country. Unfortunately, western countries have almost stopped taking Afghan refugees, and even those who they initially accepted have been stranded in Pakistan²⁰ either due to deliberate delays and impediments such as security checks and/or arranging their own accommodation.

20 <https://www.independent.co.uk/news/uk/home-news/afghanistan-pakistan-refugees-deportation-islamabad-b2439631.html>

THEME 2: VIOLENCE

This section focuses on different aspects of structural violence, direct violence, and deeply embedded cultural violence in tandem with pre-existing misogyny that Afghan women confront. It delineates the dark side of their fight for survival, dignity and security. Pointing out the impunity of perpetrators, as well as violations of women's human rights, UNHCR contends that the situation is worsened by food insecurity and the climate crisis as well.²¹ The next subsection highlights the intersections of physical insecurity, loss of home and country, and the precariousness of life in a country that denies women legal status, affecting their livelihood opportunities and protection against exploitation.

Livelihood and 'survival sex'

The brutality and betrayal experienced by women points to structural violence. The vague legal status of Afghans in Pakistan is a travesty of fundamental rights. This report documents multiple layers of Afghan women's oppression in Pakistan, a country to which they came in their desperate bid to escape the Taliban's gender apartheid. Afghan women only changed their geographical location, not their circumstances. In Afghanistan, gender apartheid is overt, backed by law and in Pakistan, gender apartheid for Afghan women is covertly exacerbated by the absence of a refugee law and associated structural barriers. A vast majority of Afghans who escaped to Pakistan are denied refugee status, denied asylum due to the absence of a specific asylum law and denied the right to earn a livelihood to ensure they have a roof over their heads and food in their bellies.

The Bangladeshi journalist and researcher Afsan Chaudhry describes such structural violence that denies basic human dignity in the following words: *"It doesn't*



Community Conversations, Karachi.

just touch the body; it rapes the soul." Under such circumstances, many women have had to turn to 'survival sex' as a coping mechanism. Given that survival sex is forbidden on religious, moral, cultural and legal grounds, it places already vulnerable women in precarious situations alongside their children, many confessing their deep inclination to commit suicide.

According to Constance Formson and Dorothea Hilhorst, "Conflict and natural disasters push individuals, and sometimes entire communities, into poverty as crises destroy livelihoods, result in the loss of property and separate people from their economic networks." (Maclin et al., 2015; Hynes, 2004). And, while scanty, the literature suggests a correlation between food security and survival sex in humanitarian contexts. Existing literature points to the fact that women's engagement in transactional sex in humanitarian contexts is for survival purposes in order to offset the multiple adverse shocks that arise from violent conflict situations (Agiresaasi, 2011;

²¹ <https://reporting.unhcr.org/global-appeal-2023>

Given that survival sex is forbidden on religious, moral, cultural and legal grounds, it places already vulnerable women in precarious situations alongside their children, many confessing their deep inclination to commit suicide.

Dewey, 2012; Human Rights Watch, 2012; Ungor, 2012; UNHCR, 2011; Hynes, 2004). Motivated by the need for food, shelter and security, women resort to transactional sex to meet basic needs (Agiresaasi, 2011; Hynes, 2004). The literature further suggests that women's engagement in transactional sex is not only to meet their personal basic needs but often those of their entire family."²²

The fourth CC in Islamabad was with four women who rely on survival sex. While individual interviews are difficult, to have a group of women gather and acknowledge that they resort to survival sex is almost impossible in a place like Pakistan. Everyone knows it happens, but no one admits to it. The young women agreed to speak on condition of anonymity. Therefore, we have used pseudonyms. They are all in their twenties: Zainab, 24 graduated from high school and was working for the Afghan national army as a tailor; Brishna, 25, was enrolled in a Master's degree and working for a foreign NGO as a teacher; Asma, 28, had a degree in law and worked for the Afghan national army; and Fareshta was 29 years old with an undergraduate degree in business studies, and had last worked for a government ministry along with her husband. Initially the Taliban had announced that there would be no reprisals but slowly each of these women found that they were targets. They all came to Pakistan without visas and in one case without a passport six months to a year after the Taliban takeover of August 2021.

²² <https://assets.publishing.service.gov.uk/media/57a0896440f0b64974000060/WP41-transactionalsex.pdf>

Zainab had posted her photographs in military uniform on social media, displays opposed by her relatives. When the Taliban took over, she and her friends coordinated to protest against the new regime. One day the Taliban arrested her and a friend at a bus station. They spent the day in a police lockup until the friend's brother rescued them, assuring the police that they were not criminals. She was allowed to return home with a warning not to be seen without a *mehram* man on the streets again. They kept her phone. Her father had disappeared 8-9 years ago and the family assumed he had died. She crossed the border soon after this incident with her mother, three younger sisters and a 10-year old brother.

Following her divorce in 2019, Asma came to Pakistan with her younger sisters aged 24, 17 and 15. She had lost both her parents before the Taliban takeover. Working for the military, she felt insecure and changed her location frequently for over a year after hearing that the Taliban were looking for her. Eventually she decided to bribe her way into Pakistan through Spin Boldak. She explained that obtaining a passport with a chip meant the Taliban government could trace her, and that getting a visa from the Pakistan embassy in Kabul was equally difficult. Not able to find work, Asma said she was introduced to transactional sex by her Afghan friends in Pakistan who brought in the customers while she negotiated the money herself. Some customers returned but she said that *"there is no emotion between the customers and me."*

Brishna, a Hazara whose father had died in a bomb blast, lived with her mother and younger sister. Her mother was a domestic worker but ensured that her daughters received an education. The Taliban accused her of converting people to Christianity while her brother-in-law was pushing her to marry a Talib. To escape a forced marriage, as well as the charges of converting people, her mother sent her to Pakistan — they did not have sufficient funds for all of them to leave. She added that the French INGO left Afghanistan without paying them for the last two months as banking channels had dried up. She came alone to Pakistan without knowing anyone and initially worked in an Afghan household where she was given a room with some food and some money in return for doing the household chores. However, after seven months the employer told her to leave. She said she faced different challenges *"Where should I go?"*

Unable to secure a job elsewhere, she accepted the landlord's proposition. It was difficult as her son would cry for her if she was not with him but the landlord was not concerned.

How can I find rent and food? I didn't eat food when I was jobless. So, I accepted transactional sex as everything was a big challenge for me."

Fareshta said the Taliban first came to their house and beat her husband as they demanded information about the previous government that he did not have, and a few days later they came again and took him. His father searched for him in the prisons of Kabul but could not find him. She said sometimes people offer to put the father in touch with his son who is in prison in another far away province and demand money. Initially the father would give the money only to be told that the son had been shifted to another place. Her husband's whereabouts remain unknown. Her in-laws told her they could not accommodate her; Her parents also advised her to leave for Pakistan with her one year old son as they feared the Taliban would come after her, and her presence would endanger her brothers' lives. After living in Pakistan with different people she had to find a place after her host left for Canada. She rented a room in a plaza in a low income area on the outskirts of Islamabad and worked in the nearby homes where people gave her 100-200 rupees in a day and some leftover food for her son. She was unable to earn enough money to pay Rs 10,000 per month to the landlord who told her that she could then pay in kind. She said she was depressed as she was worried her son was becoming malnourished. Unable to secure a job elsewhere, she accepted the landlord's proposition. It was difficult as her son would cry for her if she was not with him but the landlord was not concerned.

For Zainab, the lack of access to shelter and food were concerns that were amplified by language constraints

— she did not know Pashto, Urdu or English so it was difficult to get work. Eventually she started working in an Afghan tailor's shop but the remuneration could not cover rent and food. The tailor's customers began to approach her. She said, *"We are really dependent on this money; we survive only through this. If this stops, we will have to beg for khairat (charity) on the streets."* To the question if any customer had expressed any special feelings towards her, Zainab said (with tears in her eyes) *"their behavior is like we are sex slaves. There is no emotion or care."* She added that she and another boy liked one another and wanted to get married but the turmoil following regime change put an end to her dreams as he went to Iran and she came to Pakistan; they lost contact.

The women were aware of unwanted pregnancies and said they take the pill but were blank about other aspects of reproductive health risks like STDs, although two of them had heard about HIV-AIDS. They asked for more information as Zainab was able to connect one of her illnesses with STDs. Asma insisted on condoms, but the others said their customers refused to use them. Notably, they had not connected the use of condoms with safety. It showed the lack of awareness and lack of access to resources about safe sex. They said many other friends and acquaintances were also involved in survival sex but were not willing to come forward and talk about it.

Talking about their future, they spoke about the 'dark space' they were in — an uncertain future and a country they could not return to. Asma and Zainab said they would rather die than be killed by the Taliban. Zainab said, *"Every girl has dreams but now our hands can't reach those dreams. It is unimaginable how we survive without work or employment so how can we build a future?"* Brishna added, *"this is the darkest time in our lives but we are still hopeful though we spend our time feeling depressed."*

Asma said, *"Afghanistan is not a place for women anymore. The Taliban will kill us. Help us find a way to go somewhere we can be safe. Helping us with survival inside Pakistan would be great. Help unsupported single/divorced/widowed women with children with a place to stay and have food and survive here."*

They are all registered with SHARP but again emphasized and looked to UNHCR to process their cases to help them survive. The word, 'survive' came repeatedly in their recommendations.

The Experience of Direct Violence

Among the KII respondents, some spoke about the violence they or their mothers have undergone at the hands of family members. They also spoke about the violence of the Taliban when they protested in the streets of Kabul against the ban on education.

In a KII, Najia Majeed, who lives on the outskirts of Islamabad, told us about Mehvish, her 21 year old daughter's media work on a YouTube channel which was their only means of survival. She said that the work is not approved of by the ruling Taliban as the channel had aired a program with a person who could not pronounce the words of the Quran properly, which was presented as a joke, with the host laughing at the special person. *"The Taliban took offense and we left out of fear. Even now, the broadcasts do not have any anti-Taliban content as people are scared."* In the Awan Market area (a suburb of Rawalpindi where most Afghans live) Najia's other two daughters aged 12 and 15 were returning from their *maktab* (school) at 8 pm after the second shift ended when they were accosted by two masked men with knives. The men asked them where their older sister Mehvish was, and upon their refusal to divulge their sister's whereabouts, the men slashed their hands, stomach, thighs and buttocks with knives as a warning. *"The local people who witnessed this event did nothing to stop the men, and ran away. The police got involved but we did not know the individuals responsible for this."*

The men asked them where their older sister Mehvish was, and upon their refusal to divulge their sister's whereabouts, the men slashed their hands, stomach, thighs and buttocks with knives as a warning.

We took them to a doctor but shifted from the area for security." She said now her daughter Mehvish wears a mask, goggles and hijab when stepping out so she is unrecognizable.

Having survived a physical attack, the girls stopped going to the *maktab* (school). They live locked up inside a small apartment without access to education. Only the youngest attends an English language course in the building. They do not interact with the other Afghan families in the building nor do their neighbors interact with them. The increasing isolation of each family over an extended period depicts yet another layer of deep insecurity for the 'new arrivals' in Pakistan.

Another anonymous KII respondent, said her mother was forcibly married to her father. He was a widower whose eldest daughter was her mother's age. After marriage, not only did she look after his children and parents, she also worked hard in her in-laws' house. She was regularly beaten and abused not only by her husband but also his son who had anger management issues. Divorce was not an option for her as it meant bringing a 'bad name' to her paternal family. Thus, her mother endured physical and verbal abuse most of her married life.

Discussion on Cultural Practices: Between Hope and Despair

Often GBV is trivialized and dismissed as 'accepted' cultural practice. Generally, feminists look at cultural practices with suspicion as they represent a means of controlling women's freedom. However, women can sometimes use culture to their advantage. Afghan women are resilient and creative in the face of oppression. They have used different kinds of agency to push back against the old forms of oppression considered to be culture, as well as newer forms of oppression introduced by the Taliban.

