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Prime Minister Shehbaz Sharif
Prime Minister's Secretariat
Red Zone, Islamabad
Islamabad Capital Territory

15 December 2022

Your Excellency Prime Minister Shehbaz Sharif,

RE: PROTECTING AFGHANS IN PAKISTAN

Pakistan has hosted more Afghan refugees than any other country in the world – and for that, it must be commended. But I am concerned for the lives and safety of Afghan refugees who have arrived in Pakistan since the return of the Taliban to power on 15 August 2021.

Amnesty International has become aware that Afghans with and without Pakistani visas are facing serious challenges due to lack of processes to regularize their stay, discrimination, and restrictions on their freedom of expression. Further, administrative hurdles to obtain identification documents or to renew visas place Afghans at risk of arrest and refoulement.

Amnesty International is alarmed at the prolonged legal uncertainty experienced by Afghan refugees in Pakistan. Pakistan lacks national legislation for the protection of refugees and asylum seekers. The country also has no established procedures to determine refugee status. Thus, Afghans are left in a state of limbo without pathways to regularize their stay.

Without documentation, Afghans are largely unable to access housing as they cannot convince landlords to rent out houses to them. Afghans cannot open bank accounts or receive money in their own name from relatives abroad. They cannot acquire SIM cards for their mobile phones due to lack of identification documents and policies that prohibit foreigners from obtaining SIM cards without approval from the Ministry of Interior. They also cannot receive medical treatment at government hospitals. They face discrimination and language barriers. Additionally, all Afghans without legal documents are at a constant risk of arrest under the Pakistan Foreigners Act.

Afghans who entered Pakistan's territory with visas must regularly renew them, which reportedly requires them to re-enter Afghanistan. This is both costly and dangerous. Many Afghans who entered Pakistan with visas are human rights defenders, journalists or known government officials, and are at higher risk of persecution by the Taliban.

Amnesty International has been closely monitoring the demonstrations that Afghans have been staging to protest their living conditions. I want to bring to your attention the cases of Ahmed Zia Faiz and Syed Manoor Kazemi. Faiz and Kazmi have been imprisoned in Adiala Central Jail, Rawalpindi, since 22 June 2022 for protesting the discrimination, legal uncertainty and arrests of undocumented Afghans. According to reports, Faiz was recently hospitalized on account of his hunger strike aimed at drawing attention to the plight of Afghans in Pakistan. They remain in jail and may be in danger of deportation.

Amnesty International urges the Government of Pakistan to provide Afghans with a means of regularizing their stay and accessing services without discrimination, including education for children and health care. We further recommend to the government of Pakistan to allow Afghans to be lawfully employed so that they can provide for themselves and maintain their dignity.

The Government of Pakistan should not require Afghans in need of visa renewals to cross the border into Afghanistan as this would be considered a form of refoulement. In August 2021, the United Nations Refugee Agency issued a non-return

advisory in August 2021, calling for a halt on all forced returns of Afghans. Whilst Amnesty International welcomes the Pakistan government's amnesty scheme, under which Afghans who have overstayed their visas have until 31 December 2022 to renew them, it is vital that no deportations to Afghanistan occur under any circumstance after this date. Forcing Afghans to return when they may face serious risks of human rights violations would be a violation of the principle of non-refoulement, which is non-derogable under international law. In addition, the Pakistani government should initiate discussions with other countries to identify long-term solutions to ease the plight of Afghans, including resettlement.

Pakistani law enforcement must also protect the rights of refugees to peaceful expression and assembly, including the right to carry out peaceful demonstrations, and all arrests of Afghan refugees/asylum seekers under the pretext of being undocumented should be stopped.

Amnesty International urges the government of Pakistan to continue its historic support for Afghan refugees by enabling them to live with dignity and free from the fear of being returned to an Afghanistan ruled by the Taliban.

Thank you,

Yours sincerely,



Agnès Callamard
Secretary General