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Pakistan: Refugees must not be forced back to an unstable Afghanistan

Afghan nationals in Pakistan are at risk of being returned to Afghanistan where they may face human rights abuses, Amnesty International said today.

Eight Afghan Sikhs, arrested in late November, were deported to Afghanistan last weekend without having the opportunity to seek asylum or obtain the assistance of the UNHCR. The deportation reportedly forms part of a wider pattern of Afghans being returned by the Pakistani authorities.

Afghan refugees must not be deported to Afghanistan without having access to a fair and satisfactory asylum procedure.

In the context of a repatriation program, all repatriation should be voluntary and be assessed on the basis of whether the refugees would be at risk of human rights abuses during or after return. The UNHCR must be allowed to perform its role and interview all those returning to Afghanistan in order to ensure their decision was voluntary and informed.

Countries that are hosting Afghan refugees must ensure their continued protection, until it is established that they will be secure in Afghanistan and can safely return. Refugees interviewed by Amnesty International in Pakistan insist that they will return to their homes in Afghanistan at the earliest opportunity. However, they stress that they cannot do this until there is peace and security in Afghanistan.

The principle of non-refoulement enshrined in the 1951 Convention relating to the Status of Refugees is part of international customary law and prohibits the forcible return of any individual to a country where s/he may be at risk of serious human rights violation.

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