Qandi Safi, a refugee in Peshawar since 1998, started a cross-border Pakhtun women's movement called 'Waak Tehreek' (*Waak* in Pashto means control/power/autonomy; and *Tehreek* means movement) to create awareness about women's political, economic, social and legal rights. It consists of around 40 active members from different districts of Pakistan's Khyber Pakhtunkhwa province and some provinces of Afghanistan. The

members include women political activists, former parliamentarians, poets, writers, teachers and students who help promote education and art for women and challenge customs that deprive women of rights. Qandi also tries to help women and girls who have fled Afghanistan by contacting SHARP and the women's shelter in Peshawar for their safety and protection. Qandi said they maintain a low profile for Waak and are very cautious about security after an awareness event Waak had organized was disrupted. Talking about the hatred and negative feelings for Afghans and harassment from police, she said this is a matter of grave concern for her family, but she is prepared for the risks. She said she told her sons that if one day someone kills or kidnaps her or anything happens to her, *"you can deny that I am your mother and tell the police you do not know me,"* in order to absolve them of the responsibility society places on

She said she told her sons that if one day someone kills or kidnaps her or anything happens to her, "you can deny that I am your mother and tell the police you do not know me," in order to absolve them of the responsibility society places on them to 'avenge' the killing.

them to 'avenge' the killing. She maintains that women must continue with their rights work instead of being silenced, adding *"Some of us will be killed, some of us will be imprisoned but we need to raise our voices, and today our weapon is social media."*

Historical Tradition of Gender Discrimination & Subjugation

"Women have always been considered inferior to men, and in our country men impose restrictions on women in the name of culture as they believe that the women will be corrupted. Due to such fears, we are neither allowed to go to school nor to go out of the house, we can only stay within the four walls of the house. The arduous work of the house has been reserved for women. We women are forced to accept all this because we have no other option but to silently accept." Some women said they disagree

with the Taliban, but they comply as disobeying may result in dire consequences. (Karachi CC 4)

Another woman said that gender equality policies and freedom of speech even prior to the Taliban were only applicable in a few big cities, as women living in rural areas were always considered second class citizens. She added, *"Valwer (bride price) was a common evil across the country and it exists today in almost all the (Pashtun) communities."* (Quetta CC 2)

"I have been a victim of domestic violence by my in-laws, and the only well-wisher was my husband. I reported this to the police before the Taliban government, and to some extent it worked. After my husband's brutal murder by the Taliban, I left Afghanistan, and I am like a half dead person, though. Although my family abroad supports me, there's no peace in my life." (Quetta CC 2)

"Women are not treated as equals — we do not have any equal rights and equal status like men. In Afghanistan, the situation was the same; in fact, it is worse there as the Taliban are not giving women any support. Instead, restrictions have been imposed on women in the name of tradition and the Taliban insist that women should only work in houses, they are not allowed to

attend school, or visit hospitals and markets. These principles are unacceptable but we have no right to raise our voices for ourselves." (Karachi CC 2)

Regarding freedom of movement, a housewife said, *"I rarely go out for any work/chores and feel isolated; it is obvious that women who worked outside for example in the media, hospitals or government offices, their lives are ruined, and their future is damaged."* (Quetta CC 3).

Another CC respondent said, *"The ones who arrived recently lead disturbed lives and can barely manage to survive. They cannot even find embroidery opportunities. Students without any prior experience of physical work, now work in different homes as domestic help due to financial issues. Furthermore, language barriers also prevent them from finding a suitable job. Nearly all have different health issues, and only very few have access to doctors through philanthropists' support."* (Quetta CC 2)

Rights violations in Afghanistan and Pakistan

This subsection captures women's views on the shifts under the Taliban and the imposition of restrictions on women. In almost every CC conducted across the three provincial capitals and Islamabad, women, including those with little or no education, spoke about the injustices perpetrated by the Taliban. Acknowledging that women were at a disadvantage, earlier also but since the Taliban takeover, the rights they had gained were systematically rolled back. For example, one participant said that women suffered less before the Taliban took power but now all their rights are denied. A few women wanted to report different cases of discrimination and oppression but they no longer have recourse with any institution/organization. Men with misogynistic views now dominate every institution. (Quetta CC 2)

Connecting the misogyny in society, one KII participant spoke about the ideology of the Taliban permeating the mindset of ordinary men. She stated, *"The main problem of our local community is the mentality of our men which is Talibanism. Even during the previous government, a limited number of women worked outside their homes, mainly in big cities. If you went to the remote areas, the mentality of Talibanism was in place. I did not expect our men to stand against the Taliban for the sake of women's rights. But, they could have taken a collective stand against the Taliban when they shut down schools for girls in Afghanistan."*

(Spesalzai, KII, Afghan policewoman)

The Taliban's discrimination against Shia Hazaras was also underscored at a CC in Quetta, expressing that *"The Taliban's gender restrictions are not limited to the area of law and policy, they extend far beyond in the shape of systematic discrimination and racism against the*

Hazaras. Their lands are forcibly vacated, their crops are burnt, their cattle stolen, their girls are abducted and their men are murdered." (Quetta, CC 3)

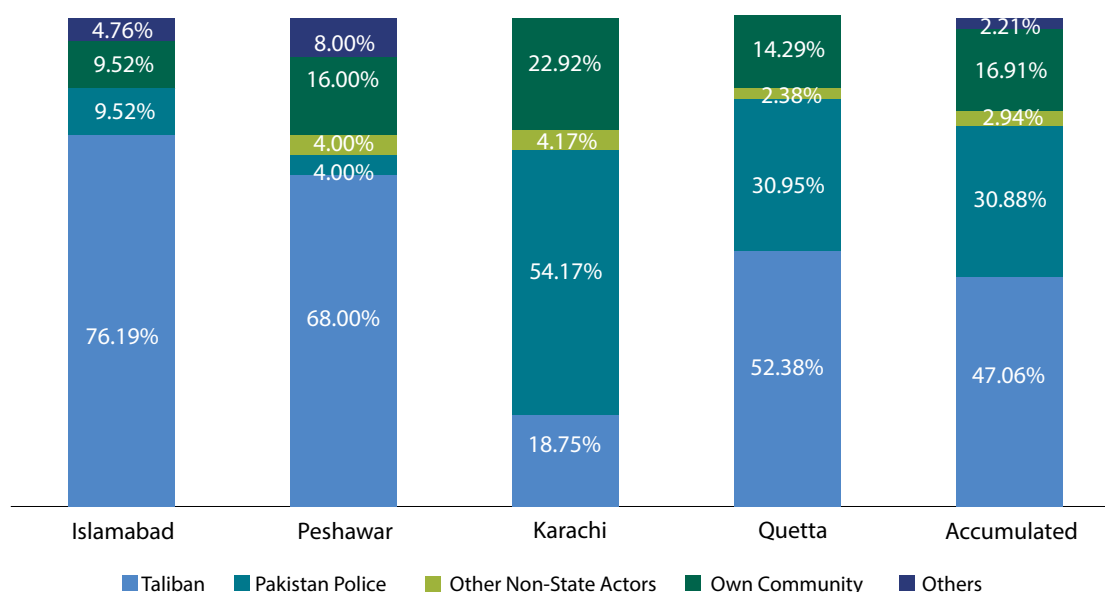
Laila, living in Pakistan for the past two years said *"under the Taliban, being a woman is a threat. After the Taliban takeover there is no freedom for women. This freedom does not mean being without a scarf. It means to have the freedom to obtain education, freedom of speech and freedom to work. We had to leave our jobs, and with no source of income at present, we are dependent upon the financial support of family members who remit us money from abroad."* (Islamabad, CC 1)

The Taliban contend that women who worked alongside men, especially in foreign missions were not only breaking the tenets of Islam but were also working against their country (and implicitly the Taliban). One participant delving into the reasons for leaving explained that *"After the Taliban takeover, we lost our jobs but we had no intention of leaving our country. The problem arose when the Taliban started asking the Wakil Gozar (head of the tribe) and the local mullah details about who was working with the previous government or any national or International organisations. This message was given to my husband when he went to the mosque to pray. This was in the month of October 2021 just a few months*



Photo by Abdul Majeed

TABLE 11: SOURCE OF ACTIVE THREAT



after the collapse of the government. We decided to temporarily change our location and went to our brother-in-law's house in Mazar-e-Sharif. It was difficult to stay there for an extended period with my children. So, we returned to our house. Our neighbor told us that during our absence the Taliban were searching houses, asking the mullah to show them the employees of the ex-government and international organizations. This made us leave the country as my employment with an NGO could put me and my family at risk." (Rona, Islamabad CC 2)

Participants of a CC session in Karachi emphasized that the Taliban government had destroyed the entire system of the country. *"The people there did not have anything to eat, nor could they go out of their homes. We couldn't move anywhere; we were mentally destroyed, we got sick slowly, and the Taliban thought we would die in our homes as slaves. This was the reason we moved to Pakistan."* (CC 3 in Karachi).

To conclude, women who have lived and grown up in Afghanistan over the last twenty years, have witnessed the systematic dismantling of the governance systems put in place for gender equality. Afghanistan has turned into a prison for women after the Taliban takeover in August 2021. The visibility of women in public spaces

has come to symbolize, for the Taliban, their lack of control, therefore, they have adopted extreme measures to enforce women's invisibility. Such measures mean that widows and single women with no source of livelihood have turned into beggars within their homes, dependent upon the charity (*Khairat*) of their equally poor relatives. Justifiably, no woman wishes to return to Afghanistan and lose her self-respect and dignity.

In Pakistan, around 47% of Afghan refugee women stated they are under active threat, identifying the Taliban as the biggest source of threat, followed by the Pakistani police (31%) and 'own community' for almost 17% in all the cities. A city/location wise-analysis indicates that 54% of women in Karachi fear the police the most, in Islamabad 76% fear the Taliban, whereas in Peshawar (68%) and Quetta (52%) of refugee women identified the Taliban as a source of active threat. Table 11 provides the city-wise breakdown, as well as overall averages for the different sources of threats.

In addition, our data indicates that most of the physical/ psychological violence has been caused by the Pakistan police followed by their own Afghan community and the Taliban. This pattern is more or less consistent across all cities.

THEME 3: SECURITY

“We protected ourselves from the rain but are sitting under the train”

–Surraya Mosavi, quoting a Persian proverb used by Afghans in Pakistan

This section looks at women refugees’ experience of security which is dependent upon their economic status (pre and post arrival), as well as their geographic location in Pakistan.

To the question, do you feel secure in Pakistan, less than half of the Afghan women respondents living in Pakistan answered in the affirmative. This is probably because 76% respondents are ‘new arrivals,’ who have been denied refugee status by the Pakistan government. Those in camps or in slum-like settlements lack basic provisions such as food, schooling, medical treatment and access to decent work.

The ensuing tables indicate the plight of Afghan women especially the ‘new arrivals’ vis a vis their sense of security. Table 12 shows that 44% women feel relatively secure in Pakistan (presumably from the Taliban). Their sense of security is highest in Karachi and least in Quetta. Over 20% do not feel secure at all while 36% feel secure only to some extent.

A significant proportion of refugees (64%) said their basic human rights were violated, with the highest level (75%) reflected among refugees in Quetta, followed by 70% living in Peshawar. Table 13 indicates a much lower

TABLE 12: SENSE OF SECURITY IN PAKISTAN

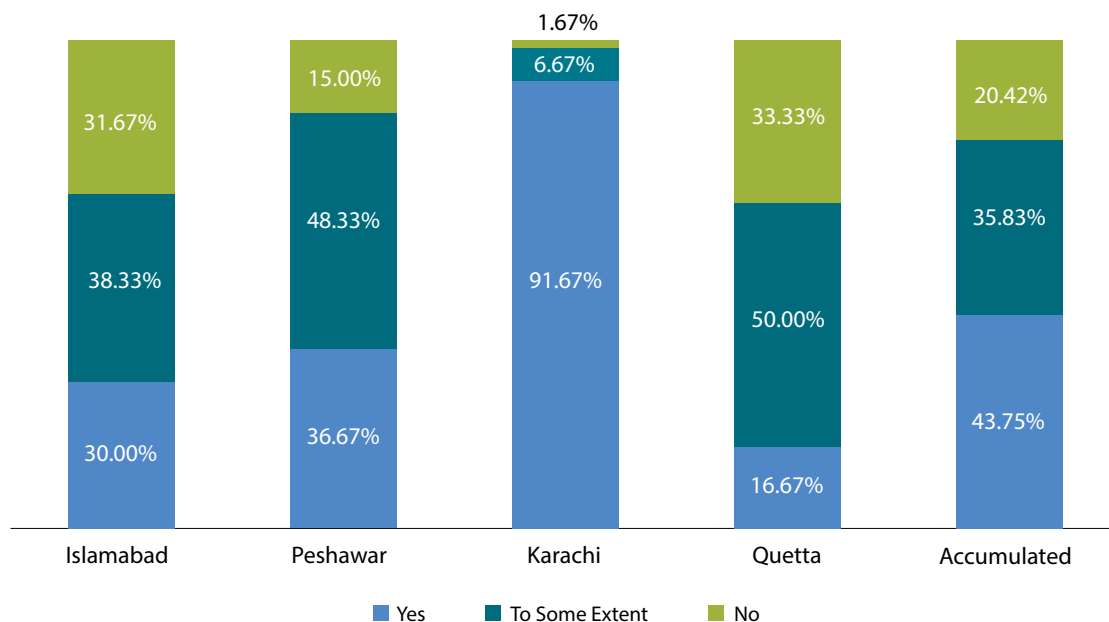
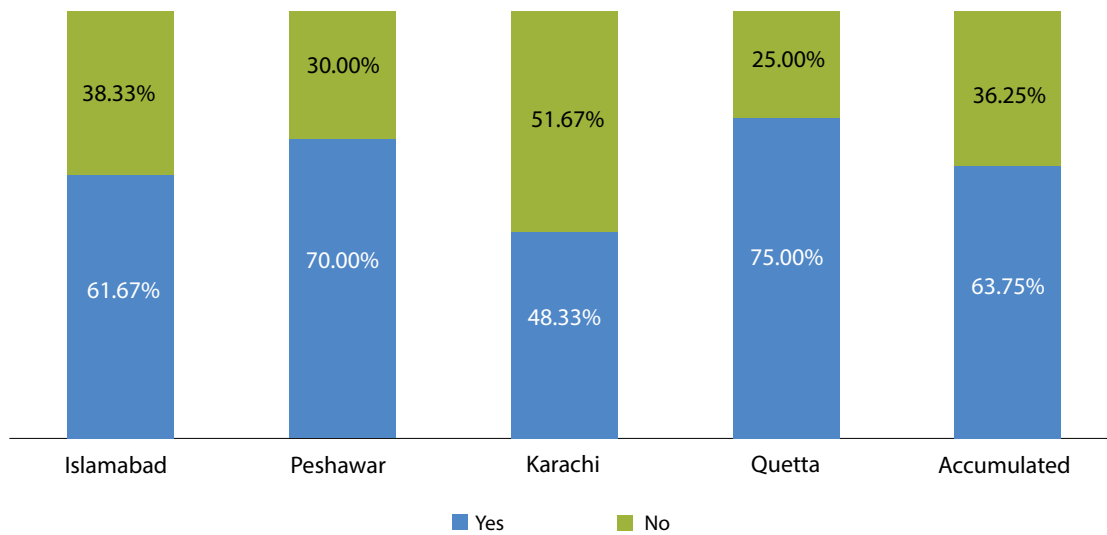


TABLE 13: VIOLATION OF BASIC HUMAN RIGHTS IN PAKISTAN



level of such violations which may be a result of the fear that they may be reported and therefore deported.

Responding to the question about the basis for discrimination, out of the 240 Afghan women, 33% stated they had not faced any discrimination. Table 14 shows that 26% of the discrimination is reported to have taken place on the basis of legal status, 23% stated gender

identity and 15% considered ethnicity as the reason for discrimination. A detailed breakdown of the data shows that only 18% respondents in Quetta felt there is no discrimination as opposed to over 41% in Karachi, 40% in Islamabad and 33% in Peshawar, who felt discriminated on various grounds. Interestingly, the gendered context of discrimination is felt at almost the same level across the different cities.

TABLE 14

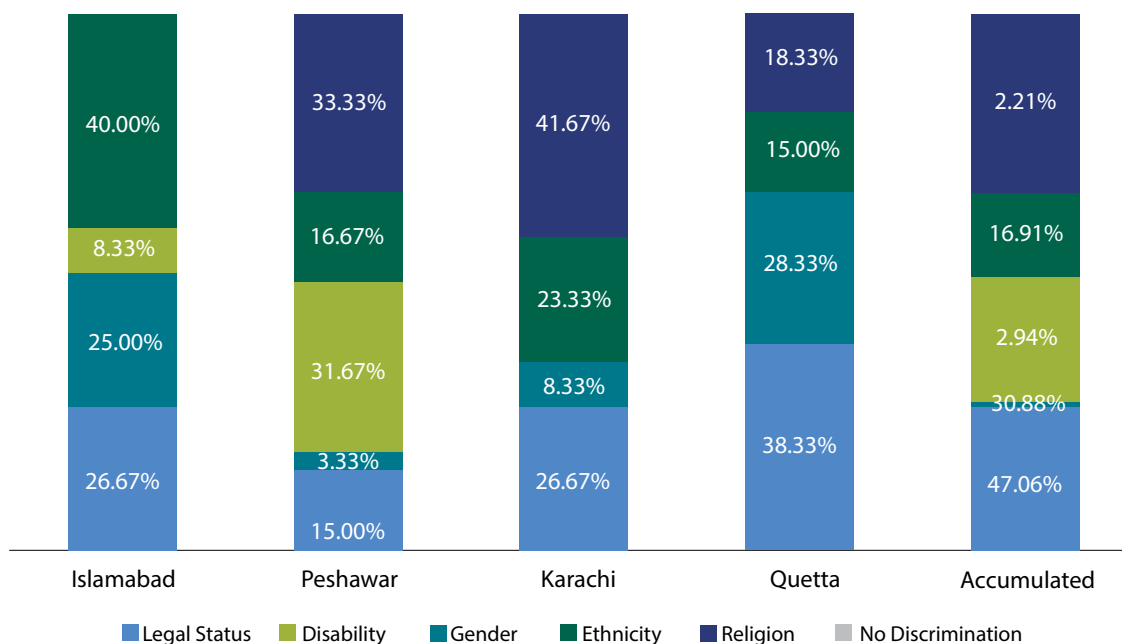
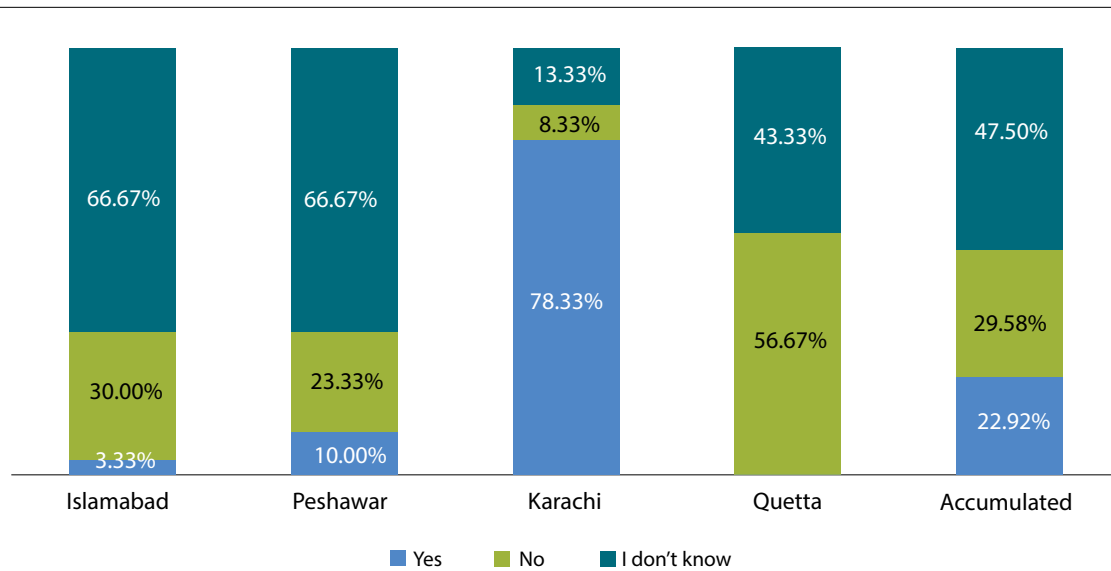


TABLE 15: ACCESS TO COURT AND POLICE FOR PROTECTION IN PAKISTAN



Access to police or community mechanisms

Women were critical of the police in both countries saying their men were vulnerable to being targeted. *“In Afghanistan we faced a lot of torture by the police and we fled from there to Pakistan. But the policemen here mistreat our men daily at the main chowk (crossroads). We do not have peace anywhere, neither in our home-land Afghanistan nor here in Pakistan.”* (Karachi CC 3). Referring to community mechanisms, some women explained that when there is any problem in the community, elders who are members of a decision-making committee advise them (Karachi CC 2). This approach was adopted by UNHCR for dispute resolution in the refugee villages established in Pakistan, and it appears it is still in use for resolving community level issues.

In contrast to community mechanisms, Table 15 reveals that only 23% of women refugees rely upon the judicial system/court/police in Pakistan to access protection. The highest accessibility is in Karachi and the least in Islamabad.

Although UNHCR is considered the arbiter by many refugee communities, refugee women in Karachi felt that their representatives side with the police. They complained that if Afghan men resist handing money to the Pakistani police, they turn to extreme measures such as tearing up their identity papers or arresting them. In

such instances, UNHCR personnel prefer to believe the concocted lies of the police who allege that the Afghans were arrested for theft. They protested that they lose their dignity and respect (*izzat*) in such encounters; one participant asked, *“Where should we go?”* (Karachi CC 2).

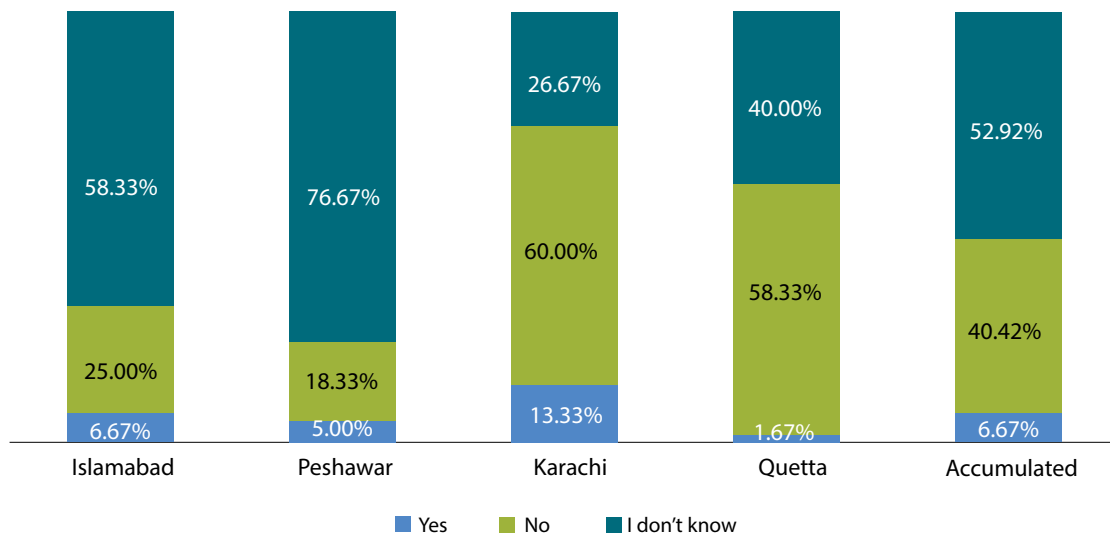
Talking about the stark poverty they live in, they asked for justice for themselves and their community. *“If the UNHCR really wants to help us, please ask them to provide some facilities to all of us in this area. Look at the condition of our mud (kucha) houses. There are open drains, we have no gas, water or electricity. If UNHCR wants to help us, it should provide basic facilities.”* Furthermore, they asked UNHCR to provide *“jobs for our men and prevent police from harassing us so we can live in peace. We want to live in Pakistan and be treated the same way as Pakistani citizens! Please make legal papers for us, we want sim cards available to us at the same price as for Pakistanis, and allow us to have bank accounts.”* (Karachi CC 3)

GBV and Access to Support including Shelters

“There is a culture of silence everywhere” –Meenal Munshi, Legal and Protection Expert

According to UNHCR, “Over 43 million forcibly displaced, and stateless women and girls face a heightened risk of gender-based violence. It is estimated that one in five

TABLE 16: DOES UNHCR PROVIDES SHELTER TO WOMEN IN URGENT NEED



forcibly displaced women experience sexual violence, and that displacement may increase the risk of intimate partner violence by 20%. In 2022, gender-based violence has had devastating consequences on the lives of women and girls in conflict-affected countries.”²³ While UNHCR recognizes and prioritizes GBV, it has calculated and allocated only US \$340 million for prevention and response globally, although it points out that emergency response to GBV is under-funded. The report adds, “Despite efforts in UNHCR to direct resources toward efforts to address gender-based violence, available funding met less than 50% of needs in recent years. Scarcity in resources hampers prevention efforts and thus restrains UNHCR’s ability to ensure forcibly displaced women and girls are not subjected to gender-based violence in the first place.”²⁴

UNHCR prioritizes women-headed households and children, (i.e, it relies upon shelter homes such as the government-run shelters (*Darul Amans*) and privately managed ones like *Zamong Kor* (Our Home) in Peshawar, as well as Child Protection Units in KP and Balochistan for Afghan women and children.) According to an anonymous KII respondent, “*very few women (hardly 2 out of 10) like to stay in these shelters due to restrictions and regimented life there. Interestingly, only lesbians stay in*

these shelters out of fear. Sometimes, in elopement cases, women also stay in the shelter due to fear of being killed by their families. We have plenty of space in the shelter homes as very few Afghan women opt for this UNHCR supported facility.” She added that UNHCR officials regularly visit these shelter facilities and have also engaged several psychologists to help women and children at these shelters to deal with their trauma.

Practitioners, as well as sporadic reports assert that there is a high incidence of GBV but it remains underreported. Meenal Munshi, a legal expert on protection said while intimate partner violence is frequent, the incidence has also increased against children. Often men have anger management issues or the husband cannot work or suffers a disability. In such instances, women’s access to voice and power in the community is limited. They have no livelihood source, and therefore, women rely upon the extended family to provide for them. Their suffering is the most intense because it is ‘invisibilised.’ She explained that there is no real system for protection; there are far too few service providers (‘the pool never expanded’), therefore, the emphasis is on prevention rather than response.

UNHCR has very limited capacity for shelter; perhaps this is the reason why only 7% (16 out of 240) women respondents said they know that UNHCR provides shelter to women in urgent need. (see Table 16)

²³ <https://reporting.unhcr.org/global-appeal-2023>

²⁴ UNHCR, Ibid

Meenal Munshi explained that the extreme poverty in which Afghans live produces several outcomes and requires more than psychological support; and psychological support is not even widely available locally. Camps in Surkhab (Balochistan) have no electricity, no running water, and no phone signal. Child trafficking is common there. Children go to fetch water or pick trash but do not come back; this is not uncommon. Early age marriages are common due to food insecurity. Malnutrition, mental health issues and suicides are common issues. Meenal added that human trafficking and sex trafficking of girls who cross the Chaman border

Child trafficking is common there. Children go to fetch water or pick trash but do not come back; this is not uncommon. Early age marriages are common due to food insecurity.

alone has also been noted, and often they are flagged to a child protection unit where the quality of government services is not great. She emphasized that a culture of silence pervades GBV issues.

Two organizations that are allowed to work on GBV by the Pakistan government are SHARP and the International Rescue Committee (IRC). IRC representatives also emphasized the vulnerability of women and children in the context of poverty, as well as the lack of skills for livelihoods, e.g., to escape the vicious cycle of poverty and by implication GBV they can start a business to earn money. However, without any capital and knowledge about running a business, how can poor refugee women turn into successful entrepreneurs? She said children are particularly vulnerable: child abuse cases are reported along with having been beaten by parents which makes judges place them in alternative care institutions. She explained that IRC relies upon referral mechanisms and Pakistan's lady health visitors for reporting such cases. But, without a specific policy for targeting and reducing GBV, and the allocation of insufficient resources to deal with GBV among refugees, it is an uphill task for one or two NGOs and INGOs to address the issues effectively. The SHARP representative

explained the type of cases that come their way and the network of volunteers who have been trained to provide "psycho-social first aid" that includes trauma handling and initial counseling to calm down the survivors, and maintain confidentiality. She also explained how careful they are about male employees' interactions with vulnerable refugees, and the precautions they take to prevent harassment of any kind — the precautions include changes to the structure of their offices through the installation of glass doors and windows so offices cannot be private spaces; ensuring they have gender balanced teams and there are complaint boxes. However, she said

there are very few reported cases of GBV — not because it does not take place, but because of stigmatization. She also highlighted the lack of options for GBV survivors including poverty, lack of skills, and restrictions on bringing children e.g., a boy child older than 8 years of age cannot live with his mother in a shel-

ter and instead is placed in an orphanage. This deters women from entering shelters that are like sub-jails anyway. Like Munshi, she also emphasized the poverty-GBV nexus. Everyone emphasized that GBV is a totally forgotten subject, a forgotten crisis and a forgotten narrative about which no one is bothered.

Rukhshanda Naz, the KP Ombudsperson for addressing sexual harassment said that Afghan refugees are not covered under her mandate. However, she does take a proactive role when it comes to issues of marriage or divorce, especially if an Afghan woman is married to a Pakistani man. She also emphasized that foreigners can also seek police protection if they are in trouble but few Afghan women know about this option.

We conclude that there are structural and cultural barriers, as well as the constraints of capacity at the local level, to address GBV. In addition, organizations such as UNHCR also offer extremely limited options for women to escape GBV. The culture of silence, the economics of continuing with the silence, and the deep misogyny at multiple levels ensures that GBV is perpetrated with impunity.

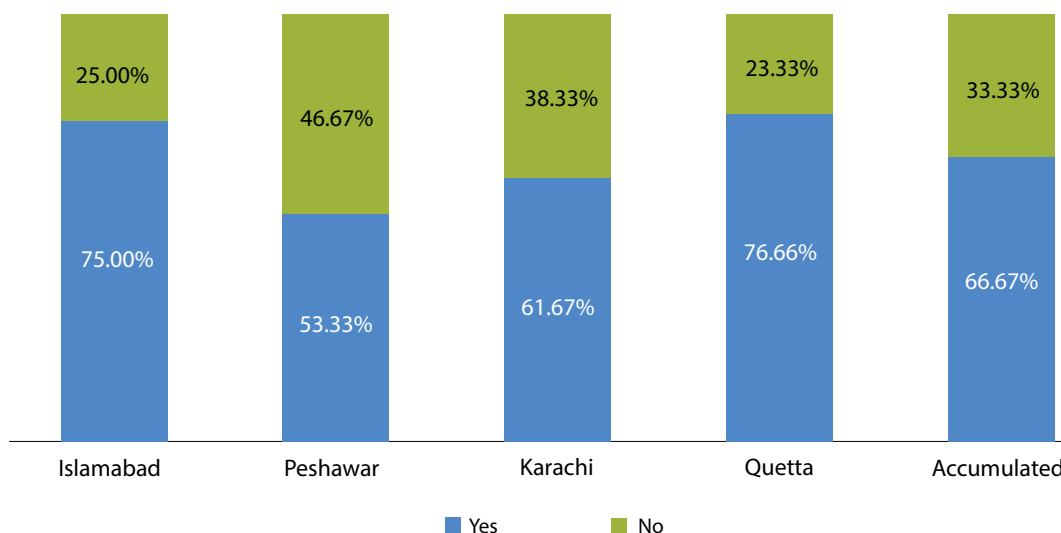
THEME 4: MENTAL HEALTH

Afghan women have undergone the pain of displacement, conflict and loss of loved ones, loss of home and security. Their mental well-being is often at risk, especially due to trauma, anxiety and depression they experience as refugees. Addressing their mental needs is not only a humanitarian responsibility, but also critical for their ability to rebuild their lives, their confidence, and contribute to their communities. This section provides a glimpse into the issues they confront and deal with.

Table 17 indicates that close to 67% women (160 out of 249) acknowledge they suffer mental health conditions like anxiety and depression. The lowest percentage is 53% in Peshawar while the highest percentage is in Quetta at almost 77%.

Physical and mental health is a source of anxiety for a majority of our questionnaire respondents and the CC participants. There were minor differences among Afghans with access to healthcare, i.e., those who had ACC or POR Cards had limited access to hospitals, although they could not afford to buy medicines for communicable (Covid 19, Flu, TB, HIV-AIDS, Hepatitis-B and C) or non-communicable diseases (cancer, diabetes, hypertension, heart disease). Many participants spoke about their own, their parents, husband's and children's illnesses and diseases and spoke about their inability to pay for the medicine. In fact, 81% of women said that medical facilities are unaffordable for them. As high as 88% said they pay for health costs; only 4% were able

TABLE 17: SUFFERING FROM MENTAL HEALTH CONDITIONS





Community Conversations, Karachi.

to access government services while 2% were covered by insurance and a measly 1% were covered by INGOs and embassies. Explaining the situation, one participant (Peshawar CC 1 July 3) broke down saying her mother needed a cardiac surgery as her heart valves were blocked, which cost Rs. 400,000 whereas they could only put together Rs 200,000 resulting in the mother's death. She was clearly depressed, saying she was dependent upon her brother while her sister-in-law mistreated her. They live in a mud-house without electricity, gas or running water. She said when it rains, the roof leaks and they don't know where to take shelter.

Mental illness appeared to be widespread as borne out by our community conversations and KIIs. Some women said they were depressed because their husbands had lost a limb or were too unwell to work while their children (especially boys) aged less than 10 years old sold corn, little trinkets or rosaries in low income areas. Girls, on the other hand, worked in people's houses (cleaning and washing or looking after children) for a pittance. As stated, they could not see a future for themselves. Their circumstances were a cause of chronic mental stress. About 67% of women said they suffered from mental health issues, 41% of these said they were on medication, while 43% stated they had no access to any medication. Only 8% said they went to see a psychiatrist and 6% said they received counseling.

"We have access to the healthcare system and schools with our ACC Cards but at least our cards should be valid." A participant also said her children *"do not have access to quality schools as it requires a huge amount of payment which we cannot afford."* (Peshawar CC 4, 6 July 2023)

A new arrival, without PoR or ACC status also confirmed that *"We have access to healthcare system but it's not free. I have visited the governmental hospitals a few times and could get the services without any bias. They were asking the locals for their identity cards but they facilitated me as an Afghan refugee, charged me the same amount they charged the Pakistanis for the medical facilities without providing any local identity card, and the fee was the same as it was for Pakistani people."* (Spesalzai, KII, Afghan policewoman)

Mental Health Conditions

Uzma Safi, a psychologist, provided a few specific examples related to women's depression and anxiety. She said they receive patients (women, young girls and boys) from across Afghanistan's provinces such as Kunduz, Paktia, Mazar -e- Sharif, Kabul and Herat. Three examples are:

1. An Afghan woman approached their clinic accompanied by her brother and son. The woman was not living in Peshawar but traveled for her treatment. Her main issue was anxiety about her son. The woman said *"We are imprisoned in our flat and my husband is not listening. And my son is more depressed at the hands of his father. He graduated from school and was searching for a job but was unable to find one. Due to our economic hardships, he is unable to attend university as we can't pay the fee."* In other countries, young people have a lot of opportunities but this boy was like a dead body. Since he is always home he faces social phobia and is afraid of meeting people.
2. An Afghan woman aged 45 years approached their clinic; she was worried about her future. Her husband is 20 years older than her. She was never in favor of her marriage. Owing to change of regimes she suffered the most as she had to make a house only to leave it again and again to start from scratch in an alien place. She came to Peshawar in 2022. She said

“My husband is old, he can’t work anymore. How long can I take these difficulties?”

3. Giving another example, Uzma Safi said a young Pushtun girl was going through serious depression. Her mother, however, does not accept that the girl at this young age can suffer from this illness. She considers it to be a taboo. We explained that we all are human and can get sick. She kept saying *“no, please don’t disclose this to others,”* she was going through OCD.
4. When the fourth CC began in Quetta, the host suddenly fainted while other CC participants rushed to get water and splashed it on her face. After half an hour, she gained consciousness. Those who knew her said this has been happening to her since the day there was a blast in her home. After that blast a group of Taliban jumped over the walls and entered her home; they beat her fiancé and slaughtered her maternal uncle in front of her eyes, which shocked her and after that she lost her senses.
5. Poverty and mental health nexus: this connection also came through forcefully in Karachi CCs. Many participants stated in the first CC that *“In the past we faced so many problems in Afghanistan and due to the difficult situation, we moved to Pakistan but here also we*

face the same problems. For example, we do not have a house to call our own and (adequate) food to eat.” (Karachi, CC 1). In another CC in Karachi, women said *“We are very worried because we are unemployed, our children are crying because of hunger. We are sick, we are worried about how life will pass, what will happen to our children because our men have no work, nor does anyone. Help us.”* And *“when they (the police) say we will send you back to Afghanistan, then we feel unsafe here.”* (Karachi CC 2). This is borne out by the quantitative data where legal status emerges as a source of discrimination for the majority of refugees.

6. Half of the surveyed refugees have reported that their family members face risk and insecurities in Afghanistan which bothers them mentally.

Mental Health Support

For 80% of the refugees, the medical facilities available in Pakistan are not affordable. Although the situation is slightly better in Karachi. In all other regions, approximately 90% of the refugees find it unaffordable.

Table 18 shows that out of the 160 refugees who reported suffering a mental health condition, around 41% received or had access to some medication, 8%

TABLE 18: FORMS OF MENTAL HEALTH SUPPORT RECEIVED

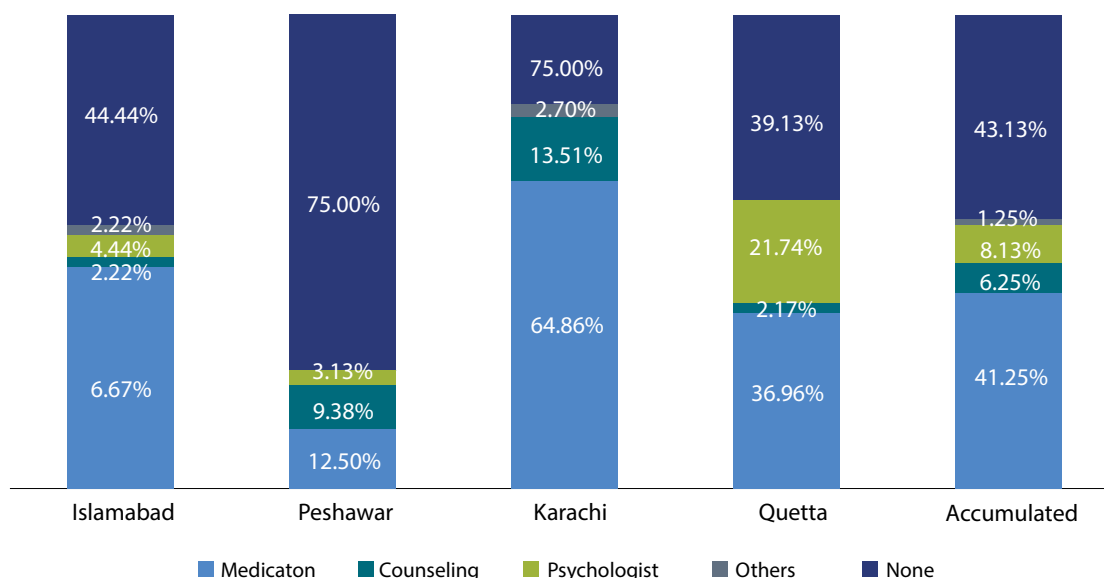




Photo by Abdul Majeed

"My grandson and I survived the Taliban brutality, whereas all the family members were murdered. I am living with this group, all of whom have their wounds and terrible past memories."

consult psychologists, and 6% go for counseling. A significant 43% said they do not receive any support at all; the highest incidence was among refugee women in Peshawar.

How do those without any formal mental health support survive? An elderly woman at the fourth Quetta CC explained how she provides younger women emotional support though she has her own deeply sad memories to live with. She said *"my grandson and I survived the Taliban brutality, whereas all the family members were murdered. I am living with this group, all of whom have their wounds and terrible past memories. Because I am older, I try to comfort them. However, sometimes my*

own tears start flowing while comforting them and it is difficult to cope with such situations."

Uzma Safi spoke in detail about the challenges around mental health. She said patients are reluctant to seek counseling as they prefer medication but soon complain about sleeping a lot and suffer other side effects. Furthermore, she said that even when free services are available, people do not have any information/awareness about the availability of these services. She stated *"There is an NGO called Umang hotline Pakistan which provides 24/7 mental health services and it is free of cost. But unfortunately people are not aware of the free of cost counseling that is available to support mental health treatment. Honestly speaking, our people are not willing to take the counseling, rather they prefer taking medicine..."* She added, *"The clinic at which I work provides concessions for poor Afghan patients and even provides some exceptional services, such as online counseling through WhatsApp if the patients cannot repeatedly visit our clinic."* She stated, *"There should be proper campaigns in society and even at schools to give people awareness that the easiest method for treating depression is through counseling without taking medicines."* Uzma Safi concluded *"Afghans, if they are in Afghanistan or abroad, their mentality toward treatment and counseling is negative."*

THEME 5: HUMANITARIAN SUPPORT (INCLUDING INTERNATIONAL AID)

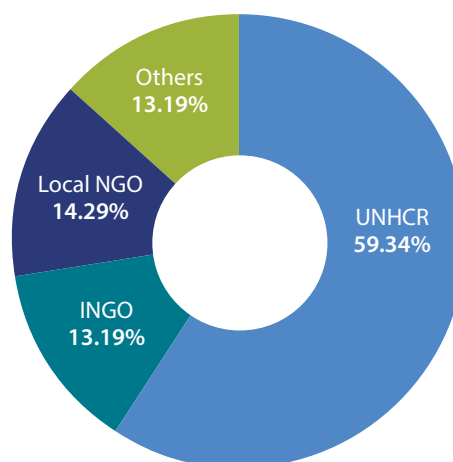
“We have complaints against some NGOs and UNHCR. They come and take our interviews, give us hope but after that nothing happens. We request them to please help us; to provide us basic facilities. They don’t know how we feel, living in this terrible situation.” (Karachi CC 3)

The UN has a reputation for being a caring institution that speaks for the weak and poor globally; thus people’s hopes and expectations are high after meeting UN personnel. However, the world has changed drastically especially after the COVID 19 Pandemic. Inflation, poverty and increased inequality are no longer endemic to one part of the world. Institutions and governments are continuously undergoing budget cuts.

UNHCR, the UN refugee agency has indicated that it faces a 46% funding gap, i.e. of its \$176 million requirement in Pakistan, it has received only \$95.76 million and still lacks \$ 80.26 million for its operations.²⁵ This gap affects the effectiveness of its programming, especially for refugee protection in Pakistan. According to the respondents to our questionnaire, UNHCR is a major provider for humanitarian support as shown in Table 18. In actual fact, its role in financial assistance is bigger than depicted here as the local NGOs and INGOs working with refugees are in fact UNHCR partners who receive funding through UNHCR.

UNHCR’s global budget of \$10.6 billion for 2023 shows that 23% is allocated for the Middle East and North Africa; 16% for Europe; 9% each for the Asia Pacific and West and Central Africa; 8% for the Americas and 4% for Southern Africa. A regional comparison shows that the entire Asia Pacific region shall receive only 9% of the global funding whereas Europe will receive 16% of the budget, presumably for the Ukrainian War refugees. Furthermore, the bulk of its four supplementary budgets

TABLE 19: MAJOR PROVIDERS OF HUMANITARIAN SUPPORT



in 2022 went to Ukraine (\$1.4 billion out of \$1.7 billion).²⁶ In comparison, Afghanistan received \$233.9 million for IDPs in Afghanistan; and in Pakistan UNHCR allocated \$10 million for flood affected refugee-hosting communities. The point here is not that Ukrainian refugees are less deserving. It is to emphasize that refugees face similar problems worldwide, but the response of the global community is dictated by *realpolitik*. The allocation for refugees in Pakistan did not show much change despite the inflow of vulnerable Afghans, including single women and families into Pakistan after the Taliban takeover. This is also due to the Pakistan government’s

²⁵ <https://data.unhcr.org/en/country/pak>

²⁶ <https://reporting.unhcr.org/dashboards/budget-and-expenditure>

policy of closing its borders in 2021 to Afghans fleeing the Taliban, at the request of the Taliban government.

Overall, the nature of humanitarian support has also changed in Pakistan. In the 1980s and 1990s, all refugees were welcome and UNHCR set up refugee camps for them under a bilateral arrangement with Pakistan, which later changed to a tripartite arrangement between Pakistan, Afghanistan and the UNHCR. In Pakistan, UNHCR serves as a proxy for the government of Pakistan to process asylum-seeker applications. UNHCR in turn has partnered with local NGOs. Initially, Pakistan had accepted all refugees en masse as there was no time to register them individually. However, there was a marked policy shift after the September 11, 2001 attacks on the US when different US backed governments were installed through managed elections.

There was a policy shift by the year 2000 when the government started viewing refugees with a security lens and the Taliban's first government with suspicion. Following the US-led Allied bombing of Afghanistan in response to the September 11, 2001 attacks on the US, a large number of Afghan refugees entered Pakistan. Although the Musharraf regime initially closed the borders but allowed refugees under international pressure on Pakistan. However, the Pakistan government reiterated its policy of voluntary repatriation with UNHCR facilitation. It also undertook a massive refugee registration initiative with UNHCR support that culminated in the issuance of Proof of Origin (PoR) cards followed by Afghan Citizen Cards (ACC). The government's attitude toward refugees became more negative as it perceived the US-backed governments in Afghanistan as pro-India. After the Army Public School massacre in Dec 2014 when more than 150 students, teachers and the school principal were killed by the Tehrik e Taliban Pakistan (TTP), Pakistan accused the Afghan government of providing safe havens to TTP on Afghan soil. Soon after, Pakistan lifted the 6-year moratorium on death penalty, extended the scope of the Actions (in Aid of Civil Power) Regulations Act (ACCPR) that gave the military detention powers, and introduced the National Action Plan (NAP) to combat terrorism. According to UNHCR, "With the adoption of the NAP, national security prerogatives are increasingly taking precedence over humanitarian considerations, resulting in restrictions on access to populations of concern. UNHCR and partners are required



Community Conversations, Karachi.

to obtain a No-Objection Certificate (NOC) issued by the government to visit refugee and IDP hosting areas. The NOC application must be submitted several days in advance and the issuance is not guaranteed, hampering humanitarian access."²⁷ The government later imposed increased restrictions on INGOs work and also expelled 22 INGOs from the country. It had pushed for voluntary repatriation through UNHCR but soon changed its policy stance on maintaining refugee camps; thereafter, the refugee camps also dwindled alongside the dwindling availability of international humanitarian funds.

UNHCR, Support for Refugees and the Government of Pakistan

UNHCR's engagement with Afghan refugees in Pakistan, dating back to 1980, encompasses various aspects of support and collaboration with the Pakistan government. UNHCR collaborates with the Afghan Commissionate, (a set-up established in the 1980s under the States and Frontier Regions (SAFRON) ministry specifically for Afghan refugees). UNHCR's primary concern lies with those holding Proof of Registration (PoR) status, and it facilitates their needs through cash assistance, healthcare services (through supporting Pakistani hospitals to provide care for Afghan refugees), scholarships, and shelters, often extending its support

²⁷ 2015-2017 Protection Strategy Pakistan - UNHCR
<https://www.unhcr.org/pk/wp-content/uploads/sites/103/2018/05/2015-2017-Protection-Strategy1.docx>

to PoR card holders' extended families as well. Afghan Citizen Card (ACC) holders, on the other hand, receive facilitation from the government of Pakistan and IOM as they are considered economic migrants. There are no specific charges or fees that UNHCR must pay to the government of Pakistan for each registered case or the acceptance of refugees.

Different Practices for Afghan 'New Arrivals' After August 15, 2021

According to an anonymous UNHCR employee, UNHCR places undocumented 'new arrivals' on high priority. These individuals are identified and guided by the border monitoring team of UNHCR, whose partner, SHARP manages the 'reception' and assessment of their applications. Upon successful assessment, SHARP allocates them a registration number on a slip of paper (popularly known as *parchi*) and are later considered for shelter, cash assistance, and other essential support, categorizing them as 'persons of concern' or individuals served by UNHCR. In addition to its two major and long-standing partnerships with SHARP and SEHER, UNHCR has recently added to its partners; IRC (for GBV and child protection), IDEA (education), Khwendo Kor (education), Hasho and SRSP (livelihoods), IRSP (WASH), IMC (mental health).

Accessing UNHCR & UNHCR Partners

Accessing UNHCR is possible but entails a specific process through UNHCR's partner agencies, including SHARP in Islamabad, Karachi, and Peshawar, and SEHER in Quetta. UNHCR necessitates certain documentation to establish an individual's refugee status or new arrival status. Reception is managed by SHARP and SEHER, involving the collection of biographical and biometric data to verify if the person is registered elsewhere. Following this verification, a progress-generation number (*parchi*) is issued, and UNHCR officially registers them as refugees.

UNHCR's practices have evolved over time, particularly with regard to Afghan arrivals. Prior to 2021, UNHCR would issue asylum certificates to refugees. However, since January 2021, the Government of Pakistan has prohibited UNHCR from issuing these certificates. Instead, UNHCR registers the new arrivals and issues them registration numbers (*parchi*) as standard documentation.

In response to changes in the support provided by UNHCR, the anonymous UNHCR employee noted that UNHCR's resettlement of Afghans to other countries was halted in 2016 but restarted in 2021. Initially, the quota was set at 3,500 households, which has now been increased to 4,500 households per year. However, these numbers remain relatively small compared to the applications for resettlement from a large number of refugees and 'new arrivals' in Pakistan, numbering more than a million. UNHCR has also introduced cash-based interventions, such as providing PKR 30,000 to each family upon arrival and registration. SHARP and SEHER, partners of UNHCR, are instrumental in gathering biometric data and facilitating the allocation of a V-4 number (*parchi*) after assessment.

Communication and Complaint Mechanisms at UNHCR and its Partners' Offices

This subsection provides the UNHCR view based on discussion with their representative²⁸ and some of the information publicly available on their website and with their partners. UNHCR utilizes various communication channels and mechanisms to engage with refugees and address their concerns. Resettlement officers play a pivotal role, liaising with respective embassies and officials once refugees are selected for resettlement. They accompany refugees to medical examinations at hospitals in Islamabad and provide assistance up to the immigration stage.

In terms of complaint mechanisms, UNHCR offers multiple avenues for reporting issues. Complaint boxes are available at various UNHCR offices, and email-based reporting is another option. Protection officers stationed at UNHCR offices, although not Pakistani nationals, are accessible through emails and calls. These officers serve as valuable resources for addressing refugees' concerns. Many refugees assert that the protection officers are not responsive to urgent cases for protection of vulnerable women, perhaps due to the limited capacity and funding for protection. However, UNHCR does not make this

28 Given that UNHCR representatives were reluctant to even respond to our repeated requests and eventually ceased to respond at all, the author has done her best to provide an accurate picture about the challenges that UNHCR confronts through informal contacts and research.

PROTECTION CHALLENGES

The emotional and practical strain on refugees in their journey for protection is often overlooked. One participant at the second CC in Peshawar explained the inordinate difficulties she faced as a Hazara woman, recounting the challenging journey from Afghanistan. As a finance officer for an NGO, she was dedicated to her work and her community. However, the Taliban takeover shattered her life and disrupted her work. She described the overwhelming situation that many refugees face – the loss of their identity, no job, no professional space, in addition to the police-related harassment and no access to a phone/SIM card for communication. She noted that on multiple occasions, she had to visit the police station to secure her husband's release, without any support from UNHCR. The emotional strain faced by refugees underscores the urgency of protection, care, and support.

These challenges underscore the need for a more empathetic and flexible approach to the protection and resettlement processes. Addressing these concerns is pivotal in ensuring that the most vulnerable individuals receive the necessary support and care.

explicit, resulting in tremendous frustration and wasted time, as well as the fading of hope for those in need of support.

According to the anonymous UNHCR employee, UNHCR is proactive in response to concerns about corruption and bribery. It has established reporting forums, such as PSEA (Protection from Sexual Exploitation and Abuse) and FC (Fraud and Corruption), which UNHCR officials utilize to report instances of misconduct. Additionally, for refugees, complaint boxes are readily available to report any grievances against UNHCR officers.

Although UNHCR faces funding and human resource challenges for managing cases, like any large bureaucracy, it has adopted a very cautious approach to its communication. In general, it does not get back to applicants nor respond to queries regarding when their resettlement applications will progress. Such lack of communication often results in rumors about bribes and corruption within UNHCR. Perhaps UNHCR communication strategy needs to undergo a change so that people's expectations can be managed better. To wait for months, sometimes a year or more to hear back from UNHCR about progress of their cases, the refugees are understandably frustrated. While it encourages

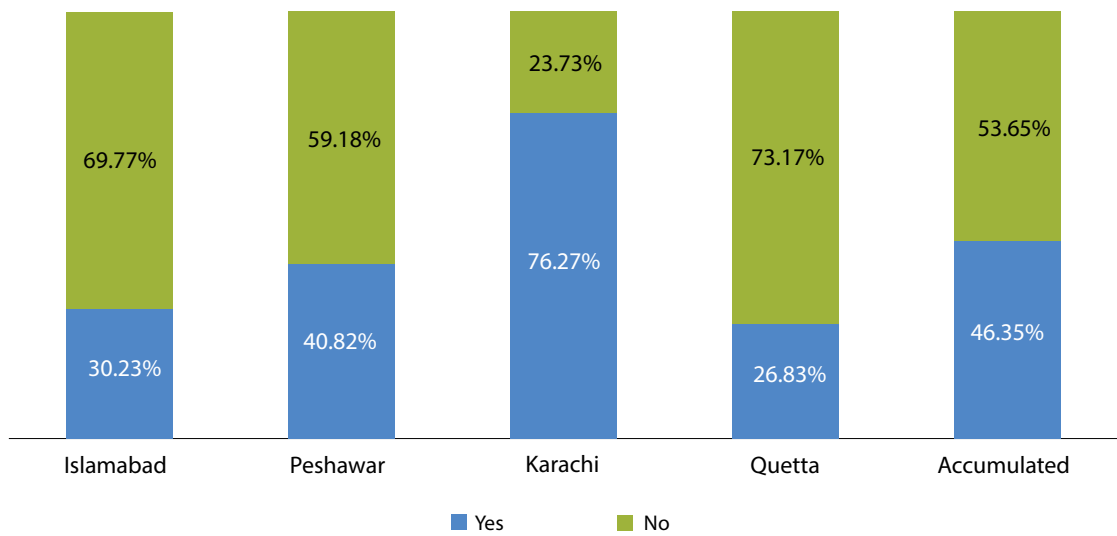
transparency and accountability in its operations, it fails to communicate its limited financial capacity and even more limited human resources to address the issues of desperate and vulnerable refugees.

Recognition of UNHCR Asylum Certificate and SHARP Registration

There have been complaints about the recognition of UNHCR asylum certificates and SHARP registration receipts for obtaining basic services in Pakistan, such as SIM cards, money transfers, and rental accommodation. In response, UNHCR acknowledges that after January 2021, the Pakistani government cited security concerns and changed its policy, limiting UNHCR's ability to issue asylum certificates. UNHCR emphasizes the need to respect and adhere to the host country's laws and regulations.

Given the above, the questionnaire included a section about refugees' experience with UNHCR. Almost 74% respondents said they have approached UNHCR/SHARP for protection. However, the perception of the helpfulness of this assistance varies significantly by region. In Islamabad and Quetta, most refugees did not find it helpful, whereas more than half of the refugees from Peshawar and Karachi reported the help to be useful.

TABLE 20: DOES UNHCR ASYLUM CERTIFICATE HELP FROM FORCED REPATRIATION



They cannot live in Pakistan and they cannot return to Afghanistan without the threat of persecution and the possibility of brutal death.

Regarding the UNHCR Asylum Certificate, it is unclear whether it would help with forced repatriation at all. Table 20 highlights that approximately 54% of the refugees do not consider it helpful.

Of those who received humanitarian support, 43% found it difficult to access. Of those who faced difficulty, 59% were based in Karachi.

Currently, the *Parchi* (slip) issued by SHARP to new arrivals has not prevented government officials from visiting the homes of those termed ‘new arrivals’ and warning them to leave the country by October 28. And the police have already initiated its drive against ‘illegal migrants’ and ‘foreigners’ by demolishing their mud houses and instructing owners to serve vacation notices to their Afghan tenants. The slip is of no legal value, placing over 700,000 Afghans who fled the Taliban regime in a highly precarious situation. They cannot live in Pakistan and they cannot return to Afghanistan without the threat of persecution and the possibility of brutal death. For women without a male in the family means being

imprisoned in a gender apartheid system from which escape will become impossible.

For many ‘new arrivals’ not only are the Taliban’s policies unbearable, there is hope of resettlement in the West. However, no one has informed them about the criteria for the priority list and definition for identifying vulnerable persons. For example, if someone has been associated with the military or police force in Afghanistan, the family is considered a security risk, and not prioritized. This is not communicated to the widows or children of slain soldiers or policemen. They assume that their insecurity, at the hands of the Taliban, will make their applications strong, not knowing that the association with these institutions is a disqualifier. Shabnam’s case study demonstrates the long wait, the anxiety and no news about progress on their applications.

Huma Fouladi, a Human Rights activist based in Quetta stated *“I observed while talking to different Afghan tribes/ethnicities that all, except Uzbek people were supported by the community or philanthropists. The Uzbek people are completely helpless and live in miserable conditions. When I left (the CC), it was late night, and I saw many Uzbek women were begging on the road. It’s alarming, as hunger and poverty can push a person to do anything.”*²⁹

29 Reflections of Huma Fouladi, who organized and conducted the CCs in Quetta

CASE STUDY OF SHABNAM, AN UZBEK WOMAN IN ISLAMABAD

I am Shabnam and we are originally from Jawizjan province of Afghanistan. I have a Bachelor's degree and my native language is Uzbek. My husband was in the police and was killed four years ago by the Taliban while he was on security duty on the Mazar–Aqcha highway. Feeling depressed and sad, I moved with my only daughter to my mother's house in Jawazjan province. I refused my brother-in-law's (husband's brother) proposal to marry him. Seeing my depression, my brother asked me to live with him and his family in Kabul alongside my other sister who was working at UNHCR in Kabul. She helped me get a job at UNHCR as a surveyor.

After the Taliban takeover, I continued to work but it did not last long as the Taliban stopped us from working; this caused us mental and financial stress. We could manage to live even if we were poor, but I became concerned and frightened during a house search when one of the group members asked me about my husband. I said my husband was killed almost four years ago. The same Talib came to my house with another four Taliban to marry me the same evening as they disapprove of a young woman living without a man in Afghan society. This made my brother ask my father to come from Jawazjan and live with me in Kabul as the Taliban were pressuring us a lot. As I refused to marry a Talib and destroy my and my daughter's future, my father decided to send me to Pakistan with a family known to us with whom I crossed the border at Spin Boldak. This family had a cancer patient and they paid AFN 10,000 rupees to the police and we crossed the border without any problem. I had my passport but not a Pakistani visa."

Currently, I am living with an Afghan woman I knew from before who treats me like a guest without charging me rent or food expenses. I have not received any financial support during my stay in Pakistan. Sometimes, my father who works in *Brishna Shirkat* (Afghanistan's electricity company) finds it difficult to manage the family there and support me here in Pakistan. I am very depressed as I have no hope about the future for myself and my 9-year old daughter. It has been almost a year since I have seen my parents.

After I approached the SHARP Office, they asked me to wait for their call. Subsequently, I had my first interview at SHARP 3 months after my first visit; however, after that no interview has been scheduled.

Ref. Islamabad CC-2

Our data shows that almost 20% of those who received humanitarian support found the support to be inadequate in meeting their needs nor is this support easily accessible. For those fleeing the Taliban regime in Afghanistan, a miniscule amount of humanitarian aid is available as demonstrated by the case study.

"UNHCR is neither supporting nor protecting the refugees; we are not able to communicate with UNHCR representatives and even if we get through to them on the phone, they don't hear us. It is now a year since we first visited the UNHCR office. We call almost daily but no one

responds on the telephone—there is only a recording. When we do get through to someone at UNHCR, they tell us that they cannot take all Afghans to the USA. We don't want relocation, we just request them to provide us with the asylum certificate so we are not forcibly sent back to Afghanistan." (Islamabad CC-2). Despite several complaints about the difficulty of accessing UNHCR personnel (our experience for this research reinforces the view), the questionnaire data reveals that 52% of the refugees visited UNHCR less than five times, 33% visited 5-10 times and the remaining respondents visited UNHCR offices over 10 times.

CASE STUDY: AMINA'S JOURNEY

My Name is Amina, and I am an Afghan journalist originally from Kabul. I've been living in Islamabad by myself for the last 8 months. The main reason for my displacement was the threat from a family member – my uncle, who works with the Taliban. He strongly disapproved of my career as a journalist, which made me feel incredibly insecure. His concerns date back to the time of the republic regime, but during that period, we largely disregarded his threats. However, the current scenario is vastly different, and he continues to threaten us, demanding that I stop working. He's even promoting a policy of encouraging women to turn against their husbands, in line with the Islamic Emirates of Afghanistan.

Out of fear for my safety, I left Afghanistan without waiting for a passport and visa, which can be both time-consuming and costly. This urgency meant I couldn't report the threats to any organization, including the Afghan police in Afghanistan. I made the journey to Pakistan with an Afghan family, crossing the border from Paktia province in Afghanistan to Sadda (Kurram District) in Pakistan. From there, we made our way to Islamabad via Peshawar. Importantly, I didn't have to pay any bribes during my trip.

However, my brother was detained by the Taliban at the border as they suspected we weren't really siblings. I managed to defuse the situation and continued my journey to Pakistan, but my brother was detained further and mistreated by the Taliban. I have photographic evidence of his ordeal. Due to financial constraints, I'm currently living with a Pakistani family, helping them with household chores and services in exchange for accommodation in the same apartment without paying rent.

Regrettably, some individuals in our society have used derogatory language against me because I'm an Afghan girl living with a Pakistani family. Finding a place to live without paying rent is challenging for Afghan refugees in Pakistan, and this arrangement has allowed me to have a place to stay. However, during my time in Peshawar people said hurtful things about me, and I survived two physical attacks, resulting in injuries to my hand and leg. I received threats via WhatsApp messages before these attacks, prompting

me to change my location. I shared these concerns during my interview at SHARP office in Islamabad, and they agreed to refer my case to the UNHCR office.

Unfortunately, there was no response from UNHCR for two and a half months. To my luck, the UNHCR sub-office in Islamabad called me for an interview within a week and agreed to refer my case to the main UNHCR office. However, I've faced social ostracism due to my living arrangements and the absence of my parents. People tend to talk behind my back, and this has caused me a great deal of pain. Interestingly, I find that people insulted me less in Afghanistan than in Pakistan. At least when I lived with my parents, I didn't have to worry about society's opinions. Now, living alone in Pakistan without my family has resulted in people gossiping and speculating about my personal life, and their behavior affects me deeply.

I've connected with other Afghan families here who share similar concerns about our undocumented status in Pakistan. When the police come to our area to detain Afghan refugees without legal documents, we congregate in parks and mosques to avoid detection. These shared experiences have allowed us to build a supportive community.

Due to financial hardship, I haven't sought medical attention since my arrival, and I've faced discrimination in various aspects of life. When I first reached Islamabad, for nearly three months I lived with an Afghan family with whom I had traveled to Pakistan. After they left Pakistan, I faced sexual harassment from the manager of the hotel where I was staying. Financial constraints made it impossible for me to pay the rent, prompting me to change my location again.

My career as a journalist has been significantly curtailed since my arrival in Pakistan. I don't have the connections within the Pakistani media industry, and Afghan refugees face unwelcome attitudes in this field. During my time in Pakistan, I received financial support from UNHCR, totaling PKR 45,000. This assistance came after a thorough background check and a house visit by a UNHCR employee. While the support eased some of my financial burdens, it wasn't sufficient.

Ref: Islamabad CC 2

(Update: Amina has been referred to the Canadian embassy for the resettlement.)

Challenges in the Resettlement Program: Overcoming Obstacles

The resettlement program comes with significant challenges; UNHCR claims it is actively addressing these. Table 21 shows the application status of applicants: 2.3% have been relocated; 5% have been rejected; 58% cases are under review (indicating the rigorous procedures employed) and 31% have no resettlement program available to them. These persons do not meet specific resettlement criteria, largely to do with vague security concerns. UNHCR must make guidelines that include timelines for informing refugees/applicants about the estimated wait times for the resettlement program. This would help refugees better manage their expectations and plans.

According to the anonymous UNHCR employee, one of the primary challenges that UNHCR confronts is the existence of fake cases and fraudulent documentation. Consequently, UNHCR has to be exceptionally meticulous in its resettlement processes, which is time-consuming. Referring to the protests by refugees, the employee said, *“some families and individuals arrived in*

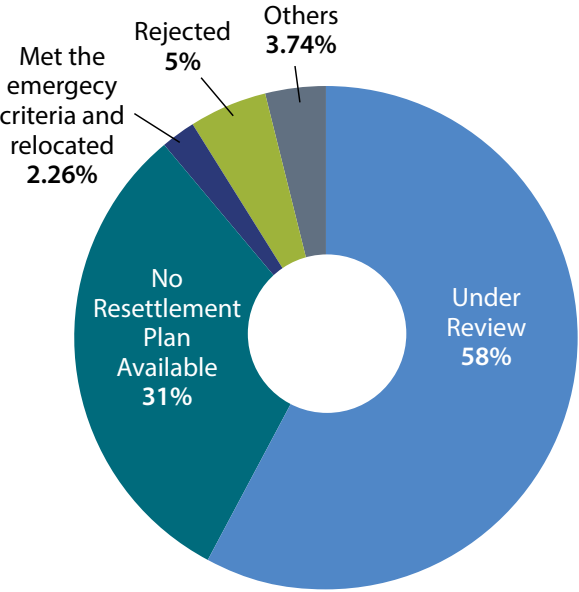
Islamabad without prior registration and began camping outside the Press Club in the hope of attracting media and international attention. Subsequently, some of them filed resettlement cases with UNHCR. Such situations give the impression that UNHCR is not assisting new arrivals or registering them. Additionally, the Pakistani state sometimes denies permits for resettlement cases, further complicating UNHCR’s efforts.”

Regarding allegations of corruption, some refugees believe that UNHCR sells resettlement cases on the black market. Such perceptions exist due to the large gap in the level of demand for resettlement in third countries and the willingness of third countries to accommodate Afghan refugees. UNHCR maintains that it follows stringent processes for resettlement, ensuring that each case undergoes extensive scrutiny but does not communicate its approach and limitations effectively. In this process, the countries that had a part in the Afghan conflict remain conspicuously reticent regarding shouldering their share of responsibility in providing sanctuary for the vulnerable refugees.

Furthermore, the assertion that the resettlement program is banned in Pakistan or Peshawar is inaccurate. In fact, the program was reinstated in 2021. According to the anonymous UNHCR employee, there are specific security concerns raised by the Pakistani government that affect the eligibility of some individuals. For instance, UNHCR cannot register or resettle individuals from the Afghan Army or Afghan Police due to security concerns. Individuals with sufficient documentation, such as LGBTQI individuals, heads of households, victims of Taliban violence, unaccompanied children, journalists, women activists, and artists with well-documented concerns, can apply for resettlement and may receive it following a thorough assessment. Such cases are indeed prioritized for resettlement provided they substantiate their claims with evidence.

The resettlement process encounters several challenges, notably the hurdles stemming from language and sensitive information sharing. One participant from the second CC in Peshawar pointed out a common challenge faced by many applicants is providing evidence of threats. UNHCR often requests pictures or proof of threats, which can be a significant challenge for newly arrived refugees who were forced to flee their homes

TABLE 21



suddenly. The expectation of collecting evidence during moments of crisis can seem unrealistic, as they often lacked legal counsel or the means to document their circumstances thoroughly. This emphasizes the need for a more flexible approach in understanding the context of these refugees and their constraints.

Addressing Challenges in Processing Time for New Arrivals

The frustration and concerns surrounding the processing time for new arrivals was a common thread among respondents. While some acknowledged the politeness of UNHCR staff, there was a shared sentiment that external factors, such as the constraints placed by different governments significantly affect the pace of processing. For instance, one respondent noted that UNHCR staff expressed their limitations due to government restrictions. This illustrates the challenging landscape within which UNHCR operates in Pakistan.

Ruqia, a participant in Islamabad, shared her experience, highlighting the lengthy delays in the processing of cases. She discussed her interactions with SHARP and UNHCR. While she managed to get a case number, the progress was stalled, and she experienced a significant gap in communication for months. Despite receiving a letter from UNHCR that could protect her from police deportation, she remained in the dark about her case's

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Tarawat's experience echoed this sense of uncertainty and delayed responses. While having received the UNHCR certificate for protection against forced deportation, the lack of updates on her resettlement program application was a source of frustration. Her encounters with UNHCR officials were marked by unresponsiveness and a lack of progress. This uncertainty can have a profound impact on the emotional well-being of refugees as they grapple with a sense of vulnerability and an unknown future.

In response to whether post-August 2021 arrivals, especially women, individuals with disabilities, or LGBTQI identities, can access protection, UNHCR representatives emphasized prioritization of these vulnerable groups. They indicated that single women and LGBTQI individuals can access protection and receive support, including cash assistance. Cases within these groups are also prioritized for resettlement. However, there is a growing concern that some individuals are falsely presenting themselves as LGBTQI or victims to seek asylum in Europe or North America, raising complex issues related to the authenticity of claims. While UNHCR aims to support these groups, there are challenges in assessing the validity of certain cases.

The disconnect between asylum certificates issued by UNHCR and their recognition by local entities for essential services, such as opening a bank account or



Community Conversations, Peshawar.



Photo by Abdul Majeed

obtaining a SIM card, continues to be a prevalent concern. For instance, one Afghan policewoman expressed her daughter's predicament. Despite receiving an asylum certificate from UNHCR, she encountered obstacles in opening a bank account for salary payment, underscoring the bureaucratic impediments faced by refugees. This lack of recognition often hampers their access to basic services.

Overall, these challenges emphasize the need for more streamlined and efficient processes, clearer communication, and support systems to alleviate the distress and uncertainties faced by refugees during their journey to find protection and refuge.

Public Protests against UNHCR

This subsection describes an eyewitness account of the protest against UNHCR organized by the 'new arrivals.' In Islamabad, around 50 Afghans started a protest in front of UNHCR; within a week or two, the numbers swelled to 2000-3000 people. They demanded that UNHCR should expedite their registration, the distribution of their refugee cards, and their admission to third countries that give asylum. According to Tolo News, a protesting asylum seeker said, *"We did not get what we wanted, we protested, we do not want anything*

*anymore, our slogan is to kill us."*³⁰

The protest continued though the site was shifted to the park outside the Press Club. According to one of the interviews held with an anonymous respondent, ethnic differences and issues of honor came in the way, and after some time there were splits along ethnic lines, coupled with differences over strategy for UNHCR to respond favorably. Another group emerged with the slogan "Save us" and the Hazara group also separated. During the seven months that the anonymous respondent lived there, she said everyone braved the weather in the park.

"Many nights we could not sleep.

When it rained, we would pick our few belongings and rush to the nearby mosque. After some time we got some tents. We also started a makeshift school where teachers would teach children for 2-3 hours daily. Now children do not have any education. We barely leave our houses. It is so hard. Every family is going through tension and problems and education has slipped their minds."

The protest dissipated and the main person, a Tajik, who had initiated the protest has been jailed. The frustration with UNHCR's slow procedures is palpable: *"They are playing with the lives of thousands of refugees. Something is wrong."* And, *"We Afghans cannot live here, and we cannot go back; neither can we go farther. What should we do? UNHCR keeps citing rules but these need to be changed. If UNHCR wants, it can do a lot. It does not issue documentation and resettlement. No one has left on the UNHCR resettlement program since 2016-2017. Only one family left that was here for many years. We have been here two years and there is nothing."* Furthermore, there are accusations of dishonesty and Pakistani families utilizing resettlement: *"Something is fishy at UNHCR. A reliable source told me it is blacklisted for bribes. I am concerned if they are still blacklisted."* She was critical of the UN's silent advocacy to get the Taliban recognized and questioned if the Taliban could be less oppressive when they would not even budge from denying girls

30 <https://tolonews.com/afghanistan-17773>



Community Conversations, Peshawar.

education. Expressing her bitterness about the West, she said that *“they use such caring words. I was helping them but when I was threatened, we were left high and dry. They should do something for us. In Iran, small and insignificant things are made into big human rights concerns, but we are forgotten. Why is there no attention for us?”*

We conclude that Afghan refugees and new arrivals in Pakistan are equally frustrated. Their frustrations stem from the inadequate communication strategy adopted by the UN in both Afghanistan and Pakistan. When the Taliban regime came into power, it was not a sudden surprise, and even though the Taliban initially promised general amnesty, the long experience of regime change should have alerted the UNHCR to advise people about their options. It should have warned those who saw in it an opportunity for resettlement in western countries, and that such opportunities are limited to a handful of people so that those who were primarily economic migrants could have stayed behind. UNHCR’s communication strategy in Pakistan also does not manage expectations well, leaving Afghans across the board angry, bitter and disappointed about what is widely perceived as ‘ill treatment’ that leaves them without a sense of dignity and respect.

The Pakistan government has displayed no interest in signing any internal or regional convention on refugees and neither has it enacted any domestic legislation for refugees. The lack of a clear policy on refugees further

obfuscates matters. Until recently, Pakistan respected the principle of non-refoulment that guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm. This principle applies to all migrants at all times, irrespective of migration status. However, the establishment of detention centers and forced deportation of unregistered Afghans to be followed by those who are registered blatantly ignores Pakistan’s own commitments. Vulnerable groups like women, Hazaras, musicians, journalists, rights activists and many others who worked for the previous regime are at high risk. Pushing them all back en masse on the basis of suspicion regarding security risks is neither practical nor humane nor good foreign policy. The frenzy that has been created has only aided the black market and fueled the culture of bribes with Pakistani six month visas selling for \$1400-\$1600 USD per person, and \$530 USD for multiple extensions. The matter of gender apartheid, a concern acknowledged by the previous government through symbolic gestures such as sending the former woman foreign minister, Hina R. Khar, to negotiate with the Taliban and flag concerns about women’s rights, seems overlooked by the current caretaker government. Instead, this administration has fueled a fresh wave of xenophobia against Afghans. The undignified forced return has elicited criticism from human rights groups nationally and internationally.

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THEME 6: CONCLUSION, DEMANDS, AND RECOMMENDATIONS FOR THE FUTURE

This research, alongside previous research and interviews,³¹ shows that working women constitute the biggest threat to the Taliban world-view, and as such, face the most repressive treatment and threats including in several cases, forced marriages and outright brutality. It was women's mobility (leaving their homes and entering public spaces), assertion of their autonomy and working for a remuneration that the Taliban condemned and attacked. Therefore, the systematic use of power to deny them fundamental rights i.e., gender apartheid, has been imposed on Afghan women.

There is full awareness at the international and regional levels about the gender apartheid system put in place by the Taliban regime in Afghanistan after August 2021. Full awareness however, does not translate into action; in fact, many countries advocate caution against taking firm stands against such a system because they fear that those inside Afghanistan will suffer more at the hands of the Taliban if any steps are taken to reverse this abhorrent system. Let us be clear that humanitarian aid for those who are in desperate need of food and shelter should not be denied to a vulnerable population but simultaneously the system of discrimination and inequality put in place by the Taliban government must be dismantled. For a more elaborate discussion on this issue, please see "Security Council Briefing on Afghanistan by Karima Bennouna."³²

1. Demands from the Pakistani Government & Authorities

- **Legal Status & Policy on Afghan Refugees:** Pakistan is not a signatory to the 1951 Convention nor its 1967 Protocol, and does not have a national asylum system. However, Pakistan's provision of protection and assistance to Afghan refugees is generally in line with international standards especially the principle of non-refoulement and the right to asylum.

National legislation on refugees and asylum seekers must be promulgated; the Refugee Bill presented to Parliament in March 2023 must be revived or reconsidered after elections in the country. The 1946 Foreigners Act currently regulates the entry, exit, and stay of foreigners in the country, including asylum seekers and non-Afghan refugees (PoR cardholders are exempted from the application of this legislation). The Act lacks definitions for the terms 'asylum' and 'refugee' and categorizes every non-Pakistani as a 'foreigner.' This matter has already been addressed by Justice Babar Sattar in his Judgement in the Raheel Azizi Vs State (W.P. 1666/2023) case and has declared that fundamental rights in the constitution are extended to all foreigners as stated in the constitution. Therefore, foreigners who claim refugee status cannot be deported.

In addition, Pakistan must extend the right to dignity and asylum to the over 700,000 Afghans who arrived in Pakistan following the August 2021 Taliban takeover. These 'new arrivals' currently do not have any legal status because the Pakistan government has actively denied any refugee status to those fleeing the Taliban. Among the most vulnerable are the Hazara Shias, single women and women headed households, WHRDs, journalists, women's rights, human

31 <https://tile.loc.gov/storage-services/service/gdc/gdcovop/2018306328/2018306328.pdf>

32 <https://www.womenpeacesecurity.org/resource/un-security-council-briefing-afghanistan-karima-bennouna/>

rights and social media activists, musicians and those associated with the previous government and with western INGOs or donor organizations. This group of Afghans is extremely vulnerable and must not be forcibly returned through mass deportations, currently underway.

- **Respect the 2017 Cabinet Decision:** In February 2018, the federal cabinet approved recommendations from the Ministry of States and Frontier Regions (SAFRON) that the voluntary and gradual repatriation of Afghan refugees must continue; Unregistered Afghans should be documented by NADRA and treated at par with PoR Card holders. Afghan refugees should be categorized into different groups such as business people/traders, students, skilled/unskilled labor, healthcare professionals etc and visas be granted according to a category. Finally, it recommended the enactment of refugee law/legislation and better management of Torkham and Chaman borders.
- **Respect the Unanimous Recommendations of the Parliamentary Committee of Human Rights:** The Committee on Human Rights notified a subcommittee on refugees that included parliamentarians, civil society representatives, as well as refugee spokespersons. It recommended 15 actions that included the need for the government to devise a National Action Plan for Refugees and Stateless Persons in consultation with all stakeholders. It also recommended that the registration of Afghans in Pakistan must be resumed, and the application of the Foreigners Act of 1946 should be suspended with respect to Afghans until their documentation is completed in light of the Cabinet decision of 2017. It urged the government to enact legislation on refugees and asylum seekers, as well as ensure that foreigners married to Pakistani women receive citizenship alongside their children. It also recommended financial assistance and economic opportunities to potential migrants in their home country to discourage forced migration.

Importantly, the subcommittee also recommended establishing a Pakistan Refugee Council, an autonomous body with membership from CSOs, refugee

experts and government to act as a bridge between the refugees, the government and the international community.

- **Clarity on Policy for NGOs, INGOs and Media Engagement:** The government must change its restrictive single lens policy led by security concerns to allow for human rights including women's and child rights concerns for refugees to be highlighted and pursued. The limited scope of MoUs offered to NGOs and INGOs needs to be expanded just as the restrictions on media need to be lifted. Refugee voices and rights must be included in the list of subjects that the government allows NGOs and INGOs to address in their work. Similarly, the guidelines provided to print and electronic media outlets must undergo change and allow for reporting human rights perspectives instead of promoting xenophobia.
- **Provide Access to Education, Health and Livelihood Opportunities:** Investment in education and livelihood opportunities including skills training can empower Afghan refugees and reduce their dependence on aid. Education is a constitutional right and every child on Pakistan's soil (even those considered undocumented) can attend school. Given the issues around mental health and its nexus with poverty and vulnerability, the Pakistan government in conjunction with other international and national organizations must help address this widespread issue for the host and refugee population.
- **Effective implementation of anti-sexual harassment policies, policies against sexual exploitation of women and children:** While the UN and Pakistan government have clear policies and guidelines on sexual harassment and also have structures in place that implement and uphold the policies, it is still a grey area where reporting by victims and survivors is difficult. In addition, the incidence of transactional sex and survival has also been observed by employees but in such cases those involved are not willing to register a complaint. Greater awareness and training, as well as knowledge about response mechanisms and institutions must be proactively promoted.

- **Strengthened Mechanisms for GBV and shelter for GBV survivors:** Ranging from legal aid, psycho-social support, and local human resource capacities, as well as financial allocation to address GBV are essential steps. These can be enhanced through social and economic empowerment of survivors and the provision of safe spaces including shelters where they can be protected. The latter undertakings are very expensive initiatives, but can and must be managed innovatively, without compromising on quality. Improved access to healthcare and better living conditions are essential for the well-being of refugees.
- **Reforming and Ensuring Police Accountability:** Consistent complaints from refugees across the years about police harassment, ill treatment and bribes needs immediate redressal. Pakistan can ensure greater transparency through use of technology by promoting digital solutions, providing training on ethics and transparency, ensuring whistle-blower protection, and strengthening internal oversight while instituting and implementing disciplinary action.
- **A Credible Research Center & Microdata Repository:** The Afghan Commissionerate in Pakistan has extensive expertise in refugee management, making it a valuable repository of information and a potential hub for global knowledge sharing. Displacement has increased globally and shows no signs of abetting. If the government can ensure that its primary information and micro data is archived properly and made available through open online access to researchers and policy makers globally, it would be an important contribution for devising best practice across the world.
- **The role of the government autonomous commissions on human rights and women's rights:** Operating at the provincial and federal levels, these commissions must be harnessed to ensure that the rights of vulnerable populations living in Pakistan, irrespective of their citizenship status, are ensured. The right to dignity and livelihoods must be upheld by these bodies.

2. Demands from the International Community

- **Urgent Demand to End the System of Gender Apartheid:** "...gender apartheid is an erasure of the humanity of women... Every aspect of female existence is controlled and scrutinized. It permeates all institutions and spaces, the public and private spaces."³³ The world community needs to recognize Afghanistan as a country of persecution and not dismiss and be cautious about the systematic gender apartheid that has been erected in Afghanistan in full view of the world community. That women's rights cannot be negotiated away needs to be reinforced by every stakeholder, whether government or non-government CSOs.
- **Foreign Missions and Embassies in Pakistan:** Different countries that have adopted cumbersome procedures such as security and background checks need to expedite their processing time for Afghans who have been waiting to hear back about progress on their visas. Foreign, especially Western embassies in Islamabad must ensure their governments extend immediate support to Afghan nationals in terms of resettlement, granting temporary asylum visas, and providing financial assistance to ensure immediate protection needs.
- **Demands from UNHCR and Partner organizations and other UN entities:** Many women had specific requests and recommendations for UNHCR. It is important that their voices are given space so that their concerns are accurately reflected. In a CC held in Karachi, the participants underscored their urgent need for security by issuing them valid identity documents, followed by job opportunities, the provision of basic facilities in their low-income areas, such as electricity, gas, WASH, medical facilities, and schools in the areas where they live. They also requested that they should be allowed to have telephone SIM cards and bank accounts. (Karachi CC 4)

³³ Karima Bennouna, "The International Obligation to Counter Gender Apartheid in Afghanistan" in *Columbia Human Rights Law Review*, 2022, Pages 24-25

- **Increase Humanitarian Funding:** Global support for refugees has decreased but the number of displaced persons and refugees has doubled in a decade to over 90 million in the world. UNHCR's total budget of \$10 billion cannot respond to the needs of 90 million people in a just or adequate manner.

In an era of high inflation and funding cuts for social spending, it is imperative to present sustainable financing for refugees and those without formal refugee status everywhere. The approach should be led by principles of justice rather than *realpolitik*. The importance of human life cannot be based on racial and political divides. The international community must renew its commitment to supporting Afghan refugees in Pakistan by providing adequate humanitarian aid and funding alongside ensuring aid effectiveness. The Afghan refugee crisis in Pakistan, despite its long-standing nature, remains an underreported and underfunded humanitarian challenge. As international attention shifts to other crises, it is imperative that the global community refocuses its efforts on addressing the needs and rights of Afghan refugees and the 'new arrivals' who have no legal status in Pakistan. Failure to do so not only jeopardizes the well-being of thousands of displaced individuals but also undermines the principles of compassion and solidarity that underpin the international humanitarian system.

- **Gender Based Violence and Greater Focus on Prevention and Response:** UNHCR, and other humanitarian organizations including NGOs and INGOs must prioritize effective response to GBV including emergency response. It means ensuring properly trained personnel who can detect and respond effectively to GBV in addition to forming partnerships with women's rights and women led organizations who can introduce innovative solutions and push for zero tolerance. The presence of safe houses and shelters is of primary importance, where women can seek refuge/safety comfortably. This means including social protection measures in GBV response plans, as often, the underlying causes for GBV are interlocking grids including poverty, tribal and/or ethnic identity, as well as any markers that make women

vulnerable on the basis of their race, religion, or lower status within the household.

- **Global Advocacy:** Humanitarian organizations and governments must actively advocate for urgently addressing the issues and challenges that Afghan refugees, especially 'new arrivals,' confront in Pakistan – which has its own set of challenges ranging from economic to climate crises and over 40% percent of the population living below the poverty line. Additionally, Afghanistan's protracted crisis no longer commands global attention, considering the changed priorities of powerful countries on the regional and international levels.

3. Demands from CSOs (including NGOs, INGOs & Media)

Civil society organizations can have a significant impact on improving the rights and wellbeing of refugees. They can ensure that refugees receive the protection, assistance and support they need to build their lives through their advocacy and interventions. The following recommendations can be carried out at the local, regional and international levels by a range of civil society actors. For instance, rights-based NGOs such as HRCP and INGOs such as Human Rights Watch and Amnesty International, alongside those with mandates for women's rights, refugee rights, and social, print, and electronic media.

- **Policy Advocacy, Raising Awareness and Resettlement:** CSOs can run awareness campaigns, arrange seminars and workshops to emphasize the need for refugee and asylum laws and policy, and educate the public about the refugee crisis and the subsequent challenges faced by refugees. They can use social media, blogs, vlogs and other online platforms to share stories and information about refugees to counter misinformation. This is currently being done by media organizations such as Voice.pk but many more need to come onboard. INGOs can provide assistance with resettlement, especially in view of the gender apartheid faced by Afghan women. CSOs in countries like Canada and Brazil are playing such a role but need to act more urgently. Integration into the new countries can also be facilitated by CSOs.

- **Legal Aid and Legal Assistance:** NGOs such as SHARP, AGHS and HRCF have the capacity to provide legal aid and assistance, especially to Afghan women who face threats and persecution in Pakistan as well. They can also undertake training legal professionals in refugee law. Some of this work is currently being undertaken by organizations such as SHARP, however, such initiatives need to be taken to scale.
- **Education, Healthcare and Mental Health Support:** CSOs are involved with providing such services however, they are limited in number and unable to meet the present demand. An expansion in these services means that they need to raise more funding and have trained human resources available for such endeavors. Scholarship opportunities for schooling, as well as language learning at existing schools and universities, after government permissions, must be opened up.
- **Humanitarian Assistance and Economic Empowerment:** Some refugee communities are among the poorest, with little or no access to adequate food, health, hygiene and sanitation. Under such circumstances, some of the charitable organizations such as Edhi Trust and Chhipa Association can be involved in providing food and other necessities. The lack of economic opportunities must be addressed through vocational and skills training and entrepreneurship initiatives.
- **Documentation, Research, and Advocacy:** Pakistan has no dedicated institution that documents human rights abuses, violations and living conditions of refugees to be able to advocate for their rights and protection or raise their issues at international forums including media organizations, policy makers and INGOs. Such an institution can develop capacity building and best practices based on Pakistan's decades long experience of hosting refugees. Such networking is needed with government agencies and CSOs to maximize impact.
- **Community Building:** Some CSOs have taken small initiatives to build a sense of community among refugees by organizing cultural events to foster a sense of solidarity and togetherness; furthermore, they can support groups, as well as safe spaces for refugees to share their experiences and challenges. Such initiatives encourage social inclusion, especially with host communities.
- **Peace Building and Global Solutions:** NGOs and INGOs, namely Amnesty International and Human Rights Watch and many others must advocate for the urgent need to address the root causes of displacement and the need to promote peace rather than piecemeal solutions. In the present world, bitterly divided about the application of human rights, this recommendation must continue to be included even if it sounds idealistic and unattainable. If countries do not want to receive displaced populations whether as economic refugees or those escaping gender apartheid, then they must take responsibility for fostering a more just and peaceful world that does not require border policing.
- **Role of political parties:** Calling on political parties and their leaders to raise the issue of justice for refugees and highly vulnerable populations. Political parties must raise the issue of gender apartheid in Afghanistan in their meetings at all levels, calling upon the international community to play its role in ensuring the reversal and complete rollback of this system of discrimination. It must remind the government that as long as gender apartheid is maintained and strengthened in Afghanistan, there can be no meaningful peace with the result that vulnerable women and families will continue to seek refugee in other countries. Their forcible return through deportation is neither ethical nor humane and violates International Human Rights Laws.

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